



Immigration Department

The Government of the Hong Kong Special Administrative Region

Guidebook for Entry for

Investment as Entrepreneurs in Hong Kong

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I. Introduction

This guidebook sets out the entry arrangement for persons who wish to enter/stay in the Hong Kong Special Administrative Region (hereafter “HKSAR”) for investment as entrepreneurs under the General Employment Policy (hereafter “GEP”), i.e. to establish or join in business in the HKSAR.

2. This entry arrangement does not apply to:
 - (a) Chinese residents of the Mainland of China (hereafter “the Mainland”); and
 - (b) nationals of Afghanistan, Cuba and Korea (Democratic People’s Republic of).

II. Eligibility Criteria

3. An application for a visa/entry permit to enter the HKSAR for investment as entrepreneur may be favourably considered if:

- (a) there is no security objection and no known record of serious crime in respect of the applicant;
- (b) the applicant has a good education background, normally a first degree in the relevant field, but in special circumstances, good technical qualifications, proven professional abilities and/or relevant experience and achievements supported by documentary evidence may also be accepted; and
- (c) (i) the applicant is in a position to make substantial contribution to the economy of the HKSAR, with consideration factors including, but not limited to, business plan, business turnover, financial resources, investment sum, number of jobs created locally and introduction of new technology or skills. Details of these consideration factors are as follows:

(1) Business Plan

An applicant who wishes to establish or join in business in Hong Kong should submit a three-year business plan stating the nature of the business, market analysis, market positioning, business direction, sales targets, product marketing strategy, etc. in order to demonstrate that the business is suitable for and capable of developing in Hong Kong. The applicant should also submit a three-year forecast of the profit-and-loss account statement, cash flow statement and balance sheet to demonstrate the feasibility of the business in terms of operation, finances and development.

The Immigration Department (hereafter “ImmD”) will seek advice, if needed, from relevant government departments or professional bodies on the applicant’s business plan in order to assess whether the business supports Hong Kong’s overall economic development. For example, the ImmD may consider whether the applicant’s business belongs to or is able to complement industries that Hong Kong enjoys clear advantages, such as the four traditional pillar industries (i.e. trading and logistics, tourism, financial services, and professional and producer services) or the four clusters of sectors being explored for support measures by the Economic Development Commission (i.e. transportation, convention and exhibition industries and tourism, manufacturing industries, innovative technology and cultural and creative industries, and professional services), etc.

(2) Business Turnover

If the applicant is running relevant business overseas or has joined in a business in Hong Kong, he/she should submit the profit-and-loss account statement and balance sheet showing the business turnover and profit in the previous year. Those who intend to establish business in Hong Kong should submit a three-year forecast of profit-and-loss account statement and balance sheet as mentioned above, including the anticipated business turnover in order to demonstrate the feasibility of the business operation and development.

In assessing an application for entry for investment to establish business in Hong Kong, the ImmD will also consider whether the applicant has relevant investment or working experience in the business concerned. If needed, the ImmD will seek advice from relevant government departments or professional bodies in order to assess whether the business is suitable for and able to sustain a steady growth in Hong Kong, and can give impetus to the industry concerned.

(3) Financial Resources

The applicant should submit statements of his/her personal and company bank accounts in the previous year and proof of other sources of funding, as well as the company’s latest audited financial report (if any) to demonstrate that he/she has sufficient financial resources to run the relevant business in Hong Kong and also support the smooth operation and sustainable growth of the business.

(4) Investment Sum

The applicant should submit documentary proof showing the amount of capital investment in Hong Kong. The ImmD will consider whether the investment amount is able to support the operation of the business.

(5) Number of Jobs Created Locally

The applicant should set out the organisational structure of his/her business and the required number of staff and posts, based on the nature and scale of the business. He/She should indicate the number and level of actual jobs created locally (e.g. managers, administrators, professionals, clerical support staff, etc.).

(6) Introduction of New Technology or Skills (if applicable)

The applicant should explain how the new technology or skills to be introduced can inspire creativity in the high-value-added industries in Hong Kong, and whether he/she has taken out patent, contributing to the long-term development of Hong Kong as a knowledge-based economy.

(ii) Start-up Businesses

An applicant who wishes to establish or join in a start-up business may also submit an application. The ImmD may consider the application favourably, if the start-up business concerned is supported by a government-backed programme with a rigorous vetting and selection process, and the applicant is the proprietor or partner of the start-up company or a key researcher of the relevant project. Examples of government-backed programmes include:

- (1) StartmeupHK Venture Programme administered by InvestHK;
- (2) Incu-App, Incu-Bio and Incu-Tech programmes administered by the Hong Kong Science and Technology Parks Corporation;
- (3) Cyberport Incubation Programme;
- (4) Enterprise Support Scheme administered by the Innovation and Technology Commission; and
- (5) Design Incubation Programme administered by the Hong Kong Design Centre.

