IMMIGRATION SERVICE

Introduction

Before 1961, immigration control was a police responsibility. With the sustained influx of immigrants from China and the general development of Hong Kong, the volume of immigration work steadily increased and a separate Immigration Service was established in 1961 with the enactment of the Immigration Service Ordinance. At the time its establishment was 73 service and 128 civilian staff. With its origins in a disciplined service, a strong sense of discipline has been maintained.

Establishment and strength

2.   In keeping with the increases in complexity and volume of work over the years, the establishment of the service has grown many times since 1979. Annex 2.5 - Appendix I gives details on its establishment and strength from 1979 to 1988. Wastage figures by rank are given in Annex 2.5 - Appendix II.

Budget

3.   In proportion to the growth in establishment and inflation, the budget of the Service has also increased, with about 85% of the budget being spent on personal emoluments. Annex 2.5 - Appendix III gives details on the department's budget from 1979-80 to 1988-89.

Organisation

4.   An organisation chart of the Service is at Annex 2.5 - Appendix IV.

Rank structure

5.   The establishment of service staff in the Immigration Service is divided into rank and file and officer grades. The responsibilities and typical duties of each rank starting from the lowest grade are described below :-

    Rank and File

    (a)   Immigration Assistant (IA)

           Deployed in field investigation, searches of

premises, vehicles and vessels, or to conduct verification checks on application for identity card against the Registration of Persons records. At control points, IAs take guard and escort duties, man detention centres for watch-list targets, etc., and examine vehicular and passenger traffic between Hong Kong and Chinese territory and conduct preliminary examination of arriving Vietnamese refugees.

(b)   Senior Immigration Assistant (SIA)

At control points SIAs perform immigration control duties, (except arrival clearance at airport) including checking immigration status, identity and bona-fides of travellers, and travel documents, identify and report overstayers and initiate surveillance, detention or arrest against watch-list targets.   In field investigation, they are deployed as leaders of IA teams to locate and arrest illegal immigrants, overstayers and other immigration offenders.

Officer grade

(a)   Assistant Immigration Officer (AIO)

Responsible for immigration examination of arrivals at the airport.   They check travel documents, identify and take action on watch-list targets and other undesirables, grant permission to land and impose conditions of stay in accordance with the law and instructions.   AIOs may also perform counter duties in processing applications for immigration facilities; including preliminary interviews with applicants, visas, extensions of stay, etc. at headquarters sections and branch offices.

(b)   Immigration Officer (IO)

IOs at control points mainly act as supervisors. They handle complex cases and conduct secondary examinations, and plan and conduct special operations in detecting forgery activities, etc. They also process and examine applications for visas, extensions of stay, travel documents etc.

(c)   Senior Immigration Officer (SIO)

SIOs are normally deployed as assistant section heads, officers-in-charge of branch offices/registries or shift commanders at control points.   They decide on approvals or refusals of visas/travel documents or a person's permission

to enter Hong Kong. In investigation work, SIOs are responsible for planning operations, advice on legal implications and decisions in unexpected and hazardous circumstances.

(d) Chief Immigration Officer (CIO)

CIOs are section heads responsible for the smooth and efficient running of the section; handling of crises and being alert to the development of special trends etc.

(e) Assistant Principal Immigration Officer (APIO)

APIOs are responsible for the management and coordination of a sub-division. They have to enforce and implement all immigration policies; manage staff and resources; and examine policy reviews. They also make decisions or recommendations on sensitive and complex cases requiring close liaison and consultation with other government departments. APIOs also act as departmental liaison officers outside normal office hours and take charge of crises or emergency cases requiring immediate attention and expertise.

(f) Principal Immigration Officer (PIO)

PIOs are division heads responsible for the enforcement of immigration laws and execution of policies relevant to the division. They represent the department at meetings and work with other government departments, consulates, foreign governments, quasi-official organisations etc. PIOs also act as departmental liaison officers outside normal office hours.

Duties

6.   The main duties of the Immigration Service are to provide :-

(a) immigration control which covers the enforcement of the Government's policy to limit immigration but to facilitate genuine tourists and business visitors, investigate and prosecute immigration-related offences, protect local workers from unfair overseas competition, and to prevent the entry of undesirable persons and the departure of wanted criminals;

(b) personal documentation such as the issue of identity cards, passports and other travel documents to Hong Kong residents; the

registration of births, deaths and marriages; naturalisation and registration under the British Nationality Act, and the issue of entry clearance and passports; and a wide range of consular services on behalf of the UK Government.

