

CHINA

There are 2 visa types that may be relevant for foreign nationals planning to work in China:

- ◆ F Visa: Issued to a foreign national who is invited to China for a visit, to conduct research, to give lectures, for a business trip, for scientific-technological and cultural exchanges or for short-term advanced studies or intern practice for no more than six months.
- ◆ Z Visa: Issued to a foreign national who is to take up a post or employment in China, and their accompanying family members.

The public security bureau normally addresses three issues in determining whether a work visa is justified. These are:

- ◆ whether the applicant is employed by an establishment of a foreign company in China;
- ◆ whether the employment of the applicant is essential to the business; and
- ◆ whether the position can easily be filled by a local individual.

POINTS TO NOTE

Business trip	Yes, an F Visa for a business trip or a Z visa if any work will be performed in China.
Work Permit Required?	Required for all foreign nationals as well as those from Hong Kong, Macao and Taiwan.
Reciprocity Arrangements	No visa requirement for Singapore and Brunei passport holders who enter China on business or for leisure for up to 15 days.
Birth Certificate required?	No.
Academic Certificates required?	Yes.
Police clearance required?	Yes.
Timing	F visa: 3 to 5 working days Z visa: Approximately 8 weeks from the date of filing. Any filing that involves a new entity may take longer.
Personal attendance at Embassy required?	Yes.
Separate Foreigner Residence Permit?	Yes.
Registration at town hall?	Yes. On arrival in China, a Foreigner Residence Permit must be obtained. This requires personal attendance at the local public security bureau.
Application procedures	Visa applications should be submitted at Chinese Consulates overseas.

	<p>The following need to be provided in support of the (single-entry) Z visa application:</p> <ul style="list-style-type: none"> ◆ Employment License: if the foreign national will be working for a Foreign Investment Enterprise (FIE) ◆ Working Card: if the foreign national will be working for a Foreign Representative Office (FRO) ◆ Visa Notice: issued by the local commercial bureau and addressed to the Chinese Embassy or Consulate. This is required regardless of whether the foreign national is working for a FIE or FRO. <p>Upon arrival in China, the foreign national has to apply for an Employment Permit within 30 days of arrival. In order to obtain an Employment Permit, the foreign national must undergo a medical examination at a designated Chinese hospital.</p> <p>A Z Visa holder who has successfully obtained the Employment Permit must then apply for a multiple-entry Z Visa within 30 days of arrival in China.</p>
Penalties for non-compliance	Employer fined.
Spouse work rights?	A spouse may work in China. An employment permit should be applied for by the spouse's employer.
Separate application for family members?	Each family member needs to make a separate application as a dependant.
Recognition of common law relationship?	No.
Other issues	<p>If a foreign national entered China with a tourist L Visa or a business F Visa and begins working in China, he/she must (in-country) obtain the Employment Permit, the Z Work Visa and Foreigner Residence Permit before his/her existing visa expires.</p> <p>Both the Employment Permit and Foreign Residence Permit processes are administered on a city by city basis so the intended place of residence and work are critical.</p> <p>If the employee moves from one city to another while working in China, he is obliged to register with the local labour bureau and local public security bureau at the new location every time he moves.</p>

NOTE: This Guide was prepared and published based on the immigration rules and regulations in effect as of January 1, 2005.

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