



# Strategic Hiring in Hong Kong: Practical Legal Insights for Employers on Talent Schemes

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# Agenda

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- 01** Overview of visa permits and talent schemes in Hong Kong
- 02** Considerations for the visa/entry schemes
- 03** Q&As

# General Employment Policy (GEP) and Admission Scheme for Mainland Talents and Professionals (ASMTP)

## Introduction

- Professionals with special skills, knowledge or experience of value not readily available in HK
- Quota-free and non-sector specific

## Eligibility

- No security objection and no known record of serious crime
- Good education background, usually first degree in relevant field, otherwise good technical qualifications, proven professional abilities and/or relevant experience and achievements
- Genuine job vacancy
- Confirmed offer of employment
- Remuneration package at market level

Question: what if salary is too low?

# General Employment Policy (GEP) and Admission Scheme for Mainland Talents and Professionals (ASMTP)

## Application

- Supporting documents
  - proof of academic qualifications and work experience
  - New application – need proof of financial standing, details of company background and business plan (for new set up within 12 months)
  - For Mainland residents – letter of consent from applicant's present working unit or relevant Mainland authorities

## Processing Time

- GEP: 4-8 weeks, ASMTP: +2 additional weeks

# General Employment Policy (GEP) and Admission Scheme for Mainland Talents and Professionals (ASMTP)

## Recent Changes:

- From June 30, 2025, a new channel under GEP and ASMTP took effect: professionals aged between 18 and 40 and meet the relevant qualifications specified in a new list eight specified skilled trades can apply:
  - new industrialisation technicians; nurses; aircraft maintenance technicians; marine services technicians for local vessels; IT technicians; lift technicians; building information modeling coordinators; and electrical technicians.
  - The arrangement will be piloted for three years. Numbers will be capped at 10,000, including 3,000 for each skilled trade.

# Technology Talent Admission Scheme (TechTAS)

## Introduction

- Arrangement for eligible companies to admit non-local **technology talent** to undertake research and development work
- Company need to apply for a **quota**

## Eligibility

- No security objection and no known record of serious crime in respect of applicant
- Employing company has valid quota
- Applicant employed as full-time employee
- R&D in areas of advanced communication tech, AI, biotech, cybersecurity, data analytics, digital entertainment, fin tech, green tech, integrated circuit design, Internet-of-Things, material science, microelectronics, quantum tech or robotics
- Applicant is degree-holder in STEM from top university
- Remuneration not lower than prevailing market level for comparable jobs in HK

# Technology Talent Admission Scheme (TechTAS)

## **Application**

- Submission online by applicant
- Employing company will receive a link by e-mail after applicant's submission
- Supporting documents are similar to GEP/ASMTTP

## **Processing Time**

- 2 weeks upon receipt of all required documents

# Immigration Arrangements for Non-local Graduates (IANG)

## Introduction

- For non-local students (that came into HK with student visas) that has obtained undergrad or higher qualification in full-time locally-accredited program in HK
- Quota free and non-sector specific

## Eligibility

- Applications submitted within 6 months after date of graduation are – **non-local recent graduates**
- **Non-local recent graduates** – no need to have secured offer of employment upon application, 24 months' stay on time limitation only without other condition of stay
- Those submitted after 6 months of date of graduation are – **non-local non-recent graduates**
- **Non-local non-recent graduates** – need to secure offer of employment – job at a level commonly taken up by degree holders and remuneration package is at market level. 24 months' stay on time limitation only without other conditions of stay

# Immigration Arrangements for Non-local Graduates (IANG)

## **Application**

- Submission online by applicant
- Employing company will use temporary application reference and applicant date of birth to retrieve application online and continue to fill out form
- Supporting documents are similar to GEP/ASMTP

## **Processing Time**

- 2 weeks for recent graduates and 4 weeks for non-recent graduates, upon receipt of all required documents

## Top Talent Pass Scheme (TTPS)

- Top talents with rich work experience and good academic qualifications and high-income. Allows multiple entries; processing time: around 2 weeks; visa holders can bring spouse and children to HK
  - Category A
- Individuals with an annual salary income of at least HKD2.5 million in the 12-months immediately preceding the date of application submission
  - Category B
- Bachelor degree graduates from one of the world's top universities with three or more years of work experience.
  - Category C
- Recent graduates from a top universities, but with less than three years of work experience.

