Technology Talent Admission Scheme (for Companies Subsidised under the New Industrialisation Acceleration Scheme) (TechTAS-NIAS)

Application Guide (TechTAS-NIAS)

I. OVERVIEW

TechTAS-NIAS allows eligible companies to flexibly employ non-local technical personnel who possess the required skills / know-how and relevant experiences in setting-up and operating new large-scale advanced production facilities in the fields of life and health technology, artificial intelligence ("AI") and data science, and advanced manufacturing and new energy technologies to work in the Hong Kong Special Administrative Region ("HKSAR"). Companies approved under the New Industrialisation Acceleration Scheme ("NIAS") would first have to apply for a quota. The company allotted with a quota by the Innovation and Technology Commission ("ITC") can accordingly sponsor an eligible non-local technical personnel to apply for an employment visa / entry permit within the 24-month quota validity period.

II. QUOTA APPLICATION

(A) Eligibility

Quota Applicant Company

- 2. To apply for a quota under TechTAS-NIAS, the applicant company must
 - (a) be a company approved under NIAS;
 - (b) have a valid Business Registration Certificate; and
 - (c) be engaged in advanced manufacturing industries in the technology areas of life and health technology, AI and data science, or advanced manufacturing and new energy technologies.

3. This "Application Guide (TechTAS-NIAS)" should be used by applicant companies approved under NIAS.

Non-local Technical Personnel

- 4. The non-local technical personnel admitted under TechTAS-NIAS must be -
 - (a) employed as full-time employees in the HKSAR by the applicant company;
 - (b) engaged principally in setting-up and operating new large-scale advanced production facilities in the areas of life and health technology, AI and data science, or advanced manufacturing and new energy technologies;
 - (c) holders of Higher Diploma / Higher Certificate in relevant fields (or an acceptable equivalent in an engineering or technological discipline) and should have at least four years' practical experience in related advanced production facilities; and
 - (d) offered remuneration not lower than the prevailing market level for comparable jobs in the HKSAR.

5. Persons not meeting the academic requirements in paragraph 4(c) above but possess good technical skills in specialty areas, proven professional abilities and / or relevant experience and achievements can be considered on a case-by-case basis with full justifications. In such case, relevant documentary evidence should be provided when making an application for employment visa / entry permit for the individual concerned (see Part III below). If an applicant company already expects, during the quota application stage, that its target non-local persons to be employed may not meet the requirements as specified in paragraph 4(c) above but should possess specific skills / abilities / experience / achievements, it should set out the details with full justifications in its quota application.

(B) Quota Assessment Criteria

6. Each eligible quota application will be assessed on its own merits having regard to the following considerations -

- (a) The knowledge or skillsets of the required technical personnel must align with the applicant company's industry. In particular, the applicant company must demonstrate its engagement in advanced manufacturing industries in at least one of the technology areas specified in paragraph 2(c) above;
- (b) The applicant company has confirmed difficulties in recruiting local technical personnel in the technology areas concerned;
- (c) The academic qualifications or other expertise as well as the remuneration packages of the required non-local technical personnel are suitable; and
- (d) Any past records of false representations or misrepresentations in previous quota or employment visa / entry permit applications under TechTAS / TechTAS-NIAS or breaches of the terms and conditions of quota allotment, etc.

(C) Quota Application and Processing Procedure

7. Companies approved under NIAS may make their quotas application throughout the project period of the NIAS. Each company may be granted up to five quotas. Request for more than five quotas will also be considered on a case-by-case basis if fully supported by justifications

Application Vetting Arrangements

8. Applicant companies should complete the <u>"Quota Application Form (TechTAS-NIAS)"</u>. It is available on the website of ITC (<u>techtas-nias.itc.gov.hk</u>). Applicant companies should submit their completed "Quota Application Form (TechTAS-NIAS)", together with a copy of approval letter of NIAS, Business Registration Certificate and remuneration package reference of each job position concerned to ITC, according to the instructions set out on the website.

9. Making a quota application under TechTAS-NIAS is free of charge.

10. Upon receipt of a quota application, ITC will consider it and may approve the quota request in full or in part, or reject it altogether. During the processing of quota application, ITC may request the applicant company to submit additional information to justify its case and / or conduct an on-site visit. Upon receipt of all necessary information and documents, the normal processing time of a quota application will be two weeks. Site visit would render additional processing time of the quota application. Failure to properly complete the application form or submit required documents or facilitate ITC's on-site visit may delay the processing of the application.

