Information about non-local students/graduates taking up internship, part-time or full-time employment in Hong Kong

1. Internship and part-time employment

Extract from Immigration Policy on Study (https://www.immd.gov.hk/eng/faq/imm-policy-study.html)

Employment during the Study Programme

Q20: What is the current employment restriction for non-local students?

Under Regulation 2 of the Immigration Regulations, Cap 115A, permission given to a person to land in Hong Kong as a student shall be subject to the conditions of stay that, inter alia, he/she shall not take any employment, whether paid or unpaid. Nevertheless, non-local students of full-time locally-accredited local or non-local programmes at <u>undergraduate level or above</u> whose study period is not less than one academic year may take up internship subject to the following conditions:

- i. The internships must be study/curriculum-related and be arranged or endorsed by the institutions they are studying in ^{Note 1}; and
- ii. The duration of the internship is up to one academic year, or one-third of the normal duration of the relevant full-time academic programme, whichever is the shorter ^{Note 2}.

There is no restriction on the nature of work, level of salary, location, number of working hours and employers **for the internship** arrangements.

As regards non-local students enrolled in full-time locally-accredited <u>sub-degree local programmes</u> with a study period not less than 2 academic years, they may also apply to take up an internship if the following conditions are met:

- i. the internship must be mandatory, study/curriculum-related and be arranged / endorsed by the institutions they are studying in; and
- ii. the duration of the internship is up to 6 months.

Moreover, non-local students (excluding exchange students) of full-time locally-accredited local programmes at <u>undergraduate</u> <u>level or above</u> whose study period is not less than one academic year may, during the currency of their limit of stay take up:

- i. part-time **on-campus** employment ^{Note 3} for not more than 20 hours per week ^{Note 4} **throughout the year**; and
- ii. employment during the summer months (from 1 June to 31 August, both dates inclusive) without any limit in relation to working hours and location.

Besides, with effect from 1 November 2024, non-local students (excluding exchange students) of **full-time locally-accredited local programmes at undergraduate level or above** whose study period is **not less than one academic year are temporarily exempted** from the above employment restrictions that they may take up employment in Hong Kong during the currency of their limit of stay or within the effective period as specified in the **"No Objection Letter" (NOL)** issued to them (if applicable), whichever is the shorter.

Notes:

- 1. The study/curriculum-related internship **must** be endorsed by designated officers of the relevant institution, not by individual offices, schools, faculties or faculty members.
- 2. The internship **cannot** take place before a non-local student is officially registered with the institution and begins attending any scheduled classes of his/her registered programme in Hong Kong, or when the student concerned has fulfilled all the course/credit requirements for graduation (e.g. a student who has just finished his/her final year of study).
- 3. The employment **must** take place within the campus of the institution (including only the campus of the institution which the non-local student is enrolled in, and excluding the campus of any subsidiary and associated bodies of the relevant institution proper or its self-financing arms) where the non-local student is studying or, if the work location is outside the campus of the institution, the employer is the institution itself.
- 4. Students are **not** allowed to roll over unused hours from one week to another.

No Objection Letter (NOL)

Non-local students **must** obtain a valid NOL **before** they start any internship. Please check carefully and ensure that the length of your internship period does not exceed what is permitted on your NOL.

For example, if your NOL states that: "The duration of the internship is up to one year or one-third of the normal duration of (your degree program), whichever is the shorter", and your degree programme lasts for four years, you are only allowed to work as an intern for a maximum period of one year according to what is stated in the NOL.

For more information, please refer to the **FAQ on Visa Matters for Non-Local Students** about the <u>Employment during study and</u> <u>NOL</u> in the Academic Registry and the <u>Immigration Policy on Study</u> in the webpage of the Immigration Department.

<u>Q24: Should I make separate applications before taking up internship, part-time on-campus employment and summer</u> <u>employment?</u>

Before taking up any internship, part-time on-campus employment or summer job, non-local students must obtain prior permission from the Director of Immigration.

For non-local students studying in full-time locally-accredited programmes at undergraduate level or above, eligible students will be notified of the relaxation individually by a "No Objection Letter" (NOL) upon approval of entry applications. These students are in general not required to make separate applications in respect of part-time on-campus employment and summer jobs, while the education institution should inform the Immigration Department in writing of the student's need for taking up study/curriculum-related internship. The NOL for taking up part-time on-campus employment and summer jobs will remain valid throughout the currency of the student's limit of stay at the same institution for studying the same approved programme. However, the NOL for taking up study/curriculum-related internship will normally be valid for one academic year and while the student still remains studying the same programme in the same institution in Hong Kong. In case of need, the student is required to apply for a new NOL for taking up internship in the subsequent academic years through the educational institution.

