

Immigration Department, the Government of
the Hong Kong Special Administrative Region
Application for Special Permission for
Performance of Motor Driving Duties by
Foreign Domestic Helpers



FOR OFFICIAL USE ONLY

Reference barcode

- Note :**
- (i) Please read the ‘Guidance Notes’ carefully before completing this form.
 - (ii) This form is issued free of charge.
 - (iii) Please complete this form in BLOCK letters using black or blue pen.
 - (iv) Chinese version (ID 934) is also available for reference.
本表格亦備有中文版本 (ID 934) 以供參考。
 - (v) ☐ Please tick as appropriate.

1. Personal Particulars of Applicant (Helper)

Surname in English																												
Given names in English																												
Maiden surname (if applicable)																												
Date of birth		dd		mm		yyyy		Place of birth																				
Sex	☐ Male	☐ Female	Marital status	☐ Single	☐ Married	☐ Separated	☐ Divorced	☐ Widowed																				
HK identity card no. (if any)								()		Nationality																		
Travel document type										Travel document no.																		
Present address																												

2. Personal Particulars of the Sponsor (Employer)

Name in Chinese (if applicable)														Maiden surname (if applicable)													
Surname in English																											
Given names in English																											
Sex	☐ Male	☐ Female	HK identity card no. (if any)						()																		
Contact telephone no.								Ext.				Fax no.															
E-mail address (if any)																											
Present address																											

3. Full justification for your request and documentary evidence in support of your application, if any

(to be completed by sponsor; use a separate sheet if necessary)

4. Declaration by the Applicant (Helper)

I agree to and abide by the driving duties to be performed as specified at the Addendum to the ‘Schedule of Accommodation and Domestic Duties’ to the standard employment contract No. _____.

Date _____

Signature of applicant _____

5. Declaration by the Sponsor (Employer)

I agree to and abide by the driving duties to be performed by the helper as specified at the Addendum to the ‘Schedule of Accommodation and Domestic Duties’ to the standard employment contract no. _____. I undertake to inform the Director of Immigration in writing within 14 days of any change to the agreed arrangements, including the cessation of the proposed driving duties and change of particulars of the designated vehicle.

Date _____

Signature of sponsor _____



**Addendum to the Schedule of Accommodation and Domestic Duties
to the D.H. Contract No. _____**

Both the Employer and the Helper hereby agree that item 4 of the 'Schedule of Accommodation and Domestic Duties' in relation to exclusion of motor driving duties be amended subject to the terms and conditions hereinafter appearing:

1. The Helper, _____ of passport No. _____, under the employment of _____ of Hong Kong Identity Card No. _____, is required to undertake driving duties incidental to and arising from domestic duties.

2. Purposes of journeys

- (1) _____
- (2) _____
- (3) _____
- (4) _____
- (5) _____

3. This Addendum is subject to and conditional upon the obtaining of special permission in writing from the Director of Immigration for the Helper to perform motor driving duties incidental to and arising from domestic duties under D.H. Contract No. _____, and shall take effect on the date when such special permission in writing is issued.

4. This Addendum shall be deemed to form part of the Schedule of Accommodation and Domestic Duties annexed to D.H. Contract No. _____. Accordingly, all references in D.H. Contract No. _____ to 'the Schedule of Accommodation and Domestic Duties' shall be construed as references to the Schedule of Accommodation and Domestic Duties as supplemented by this Addendum. Subject to this Addendum, the Schedule of Accommodation and Domestic Duties and D.H. Contract No. _____ shall remain in full force and effect.

(Signature of employer)

(Signature of helper)

(Date)

(Date)



Guidance Notes

Application of Special Permission for Performance of Motor Driving Duties by Foreign Domestic Helpers

1

Introduction

- (i) The Immigration Department will only accept applications made under a new standard employment contract which prohibits the performance of all types of motor driving duties by foreign domestic helpers (FDHs).
- (ii) To address the genuine needs of some FDH employers, a special arrangement is made available to allow FDHs to perform driving duties which are incidental to and arising from domestic duties upon application from individual FDHs concerned with sponsorship from their employers.

2

General requirements

An application will be considered on its own merits with regard to the following general requirements:

- (i) the employer must give full justifications on the need of and specific details of driving service to be provided by his/her FDH incidental to and arising from any of the five broad categories of domestic duties, namely household chores; cooking; looking after aged persons in the household; baby-sitting; and child-minding;
- (ii) the employer must state the ownership, description and registration number of the vehicle to be driven by his/her FDH. The vehicle concerned should be either a family saloon car or a mini-van of no more than eight seats. It must be registered under the name of the employer or his/her spouse. If it is registered under the name of a company, the employer should provide a certificate from the company to the effect that the vehicle is provided for the personal and family use of the person concerned;
- (iii) the FDH must be a live-in helper;
- (iv) the FDH must possess a valid Hong Kong driving licence. An international driving licence and a temporary driving licence are not acceptable; and
- (v) the employer and the FDH must sign on the application form to the effect that both parties agree to and abide by the proposed driving duties.