4. Overseas Chinese nationals holding People’s Republic of China (hereafter “PRC”) passports who are living overseas and meet the above eligibility criteria and normal immigration requirements may apply to enter the HKSAR for investment if:

- (a) the applicant has permanent residence overseas; or
- (b) the applicant has been residing overseas for at least one year immediately before the submission of application [“overseas” means places outside the Mainland, the HKSAR and the Macao Special Administrative Region (hereafter “SAR”)] and that the application is submitted from overseas.

III. Application Procedures

Sponsor in Hong Kong

5. To apply for entry for investment, the applicant must nominate a local sponsor, who can either sponsor the applicant as a company or an individual. If the sponsor is an individual, he/she should be:

- (a) of the age of 18 or above;
- (b) a bona fide Hong Kong resident; and
- (c) acquainted with the applicant.

Supporting Documents

6. Please refer to the checklist at Part IX.

Submission of Application

7. Applicants, their accompanying dependant(s) (if any) and the sponsor shall submit their applications and upload all supporting documents online through the designated GovHK website at the following link:
www.gov.hk/en/nonresidents/visarequire/visasentrypermits/applyinvestment.htm. For individual dependant who wishes to join the applicant later and submit the application separately, please refer to the ImmD’s website at www.immd.gov.hk/eng/services/visas/residence_as_dependant.html for the application procedures.



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Entry for Investment as
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IV. Travel Documentation Requirement

8. A visa/entry permit (in the form of “e-Visa”) will be issued upon successful application. Upon immigration arrival clearance in the HKSAR, an “e-Visa” holder should present his/her valid travel document and the “e-Visa” saved on a personal mobile device or printed on a sheet of A4 white paper, and scan the encrypted QR code on the “e-Visa” with the optical reader at an immigration counter.

V. Extension of Stay

9. Persons admitted for investment as entrepreneurs (to establish or join in business) under the GEP will be granted an initial stay of up to 36 months on employment condition upon entry. They may apply for extension of stay in the HKSAR within four weeks before their limit of stay expires. Such applications will be considered only when the applicants continue to meet the eligibility criteria for entry for investment. Successful applicants will normally be granted an extension of stay following the 3-2 year pattern, on employment condition.

VI. Conditions of Stay

10. Persons admitted to establish or join in business as approved by the Director of Immigration will be admitted on employment condition. Should they wish to establish or join in business other than that approved, they should seek prior approval from the Director of Immigration. Such applications may be favourably considered if they continue to fulfil the eligibility criteria for entry for investment under the GEP.

VII. Entry of Dependants

11. Applicants admitted or seeking admission for investment may apply to bring their spouse or the other party to a same-sex civil partnership, same-sex civil union, “same-sex marriage”, opposite-sex civil partnership or opposite-sex civil union entered into by him/her in accordance with the local law in force of the place of celebration and with such status being legally and officially recognised by the local authorities of the place of celebration¹, and unmarried dependent children under the age of 18 to the HKSAR under the prevailing dependant policy. Persons admitted or applying for admission for investment will be the sponsors of their accompanying dependants to the HKSAR. An application for admission of a dependant may be favourably considered if normal immigration requirements and the following criteria are met:

- (a) there is reasonable proof of a genuine relationship between the dependant and the sponsor;
- (b) there is no known record to the detriment of the dependant; and
- (c) the sponsor is able to support the dependant’s living at a standard well above the subsistence level and provide him/her with suitable accommodation in the HKSAR.

¹ For the avoidance of doubt, the terms “civil partnership” and “civil union” above mean a legal institution of a nature which is akin to spousal relationship in a marriage. The same-sex civil partnership, same-sex civil union, “same-sex marriage”, opposite-sex civil partnership and opposite-sex civil union entered into in accordance with laws outside Hong Kong are limited to only relationships which are legally and officially recognised in the places of celebration. Such relationships normally have the following features: (a) the entering into and dissolution of the relationship are governed by legislation of the place where it is entered into; (b) the relationship requires registration by the competent authority specified by the legislation of the place where it is entered into; (c) the registration is evidenced in a written instrument issued by the competent authority; and (d) parties to the relationship have a mutual commitment to a shared life akin to spouses to the exclusion of others on a permanent basis. Such relationships do not include de facto spouse, partners in cohabitation, fiancé/fiancée, etc.