Functions

7.   To carry out its duties, the department is organised into four branches each headed by an assistant director. There is also a Management Audit Division under the deputy director. The work and establishment of each branch varies accordingly to the functions it is required to perform.

Control and Investigation Branch

8.   There are 1,002 officers and 1,124 rank and file on establishment in this Branch which comprises five divisions -

   (a)   Control Division is responsible for the control of all arrivals and departures by sea and air, management of the warning indices, issue of cross border permits, and handling statutory and non-statutory petitions.

   (b)   Border Division is responsible for the control of all arrivals and departures by land, border liaison with Shenzhen officials, examination and repatriation of illegal immigrants, and handling statutory and non-statutory petitions.

   (c)   Investigation Division is responsible for the investigation and prosecution of offences under the Immigration and Registration of Persons Ordinance, arrest, examination and repatriation of illegal immigrants and overstayers, deportation and removal of criminals, operational research, and handling statutory and non-statutory petitions.

   (d)   Visa Control Division is responsible for the issue of visas, granting extension of stay according to the approved policies, and handling statutory and non-statutory petitions.

   (e)   Vietnamese Refugees Division is newly set up to handle all matters relating to Vietnamese refugees, such as the examination of all Vietnamese boat people arriving in Hong Kong to identify Chinese illegal immigrants and ex-China Vietnamese illegal immigrants, and to screen the remainder, the handling of statutory and non-statutory petitions, and the arrangement for the eventual resettlement/repatriation of refugees/economic migrants.

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9.   This Branch is in the process of being reorganised. In view of the increases in complexity and volume of work, and the expansion in establishment, there are plans to upgrade two control sub-divisions to divisional level in the later part of 1988.   After the reorganisation, the Branch will comprise six Divisions, namely, Airport, Harbour, Border, Vietnamese Refugees, Investigation, and Visa Control.

Personal Documentation Branch

10.   There are 335 officers and 108 rank and file on establishment in this Branch which comprises :-

(a)   Documents Division is responsible for the issue of travel documents, granting of visas on behalf of UK and some Commonwealth countries without representatives in Hong Kong, registration of births, deaths and marriages, assessment of applications for naturalisation and registration as a British Dependent Territories citizen under the British Nationality Act, and consular work on behalf of UK and some Commonwealth countries.

(b)   Registration of Persons Division is responsible for the registration and issue of identity cards, enforcement of Registration of Persons Ordinance, providing information on identity cards to law-enforcement agencies, and handling statutory and non-statutory petitions.

Administration and Planning Branch

11.   There are 328 officers and 86 rank and file in this Branch which consists of -

(a)   Administration Division is responsible for providing administrative support in matters like finance, supplies, accommodation, personnel and welfare and discipline of civilian staff.   (This Division is manned by civilian staff.)

(b)   General Duties Division is responsible for resources planning, training, management and development of staff, procedures and standing orders, public relations and customer services, and welfare and discipline of the service staff.

(c)   Planning and Systems Division is responsible for coordinating all departmental planning activities, and maintenance and development of operational and automated systems.

Special Duties Branch

12.   One assistant director and six staff in this Branch
are responsible for the planning and development of all
immigration matters connected with the implementation of the
Sino-British Joint Declaration on the future of Hong Kong. The
establishment of this Branch will be increased in the run-up to
1997.

Recent developments

Takeover of registration responsibilities

13.   Since taking over the responsibilities for issuing
identity cards and registering births, deaths and marriages in
the late 1970s, the Immigration Service has incorporated certain
control elements in civil registration work. With the
introduction of computerised identity cards in 1983, officers
are required to assess not only the registrants' bona-fides but
also their immigration status and eligibility for Hong Kong
travel documents. To enforce the law on compulsory carrying of
identity cards, the new cards have safeguards against unlawful
use; round-the-clock enquiry service is available within the
Service and to other security forces to help identity checks in
the field. In birth registration, officers have to assess
babies' immigration status and impose appropriate conditions of
stay if they do not have a claim to the right of abode in Hong
Kong. They are also required to identify illegal immigrants,
impostors, doubtful visitors and overstayers during the process
of registration. These new developments have helped enhance
Hong Kong's civil registration system.