11. Applicant companies will be informed of the application result in writing. The decision of ITC is final. However, an applicant company may submit a fresh quota application taking into account the comments made by ITC on its original application.

12. If a quota application is approved, ITC will issue a quota allotment letter to the applicant company. It will state the number of quotas of non-local technical personnel to be admitted and relevant particulars being approved, including the technology area(s) involved, main job duties, academic qualifications / expertise required, remuneration packages pertaining to the job position(s) and any other terms and conditions of the approved quota(s). Within the total number of allotted quotas, the company would have the flexibility to admit the exact number of non-local technical personnel for the different job positions set out in the quota allotment letter to suit its needs. If the applicant company wishes to make any change to the particulars of allotted quota(s), it should seek ITC's prior written approval before submitting applications for employment visa / entry permit to the Immigration Department ("ImmD").

13. An allotted quota will be valid for 24 months. Applicant companies which are allotted with quota(s) should, during the quota validity period, sponsor eligible non-local technical personnel to submit employment visa / entry permit applications to the ImmD using the allotted quota(s). Companies with allotted quotas may write to ITC for extension of quota validity period at least two weeks before quota expiry. Approval would only be given to requests with full justifications, such as requiring a longer recruitment period as the selected candidate does not accept the job offer.

14. A quota is regarded as being used when an employment visa / entry permit application pertaining to the quota has been approved by the $ImmD^1$. Transfer of quota to another company is not permitted.

15. Approval of a quota application under TechTAS-NIAS does not guarantee approval of an individual's employment visa / entry permit application by the ImmD. Please refer to Part III below for the details on employment visa / entry permit application under TechTAS-NIAS.

(D) Important Notes

16. Inaccurate and incomplete information may result in delay in or inability to process the quota applications. Any person knowingly making any false representations or furnishing information they know to be false or does not believe to be true in a quota application may be guilty of an offence under the Laws of Hong Kong.

17. ITC reserves at all times the absolute right to review all quota applications and adjust the quotas allotted as necessary (for example, in circumstances where false representations or misrepresentations have been made in quota or employment visa / entry permit applications, terms and conditions of quota allotment have been breached, an order is made or a resolution is passed for the winding up of the applicant company, etc.). ITC may also conduct visits to or collect information from the successful companies through telephone interviews, written updates or other appropriate means as and when necessary to keep track of the companies' use of quotas.

18. Applicant companies will be requested to complete a questionnaire within one month after the end of quota validity period or after all allotted quotas are used up, whichever is earlier. The company should submit the completed questionnaire to ITC and provide explanations if it could not use up all the allotted quotas. ITC will decide whether an "adverse record" will be attached to the

¹ The quota is still regarded as "being used" even if the non-local technical personnel granted the visa / entry permit eventually does not come to work in Hong Kong.

company if it, without valid justification, has not utilised the quota(s) allotted and/or if it fails to inform ITC and the ImmD of any case of termination of employment contract as stipulated in paragraphs 31 and 32 below. An adverse record may lead to the consequences - (a) any unused quotas allotted to the company would be suspended; and (b) the credibility of the company in making any new quota application will be affected.

III. EMPLOYMENT VISA / ENTRY PERMIT APPLICATION

(A) Eligibility Criteria for Application for Employment Visa / Entry Permit

19. TechTAS-NIAS does not apply to nationals of Afghanistan, Cuba and Korea (Democratic People's Republic of).

20. An application for a visa / entry permit to take up employment under TechTAS-NIAS may be favourably considered by the Director of Immigration after ITC has approved a quota if -

- (a) there is no security objection and no known record of serious crime in respect of the applicant²;
- (b) the employing company has a valid quota approved by ITC at the time of application;
- (c) the applicant fulfils the eligibility criteria set out in paragraphs 4-5 above;
- (d) the applicant meets the specific particulars pertaining to the job position set out in the quota allotment letter issued by ITC (see paragraph 12 above); and
- (e) the bona fides of the employing company and the applicant are not in doubt.