12. This entry arrangement does not apply to:
- (a) former Mainland Chinese residents residing in the Macao SAR who have obtained Macao identity cards for less than seven years, unless they have acquired residence in the Macao SAR through the One-way Permit Scheme; and
 - (b) nationals of Afghanistan and Korea (Democratic People's Republic of).
13. The length of stay of such dependants will normally be linked to that of their sponsors. Any subsequent applications for extension of stay will be considered only when the applicant continues to meet the eligibility criteria for entry for residence as dependant (including that there is no change in circumstances which would have otherwise resulted in loss of sponsorship for the applicant, e.g. change in marriage relationship between the dependent spouse and the sponsor, or death of sponsor) and the sponsor remains a bona fide Hong Kong resident living in the HKSAR. These dependants are not prohibited from taking up employment and studies in the HKSAR under the existing policy.

VIII. Other Information

14. In general, unless a person has the right of abode or right to land in the HKSAR, he/she requires a visa/entry permit for investment in the HKSAR. While each application is determined on its individual merits, an applicant should meet normal immigration requirements (such as holding a valid travel document with adequate returnability to his/her country of residence or citizenship; be of clear criminal record and raise no security or criminal concerns to the HKSAR; have no likelihood of becoming a burden on the HKSAR, etc.) as well as the relevant specific eligibility criteria detailed above before he/she may be considered for the grant of a visa/entry permit. It should be noted that the eligibility criteria may be subject to change from time to time without prior notice. Please check the ImmD's website at www.immd.gov.hk for up-to-date information.

Re-entry into the HKSAR

15. Non-permanent residents of the HKSAR, irrespective of their nationality and type of travel document held, do not require a re-entry visa/entry permit to enter the HKSAR provided that they return within the currency of their permitted limit of stay and that the circumstances upon which they have acquired their residential status remain unchanged.

Right of Abode

16. Persons admitted for investment who have ordinarily resided in the HKSAR for a continuous period of not less than seven years may apply for the right of abode in the HKSAR in accordance with the law.

Payment of Fees

17. Upon approval of the applications, the notification of the application result issued by the ImmD will include a webpage link for payment. Payment of relevant fees could be made through the said webpage link or the GovHK website or the ImmD Mobile Application by credit card (VISA, Mastercard, UnionPay and JCB only), Payment by Phone Service (hereafter “PPS”), Faster Payment System (hereafter “FPS”) or Mainland China’s Licensed Digital Wallets (Alipay, WeChat Pay and UnionPay App only). After payment, applicants could instantly download or print the “e-Visa” by themselves.

Processing Time

18. It normally takes four weeks to process a visa/entry permit application for investment upon receipt of all the required documents. The ImmD will not be able to start processing the application unless all the required documents and information have been received.

19. All applications are processed and determined by the ImmD. Approval of applications is entirely discretionary and is subject to changes in government policies. The Director of Immigration reserves absolute discretion to refuse any application even if the application meets all eligibility criteria.

Warning

20. It is an offence to make false statements or representations to an immigration officer. To verify the authenticity of the information and documents submitted with a visa application, field visits may be conducted. A person who knowingly and wilfully makes a statement or gives information which he/she knows to be false or does not believe to be true shall be guilty of an offence under the Laws of Hong Kong and any such visa/entry permit issued or permission to enter or remain in the HKSAR granted shall have no effect.

Disclaimer

21. The information in this guidebook serves as reference only. The ImmD of the HKSAR is not responsible for any loss or damage whatsoever arising out of or in connection with any information in this guidebook. The ImmD reserves the right to omit, suspend or edit any information in this guidebook at any time in its absolute discretion without giving any reason or prior notice. The ImmD further reserves the right to change the eligibility criteria and details of the arrangements set out above from time to time without prior notice.

Enquiries

22. For more information about the entry arrangements for investment as entrepreneurs in Hong Kong, please contact the ImmD by enquiry hotline at (852) 2824 6111, by fax at (852) 2877 7711, by email to enquiry@immd.gov.hk, or visit the ImmD's website at www.immd.gov.hk.