Illegal immigration from China

14.   Illegal immigrants from China who successfully entered
Hong Kong and established contact with their family used to be
allowed to stay. However the number of illegal immigrants
detected rose to 192,766 in 1979 and 150,089 in 1980. The
"touch-base" policy was abolished on 24 October 1980 and
replaced by the repatriation of all illegal immigrants. Since
then, the Immigration Service staff have to check identity cards
on the street, intensify anti-illegal immigration operations,
repatriate illegal immigrants through removal orders. An
independent tribunal was established to handle appeals and staff
are required to write appeal statements and answer petitions. A
Senior Immigration Officer crosses the border to China everyday
for the actual repatriation process. Very often, staff have to
face emotional confrontations with the illegal immigrants who
are being repatriated and separated from their families.

Legal immigration from China

15.   As regards legal immigration from China, Two-Way
Permit holders (visitors) from the mainland were previously
granted prolonged extensions of stay liberally like the One-Way

Permit holders (settlers). Following a change in policy in December 1982, these visitors have been required to return to China at the end of their visits. Officers have to ensure their departure from Hong Kong by detailed examination at Lowu; restricting their extensions of stay; and by actively locating, prosecuting and repatriating overstayers. As the number of settlers is limited by agreement with China to 75 per day, staff are required to monitor closely the situation according to the agreement.

Contacts with the Chinese authorities

16.   In recent years, official and unofficial immigration contacts with Chinese authorities have increased, especially after the signing of the Sino-British Joint Declaration. There are regular contacts with senior Chinese officials, including Shenzhen officials for border liaison since 1981. It is through these meetings at different levels that complicated immigration-related issues (e.g. legal and illegal immigration, repatriation arrangements, etc.) are addressed and resolved. In the regular meetings with Chinese officials, officers need political acumen and must appreciate the problems which affect either Hong Kong or China, or both.

Vietnamese refugees

17.   The continued inflow of Vietnamese refugees and the slower resettlement rate led to the introduction of the "closed camp" policy in 1982. The "closed camps" segregate sexes and those from North and South Vietnam. The immigration service staff examine and establish the identities of the refugees but their work is complicated by the presence of Chinese illegal immigrants (CIIs) and ex-China Vietnamese illegal immigrants (ECVIIs i.e. refugees who have been accepted by China and have stayed there for some years). The work is done in an arduous environment and on pontoons or on Green Island and exposes officers to hardship and contagious diseases. They have also to repatriate the CIIs and ECVIIs to China and arrange for their resettlement with various agencies . In view of the recent upsurge in the number of Vietnamese refugees arriving in Hong Kong, the Government decided on 14 June 1988 to introduce a policy of "screening" all Vietnamese boat people arriving in Hong Kong. The aim of the new policy is to identify the genuine refugees from the "economic migrants". All Vietnamese boat people arriving after 15 June 1988 are subject to a screening process to determine whether they are genuine refugees under the terms of the 1951 Convention and 1967 Protocol relating to the Status of Refugees. With the introduction of the new policy, a new dimension has been added to the complexity and sensitivity of the officers' work as they have to assess claims for political asylum, handle all appeals against rejection of refugee status, and participate in arrangements concerning the eventual repatriation to Vietnam of those whose refugee status is rejected.

The Sino-British Joint Declaration

18.   After the signing of the Sino-British Joint Declaration on the future of Hong Kong in 1984, the Immigration Service has had to participate in discussions on nationality, introduce the concept of right of abode, issue new travel documents which will enable Hong Kong people to enjoy their existing convenience of travel beyond 1 July 1997, and issue identity cards which record the holders' right of abode. The Director of Immigration leads the British team at expert talks on these subjects held under the aegis of the Sino-British Joint Liaison Group (JLG) and he attends plenary sessions of the JLG as necessary. He is supported by an assistant director and a team of officers. More complex expert discussions on related subjects are expected in the run-up to 1997. Significant amendments have been and will be made to the Immigration Ordinance to achieve consistency with the provisions in the Chinese Memorandum attached to the Joint Declaration.

