

FAMILY VISAS



## Visa to Join Your Heterosexual/Same-Sex Spouse or Your Parents in Hong Kong

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### **Elderly Parent(s) Outside Of Hong Kong & Wanting To Live Here Full-Time With Your Adult Children?**

Non-permanent residents do not have the legal standing to be able to sponsor elderly dependant parents for dependant visas, although if the sponsor holds the right of abode, the right to land or unconditional stay these people do. In such instance the parent but aged 60 or above and proof of dependency must be adduced during the application process. This usually means evidence of money transfers in the three months immediately prior to submission of the application for the dependant visa.

Essentially, therefore, the criteria for approval in this type of application is the sponsor needs to demonstrate they can put a roof over their head of their dependents and they can put food on the table of their dependents, namely, the sponsor is able to support the dependant's living at a standard well above the subsistence level and provide him/her with suitable accommodation in the HKSAR.

Family reunion is a secondary, yet, relevant part of the application consideration process but dependency is the primary requirement for approval. Successful applicants are permitted to engage in any lawful activity in Hong kong and are eligible for a Hong Kong Identity Card. These cases tend to be merely

administrative in nature. Once you have been able to establish the legal family connections through birth and marriage certificates and can show proof of income, at least a modest bank balance, copies of your tenancy agreement/property ownership certificates and proof that you are a genuine family, the applications are approved with little fuss. Problems can emerge where the official certifications are not in either English or Chinese and thus official translations issued by the consulate of the issuing country will be required. You apply using form ID997.

Applications can be submitted via the Receipt & Dispatch counter of the Immigration Department, online via the Immigration Department online submission portal, by post or in person, for those who are visitors to Hong Kong as part of a change of status application, and for those who are currently resident as part of change of category application. The process of approval entails the issue of a QR code Approval Letter devolving dependant visa status which will require activation after approval. Generally, dependant visas are activated by entering Hong Kong presenting this QR code Approval Letter to the Immigration Officer along with your passport via the Residents counter. The initial limit of stay granted to elderly parents is one year in the first instance for PR sponsors which are the subsequently extended for 3 years each time, assuming the bona fides of the sponsorship remain in-tact. If your case is denied, you can elect to start the appeal process with a formal request for Reconsideration.

If you are a visitor seeking to change your status, ImmD will not afford you an extension to your current period of stay during the Reconsideration process. Documents required for the application include:

- (1) Application forms fully completed and executed by both the applicant and sponsor.
- (2) A confirmation letter to be signed by the sponsor confirming that he/she will be responsible for meeting the applicant's financial needs in Hong Kong.
- (3) A letter from the sponsor's employer/company in Hong Kong and/or a copy of the Employment.
- (4) Contract showing the sponsor's financial package.
- (5) Copy of current residential tenancy agreement in Hong Kong where the family will live (or proof of ownership).
- (6) Copy of the both the sponsor's and applicants' bank statements for the past three months and/ or other supporting documents as proof of financial stability of the family.
- (7) Family photos evidencing the sponsor and the applicant(s)' relationship.
- (8) Copies of birth and marriage certificates.
- (9) Copy of passports details page of both the sponsor and the applicant(s).
- (10) Copy of the sponsor's Hong Kong Identity Card.

Please note that the fact of you being in Hong Kong as a visitor does not in any way enhance or detract from the consideration exercise in the grant of dependant visas. Moreover, no work is permitted until and unless your visa applications have been approved and the dependant status activated. It normally takes ImmD 6 weeks to finalize family dependant visa applications and the mere fact of you being in Hong Kong while they are processing your application doesn't avail an automatic right to an extension of your present limit of stay as a visitor.

<b>Useful Resource 1</b>	<a href="#">Legal Dependants</a>
<b>Useful Resource 2</b>	<a href="#">How to Sponsor Your Parents</a>
<b>Useful Resource 3</b>	<a href="#">Elderly Parents of Temporary Residents</a>
<b>Useful Resource 4</b>	<a href="#">Dependent Visa For My 91-Year-Old Father</a>
<b>Hong Kong Visa Handbook Contents</b>	
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