



Visas For Foreign National **Entrepreneurs** in Hong Kong

# Doing It Yourself? Do It Right!

November 26, 2012

**Stephen Barnes**

*aka the* **Hong Kong Visa Geeza**



- No need to take any notes
- Download these slides from our Blog
- Video will be posted in a few days
- Get everything you need, for free, from...

[www.hongkongvisageeza.com](http://www.hongkongvisageeza.com)

**RELAX & ENJOY THE TALK**





# Order of Business

1. Who has a visa problem?
2. You naughty, naughty Visitor
3. Investment visa – uh?
4. Entrepreneurs – where there's a will....
5. Can you get status?
6. Your loved ones need visas too
7. Doing it for free

Let me start by saying...



www.hongkongvisageeza.com

**Musing** BLOG 

**10 Must-Have Resources for Any Hong Kong Investment Visa Application**

If you are intending to make an application for a Hong Kong investment visa, you're going to need a variety of resources to manifest your..

no responses



[▶ Keep Reading](#)

[in Share](#) [+1](#) 2 [Tweet](#) [f Share](#) [f Like](#) 4



## The Policy of it All

- Based upon flexible conceptual hurdles to be overcome and not...
- Legalistic and overly bureaucratic processes
- Facilitative of bona fide commercial and other socially advantageous activity
- Three undercurrents:
  1. Protection of local jobs
  2. Promotion of 'Welcome Investment'
  3. Security



## Who Doesn't Have A 'Visa Problem'?



Permanent HKID Card Holders  
Right to Land Holders  
Holders of Unconditional Stay  
Residents with Dependant Visas  
Holders of Capital Investment Entrant Scheme Visas  
Holders of Quality Migrant Admission Scheme Visas



## What Can You Do As a Visitor?

Genuine business visit – leave and depart quickly

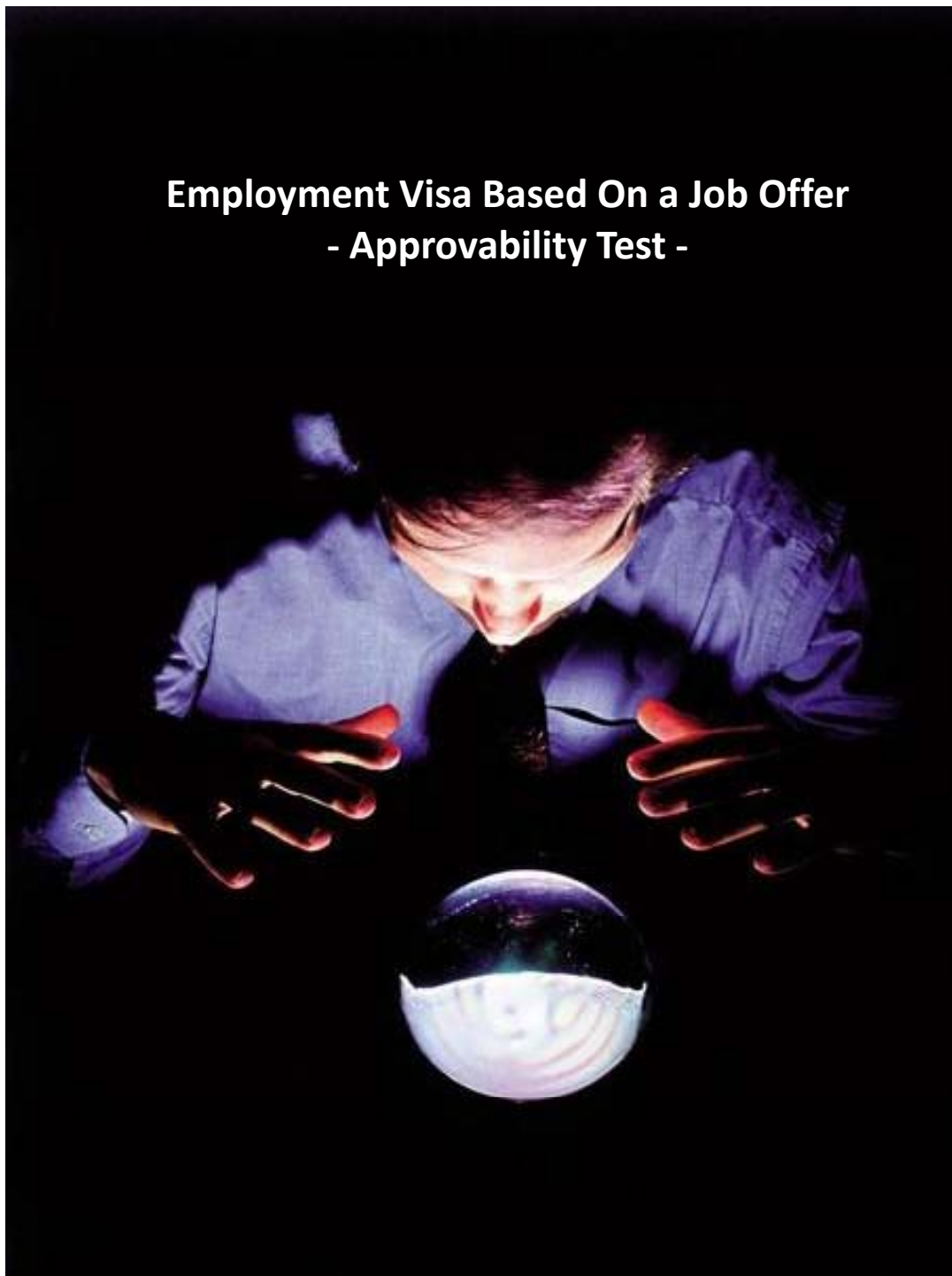
Pre-relocation for business residence: orientation, preliminary – but no assumption of the job-related duties

