

INTERPRETATION BY THE STANDING COMMITTEE OF THE NATIONAL PEOPLE'S CONGRESS ON SOME QUESTIONS CONCERNING IMPLEMENTATION OF THE NATIONALITY LAW OF THE PEOPLE'S REPUBLIC OF CHINA IN THE HONG KONG SPECIAL ADMINISTRATIVE REGION

(Adopted at the 19th Meeting of the Standing Committee of the Eighth National People's Congress on May 15, 1996)

According to the provisions of Article 18 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and of its Annex III, the Nationality Law of the People's Republic of China shall become effective in the Hong Kong Special Administrative Region as of July 1, 1997. In view of the historical background and the reality of Hong Kong, an interpretation regarding implementation of the Nationality Law of the People's Republic of China in the Hong Kong Special Administrative Region is made as follows:

1. Any Hong Kong resident of Chinese descent Who Was born in the territory of China (including Hong Kong), or any other person who meets the requirements for Chinese nationality as prescribed by the Nationality Law of the People's Republic of China is a Chinese national.
2. All Chinese compatriots residing in Hong Kong, whether they are holders of the British Dependent Territories Citizens' Passport or the British National (Overseas) Passport, are Chinese nationals. These Chinese nationals may, as of July 1, 1997, continue to use their valid travel documents issued by the British government for the purpose of travelling to other countries or regions. However, they shall not be entitled to British consular protection in the Hong Kong Special Administrative Region or in any other part of the People's Republic of China on account of their holding the British travel documents mentioned above.
3. The British citizen status of any Chinese national residing in Hong Kong granted by the British government under the British Nationality Selection Scheme shall not be recognized according to the Nationality Law of the People's Republic of China. Such person being still Chinese national, he or she shall not be entitled to British consular protection in the Hong Kong Special Administrative Region or in any other part of the People's Republic of China.
4. Any Chinese national who resides in the Hong Kong Special Administrative Region and has the right of abode in a foreign country may use the relevant document issued by the foreign government for the purpose of travelling to other countries or regions, but he or she shall not be entitled to the consular protection of the foreign country in the Hong Kong Special Administrative Region or in any other part of the People's Republic of China on account of his or her holding the foreign documents mentioned above.
5. Any Chinese national residing in the Hong Kong Special Administrative Region who wishes to

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change his or her nationality may, by producing valid documents, apply to the competent authorities of the Hong Kong Special Administrative Region that handle nationality applications.

6. The Government of the Hong Kong Special Administrative Region is authorized to designate its Immigration Department as the competent authorities for handling nationality applications. The Immigration Department of the Hong Kong Special Administrative Region shall deal with all matters relating to nationality applications in accordance with the Nationality Law of the People's Republic of China and the provisions mentioned above.



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