

Imported Workers

1) Introduction

The Supplementary Labour Scheme (SLS) is implemented in the Hong Kong Special Administrative Region (HKSAR) to handle applications for importation of labour at technician level or below. Administered by the Labour Department of the HKSAR, it allows employers with genuine difficulties in finding suitable employees locally to import workers from outside the HKSAR.

Imported workers admitted under this arrangement are NOT allowed to bring in their dependants. This entry arrangement does not apply to nationals of Afghanistan, Cuba, Laos, Korea (Democratic People's Republic of), Nepal and Vietnam.

Generally, visas/entry permits are issued to imported workers for an initial period of 12 months. Under SLS, the approval granted to an employer to import workers would not be automatically renewed. An employer wishing to continue employing imported workers upon the expiry of their contracts are required to submit an application afresh to Supplementary Labour Division (SLD), and the application will be considered on its own merits.

2) Eligibility Criteria

An application for a visa/entry permit to enter the HKSAR for employment as imported workers under the SLS may be favourably considered if:

- a. the applicant is suitably qualified and experienced for the job in question;
- b. the terms and conditions of employment are comparable to those in the local market;
- c. the applicant will remain under the direct employment of the employer for a specific job and will not be contracted out to other companies or sub-contractors;
- d. there is no adverse record to the detriment of the applicant and the employer; and
- e. the employer is financially capable of employing the applicant, providing him/her with suitable accommodation and of guaranteeing his/her maintenance and repatriation upon termination of his/her contract.

3) Precautions

The Supplementary Labour Scheme does not set labour import quotas for individual industries. All applications are approved on a case-by-case basis. To ensure that local workers are given priority for employment, each application must go through three procedures: After the application has passed the preliminary screening,

the employer is required to conduct a four-week local open recruitment for each vacancy:

- (1) **Place recruitment advertisements in newspapers;** (In the first two weeks of the recruitment period, employers must publish recruitment advertisements in two local newspapers, and the advertisements must be published in each of these two newspapers at least once a week. The advertisements must indicate the title of the vacancy applied for, monthly salary, working hours, work location, entry requirements and the telephone number of the Job Matching Section of the Supplementary Labour Division, so that the Supplementary Labour Division can arrange all interviews)
- (2) **Conduct a mandatory period of local recruitment at the Labour Department;** (The Labour Department will actively conduct job matching for the relevant vacancies, identify suitable local job seekers, and refer them to employers for interviews)
- (3) **Where appropriate, employers shall co-organize training courses with the Employees Retraining Board to train local workers.** (After the recruitment period, employers are required to submit details of the recruitment of local workers to the Supplementary Labour Division, including the reasons for not arranging interviews or refusing to hire individual job applicants. For each application submitted by the employer, the Government will consult the Labour Advisory Board (LAB) members before deciding whether to approve or not)

01. Notice to Employers

1. With regard to vacancies notified to the Labour Department (LD) in connection with employers' applications for imported workers under the Supplementary Labour Scheme (hereafter referred to as the Scheme), it is government policy that local workers be given priority to filling these vacancies. For this purpose, employers are advised to relax their job requirements for local workers as far as practicable.
2. Employers who are found to have set restrictive job requirements will risk their applications for imported workers under the Scheme being rejected.
3. If employers refuse to take on eligible local workers referred to them by the LD without good reasons, their applications for imported workers under the Scheme will not be considered.
4. The following criteria are set according to LD's operational experience. They serve as a reference for recruitment requirements relating to age, sex, general education and related experience that are considered acceptable by the LD in the recruitment of local workers.

02. Age and sex considerations

No age or sex requirement/preference set by employers for any job will be accepted by the LD. Employers should make sure that when considering local workers for a position, ability instead of age or sex is the primary consideration. However, if an employer can prove beyond doubt that an age or sex requirement is essential to satisfactory performance of the job duties, the proposed age or sex requirement may be granted special consideration on its own merits.

03. Acceptable general education and work experience requirements

Job Category	General Education	Year(s) of Related Experience	Position (part)
Category 1	Secondary 5 ^(a) or below	5 or less	Department Supervisor/ Foreman/ Captain/ Officer/ Industrial Engineering Technician/ Architectural Technician/ Quality Control Technician/ Ship Draughtsman, etc.
Category 2	Secondary 5 or below	3 or less	Secretary/ Merchandiser/ Production Co-Ordinator, etc.
Category 3			
* Construction	* Requirement not expected ^(b)	3 or less	Engineering Craftsman/ Cook/ Woodworker/ Electrician/ Mould Maker, etc.
* Other than construction	* Secondary 3 or below	3 or less	
Category 4			
* Clerical	* Secondary 3 or below ^(c)	1 or less	Guard/ Paymaster/ Special Sewing Machine Operator/ Stone Selector/ Crane Operator, etc.
* Non-clerical			
- Construction	- Requirement not expected ^(b)	1 or less	
- Other than construction	- Primary 6 or below	1 or less	

Notes:

- a. Post-secondary qualification may be required where appropriate.
- b. If justified, appropriate education requirement may be considered on a case-by-case basis having regard to the nature of the job.
- c. Secondary 5 qualification may be required depending on the nature of the job.