(B) Application Procedures

Submission of Application

21. Applications for entry for employment under TechTAS-NIAS should be submitted within the quota validity period as specified in the quota allotment letter issued by ITC. Applicants, their accompanying dependant(s) (if any) and the employing company shall submit the applications and upload all supporting documents online with the relevant application fee paid through the designated GovHK website at the following link: www.gov.hk/en/nonresidents/visarequire/visasentrypermits/applytechtas.htm. The application fee paid is non-refundable in any circumstance irrespective of the application result. Applications submitted in person, by post or drop-in-box will not be accepted.

Supporting Documents

22. Please refer to the checklist in <u>Annex A</u>. Failure to submit required supporting documents may delay the processing of the application. If an individual dependant wishes to join the applicant later, please refer to the website of the ImmD at www.immd.gov.hk/eng/services/visas/residence_as_dependant.html for the application procedures.

(C) Processing Time

23. It normally takes two weeks to process applications for employment visa / entry permit under

² "Applicant" in Part III of this Application Guide refers to the individual who is applying for a visa / entry permit to enter the HKSAR for employment under TechTAS-NIAS.

TechTAS-NIAS upon receipt of all the required documents and the relevant application fee³. The ImmD will not be able to finalise the processing of the application unless all the required supporting documents and information together with the relevant application fee have been received. As it will take time to process applications, applicants may regard their applications as being under processing unless they have received a notification of application result from the ImmD.

24. All visa / entry permit applications are processed and determined by the ImmD, after taking into consideration all circumstances of the applications. Approval of applications is entirely discretionary and is subject to changes in government policies. The Director of Immigration reserves absolute discretion to refuse any application even if the application meets all eligibility criteria.

(D) Payment of Fees

25. For the purpose of Schedule 2 of the Immigration Regulations (Cap.115A), TechTAS is a "specified scheme". For entry visa/permit applications or change of condition of stay (including extension of limit of stay) applications made under a "specified scheme", the principal applicant and each of his/her dependant(s) (if any) are required to pay a non-refundable application fee and the corresponding visa issuance fee. For more details on the fee structure, please visit the Immigration Department's website at www.immd.gov.hk/eng/specifiedschemes.html.

26. Upon approval of the applications, the notification of the application result issued by ImmD will include a webpage link for payment of the visa issuance fee. Payment of relevant fees could be made through the said webpage link or the GovHK website or the ImmD Mobile Application by credit cards (VISA, Mastercard, UnionPay and JCB only), Payment by Phone Service ("PPS"), Faster Payment System ("FPS") or Mainland China's Licensed Digital Wallets (Alipay, WeChat Pay and UnionPay App only). After payment, applicants could instantly download or print the "e-Visa" by themselves.

(E) Travel Documentation Requirement

Mainland Residents

27. Successful applicant should apply for an Exit-entry Permit for Travelling to and from Hong Kong and Macao (EEP) and a relevant exit endorsement from the relevant Mainland authorities. Upon immigration arrival clearance in the HKSAR, the applicant holding an EEP bearing the relevant exit endorsement should also present the "e-Visa" saved on a personal mobile device or printed on a sheet of A4 white paper, and scan the encrypted QR code on the "e-Visa" with the optical reader at an immigration counter. For overseas Chinese nationals holding People's Republic of China ("PRC") passports, applicant should present his / her valid PRC passport and "e-Visa" for immigration examination upon arrival in the HKSAR (only applicable to overseas Chinese who have obtained overseas permanent residence; or have been residing overseas for at least one year immediately before the submission of an application and the application is submitted from overseas).

Non-Mainland Residents

28. Upon immigration arrival clearance in the HKSAR, applicant should present his / her valid travel document and the "e-Visa" saved on a personal mobile device or printed on a sheet of A4 white paper, and scan the encrypted QR code on the "e-Visa" with the optical reader at an immigration counter.

³ The processing time may be longer in complicated cases.

(F) Conditions of Stay and Extension of Stay

29. Persons admitted under TechTAS-NIAS will normally be granted an initial stay of 36 months on employment condition, or in accordance with the duration of the employment contract (whichever is earlier), upon entry. They may apply for extension of stay in the HKSAR within four weeks before their limit of stay expires with the relevant application fee paid. The application fee paid is non-refundable in any circumstance irrespective of the application result. Such applications will be considered only when the applicants continue to meet the eligibility criteria under TechTAS-NIAS as set out in paragraph 20⁴. Successful applicants will normally be granted an extension of stay following the 3-2 year pattern, also on employment condition, or be in accordance with the duration of the employment contract (whichever is earlier).

