

To Whom it may concern,

I'm sorry to submit my views by e-mail as I failed to do it via the website.

I'm a HK born local resident, having worked in Immigration for many years.

It's known that HK is now facing serious aging problem. To maintain our competitiveness in today's rapid changing global environment, I opined that Immigration policy is of the foremost importance. That's the reason I wrote here.

Having reviewed the most influential policies implemented so far, I found that the Government officials failed to address the core of the problems, which will lead to serious decline in the "quality" of our future population.

First, the "Zero Quota" for mainland woman who don't have local husbands (commonly known as "Double-Not" woman) giving birth in HK. I totally understood why CE CY Leung was in pressure to deter all Double-not mainland women to give birth in HK. However, in my observation at the front line (I had interviewed more than 500 Non-local pregnant women so far), almost ALL Double-not mainland parents are highly educated and are VERY wealthy. For the betterment of their children, they were willing to pay normally RMB\$150,000-200,000 to the agent, including other expenses, they are charged at least RMB\$300,000 to even more than RMB\$1 Million in the whole course of giving birth in HK. You may imagine almost ALL of the Double-not parents are from wealthy middle class, and many of them are millionaires, who have the abilities, commitments and visions to prepare

for the best for the next generations.

In devising a sensible Immigration policy, we should think of how to facilitate the most desirable immigrants to be our future population. The most wealthier, intelligent elites should be welcome. On the other hand, the penniless and those lower educated, who are likely to become burden of HK should be rejected. This is the fundamental concept of ALL (including HK) prevalent Immigration policies around the world! However, the "Zero Quota" policy is serving the opposite.

Looking back on the situation, even with such high barriers, the numbers of the Double-not children in 2011 were more than 35,000, which comprised of more than 35% of the total numbers of babies born in that year. With the huge influx of Double-not children, our infrastructures, and facilities were overburdened, leading to grievance in the society. That's the reason the CY government decided to tackle the problem by "Zero Quota" policy.

Nevertheless, it is absolutely unwise to prohibit ALL Double-not women because of our insufficient infrastructures and facilities. In fact, their children should be considered to be the most desirable potential population for HK. In this regard, I strongly advise the Government to capture the opportunity by intelligently select the most "qualified" Double-not women to give birth in HK.

In order to achieve this end but not to overburden our society, I recommend introducing a new "tax" for the Double-not women. In fact, all Non-local pregnant women are now charged (HK\$39,000 confinement booking) for giving birth in HK, the Single-not women are not excluded. I believe that such arrangement should be amended. In my opinion, the Single-not women should not be charged because they have strong links in HK as their spouse are local residents, they gave birth in HK for family reunion. No matter where the babies were born, they will have right of abode in HK. However, we should also welcome the Double-not women intended to give birth here if they are willing to be HEAVILY TAXED (say HK\$ 2 million). Of course, the amount of tax is subject to change after in depth

research. The amount of tax should be appropriate if the numbers of Double-not women would be maintained within an acceptable level.

With my suggestion on the heavy tax imposed on the Double-not women, it is expected that the possibility their babies become our future financial burden (e.g. become a CSSA recipient or application for public housing) is limited. More importantly, which screened out the babies from the most wealthiest families in the mainland China and the numbers of them would be under our control by adjustment of the amount of the tax. The selection is done at the least administrative cost whilst the source of tax increased. On the other hand, the Single-not parents are exempted from the current charge for confinement booking in local hospital, which also reduces the grievance of the families concerned.

The second suggestion I'd to voice out is about the One Way Permit (OWP) system. The topic is highly controversial recently. As an Immigration staff, I fully understood the OWP policy is "none of the business" of HK government. However, I also realize how this mainland policy poises a huge threat to HK due to "Bogus Marriage" (BM). I dare to say almost ALL controversial issues today are caused by BM. The BM is so rampant and harmful to the future of HK as the "Financial Assessment" on the local sponsor is absent in the OWP system.