In addition, eligible students who are temporarily exempted from the above employment restrictions [i.e. those non-local students (excluding exchange students) of full-time locally-accredited local programmes at undergraduate level or above whose study period is not less than one academic year], will also be notified of the relaxation individually by a NOL without the need to make separate application.

For non-local students studying in full-time locally-accredited sub-degree local programmes who wish to take up mandatory and study/curriculum-related internship, they have to submit their applications on the standard form SF/IM/2258 through their education institutions, after they have commenced their study programmes. Upon approval, NOLs with prescribed conditions including the duration of the internship, name of employer and post of the internship, will be issued to eligible students through the education institutions.

<u>Q25: The NOL for non-local students studying locally-accredited local or non-local programmes at undergraduate level or</u> above to take up internship is valid for one year only. Do I need to submit the application for NOL every year?

In case of need, the student is required to apply for a new NOL for taking up internship in subsequent academic years through the educational institution, subject to the fulfilment of the relevant requirements i.e. (i) the internship must be study/curriculum-related and be arranged or endorsed by the institutions they are studying in; and (ii) the duration of the internship is up to one academic year, or one-third of the normal duration of the relevant full-time academic programme, whichever is the shorter.

Nevertheless, non-local students (excluding exchange students) of full-time locally-accredited local programmes at undergraduate level or above whose study period is not less than one academic year are temporarily exempted from the above employment restrictions that they may take up employment in Hong Kong during the currency of their limit of stay or within the effective period as specified in the NOL issued to them (if applicable), whichever is the shorter.

<u>Q32: Is the NOL valid for my whole academic programme?</u>

The validity of the NOL for taking up part-time on-campus employment and summer jobs will be in line with the limit of stay granted to the students concerned and will normally cover the whole academic programme. For study/curriculum-related internship for non-local students at undergraduate level of above, the NOL will normally be valid for one year. After the expiry of the existing ones, the students can apply, if required, through their respective institutions for a fresh NOL.

For those eligible students who are temporarily exempted from the above employment restrictions [i.e. those non-local students (excluding exchange students) of full-time locally-accredited local programmes at undergraduate level or above whose study period is not less than one academic year], they may take up employment in Hong Kong during the currency of their limit of stay or within the effective period as specified in the NOL issued to them (if applicable), whichever is the shorter.

As for mandatory and study/curriculum-related internship for non-local students at sub-degree level, the validity of the NOL will depend on individual cases.

For further details, please refer to FAQs (Q20 – 39) on "Employment during the Study Programme".

2. Immigration Arrangement for Non-local Graduates (IANG), Immigration Policy on Study and Entry Arrangements for Mainland, Macao, Taiwan & Overseas Chinese Residents

Extract from Immigration Arrangement for Non-local Graduates (IANG)

(https://www.immd.gov.hk/eng/faq/non-local-graduates-return-employment-arrangement.html)

Eligibility Criteria

Q1: What is the difference between "non-local recent graduate" and "non-local non-recent graduate"?

Under the Immigration Arrangements for Non-local Graduates (IANG), non-local graduates refer to non-local students ^{Note 5} who have obtained an undergraduate or higher qualification in a full-time and locally-accredited programme ^{Note 6} in the HKSAR.

Non-local graduates who submit applications to the Immigration Department **within six months after the date of their graduation** (i.e. the date shown on their graduation certificates) are classified as non-local recent graduates. Non-local recent graduates who wish to apply to stay and work in the HKSAR are not required to have secured an offer of employment upon application.

Non-local graduates who submit applications **beyond six months of the date of their graduation** are classified as non-local non-recent graduates. Non-local non-recent graduates who wish to return to work in the HKSAR are required to secure an offer of employment upon application. Their applications will be favourably considered so long as the job is at a level commonly taken up by degree holders and the remuneration package is at market level.

Notes:

- 5. "Non-local students" refer to persons entering the HKSAR for the purpose of education with a student visa / entry permit issued by the Director of Immigration.
- 6. <u>Local programmes</u> refer to those programmes leading to degrees awarded by local degree-awarding institutions, whereas nonlocal programmes refer to those programs leading to degrees awarded solely by non-local institutions, irrespective of whether the programmes are jointly run by local and non-local institutions

Condition of Stay and Re-entry into Hong Kong

Q17: Am I permitted to remain in Hong Kong after I have quitted my job?

