

Employment Law and Human Resources

1 Employment Law

The Employment Ordinance applies to every employee engaged under a contract of employment in Hong Kong with only a few minor exceptions; for example, in relation to family members employed in family businesses, and to merchant seamen. The Employment Ordinance applies equally to locals and foreign nationals working in Hong Kong.

The Employment Ordinance covers a range of statutory provisions that may be reflected in your Hong Kong employment contract. Even if not specifically referred to, all the provisions apply to an employment contract under the jurisdiction of the laws of Hong Kong.

- Wage Protection
- Rest Days
- Holidays with Pay
- Paid Annual Leave
- Sickness Allowance
- Maternity Protection
- Severance Payment
- Long Service Payment
- Employment Protection
- Termination of Employment Contract
- Protection Against Anti-Union Discrimination



2 Mandatory Provident Fund

The Mandatory Provident Fund, often abbreviated as MPF, is a compulsory saving scheme (pension fund) for the retirement of residents in Hong Kong. Most of employees and their employers are required to contribute monthly to mandatory provident fund schemes provided by approved private organizations, according to their salaries and the period of employment.

Under the MPF System, employers are required to enroll their relevant employees in an MPF scheme, and the final decision on choosing which MPF scheme rests with employer.

Employer are encouraged, however, to consult your employees when selecting an MPF scheme for them. Employer may also join more than one MPF scheme so that their employees can choose the scheme and funds that best suit their needs.

If the overseas employee are given permission by the Government of the HKSAR to remain in Hong Kong for employment purposes and either (i) they are members of an overseas retirement scheme or (ii) the period during which they are given permission to remain in Hong Kong is 13 months or less, they are exempt from joining an MPF scheme. There is no requirement for an overseas scheme to be approved by, recognized by, or registered with MPFA. As long as the scheme is a scheme registered or domiciled outside Hong Kong, the overseas employee who is a member of the scheme is automatically exempt from joining any MPF scheme.



3 Working Visa and Immigration

All foreigners are subject to immigration controls and require employment visas before entering into employment in Hong Kong.

Visitors from over 170 countries/territories enjoy visa-free entry into Hong Kong, with limits ranging between seven and 180 days.

Foreign nationals normally need a visa before living or working in Hong Kong. But Hong Kong's light-touch visa policies mean that short-term visitors are permitted to conduct business negotiations and sign contracts while on a visitor's visa or entry permit.

Hong Kong maintains an open door policy to foreigners as it recognizes the economic importance of attracting foreign talent (such as professionals employment, investment and entrepreneurs to Hong Kong. As such, the migration processes have been made simple and straightforward to enable such global talent to come to Singapore to work and settle down.

Foreigners who want to work and live in Singapore can choose one of the following alternatives:

Hong Kong Visa Types

Employment visa

To employ people from overseas, you need to demonstrate that a prospective employee has special skills, knowledge or experience not readily available in Hong Kong. The proposed employee must be sponsored by an employer in Hong Kong.

Investment Visa

This requires you to be a shareholder of a Hong Kong registered company. You can do this by Investing in a Hong Kong business and operate -based company

You will also need to produce details of the viability of your proposed business – or your financial position if you are investing in an existing company.

Entrepreneur Visa

The applicant should be the proprietor or partner of the start-up company or a key researcher of the relevant project. The start-up business concerned should be supported by a government-backed programmer with a rigorous vetting and selection process.



Hong Kong Useful Links

Hong Kong Useful Links

The links below include websites of the Hong Kong SAR Government and external websites. We are not responsible for the contents of these websites.

Trade and Investment Links

- **Commerce & Economic Development Bureau** <http://www.cedb.gov.hk/>
- **Trade and Industry Department** <http://www.tid.gov.hk/>
- **InvestHK** <http://www.investhk.gov.hk/index.html>
- **Trade Development Council** <http://www.hktdc.com/tc-buyer/>
- **Other Economic and Trade Offices** <http://www.gov.hk/en/about/govdirectory/oohk.htm>
- **Hong Kong Monetary Authority** <http://www.hkma.gov.hk/eng/index.shtml>
- **HK Stock Exchanges & Clearing Ltd** <http://www.hkex.com.hk/eng/index.htm>
- **Tradelink** <http://www.tradelink.com.hk/eng/index.html>
- **CEPA** <http://www.tid.gov.hk/english/cepa/>

General Information on HK Government Department

- **HKSAR Government Information Centre** <http://www.gov.hk/tc/residents/>
- **Chief Executive's Office** <http://www.ceo.gov.hk/>
- **Legislative Council** <http://www.legco.gov.hk/>
- **Basic Law** <http://www.basiclaw.gov.hk/tc/index/index.html>
- **Laws of Hong Kong** <http://www.legislation.gov.hk/index.htm>

Discovering Hong Kong

- **Hong Kong Tourism Board** <http://www.discoverhongkong.com/us/index.jsp>

Global CPA Contact

A beautiful view of Global CPA Shanghai office

Global CPA Contact

Chapter No.	Services	Name	E-mail
1	Doing business and investing in Asia through Hong Kong company	CK	ck@globalcpa.com.cn
2	Conducting business in Hong Kong	May	may@globalcpa.com.cn
3	Tax regime and tax planning opportunities in Hong Kong	Ellen	ellen@globalcpa.com.cn
4	Accountancy and Statutory Auditing in Hong Kong	Ellen	ellen@globalcpa.com.cn
5	Legal Framework of Hong Kong	Vine	vine@globalcpa.com.cn
6	Employment Law and Human Resources	Vine	vine@globalcpa.com.cn
7	Corporate Finance in Hong Kong	CK	ck@globalcpa.com.cn

Hong Kong Office

Eastern China Office

Southern China Office

T : 852 28689888
A : Level 31, Office Tower, Convention Plaza,
1 Harbour Road, Wai Chai, Hong Kong, China

T : 021 63311978
A : Room C301, Tomorrow Square,
Nanjing West Road No. 389, Shanghai, China

T : 020 38800116
A : Level 30, Guangdong Foreign Economic & Trade Building,
No.351 Tianhe Road, Guangzhou, China



Hong Kong Useful Links

Global CPA Contact

A beautiful view of Global CPA Shanghai office

Hong Kong Office

Eastern China Office

Southern China Office

T : 852 28689888
A : Level 31, Office Tower, Convention Plaza,
1 Harbour Road, Wai Chai, Hong Kong, China

T : 021 63311978
A : Room C301, Tomorrow Square,
Nanjing West Road No. 389, Shanghai, China

T : 020 38800116
A : Level 30, Guangdong Foreign Economic & Trade Building,
No.351 Tianhe Road, Guangzhou, China