Increase of workload

19.   As a result of Hong Kong's strong economy and China's Open Door policy, the workload undertaken by the Immigration Service has increased significantly over the years as more local residents travel abroad and more visitors come to Hong Kong. The volume of passenger traffic has increased from 27.6 million in 1983 to 40.9 million in 1985 and to 51.8 million in 1987. The largest increase can be seen in passenger traffic between Hong Kong and China at Lowu which has jumped from 8.9 million in 1983 to 17.8 million in 1985 and to 22.9 million in 1987. The number of applications for entry and visit visas/permits also increased from 286,000 in 1983 to 330,000 in 1985 and 546,000 in 1987. The bulk of the visit permit applications were related to Taiwanese residents which increased rapidly after the recent lifting of the travel ban, from 216,000 in 1985 to 424,000 in 1987. There is every indication that the upward trend will continue, generating heavy pressure on the resources of the Immigration Service. The service staff have to work continuously under great stress because manpower growth cannot keep pace with the rapidly increasing workload.

Economic and political situations overseas

20.   Changes in economic and political situations overseas affect the work of the Immigration Service. For example, the private sector has criticised the Government's restrictive policy on the entry of Soviet Bloc nationals on grounds that Hong Kong is losing commercial opportunities to its Asian competitors. The lifting of the travel ban in Taiwan in 1987 has led to a tremendous increase in visitors. The growth in terrorist activities world-wide has posed greater security threats to Hong Kong and unstable political situations in the region have led to the arrival of more problematic visitors. Immigration control measures and procedures have to be suitably revised to cope with the situations. The officers' work is

inevitably affected.

Growth of importance of forgery prevention and detection since 1980

21.   The freedom of travel accorded to the people of China after the Open Door policy and the scrapping of the "touch base" policy in Hong Kong have led to an increasing number of Chinese nationals attempting to gain entry to Hong Kong or foreign countries on forged travel documents. Some residents of the Middle East and South East Asian countries have also resorted to the use of forged travel documents to enter other countries through Hong Kong. Immigration service staff have to spend more time and effort to prevent and detect these illegal activities and to protect the credibility of Hong Kong travel documents.

Use of high technology

22.   To enhance efficiency and to provide better means of record keeping, the Immigration Service has moved towards computerisation in recent years. There are systems for keeping and analysing records of passenger movements. Indexing and retrieval of applications for immigration facilities have been fully automated and identity card production and record retrieval are now supported by large-scale computer systems. With computer terminals installed at control points, Hong Kong residents can now travel to China and Macau on their new identity cards. For these purposes, the service staff are required to work with greater sophistication, skill, precision and speed.

Future developments

Control points

23.   To keep pace with the tremendous increase in passenger and vehicular traffic, facilities at the existing control point will be expanded and new ones built. The new China Ferry Terminal at Canton Road with a maximum capacity of 2,200 passengers per hour at each level will be completed by September 1988. The Lok Ma Chau Border Crossing, capable of handling 3,360 passengers and 1,680 vehicles per hour, will be ready for use by end 1989. The Airport Stage V Development Project will bring about an increase in arrival counters from 52 to 90 and departure counters, from 46 to 76. There are plans to expand Lowu Terminal so that counter numbers will increase from 44 to 75 at both levels.

Computerisation projects

24.   Two of the existing computer systems, the Computer Indexing system and the Identity Card Information system will have reached their life expectancy by 1989 and 1991 respectively. As each system contains a few million personal records, project teams comprising staff of the Immigration

Service and Government Data Processing Agency (GDPA) have been formed to examine future requirements and look for suitable replacements. Machine-readable Hong Kong British Dependent Territories Citizen and British Nationals (Overseas) passports will be issued by December 1989 and a team of immigration officers is preparing the new system. The Immigration Service has been extensively computerised over the past years and a consultancy to advise on the future strategy for computerisation of immigration work is scheduled to commence in September 1988.

1997-related issues

25.   To ensure a smooth changeover of government in 1997, the Joint Declaration has laid the framework of the future SAR Government. From now and until then, the Immigration Service has to be actively involved in many important issues, including formulation of entry policies into Hong Kong, issue of new travel documents, negotiations with foreign governments on visa abolition agreements for Hong Kong, etc.

26.   In the years to come, the Immigration Service has to continue to meet increasing public demands, monitor trends of immigration-related activities and maintain and develop computer systems to enhance efficiency. In the run-up to 1997, the Service has also to ensure the people of Hong Kong are properly documented and their documents well-received by foreign countries, and to ensure a continuity in immigration policies after the changeover of government in 1997.