Trade fair participation, speaking at conferences

Delineated by the attitude of the HKID to a prosecution for the activity in question/intention of the parties at the outset

No change in the last 10 years.

**Employment Visa Based On a Job Offer  
- Approvability Test -**



“ Does the applicant possess a special skill, knowledge or experience which are of value to and not readily available in Hong Kong? ”

*Moreover, the Immigration Department will:*

“ .... take into consideration, amongst other things, whether it is justified for the employer to bring in an expatriate staff. ”





## **The Business Investment Visa - Approvability Test -**

Will the Business be of Substantial  
Benefit to Hong Kong as a Whole?





## 3 Pillars of Approval

Local Recruitment

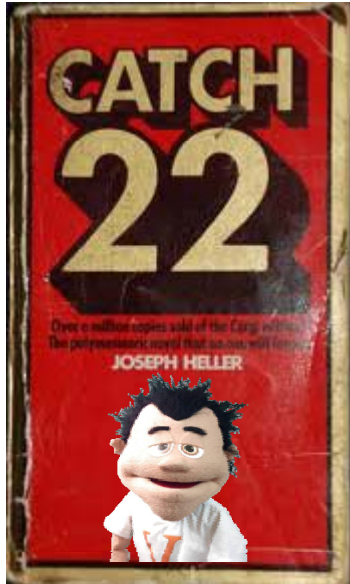


Resources

Suitable Business  
Premises

## How Much Cash Investment?





### **The Business Investment Visa Catch 22**

- Test = showing benefit to Hong Kong
- Can't join in a business until HKID consent secured
- Can't secure consent of HKID until you show benefit to HKID
- Can't show benefit without joining in a business
- Can't join in a business until HKID consent secured!



## Family Visas

Legal spouse

Dependant children

Unmarried partner

Same sex partner





## Why Do Applications Get Denied?



Case fatally flawed from the outset

1. Pillars of Approval are weak
2. Security considerations
3. Not approvable *ab initio* (e.g. One Year Rule)
4. Related prior denials or poor history

Poor preparation and approvability analysis

Insufficient supporting documentation

Requests of the HKID not afforded the requisite level of importance

Your 'Reconsideration' application to be based upon:

*"New and Previously Unsubmitted Information"*

- No emotional appeals
- No mere rehash of the original argument
- No shuffling of the first set of papers



**Trying Again?**

A solid Reconsideration application requires:

- Significant additional new information adding weight to the original application and/or
- Relevant and important new facts which have come to light since the refusal
- Comprehensive verifying documentation in support

If case has merit, the Process takes between 6 and 16 weeks – if not, usually 10 days to 2 weeks





## Doing It Yourself

### 10 Must Have Resources...

And of course, if ever you get stuck and need to ask me a question, please do so [here](#).

I guarantee you a personalised **PodCast answer** within 48 hours – completely free of charge!