List of job categories normally excluded from the Supplementary Labour Scheme:

Sales Representative	Presser	Sales Assistant	Hair Stylist	Waiter/Waitress	Warehouse Keeper	Receptionist
Cutter	Cashier	Cutting Room Operative	Junior Cook	Inspection Operative	Food Processing Worker	Delivery Worker
Clerical Worker	Driver	Teller	Demolition Worker	Computer/Key Punch Operator	Mason	Telephone Operator
Spray Paint Worker		Linen Attendant	Drain Layer	Washer	Leakage Worker	

4) Process

1. Apply to the Labour Department for the Supplementary Labour Scheme	Submission of documents, preliminary screening → Four weeks of local open recruitment, submission of recruitment results → Labour inspectors from the Labour Department will inspect the workplace → Approved. (issued by the Labour Department)
2. Apply for a visa at the Immigration Department	An application confirmation notice will be sent to the applicant within six weeks of receipt of the application file. (issued by immigration)
3. Issuing the 《Notice of Approval》	Approval takes about six weeks. If the application is approved, a "Notice of Approval" will be received. (issued by immigration)
4. Issuance of visa/entry permit	The visa/entry permit sticker is collected by the employer at the immigration office and forwarded to the applicant. (issued by immigration)

5) Charges

Deposit: ¥28,000

Total charge: From ¥48,000

6) Application time

From date of submission application file about 3-4 months.

Imported Mainland (Overseas) Labour Scheme

Documents Check List

Q & A (For Expatriate Employees)

Please answer the below questions 【For due diligence purpose】

1. Have you ever been denied of any citizenship by investment in any country ?
Have you ever been denied of a visa application in any country ?

Ans:

2. Did you changed your name ?

Ans:

3. Do you have any overseas working experience or records ?

Ans:

4. Have you ever violated any law in any countries ?
Is there any record from the government department or court?

Ans:

5. How many nationality owned ? (both previous & present)
Did u have any termination of nationality record ?

Ans:

6. How is the level of English ? Beginner/ Intermediate/ High ?

Ans:

7. The highest educational level/ certificate/ qualification/ honour/ training ?

Ans:

8. Do you have any political parties record (Wherever in any place) ?

Ans:

9. Are you able to provide non-criminal record ?

Ans:

10. Can you issuing the professional or company reference letter ?

Ans:

11. Do you have military services record (in any countries reference) ?

Ans:

12. Do you have any special request ?

Ans:

Information required by local Hiring Company

Documents required by eligible Hong Kong company (applicable to the applicant company)

● Hong Kong company information

1. Company Operation Plan
2. Hong Kong Ltd company licenses, official seal (company partner, director and shareholder information)
3. Bank account statement - the past 6 months
4. Employment contract and MPF reference
5. Company lease contract or property prove
6. Latest company tax certificate (Audit Report) - if any
7. All relevant business supporting documents. For example, contracts (sales or purchases), commercial documents (invoices), transportation documents (any cargo receipt), company promotional documents (catalogue, brochure, samples), company website, corporate partners information (if any), office photos (about 10 pcs), the office space (standard on 50 square meters or more)
8. Asset proof of the company (including property, vehicle, investments, insurance, etc.)
9. Patent invention and registration documents
10. Copy of the latest Profit and Loss Statement and Balance Sheet covering a 12-month period
11. A list of staff employed by the applicant showing number of staff, salary range or the average salary and number of imported workers (if any) in individual job titles / job categories

● China or Overseas company information: (if any, please provide)

1. The Chinese & English name of the company;
2. Shareholders, Directors information (ie, Memorandum and Articles of Association);
3. Company license (full set);
4. Company lease contract or property prove;

5. Company profile (summary);
6. Annual return and Capital Registration Report issued by CPA;
7. Social security certificates for all employees (one year record, if any);
8. Bank account statement (one year);
9. All relevant business supporting documents. For example, contracts (sales or purchases), commercial documents (invoices), transportation documents (any cargo receipt), company promotional documents (catalogue, brochure, samples), company websites, corporate partner information (if any), office photos (approx. 10 pcs), the office space (standard on 70 square meters or more);
10. Asset proof of the company (including property, vehicle, investments, insurance, etc.);
11. Patented invention and registration documents.