

Mobility: Immigration alert

January 2023



Hong Kong

Hong Kong implements new immigration policies to attract overseas and mainland Chinese talent

Executive summary

On 28 December 2022, the Hong Kong Immigration Department (IMMD) began accepting applications under the Top Talent Pass Scheme (TTPS) from applicants from overseas, China Mainland, Taiwan, and Macau.

Background

On 19 October 2022, the Hong Kong Chief Executive [announced](#) plans to create the TTPS and relax rules relating to existing visa programs and the entry of short-term business visitors.

Top Talent Pass Scheme

The following applicants are eligible to apply under the TTPS:

- ▶ Individuals who earn an annual salary of at least HKD 2.5 million (or its equivalent) at the time of filing their application.
- ▶ Individuals who graduated from a [World Top 100 University](#) and have at least three years of professional experience in the five years immediately preceding the filing of their application.
- ▶ Individuals who graduated from one of the top 100 universities in the five years preceding the filing of their application but do not yet have three years of professional experience. Applicants under this third category are subject to an annual quota of 10,000.

The Chief Executive clarified that individuals who enter the Hong Kong Special Administrative Region (SAR) pursuant to the TTPS may accept an employment offer, change employers and/or establish or join a business in the Hong Kong SAR during their initial permitted period of stay of up to 24 months without seeking prior approval from the IMMD.

They may also sponsor qualifying family members to obtain dependent visas and join them in the Hong Kong SAR. Qualifying dependents include unmarried dependent children under the age of 18, opposite- and same-sex married spouses, and individuals in opposite- and same-sex civil partnerships or unions recognized outside the Hong Kong SAR.

In addition, the Chief Executive confirmed that qualifying individuals may apply to renew their status pursuant to the TTPS no more than four weeks prior to the expiration of their permitted period of stay. In order to renew their status, applicants must have secured an employment offer comparable to offers ordinarily tendered to holders of academic degrees, individuals with relevant professional or technical qualifications and/or persons with proven professional abilities. Such offers must include a remuneration package that is in line with local market levels. Individuals who established or joined a business must provide documents that confirm the same.

Individuals who meet the required eligibility criteria may renew their TTPS status for three years at a time. Those who remain in the Hong Kong SAR pursuant to the TTPS for at least two years may apply to remain under the Top-Tier Employment Stream, provided they received an assessable income for salaries tax of at least HKD 2 million in the previous year of assessment. Individuals who apply to remain under the Top-Tier Employment Stream may be granted a new period of stay of six years.

Changes to several immigration schemes

The Chief Executive also announced the following changes to the employment schemes below:

- ▶ *General Employment Policy (GEP) and Admission Scheme for Mainland Talents and Professionals (ASMTP)*: Effective 28 December 2022, the initial validity period for visas issued pursuant to the GEP and ASMTP increased to three years, up from two years previously.
- ▶ *Technology Talent Admission Scheme*: Effective 28 December 2022, technology firms are no longer required to hire local employees when sponsoring overseas and/or mainland Chinese residents under this scheme. In addition, the list of qualifying job roles under this scheme has expanded to include roles in emerging areas. Further, the requirement for sponsoring companies to obtain quotas from the Innovation and Technology Commission has been extended for another 24 months.
- ▶ *Immigration Arrangement for Non-local Graduates (IANG)*: Effective 28 December 2022, visas under this scheme are being granted for an initial period of two years, up from one year previously. In addition, the IANG Scheme is being expanded on a pilot basis for two years, during which it will be open to graduates of Hong Kong universities located in the [Greater Bay Area](#).
- ▶ *Quality Migrant Admission Scheme*: Effective 1 January 2023, the annual quota of 4,000 visas issued under this scheme has been lifted for two years.

Impact on employers

The changes in Hong Kong's immigration policies noted above are expected to stimulate the local economy and empower local employers to attract overseas and mainland Chinese talent and foreign direct investment.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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EYG no. 263492-23GbI

2101-3682263
ED None

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