(G) Termination of Employment Contract

30. Persons admitted under TechTAS-NIAS who are on employment condition shall only take such employment as approved by the Director of Immigration. They should seek prior approval from the Director of Immigration for any change in employment.

31. If a person admitted under TechTAS-NIAS or his/her employer for any reason terminates the employment contract before the expiry of his/her limit of stay, he/she has to leave the HKSAR within 2 months from the date of termination of employment contract or before expiry of his/her limit of stay, whichever is earlier. If such person has secured an offer of another employment which meet the eligibility criteria of TechTAS-NIAS within the 2 months' period or before expiry of his/her limit of stay, whichever is earlier, he/she may apply to the ImmD for change of employer.

32. In any event, both the person and the employer mentioned in paragraph 31 above should notify the ImmD of the date of termination of employment contract within 7 days following the date of termination through the ImmD's online service system (www.gov.hk/en/residents/immigration/nonpermanent/terminatecontractorstudies.htm). Separately, both parties should also notify ITC of the termination of employment contract within the aforesaid time period by email to techtas-nias@itc.gov.hk. The email should include names of both parties, visa reference and contract termination date.

(H) Entry of Dependants

33. Persons admitted or seeking admission under TechTAS-NIAS may apply, under their sponsorship, to bring their spouse or the other party to a same-sex civil partnership, same-sex civil union, "same-sex marriage", opposite-sex civil partnership or opposite-sex civil union entered into by him / her in accordance with the local law in force of the place of celebration and with such status being legally and officially recognised by the local authorities of the place of celebration⁵, and

⁴ For the avoidance of doubt, no quota is needed for the employing company to sponsor the applicant for application for extension of stay.

⁵ For the avoidance of doubt, the terms "civil partnership" and "civil union" above mean a legal institution of a nature which is akin to spousal relationship in a marriage. The same-sex civil partnership, same-sex civil union, "same-sex marriage", opposite-sex civil partnership and opposite-sex civil union entered into in accordance with laws outside Hong Kong are limited to only relationships which are legally and officially recognised in the places of celebration. Such relationships normally have the following features: (a) the entering into and dissolution of the relationship are governed by legislation of the place where it is entered into; (b) the relationship requires registration by the competent authority specified by the legislation of the place where it is entered into; (c) the registration is evidenced in a written instrument issued by the competent authority; and (d) parties to the relationship have a mutual commitment to a shared life akin to spouses to the exclusion of others on a permanent basis. Such relationships do not include de facto spouse, partners in cohabitation, fiancé / fiancée, etc.

unmarried dependent children under the age of 18 to the HKSAR under the prevailing dependant policy. An application for admission of a dependant may be favourably considered if normal immigration requirements (see paragraph 36 below) and the following criteria are met -

- (a) there is reasonable proof of a genuine relationship between the dependant and the sponsor;
- (b) there is no known record to the detriment of the dependant; and
- (c) 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.
- 34. The entry arrangement for dependants does not apply to -
 - (a) former Mainland Chinese residents residing in the Macao Special Administrative Region ("SAR") who have obtained Macao identity cards for less than seven years, unless they have acquired residence in the Macao SAR through the One-way Permit Scheme; and
 - (b) nationals of Afghanistan and Korea (Democratic People's Republic of).

35. The length of stay of such dependants will normally be linked to that of their sponsors. They will remain in the HKSAR on time limitation and are not prohibited from taking up employment or studies in the HKSAR. Any subsequent applications for extension of stay of such dependants will be considered only if the dependants continue to meet the eligibility criteria set out in paragraph 33 above (including that there is no change in circumstances which would have otherwise resulted in loss of sponsorship for the applicant, e.g. change in marriage relationship between the dependent spouse and the sponsor, or death of sponsor) and the sponsor remains a bona fide Hong Kong resident living in the HKSAR. If their sponsor's employment contract is terminated before the expiry of the sponsor's limit of stay, such dependants have to leave the HKSAR within 2 months from the date of termination of their sponsor's employment contract, or before the expiry of their limit of stay, whichever is earlier.