# Quality Migrant Admission Scheme (QMAS)

## Scheme Objective

- Attract highly skilled or talented persons to settle in Hong Kong to enhance HK's economic competitiveness
- Allows multiple entries; processing time: at least 2 months; visa holders can bring spouse and children to HK
- No requirement to have secured offer of local employment
- Need to fulfil a set of prerequisites under the General Points Test or Achievement-based Points Test and compete for quota allocation

## Prerequisites

- 18 or above
- Financial requirement – capable of supporting himself/herself and dependants
- No criminal record or adverse immigration record
- Basic education qualification – first degree from recognized university or good technical qualifications, proven professional abilities and/or experience and achievements

# Quality Migrant Admission Scheme (QMAS)

- Previously:

Application based on a General Points Test: A minimum passing mark (80 points out of a maximum of 225) is set under the General Points Test.

## Factor 1 : Age (Maximum 30 points)

Age	18-39	40-44	45-50	51 or above
Points	30	20	15	0

## Factor 2 : Academic / Professional Qualifications (Maximum 70 points)

Basic		
Doctoral degree / Two or more master's degrees	40	or
Master's degree / Two or more bachelor's degrees	20	or
Bachelor's degree / Professional qualification	10	
Additional		plus
If a degree is awarded by a renowned institution	30	

# Quality Migrant Admission Scheme (QMAS)

- **Factor 3 : Work Experience (Maximum 55 points)**

Basic		
Minimum 10 years of graduate/specialist level work experience, including at least 5 years in a senior role	40	or
No less than 5 years of graduate/specialist level work experience, including at least 2 years in a senior role	30	or
At least 5 years of graduate/specialist level work experience	15	
Minimum 2 years of graduate/specialist level work experience	5	
Additional		plus
No less than 2 years of graduate/specialist level work experience with international exposure	15	

# Quality Migrant Admission Scheme (QMAS)

- **Factor 4 : Talent List (Maximum 30 points)**

An applicant will score 30 points if his/her qualification and work experience meet the specifications of the professions in the Talent List published by the Hong Kong Government.

- **Factor 5 : Language Proficiency (Maximum 20 points)**

Written and spoken Chinese (Putonghua or Cantonese) and English	20
At least one foreign language (written and spoken) in addition to written and spoken Chinese (Putonghua or Cantonese) or English	15
Written and spoken Chinese (Putonghua or Cantonese) or English	10

- **Factor 6 : Family Background (Maximum 20 points)**

At least one immediate family member (married spouse, parents, siblings, children) is a Hong Kong permanent resident residing in Hong Kong	5
Accompany married spouse has a recognized degree	5
5 points for each accompanying unmarried dependent child under 18 with a maximum of 10 points	5 or 10

## Quality Migrant Admission Scheme (QMAS)

- In November 2024, HK Government enhanced the General Points Test under the QMAS by adopting a more objective and clear scoring criteria, and streamlining the application and selection process. The enhanced GPT replaces the original item-by-item scoring system with an assessment questionnaire. Applicants are required to confirm if they meet the 12 assessment criteria in the questionnaire under six major aspects, namely age, academic qualifications, language proficiency, work experience, annual income and business ownership, and submit supporting documents. The applicants can submit applications if they meet at least 6 assessment criteria.

# Quality Migrant Admission Scheme (QMAS)

## Category 1: Age

(1) Applicants should be under 50 years old.

## Category 2: Education

(2) Whether the applicant holds a master's degree or a doctoral degree conferred by a qualified university;

(3) Whether the applicant's master's or doctoral degree awarded by an eligible university is related to a “STEM” i.e. “Science”, “Technology”, “Engineering” or “Mathematics”.