In the marriage registries, at least HALF of the marrying couples, their matrimonial relationship are highly doubtful. Considering there are around 40,000 couples married each years, it is estimated that the numbers of the mainlanders settled in HK by BM are at least 10,000 to 15,000. The witnesses of their marriages are actors paid by the criminals behind the plot. Most of them will divorce right after the mainlander acquired the OWP and settled in HK. According to our investigation counterparts, a mainlander ONLY needed to pay RMB 20,000 to 50,000 in total to the illicit arranger for solemnizing a BM with a local resident. Many mainlanders from poor villages are able to borrow such money from their families or clansman for this illicit arrangement, and migrated to HK by OWP and take the advantages from our welfare system. In fact, most of the mainlanders settled in HK by BM are underprivileged or grassroots in the mainland China.

Unfortunately, Bogus Marriage itself is not exactly an offence in accordance with the HK Laws. It is the human rights for any person to marry anybody even he/she is just a stranger. The detection and conviction of every BM case by investigation counterparts are extremely difficult under our current legal system. BM is a headache of every developed region. But none of the other regions, cities or countries are affected by BM as serious as it has been in HK, because there is no "Financial Assessment" on the local sponsor (i.e. the HK resident spouse) under the OWP system.

It is worth to note that ONLY those who are in huge financial struggle would solicit a BM with a mainlander. The poor local resident sold his/her marriage for the reward of normally HK\$10,000 to 50,000. They are willing to do so as they normally have no stable jobs and had nasty habits (say gambling). If there is financial assessment in OWP system, these poor local residents would be unable to sponsor their non-resident spouse to settle in HK. The BM would be unable to be solicited.

On the other hand, if a HK resident married a foreigner, say a Filipino, and then the Filipino applied for a Dependent visa to join his/her local sponsor. The Immigration department would carefully assess the financial proof of the sponsor. If the sponsor fail to produce sufficient financial proof to satisfy the Department that the applicant would not be a burden of our society. The application must be refused.

I wonder why our high government officials (e.g. Chief Secretary Mrs. Lam Cheng), claimed that the local sponsor of the OWP holders should not be assessed because they are coming for family reunion, and the compassionate grounds should be adopted. How about the example I given above? Why the Filipino was not granted the permission to settle in HK but a Chinese was granted the residence under the OWP system though both of them are coming for family reunion? The OWP policy and current Immigration policy towards foreigners are completely contradictory.

In this connection, I' d like to suggest the highest government officials to establish a mechanism for Financial assessment of the local sponsor (the HK residents)). On this, the liaison with the highest mainland authorities is required. However, it is of the utmost importance to

protect HK from the influx of lowest quality immigrants by the Immigration loophole (BM).

In fact, under the current practice, it is publicly known that the mainland Public Security Departments (PSD) of different provinces have regularly requested Immigration Department (COE section) for verification of marriage information between the HK resident and the mainlander upon assessment of the OWP by the PSD officers. It is noted that the PSD is not verifying the financial capability of the HK residents sponsors. The OWP is usually approved by the PSD if the marriage information is correct. Under such simple system, you may easily imagine that there are massive lowest income people would be lured to solicit a BM for their better living in HK and take the advances from our welfare system.

In my opinion, if there is a mechanism for financial assessment of the local sponsor, most BM cases would be curbed. As such, I suggest the Immigration Department to take up the responsibility for the said Financial Assessment on the local sponsor of ALL OWP applicants, and then passing such results to the mainland PSD for their consideration of approval or refusal of each OWP application. By so doing, the power of the approval of OWP still REMAINED in the hand of the mainland authority. The spirit of One Country, Two Systems is not contravened.

I really hope the above suggestion is useful and would be taken into your consideration. I apologize for using an anonymous name to express my opinions as I have concern on the sensitivity of being a Civil Servant to express too much publicly, though no confidential information was exposed.

Best Regards,
An Immigration Staff