

LCQ13: Persons holding Two-way Exit Permit with endorsement for visiting relatives

â€œFollowing is a question by the Hon Luk Chung-hung and a written reply by the Acting Secretary for Security, Mr Michael Cheuk, in the Legislative Council today (May 24):

Question:

According to the requirements of the Mainland authorities, Mainland residents holding Exit-entry Permits for Travelling to and from Hong Kong and Macao (commonly known as "Two-way Exit Permits") may, if they have relatives who are settled, residing on a long-term basis, studying or working in Hong Kong, apply for an endorsement for visiting relatives and be permitted to stay in Hong Kong for not more than 90 days upon each entry. In addition, it is learnt that some Mainland relatives of Hong Kong residents, while waiting for the issuance of the Permits for Proceeding to Hong Kong and Macao (commonly known as "One-way Permits" ("OWPs")) by the Mainland authorities, apply for Two-way Exit Permits with an endorsement for visiting relatives in order to have an early family reunion and take care of their relatives in Hong Kong, and then return to the Mainland to re-apply for the endorsement upon expiry of the existing one. As such, they keep travelling back and forth between the two places. There are views that while foreign nationals may, in their capacity as dependents, apply to take up employment in Hong Kong without being subject to restrictions, Two-way Exit Permit holders who are Chinese nationals waiting for the issuance of their OWPs are not entitled to the same treatment, indicating that there is unfairness in the system, and the potential labour force in Hong Kong society is being wasted. In this connection, will the Government inform this Council:

(1) of the number of Mainland residents holding Two-way Exit Permits with an endorsement for visiting relatives who stayed in Hong Kong in the past five years and, among them, the number of those who have applied to the Mainland authorities for OWPs;

(2) of the total number of applications for an extension of stay received by the Immigration Department (ImmD) from Mainland residents holding Two-way Exit Permits with an endorsement for visiting relatives during the outbreak of the Coronavirus Disease 2019 epidemic and, among them, the number of applications approved;

(3) whether ImmD has compiled statistics on the demographic and social characteristics, such as gender, age, place of origin and educational attainment, of Mainland residents who had applied for OWPs and were holding Two-way Exit Permits with an endorsement for visiting relatives in the past five years, as well as the length of time they waited for the issuance of OWPs; and

(4) whether the Government will explore with the Mainland authorities to allow Mainland residents who have applied for OWPs and are holding Two-way Exit Permits with an endorsement for visiting relatives to work in Hong Kong, so as to supplement Hong Kong's labour force and enable them to adapt to the life in Hong Kong beforehand?

Reply:

President,

The immigration policy on entry of dependants to Hong Kong and the Permit for Proceeding to Hong Kong and Macao (commonly known as "One way Permit" (OWP)) scheme have different eligibility criteria and serve different policy objectives. The immigration policy on entry of dependants to Hong Kong is not a family reunion policy. Instead, it allows those who are able to provide care and financial support to their dependants to sponsor their non-local dependants to come to reside in Hong Kong. The policy also ensures that Hong Kong will continue to attract and retain people with the right talent and skills to come to and remain in Hong Kong by giving them the choice of bringing in their non-local dependants to live with them in Hong Kong.

The policy objective of the OWP scheme is to allow Mainland residents to come to Hong Kong for family reunion in an orderly manner. Mainland residents who meet the eligibility criteria laid down by the Mainland authorities may apply to come to settle in Hong Kong. Separately, Mainland residents who wish to enter Hong Kong as a visitor for other purposes such as visiting relatives, taking up employment, etc, are required to obtain an Exit-entry Permit for Travelling to and from Hong Kong and Macao (commonly known as "Two-way Permit" (TWP)) and the relevant exit endorsement from the Mainland authorities.

The application, approval and issuance of OWPs, TWPs and exit endorsements fall within the remit of the Mainland authorities.

The reply to the question raised by the Hon Luk Chung-hung is as follows:

(1) The number of visits to Hong Kong by TWP holders with exit endorsements for visiting relatives in Hong Kong in the past five years is tabulated as follows:

2019	2020	2021	2022	2023 (January to April)
3 313 927	285 844	47 776	50 846	595 438

Since TWP holders are not required to declare to the Immigration Department (ImmD) whether they have applied for OWP, the ImmD does not have the relevant information.

(2) In view of the special difficulties encountered by some visitors departing or arriving in Hong Kong due to the impact of the COVID-19 epidemic, the ImmD has exercised discretion to allow some Mainland visitors (including TWP holders with exit endorsements for visiting relatives in Hong Kong) to extend their stay in Hong Kong, having regard to the actual circumstances of individual cases, so as to reduce the need for compulsory quarantine as a result of travelling between the two places.

The number of applications for extension of stay from TWP holders with exit endorsements for visiting relatives in Hong Kong in the past five years is tabulated as follows:

	2019	2020	2021	2022	2023 (January to April)
Number of applications	905	132 591	142 071	132 666	14 322
Number of approved applications	842	125 826	132 812	122 520	14 253

Note: The cases approved in a year may not be the applications submitted in the same year.

(3) Since TWP holders are not required to declare to the ImmD whether they have applied for OWP, the ImmD does not have the requested information.

Separately, a data collection mechanism has been set up by the ImmD to collect data on the demographic and social characteristics of OWP holders when they first entered Hong Kong. After analysing and collating the results of the data collected in the survey, the results are issued periodically in the form of quarterly reports and uploaded to the website of the Home Affairs Department (HAD).

In 2022, there were 21 214 OWP holders arrived Hong Kong and their demographic and social characteristics are tabulated as follows:

Demographic and social characteristics		2022
Sex		
	Male	8 923
	Female	12 291
Age		
	0-4	1 201
	5-14	3 184
	15-24	3 060
	25-34	4 626
	35-44	4 441

	45-54	2 966
	55-64	1 299
	65+	437
Educational attainment (aged 15 and over)		
	No schooling/kindergarten	273
	Primary	1 509
	Secondary	10 821
	University/post-secondary	4 226
Province of origin		
	Guangdong Province	15 573
	Fujian Province	2 252
	Others	3 389

For details, please refer to the relevant reports on the website of the HAD at

www.had.gov.hk/en/public_services/services_for_new_arrivals_from_the_mainland/surveys.htm

(4) Persons who are allowed to enter Hong Kong as visitors (including Mainland visitors holding TWP and exist endorsement for visiting relatives in Hong Kong) are not allowed to accept paid or unpaid employment in Hong Kong, nor to establish or participate in any business under the prevailing arrangement.

Unless a person has the right of abode or right to land in the Hong Kong Special Administrative Region, he/she is required to apply for a visa/entry permit to work, establish or join in any business. In processing each application, the ImmD will examine whether the applicant meets the specific eligibility criteria under the admission scheme concerned and the normal immigration requirements, and consider each application on its own merits, so as to ensure that only applicants who meet the relevant immigration policies will be admitted into Hong Kong for employment.

At present, Mainland residents may come to work in Hong Kong through various schemes, including the Admission Scheme for Mainland Talents and Professionals and the Supplementary Labour Scheme.