(I) Other Information

36. In general, unless a person has the right of abode or right to land in the HKSAR, he / she requires a visa / entry permit to work or reside in the HKSAR. While each application is determined on its individual merits, an applicant should meet normal immigration requirements (such as holding a valid travel document with adequate returnability to his / her country of residence or citizenship; be of clear criminal record and raise no security or criminal concerns to the HKSAR; have no likelihood of becoming a burden on the HKSAR, etc.) as well as the relevant specific eligibility criteria detailed above before he / she may be considered for the grant of a visa / entry permit and subsequent extension of stay. It should be noted that the eligibility criteria may be subject to change from time to time without prior notice. Please check the ImmD's website at www.immd.gov.hk for up-to-date information.

Re-entry into the HKSAR

37. Non-permanent residents of the HKSAR (including persons admitted under TechTAS-NIAS and their dependants), irrespective of their nationality and type of travel document held, do not require a re-entry visa / entry permit to enter the HKSAR provided that they return within the currency of their permitted limit of stay and that the circumstances upon which they have acquired their residential status remain unchanged.

Right of Abode

38. Persons admitted under TechTAS-NIAS who have ordinarily resided in the HKSAR for a continuous period of not less than seven years may apply for the right of abode in the HKSAR in accordance with the law.

(J) Warning

39. It is an offence to make false statements or representations to an immigration officer. To verify the authenticity of the information and documents submitted with a visa / entry permit application, The ImmD may conduct field visits. A person who knowingly and wilfully makes a statement or gives information which he / she knows to be false or does not believe to be true shall be guilty of an offence under the Laws of Hong Kong and any such visa / entry permit issued or permission to enter or remain in the HKSAR granted shall have no effect.

IV. OTHER INFORMATION

(A) Prevention of Bribery

40. The applicant company shall observe the Prevention of Bribery Ordinance (Cap. 201) ("POBO") and shall procure that its directors, employees, agents and other personnel who are in any way involved in the quota / employment visa / entry permit application(s) shall **not** offer to or solicit or accept from any person any advantages, including money, gifts, loan, etc. (as defined in the POBO) in relation to the quota / employment visa / entry permit application(s).

(B) Disclaimer

41. The information in this Guide serves as reference only. The Government of the HKSAR is not responsible for any loss or damage whatsoever arising out of or in connection with any information in this Guide. ITC and the ImmD reserve the right to omit, suspend or edit any information in this Guide at any time in its absolute discretion without giving any reason or prior notice. ITC and the ImmD further reserve the right to change the eligibility criteria and details of the arrangements set out above from time to time without prior notice.

(C) Enquiries

42. Enquiries on TechTAS-NIAS may be made as follows -

Applications for quota Innovation and Technology Commission Enquiry hotline: (852) 3855 7600 Fax: (852) 3691 8655 Email: <u>techtas-nias@itc.gov.hk</u> Website: <u>www.itc.gov.hk</u>

Applications for employment visa / entry permitImmigration DepartmentGeneral enquiryEnquiry hotline: (852) 2824 6111Fax: (852) 2877 7711Web

<u>Application status enquiry</u> Enquiry hotline: (852) 3160 8663 (24-hour) Website: <u>www.gov.hk/immdstatusenquiry</u> Email: <u>enquiry@immd.gov.hk</u> Website: <u>www.immd.gov.hk</u>

Innovation and Technology Commission Immigration Department April 2025

Checklist of Documents to be Uploaded during Online Visa Application

(A) Documents to be uploaded by the applicant for entry application

1		mit application through online system at w.gov.hk/en/nonresidents/visarequire/visasentrypermits/applytechtas.htm and and supporting documents item listed below		
2	App	Applicant's recent photograph		
3	Applicant's valid travel document containing personal particulars, date of issue, date of expiry and / or details of any re-entry visa held (if applicable). A Chinese resident of the Mainland who has not been issued with a travel document may upload his / her People's Republic of China ("PRC") resident identity card			
4	Applicant's Hong Kong identity card (if any)			
5	Proof of academic qualifications and relevant work experience, or proof of good technical skills in specialty areas, proven professional abilities and / or relevant experience and achievements (if applicable)			
6	Other documents where applicable			
	(a)	Macao Special Administrative Region ("SAR") residents - applicant's Macao identity card		
	(b)	Taiwan residents - applicant's household registration in Taiwan and Taiwan identity card		
	(c)	PRC passport holders living overseas - Proof of the applicant's overseas residence, such as official documents showing the applicant's conditions of stay and limit of stay endorsed by overseas authorities (only applicable to overseas Chinese who have obtained overseas permanent residence; or have been residing overseas for at least one year immediately before the submission of an application and the application is submitted from overseas)		
	(d)	Mainland residents - Letter of consent from the applicant's present working unit or relevant Mainland authorities (<u>Annex B</u> of this Application Guide)		