1. **INFOGRAPHIC** - One Man Investment Visa for Hong Kong
2. **PDF** – Information on the Hong Kong Business Investment Visa
3. **PLAN** – The Hong Kong Visa Application Roadmap
4. **CASE STUDY** - Hong Kong Investment Visas – 3 Case Examples That Would Not Get Approved
5. **TEMPLATES** – Business Investment Visa Application Argument & Other Supporting Letters to the HKID

**VIDEO** – 60 Page Business Plan Needed for a Business Investment Visa?

**VIDEO** – Advantages of Being An Existing Resident When You Make an Application for a Business Investment Visa

**PODCAST** – Freelancers in Hong Kong – Can You Get a Visa?

**TEMPLATE** – Business Plan for a Hong Kong Enterprise

**TEMPLATE** – Hong Kong Employment Contract

ps – there are 11 resources actually (including the presentation above), but hey, who's counting!

**VISIT OUR PROFESSIONAL PRACTICE** or **VISIT OUR FREE D-I-Y VISA GUIDE**



Musing BLOG

**10 Must-Have Resources for Any Hong Kong Investment Visa Application** no responses

If you are intending to make an application for a Hong Kong investment visa, you're going to need a variety of resources to manifest your...

[Keep Reading](#) [Share](#) [+1](#) 2 [Tweet](#) [Share](#) [Like](#) 4

[www.hongkongvisageeza.com](http://www.hongkongvisageeza.com)

**1 ~ 5 = Must Use!**





**One Man Investment Visa for Hong Kong?**

**Approvability Test = "Substantial Contribution to the Economy of Hong Kong"**

**Visitor**  
If you're entirely new to Hong Kong the process is extremely challenging unless your plan is exceptionally well researched

**Resident**  
Current residents with 3-4 years history in Hong Kong tend to have an easier time persuading the HKTD of the merits of your plan

**Cash Needed?**  
6 months' operating cash in the company bank account & sufficient back up capital on hand personally

**Apply Onshore or Offshore?**

**Suitable Business Accomodation**  
Must meet business needs

**Human Capital**  
If you have discrete experience or a professional background in an obscure discipline this is a very positive factor

**Business Plan**  
A specific document is not actually required but you have to clearly articulate your commercial intentions

**Local Employees**  
Create new jobs within 6-12 months

**Financial Projections**  
Detailed 12 months' required supported by overview to 36 months

**Other Resources?**

**The Major Considerations For Approvability**

**Key Takeaways**

1. Exceptional human capital is as good as cash in the bank
2. Some string businesses struggle to get approved
3. Local jobs MUST be in the offing
4. 'Cutting edge' industries are especially welcomed

**Use Form IDPPA Application Form & IDPVB Sponsorship Form**

**The Process Will Take 3-4 Months to Complete From Beginning to End**

Submit your application on the 24/F of Immigration Tower [or send by mail to the 2/F Receipt & Dispatch Unit].

Expect to have to undergo several exchanges of correspondence each time submitting further & better particulars and supporting documentation

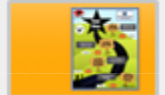
If approved, you will receive a visa label valid for 12 months

**Progressing Your Application**

**Business Review**  
If your application was marginally approved, the HKTD might subject your business to a complete Review at the time of your first extension 12 months later

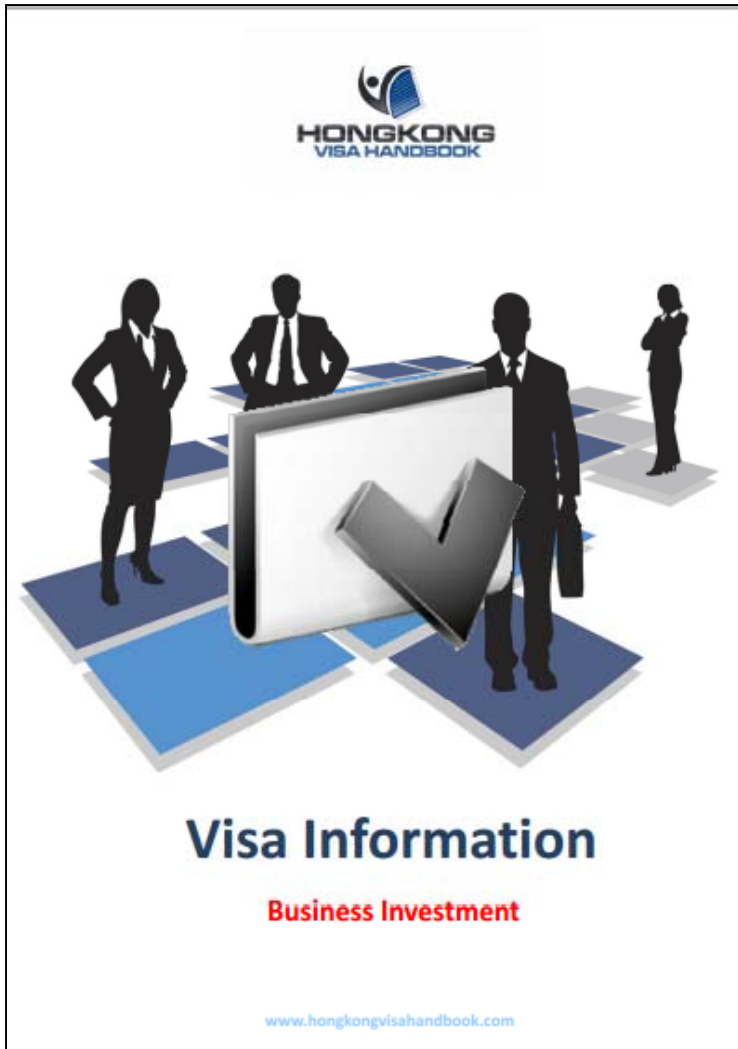
## One Man Investment Visa for Hong Kong – What's Required?