The employer and the FDH given special permission to perform driving duties should inform the Director of Immigration in writing within 14 days of any change to the arrangements as specified in the application form, including the cessation of the proposed driving duties and change of the particulars of the designated vehicle.

3

Submission of application

Applications should be made to the Immigration Department by completing application form (ID 934A) (Chinese version (ID 934) is available for reference only).

Applications for special permission for performing driving duties may be submitted together with an FDH's fresh entry visa application to the Receipt and Despatch Unit of the Immigration Department. The same applies to applications submitted together with applications for renewal of contract or change of employment of FDHs, which should be made to the Foreign Domestic Helpers Section of the Department.

4

Documentary evidence

The following documents should be submitted with an application:

- (i) the original standard employment contracts together with an Addendum to the Schedule of Accommodation and Domestic Duties providing for the FDH to perform motor driving duties;
- (ii) a copy of the valid registration licence of the vehicle;
- (iii) a copy of the valid Hong Kong driving licence of the FDH; and
- (iv) a certificate from the company to the effect that the vehicle is provided for the personal and family use of the employer concerned if the vehicle is registered under the name of a company.

5

Fee

- (i) Upon approval of an application of special permission submitted together with an entry visa or extension of stay application, only a prescribed fee of HK\$330 will be charged, i.e. no extra fee will be levied for the special permission application.
- (ii) For cases where a contract is running, a separate application for the special permission with variation of the condition of stay endorsed on the FDH's passport may be made to the Foreign Domestic Helpers Section of the Department. A fee of HK\$330 will be charged upon granting of the special permission. The fee is to be borne by the employer.
- (iii) Upon approval of an application, the employer and the FDH will be informed of the grant of special permission for the FDH to perform motor driving duties in writing.

6

Condition of Stay

- (i) With the approval of the application submitted together with an entry visa or extension of stay application, the condition of stay endorsed on the passport of the FDH will not contain a prohibition against performance of motor driving duties.
- (ii) For cases where an application is made during the currency of an existing standard employment contract, the condition of stay imposed on the passport of the FDH concerned will be varied to remove the prohibition against performance of motor driving duties.

7

Performance pledge

Processing of an application of special permission will normally be completed within a week upon receipt of all necessary supporting documents. For an application submitted together with a visa or extension of stay application, the two applications will be finalised within the current pledged time of 4 to 6 weeks.

8

Warning

- (i) Any FDH who breaches a condition of stay commits an offence under section 41 of the Immigration Ordinance (Chapter 115) and is liable on conviction to a maximum fine of HK\$50,000 and imprisonment for two years. Any person found aiding and abetting an FDH in breaching a condition of stay is punishable with the same punishment.
- (ii) It is an offence to make false statements or representations to an immigration officer. A person who knowingly and wilfully makes a statement or gives information which he/she knows to be false or does not believe to be true shall be guilty of an offence under the laws of Hong Kong and any such visa/entry permit issued shall have no effect.
- (iii) An employer may also be sanctioned by being debarred from participation in the special arrangement and the FDH from further incidental driving if there is sufficient reason to believe that a malpractice has occurred.

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Complaints

Complaints on any suspected breach of condition of stay or malpractice can be made to the Immigration Hotline (852) 2824 1551 or by fax (852) 2824 1166.

Statement of Purpose

1

Purpose of Collection

The personal data provided in the application form will be used by the Immigration Department for one or more of the following purposes:

1. to process your application;
2. to administer/enforce relevant provisions of the Immigration Ordinance (Chapter 115) and Immigration Service Ordinance (Chapter 331), and to assist in the enforcement of any other Ordinances and Regulations by other government bureaux and departments through carrying out immigration control duties;
3. to process other person's application for immigration facilities in which you are named as a sponsor or referee;
4. for statistics and research purposes on the condition that the resulting statistics or results of the research will not be made available in a form which will identify the data subjects or any of them; and
5. any other legitimate purposes as may be required, authorised or permitted by law.

The provision of personal data by means of this application form is voluntary. If you do not provide sufficient information, we may not be able to process your application or to conduct the record search or positively identify the record.

2

Classes of Transferees

The personal data you provide may be disclosed to government bureaux, departments and other organisations for the purposes mentioned above.

3

Access to Personal Data

You have a right to request access to and correction of your personal data as provided for in sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance (Chapter 486). Your right of access includes the right to obtain a copy of your personal data provided in the application form subject to payment of a fee.

Enquiries concerning the personal data collected by means of the application form, including making of access and corrections, should be addressed to:

Chief Immigration Officer (Foreign Domestic Helpers)
Administration Tower, Immigration Headquarters,
61 Po Yap Road, Tseung Kwan O,
New Territories
Tel.: (852) 2829 3176

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General Enquiries

For general enquiries, please contact us at:

Tel.: (852) 2824 6111
Fax: (852) 2877 7711
E-mail: enquiry@immd.gov.hk
Website: www.immd.gov.hk