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ImmD FDH/6-5/10/28/C

香港特別行政區政府

入境事務處

**Immigration Department  
The Government of the Hong Kong  
Special Administrative Region  
Foreign Domestic Helpers Section  
3/F Immigration Tower**

12 June 2020

LIZZY LIU

Dear Sir/Madam,

**Re: Code on Access to Information**

I refer to your request for information made under the Code on Access to Information on 4 June 2020.

Clause 12 of the Standard Employment Contract (SEC) for employment of foreign domestic helpers (FDHs) provides that in the event of termination of the SEC, both the employer and the FDH shall give the Director of Immigration notice in writing within seven days of the date of termination. A copy of the other party's written acknowledgement of the termination shall also be forwarded to the Immigration Department (ImmD). These records will be kept and taken into account by ImmD when it assesses any future applications made by the FDH for employment visa or extension of stay.

Under the prevailing policy, change of employer applications from FDHs in Hong Kong within their two-year contract will normally not be approved except under exceptional circumstances, e.g. if the FDH's contract is terminated on grounds of the transfer, migration, death or financial reasons of the ex-employer, or if there is evidence suggesting that the FDH has been abused or exploited. An FDH who wishes to enter into an employment contract with a new employer must first return to his/her country of origin and then submit a new employment visa application to ImmD.

To combat abuse of premature contract termination arrangements by FDHs, ImmD will closely scrutinise the case details in assessing FDHs' applications for employment visa, such as the number and reasons for premature contract termination in the last 12 months, with a view to detecting any abuse of the arrangements for premature contract termination. If ImmD suspects that there is abuse, the application will be refused.

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ImmD has published a "Guidebook for the Employment of Domestic Helpers from Abroad", which sets out detailed information on eligibility criteria, application procedures, restrictions on deployment, insurance and other relevant requirements. ImmD will assess the eligibility of the applications as per the criteria given in the guidebook. Each case will be considered on its own merits. For more details, please refer to ImmD's website at [https://www.immd.gov.hk/eng/services/visas/foreign\\_domestic\\_helpers.html](https://www.immd.gov.hk/eng/services/visas/foreign_domestic_helpers.html).

Yours faithfully,



(KL WONG)

for Director of Immigration