(B) Documents to be uploaded by the employing company

1	Employing company will receive a link by e-mail after application submission from the applicant. Employing company is required to fill in the online form and upload relevant supporting documents listed below to complete the rest of the application
2	Quota allotment letter issued by the Innovation and Technology Commission
3	Employing company's employment contract with or letter of appointment to the applicant containing information about post, salaries, other fringe benefits and employment period
4	Business Registration Certificate (not required if the employing company is listed on the Main Board or the Growth Enterprise Market of The Stock Exchange of Hong Kong Limited, or has successfully obtained an employment or training visa/entry permit for a non-local staff in the past 24 months immediately before submission of the application)

(C) Documents to be uploaded by each accompanying dependant

1	-	mitapplicationthroughonlinesystematw.gov.hk/en/nonresidents/visarequire/visasentrypermits/applytechtas.htmandad supporting documents item listed below		
2	Dependant's recent photograph			
3	Dependant's valid travel document containing personal particulars, date of issue, date of expiry and / or details of any re-entry visa held (if applicable). A Chinese resident of the Mainland who has not been issued with a travel document may upload his / her PRC resident identity card			
4	Dependant's Hong Kong identity card (if any)			
5	Evidence of the applicant's relationship with the dependant e.g. marriage certificate, birth certificate, family photographs, family letters (with envelopes), census record book and Privilege Card for Single Child (if applicable)			
6	Other documents where applicable			
	(a)	Macao SAR residents - Dependant's Macao identity card		
	(b)	Taiwan residents - Dependant's household registration in Taiwan and Taiwan identity card		

(D) Documents to be uploaded by the applicant for extension of stay application

1	Submitapplicationthroughonlinesystematwww.gov.hk/en/residents/immigration/nonpermanent/applyextensionstay/othernpr.htmand upload supporting documents items listed below					
2	Applicant's valid travel document and, where applicable, his / her previous travel document page showing the latest visa / entry permit label / arriving stamp / landing slip / extension of stay label in the Hong Kong Special Administrative Region and the latest issued "e-Visa" (if applicable)					
3	Applicant's Hong Kong identity card					
4	Supporting letter from the current employing company stating applicant's position, total monthly remuneration and period of employment (only applicable to applicant without change of employment)					

Important Notice

Notwithstanding that the documents and information required have been furnished, applicants, accompanying dependants and employing companies may still be required to submit further supporting documents (including original documents) and information in connection with the applications when necessary.

Where a document is not in Chinese or English, it must be accompanied by a Chinese or English translation certified as a true translation by a sworn translator, court translator, authorised public translator, certified translator, expert translator or official translator.

此同意書只適用於申辦赴港工作的内地中國居民申請人。

This letter of consent is only applicable to the applicant who is a Chinese resident of the Mainland and applies to work in Hong Kong.

<u>內地的中國居民赴港工作同意書</u> (適用於根據「科技人才入境計劃」申辦赴港工作進入許可的申請)

本工作單位/檔案所在單位 ______ 證明以下人員

現時在 ________ 單位/公司工作。

姓名:______ 出生日期:______ 性別:_____

倘若上述人員根據香港「科技人才入境計劃」成功獲得批准前往香港特別 行政區工作,本單位同意讓該人員赴港工作。

工作單位/檔案所在單位印章

負責人姓名及簽署

注意:

- (一)此「赴港工作同意書」適用於所有內地的中國居民根據「科技人才入境計劃」申辦赴港工作進入許可的申請。
- (二)簽發此同意書旨在讓內地工作單位/檔案所在單位知悉申請人根據香港「科技人才入境計劃」申辦 赴港工作進入許可。倘若申請人成功獲得批准前往香港特別行政區工作,有關單位同意讓他們赴港。