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# Asprey defends No request for appeal system visa-free access

THE system for illegal immigrants to appeal against deportation was adequate, said Secretary for Security Alistair Asprey.

"They can lodge a statutory appeal to the Immigration Tribunal and, subsequently, can apply for judicial review.

"In addition, they can lodge a non-statutory appeal for consideration on humanitarian grounds," he said.

Legislators had said the Government should review the system after an appeal by six-year-old Hai Ho-tak to remain in Hong Kong with his parents was rejected by the Governor.

Legislator Elsie Tu questioned under what circumstances an illegal immigrant

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would be exempted from a removal order on humanitarian grounds.

Mr Asprey said cases would be considered exceptional when they could give "humanitarian and compassionate reasons".

"For example, the need to receive medical treatment of husbands, wives or children may also be seen as adequate reasons.

"For other cases, if they win general support from the community, they may also be considered as exceptional," he said.

Mr Asprey added: "I do not consider the case of Hai Ho-tak exceptional. There are thousands of similar cases."

BRITAIN had not been asked to grant visa-free privileges to Special Administrative Region (SAR) passport holders, said Secretary for Security Alistair Asprey.

Little was presently known about the passports, in particular who was eligible, their status in Hong Kong, and whether passport holders could be returned to Hong Kong if they committed a crime overseas.

But Britain would consider sympathetically cases for entry by Hong Kong SAR passport holders, Mr Asprey said in reply to legislator Eric Li Ka-cheung.

Mr Li was worried the SAR passport would be left in a "vacuum" if Britain and the Commonwealth

## PASSPORTS

countries did not take a lead in recognising the document.

Mr Asprey said Britain had forwarded proposals to China, through the Joint Liaison Group, to enable SAR passport holders to enjoy a great deal of visa-free travel, but they had not yet discussed the matter.

He hoped early agreement would be reached.

The uncertainty would not affect tourist visits to Hong Kong. The Government offered visa-free access to visitors from many countries which did not offer visa-free access for Hong Kong passport holders, and he did not expect any change of policy.