IX. Checklist of Documents to be Uploaded during Online Application

(A) Documents to be Uploaded by the Applicant for Entry for Investment

Documents Required
The applicant's recent photograph
The applicant's valid travel document containing personal particulars, date of issue, date of expiry and/or details of any re-entry visa held (if applicable). For an applicant who is currently staying in the HKSAR, his/her valid travel document page containing the latest arrival stamp/landing slip/extension of stay label in the HKSAR and the latest issued "e-Visa" (if applicable)
The applicant's Hong Kong identity card (if any)
Proof of academic qualifications and relevant work experience
Proof of the applicant's financial standing (e.g. bank statements)
The company's employment contract with or letter of appointment to the applicant containing information about post, salary, other fringe benefits and employment period (if applicable)
Detailed 3-year investment plan which contains details of proposed business activities, amount of investment, creation of local job posts, setting up of an office/showroom/warehouse, etc.
Proof of company's business activities such as contracts, invoices or proof of business deals under negotiation (if applicable)
Proof of the company's financial standing (e.g. latest audited financial report, trading profit and loss account, or profits tax return)
Documents with details of company background such as business activities, mode of operation, background/connection of company, product ranges, sources and markets, membership of chamber of commerce (if any), etc. (supported with catalogues, brochures, etc.) <i>[if the applicant has invested in the HKSAR]</i>
Tenancy agreements/supporting documents on office set-up
Proof of posts created for local employees such as records of monthly contributions to Mandatory Provident Fund Scheme (if applicable)
Business Registration Certificate and business registration particulars e.g. Inland Revenue Department Form 1(a)/Form 1(c) <i>[if the applicant has invested in the HKSAR]</i>
Documents filed with the Companies Registry such as Certificate of Incorporation/latest annual return/Incorporation Form (Company Limited by Shares)/Memorandum of Association/Articles of Association
Licences or certificates for the operation of the business (e.g. relevant licences for financial institutions issued by the Securities and Futures Commission) (if applicable)
Letter indicating valid support by a government-backed programme*
The applicant's Visit Permit for Residents of Macao SAR to Hong Kong SAR and Macao identity card <i>[for Macao SAR residents only]</i>

The applicant's household registration transcript in Taiwan and Taiwan identity card <i>[for Taiwan residents only]</i>
Proof of the applicant's overseas residence, such as official documents showing the applicant's conditions of stay and limit of stay endorsed by overseas authorities <i>[for overseas Chinese holding PRC passports only]</i>

* For applicants who wish to establish or join in a start-up business supported by a government-backed programme. For examples of government-backed programmes, please refer to paragraph 3(c)(ii) of Part II of this guidebook.

(B) Documents to be Uploaded by the Sponsor

i) For applications in which the sponsor is a Company:

Documents Required
Business Registration Certificate

ii) For applications in which the sponsor is an Individual:

Documents Required
The sponsor's Hong Kong permanent identity card/Hong Kong identity card
The sponsor's valid travel document containing personal particulars, date of issue, date of expiry, and the latest arrival stamp/landing slip/extension of stay label in the HKSAR and the latest issued "e-Visa" (if applicable) (for non-permanent residents of the HKSAR only)

(C) Documents to be Uploaded by Each Accompanying Dependant of an Applicant for Entry for Investment

Documents Required
The dependant's recent photograph
The dependant's valid travel document containing personal particulars, date of issue, date of expiry and/or details of any re-entry visa held (if applicable). For a dependant who is currently staying in the HKSAR, his/her valid travel document page containing the latest arrival stamp/landing slip/extension of stay label in the HKSAR and the latest issued "e-Visa" (if applicable). A Chinese resident of the Mainland who has not been issued with a travel document may submit his/her People's Republic of China resident identity card.
Evidence of the applicant's relationship with the dependant, e.g. marriage certificate, birth certificate, family photographs, family letters (with envelopes), census record book and Privilege Card for Single Child (if applicable)
The dependant's Visit Permit for Residents of Macao SAR to Hong Kong SAR and Macao identity card [for Macao SAR residents only]
The dependant's household registration transcript in Taiwan and Taiwan identity card [for Taiwan residents only]
Proof of the dependant's overseas residence, such as official documents showing the dependant's conditions of stay and limit of stay endorsed by overseas authorities [for overseas Chinese holding PRC passports only]

(D) Documents to be Uploaded by the Applicant for Extension of Stay Application

Documents Required
The applicant's valid travel document and, where applicable, his/her previous travel document page showing the latest visa/entry permit label/arrival stamp/landing slip/extension of stay label in the HKSAR and the latest issued "e-Visa" (if applicable)
The applicant's Hong Kong identity card
Supporting letter from the current company stating the applicant's contribution to Hong Kong (including the amount of capital invested and to be invested in the coming three years, the number of posts created for local employees with post titles and those to be created in the coming three years, etc.)
Business Registration Certificate
Letter indicating valid support by a government-backed programme*

* For applicants who wish to establish or join, or has established or joined, in a start-up business supported by a government-backed programme. For examples of government-backed programmes, please refer to paragraph 3(c)(ii) of Part II of this guidebook.

Important Notice:

1. Notwithstanding that the documents and information required have been furnished, applicants, accompanying dependants and sponsors may still be required to submit further supporting documents and information in connection with the applications when necessary.
2. Where a document is not in Chinese or English, it must be accompanied by a Chinese or English translation certified as a true translation by a sworn translator, court translator, authorised public translator, certified translator, expert translator or official translator.