## Category 3: Language Proficiency

(4) Whether the applicant has good written and spoken skills in two languages;

(5) Whether the applicant has good written and spoken skills in English;

## Quality Migrant Admission Scheme (QMAS)

- Category 4: Work experiences

(6) Whether the applicant has no less than five years of work experience equivalent to degree level or expert level.

(7) Whether the applicant has at least three years of work experience equivalent to degree level or specialist level in a multinational company or a well-known enterprise, such as a listed company or an enterprise listed in Forbes Global 2000, Fortune Global 500 and Hurun China 500.

(8) Whether the applicant possesses not less than three years of working experience at degree or professional level in specific fields/industries, including “innovation and technology”, “finance” and “international trade” (including cross-boundary shipping and air freight, and supply chain management).

(9) Whether the applicant possesses not less than two years' international work experience at degree or specialist level.

## Quality Migrant Admission Scheme (QMAS)

- Category 5: Annual Income

(10) Whether the applicant's annual income for the year immediately preceding the application is HK\$1 million or above (or its equivalent in foreign currency);

- Category 6: Business ownership

(11) Whether the applicant currently owns a business entity which, in the year immediately preceding the application, has made an annual profit of HK\$5 million or more (or its equivalent in foreign currency);

(12) Whether the applicant currently owns a listed company.

# TTPS and QMAS

- Advantages for TTPS and QMAS schemes
  1. No Prior HK Job Offer Required
  2. Residence in Hong Kong
  3. Multiple Entry
  4. Pathway to Permanent Residency
  5. Family Reunification

## Compare of the visa/entry schemes

Visa/Entry Scheme	Subject to quota?	Must have a HK offer?	Must have a university degree?	Target
GEP/ASMTP	No	Yes	No	Technical professionals
TechTAS	Yes	Yes	Yes	R&D
IANG	No	No	Yes	Graduates from HK universities
TTPS	No	No	Yes	Experienced graduates from top universities
QMAS	No	No	Yes	High-quality migrant

## Considerations for the visa/entry schemes

If the employee who needs visa	Recommended Visa	Comment
Graduate in HK	IANG	Streamlined application, which takes only 2-4 weeks
Graduate from top universities with 3+ years working experience	TTPS	Streamlined application, which takes only 2 weeks; attractive to talents.
Graduate with a balanced background	QMAS	It might take too long (up to 6 months) to get the visa
With skills not readily available in HK	GEP/ASMTTP	More bonding
R&D technology talent	TechTAS	Need to apply for quota

## Considerations for the visa/entry schemes

### Legal Issues for TTPS/QMAS Employees

- In 2024: 41,057 TTPS holders, 11,848 QMAS holders, around 95% from Mainland China
- Overall working visas in 2024: around 140k
- In practice, legal issues are normally triggered during moving employees from Mainland China to Hong Kong under TTPS/QMAS programs

