

Application for Naturalisation as a Chinese National

Introduction

The Nationality Law of the People's Republic of China (CNL) has provided for the acquisition of Chinese nationality by way of naturalisation.

Eligibility

Any person who meets the requirements laid down in Articles 7 and 8 of the CNL can apply for naturalisation as a Chinese national.

Article 7

Foreign nationals or stateless persons who are willing to abide by China's constitution and laws and who meet one of the following conditions may be naturalised upon approval of their applications:

- they are near relatives of Chinese nationals;
- they have settled in China; or
- they have other legitimate reasons.

Article 8

Any person who applies for naturalisation as a Chinese national shall acquire Chinese nationality upon approval of his application; a person whose application for naturalisation as a Chinese national has been approved shall not retain foreign nationality.

[Nationality Law of the People's Republic of China and the "Explanations"](#)

Factors to be Considered in an Application

Each application for naturalisation as a Chinese national will be considered on its own merits but consideration will be given to:

- whether you have a near relative who is a Chinese national with the right of abode in Hong Kong
- whether you have the right of abode in Hong Kong
- whether your habitual residence is in Hong Kong
- whether the principal members of your family (spouse and minor children) are in Hong Kong
- whether you have a reasonable income to support yourself and your family
- whether you have paid taxes in accordance with the law
- whether you are of good character and sound mind
- whether you have sufficient knowledge of the Chinese language
- whether you intend to continue to live in Hong Kong in case your naturalisation application is approved
- whether there are other legitimate reasons to support your application

Completing the Application Form

Applicants should complete all parts of the application form that are applicable to them. Items that are not applicable should be crossed out and signed by the person making the declaration. There are some parts of the application form that will require their special attention.

Part 7 – Criminal record

Applicants must give details of all convictions by a court of law in or outside Hong Kong of any crime or offence they have committed.

Part 10 – Near relatives

They should generally be the applicant's parents, spouse, child/children or sibling. If the application is supported by a near relative, he/she must be:

- a Chinese national who has the right of abode in Hong Kong; and
- aged 18 or over.

Part 11 – Other reasons

Applicants have to complete this part if they are not the near relatives of a Chinese national who has the right of abode in Hong Kong or if they do not have the right of abode in Hong Kong.

Applicants will need to produce documentary proof at a later stage to support their reasons.

Part 12 – Declaration

After the applicant has completed the application form, he/she should sign and date the declaration of the application to make it valid. If the applicant is unable to sign, he/she should impress his/her left thumbprint on the form. If the applicant is aged under 18 on the date of application, a parent or legal guardian must sign the declaration.

Supporting Documents

If the applicant is aged 18 or above, the following documents and photocopies should be submitted upon application:

- Hong Kong identity card
- birth certificate
- passport(s) or travel document(s) showing his/her travel records and length of residence in Hong Kong, or any of the following documents:
 - letters from employers certifying the periods of his/her employment with them
 - letters from schools or other educational establishments showing the periods he/she attended
 - tax returns or a letter from the Inland Revenue Department showing that he/she has paid taxes in the past years
- any other document showing his/her residence in Hong Kong
- proof of his/her relationship with the near relative who supports the application (if applicable), including proof of the relative's Chinese nationality and right of abode in Hong Kong, such as a valid travel document and a Hong Kong permanent identity card
- proof of his/her 'other reasons' if he/she has completed Part 11 of the application form (If the applicant cannot produce any of the above documents, he/she should explain why)

If the applicant is under the age of 18, the following documents and photocopies should be submitted upon application:

- Hong Kong identity card
- birth certificate

- passport(s) or travel document(s) showing his/her travel records and length of residence in Hong Kong or letters from schools or other educational establishments showing the periods he/she attended
- proof of relationship with his/her parents or legal guardian, e.g., his/her birth certificate, parents' marriage certificate, court order granting guardianship (if the application is submitted by a legal guardian)
- financial proofs of his/her parents or legal guardian e.g., tax returns
- proof of his/her relationship with the near relative who supports the application (if applicable),
- proof of his/her 'other reasons' if he/she has completed Part 11 of the application form
(If the applicant cannot produce any of the above documents, he/she should explain why.)

For applications submitted directly to the HKSAR Immigration Department

If the applicant submits the application in person, original documents with photocopies are required. If the applicant submits the application by post to the HKSAR Immigration Department, only photocopies of the supporting documents should be sent with the application. Original documents **should not be** sent by post. The applicant will be required to produce the original documents for verification at subsequent interview(s). If the applicant is outside Hong Kong, he/she will have to provide the name and address of a local referee who will be contacted by the Immigration Department to produce the originals of the documents for verification

For applications submitted through Chinese Diplomatic and Consular Missions

If the applicant submits the application in person to a Chinese Diplomatic and Consular Mission, he/she will have to produce the original supporting documents for verification upon application.

Fee

For applications submitted directly to the HKSAR Immigration Department

The application fee is HK\$3,460. The applicant is required to pay an initial fee of HK\$1,730 at the time of application, and the balance of the application fee will be collected upon issue of the certificate of naturalisation subject to the proof of not retaining his/her foreign nationality. However, the collection of fee does not constitute any guarantee or assurance that his/her application will be approved.

If the applicant pays by cheque or bank draft, it should be crossed and made payable to The Government of the Hong Kong Special Administrative Region. No cash should be sent along with the application.

For applications submitted by post from overseas, the bank draft should be drawn on a bank in the HKSAR in HK or US Dollars (HK\$1,730 or US\$222). If the cheque or bank draft is not drawn on a bank in the HKSAR or not in HKSAR currency, the applicant should also include a bank handling charge of HK\$100 (or US\$13) in the same cheque or bank draft.

Alternatively, the applicant can provide the name and address of a local referee who will pay the fee on his/her behalf after receiving notification from the Immigration Department.

The initial fee of HK\$1730 is non-refundable in all circumstances.

For applications submitted through Chinese Diplomatic and Consular Missions

If the applicant submits the application through a Chinese Diplomatic and Consular Mission, he/she will be required to pay a handling charge and the expenses of forwarding his/her application to the HKSAR Immigration Department in addition to the application fee mentioned in paragraph (a) above.

The fee paid is non-refundable in all circumstances.

After Submission of Application

An acknowledgement will be given or posted to the applicant to acknowledge receipt of his/her application which was submitted in person or by post. Arrangement will be made to interview the applicant at a later date. If the applicant needs to contact the Immigration Department about his/her application, he/she should write to the Nationality Sub-section and provide the application number, with his/her full name and date and place of birth.

The declaration in Part 12 of the application form includes an undertaking to inform the Director of Immigration in writing of any changes that may affect the accuracy of any information the applicant provided in the application. It is important for the applicant to do this while the application is being considered.

If the application is successful, the applicant cannot retain his/her foreign nationality. He/She will be issued with a certificate of naturalisation on payment of the balance of the application fee.

The Director of Immigration may cancel a certificate of naturalisation if he is satisfied on reasonable grounds that the certificate was obtained by fraud, false representation or the concealment of any material fact. Action may be taken against that person in accordance with law.

Under the Chinese Nationality (Miscellaneous Provisions) Ordinance, decisions of the Director of Immigration on naturalisation applications cannot be subject to appeals, and there is no need to assign any reason for the decisions.

Changes in Immigration Status and Foreign Nationality if Application is Successful

If the application for naturalisation as a Chinese national is approved, the applicant cannot retain his/her foreign nationality. The applicant will continue to enjoy the right of abode in Hong Kong as long as he/she remains as a Chinese national.