Persons admitted under the IANG ^{Note 7} are free to take up and change employment during their permitted stay without the need to seek prior approval from the Immigration Department.

Notes:

7. The <u>IANG</u> does not apply to nationals of Afghanistan, Cuba and Korea (Democratic People's Republic of). For nationals of Laos, Nepal and Vietnam, the IANG only applies to (a) those who have obtained an undergraduate or higher qualification in a full-time locally-accredited local programme in Hong Kong offered by the University Grants Committee (UGC) funded universities, but excluding: (i) self-financing programmes offered by the relevant universities; (ii) programmes offered by the continuing and professional education arms of the relevant universities; and (iii) exchange programme or short-term studies offered by the relevant institutions; and (b) GBA campus graduates.

Extract from Immigration Policy on Study (https://www.immd.gov.hk/eng/faq/imm-policy-study.html)

Application for Entry of Dependants, and Related Extension of Stay

Q41: Are students allowed to bring in their dependants?

Persons admitted for studying in full-time undergraduate or post-graduate programmes in local degree-awarding institutions may apply to bring in their spouses 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 them 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 celebration ^{Note 8}, and their unmarried dependent children under the age of 18. Dependants of students are not allowed to take up employment in Hong Kong.

Note:

8. 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. For details, please refer to the <u>Immigration</u> <u>Guidelines for Entry to the Hong Kong Special Administrative Region of the People's Republic of China</u>.

Extract from Entry Arrangements for Mainland, Macao, Taiwan & Overseas Chinese Residents

https://www.immd.gov.hk/eng/services/visas/overseas-chinese-entry-arrangement.html)

Immigration Arrangements for Non-local Graduates

23. Mainland residents who are/were non-local students ^{Note 9} and have obtained an undergraduate or higher qualification in a full-time and locally-accredited programme in Hong Kong may apply to stay/return and work in Hong Kong under the <u>Immigration Arrangements for Non-local Graduates</u>. Applicants who submit applications within six months after the date of their graduation (i.e. the date shown on their graduation certificates) are classified as non-local recent graduates and those who submit applications after six months of the date of their graduation are classified as non-local non-recent graduates. All applicants should complete the online application fee paid is non-refundable in any circumstance irrespective of the application result. For detailed information on the arrangement, please refer to the "Guidebook for Entry for Employment as Professionals in Hong Kong" [ID(C) 991 (Chinese version) or ID(E) 991 (English version)].

For further details, please refer to FAQs on Entry Arrangements for Mainland, Macao, Taiwan & Overseas Chinese Residents.

Note:

9. Non-local students refer to persons entering the HKSAR for the purpose of education with a student visa/entry permit issued by the Director of Immigration.

3. Statutory minimum wage compliance

The Minimum Wage Ordinance (Cap. 608) does not apply to certain employees. Please refer to the <u>exemption criteria</u> listed by the Labour Department, HKSAR Government.

Students are advised to check the exemption criteria and make proper declarations accordingly by completing the appropriate confirmation documents (for <u>student intern</u> and <u>work experience student</u>) prepared by the Labour Department *before the start of the internship*, and keep proper records of them to safeguard the rights and benefits of themselves as well as their employers.

Sources:

HKSAR Government

Entry Arrangements for Mainland, Macao, Taiwan & Overseas Chinese Residents https://www.immd.gov.hk/eng/services/visas/overseas-chinese-entry-arrangement.html Immigration Arrangement for Non-local Graduates (IANG) https://www.immd.gov.hk/eng/faq/non-local-graduates-return-employment-arrangement.html Immigration Guidelines for Entry to the Hong Kong Special Administrative Region of the People's Republic of China https://www.immd.gov.hk/pdforms/id939a.pdf Immigration Policy on Study https://www.immd.gov.hk/eng/faq/imm-policy-study.html Notes for Student Employees and Employers https://www.labour.gov.hk/eng/public/pdf/smw/SMW_Notes_for_Students_Employees_and_Employers_eng.pdf

The Hong Kong Polytechnic University

FAQ on Visa Matters for Non-Local Students

https://www.polyu.edu.hk/ar/visa-matters-for-non-local-students/

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Jul 2025

[Please note that the latest announcement by the government shall prevail over the information above.]