## Legal considerations for the visa/entry schemes

### Case 1

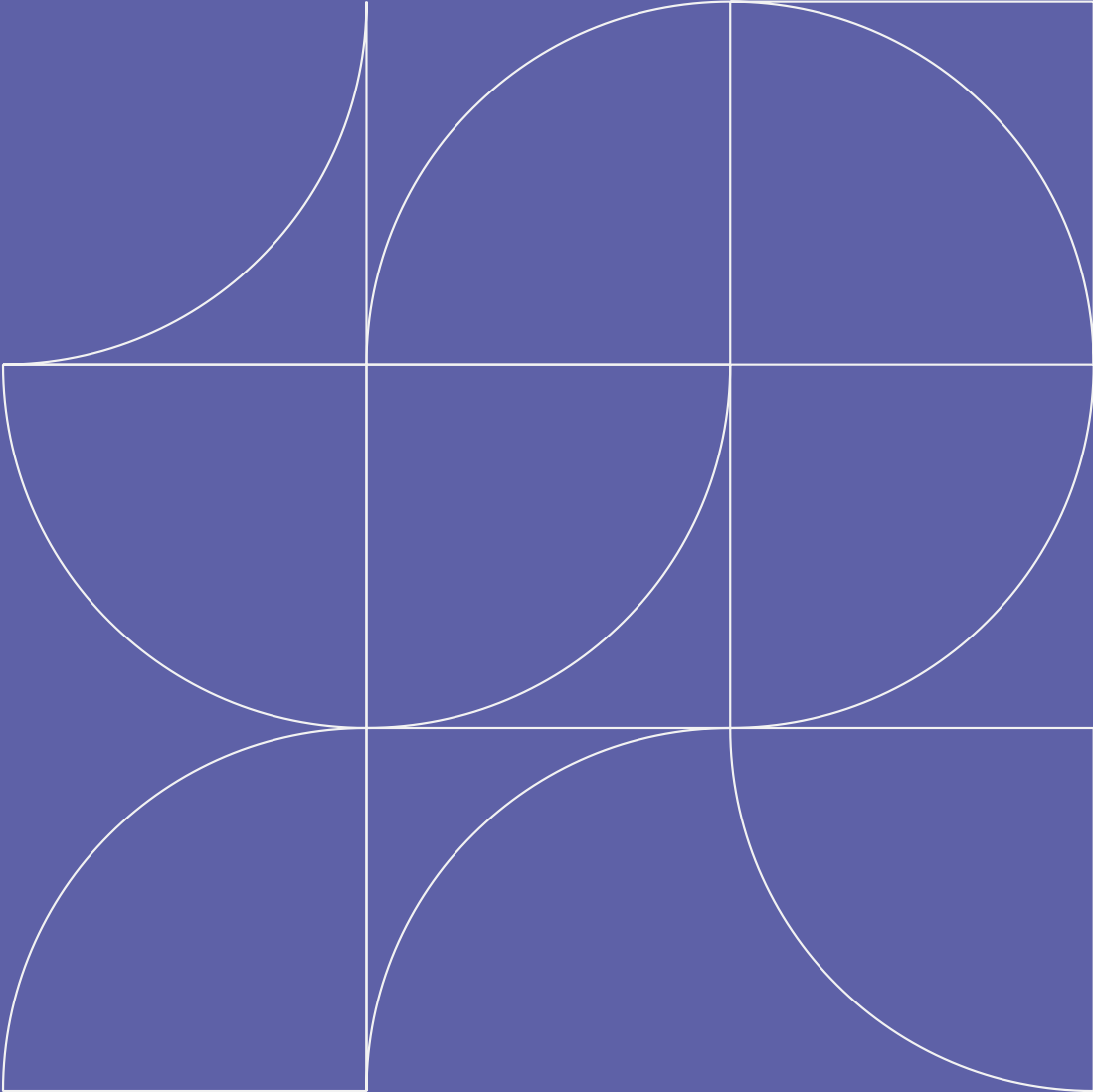
- The APAC GC of Company A is a Chinese citizen based in Shanghai and will remain living in Shanghai, but supports business across China, Hong Kong and APAC and has team members in China, Malaysia and Singapore. For part personal reasons, she applied for Hong Kong Top Talent Pass Scheme and received approval, along with a visa and a Hong Kong residence ID. She applied for a relocation from Shanghai to Hong Kong, and wanted the sponsorship of a local labor contract in Hong Kong to extend her TTPS visa.
1. How to implement the employment transfer?
  2. What are the tax obligations for TTPS/QMAS employees?

## Legal considerations for the visa/entry schemes

### Case 2

- A pharma company in Hangzhou, Company B, intend to sponsor several senior employees who are TTPS holders, with dual employment in Hangzhou and Hong Kong.
  1. Is dual employment an issue?
  2. Dual leave entitlements in Hong Kong and Mainland China
  3. Dual social security contributions
  4. Disciplinary procedures and termination
  5. Post-employment restrictive covenants
  6. Personal data

# Q&A



**thank  
you**

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