Posted May 20th, 2012 by The Visa Geeza. 4 Comments



### Must Use 1





**Must Use 2**

[www.hongkongvisageeza.com](http://www.hongkongvisageeza.com)



# YOUR HONG KONG VISA APPLICATION ROADMAP

PAGE 1



**YOUR HONG KONG VISA APPLICATION ROADMAP**

**APPLICATION ROADMAP**

**APPLICATION ROADMAP**

**APPLICATION ROADMAP**

**APPLICATION ROADMAP**

**APPLICATION ROADMAP**



Must Use 3

www.hongkongvisageeza.com





## Hong Kong Investment Visas – 3 Case Examples Which Would Not Get Approved

Posted June 19th, 2012 by The Visa Geeza. [6 Comments](#)



**Must Use 4**





### About

These templates are suitable for business investment visa applications submitted either within Hong Kong ("in-country") or from outside of Hong Kong or by mail direct to the HKID ("out-of-country").

| Template  | Used For   |
|---|--|
| <a href="#">BIV Cover Letter with Document List</a>             | To apply for a business investment visa with provision to include dependant visa applications for legal dependant family members   |
| <a href="#">BIV Subsequent Submission Letter</a>                | To answer follow up queries of the HKID.   |
| <a href="#">BIV Interim Reply Request Letter</a>                | To request an interim reply from the HKID if you have not heard from them for several weeks.   |
| <a href="#">BIV Approval Processing Letter</a>                  | To complete the application approval formalities. This is used where the application has been considered on an in-country Change of Status or Change of Category basis (not required for out-of-country applications). |
| <a href="#">BIV Appointment of an Authorised Representative</a> | Where you need to appoint a third party to submit papers or progress your application at the HKID on your behalf.  |

[For Daily Updated Investment Visa Information Click Here](#)



**Must Use 5**

And of course, if ever you get stuck and need to ask me a question, please do so [here](#).

I guarantee you a personalised **PodCast answer** within 48 hours – completely free of charge!

**1. INFOGRAPHIC** - One Man Investment Visa for Hong Kong

**2. PDF** – Information on the Hong Kong Business Investment Visa

**3. PLAN** – The Hong Kong Visa Application Roadmap

**4. CASE STUDY** - Hong Kong Investment Visas – 3 Case Examples That Would Not Get Approved

**5. TEMPLATES** – Business Investment Visa Application Argument & Other Supporting Letters to the HKID

**VIDEO** – 60 Page Business Plan Needed for a Business Investment Visa?

**VIDEO** – Advantages of Being An Existing Resident When You Make an Application for a Business Investment Visa

**PODCAST** – Freelancers in Hong Kong – Can You Get a Visa?

**TEMPLATE** – Business Plan for a Hong Kong Enterprise

**TEMPLATE** – Hong Kong Employment Contract



ps – there are 11 resources actually (including the presentation above), but hey, who's counting!

**VISIT OUR PROFESSIONAL PRACTICE** or **VISIT OUR FREE D-I-Y VISA GUIDE**



Refer to the Remaining **6**  
(including the **on-page video**)

[www.hongkongvisageeza.com](http://www.hongkongvisageeza.com)



## Your Questions Answered



48 Hour  
Response!



[www.hongkongvisageeza.com](http://www.hongkongvisageeza.com)