



China Tax Alert

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Foreign worker China visa application process simplified

Regulations discussed in this issue:

- Order No.32 of the Ministry of Human Resources and Social Security
- Administrative Provisions on the Employment of Foreigners in China, Laobufa [1996] No. 29 ("Circular29")

Background

On March 13th, 2017, the Ministry of Human Resources and Social Security promulgated Order No.32 to revise the Administrative Provisions on the Employment of Foreigners in China ("Circular 29"). The new rules, which aim to simplify the employment of foreigners in China, became effective on the date of issuance.

Visa process simplification

Order No. 32 streamlines the requirements for Chinese employers to obtain work visas (Z-visas) for foreign employees. Effective March 13th 2017, foreigners who wish to apply for a Z-visa are no longer required to submit an "Invitation Letter of Duly Authorized Unit" or "Confirmation Letter of Invitation" as part of the visa application supporting documents. Foreign applicants can apply for a Z visa with an overseas Chinese embassy, consulate or (air)port visa office by submitting their passport or equivalent ID, and a work permit notification letter issued by the respective labor bureau in China. This change, along with a series of other recent administrative policies governing foreigners working in China, should reduce lead time for Z visa application from approximately 6 weeks to 4 weeks.

As Order No. 32 has been in force recently, implementation of the new rules varies across the country. In order to avoid unnecessary delays, applicants are suggested to liaise with the relevant commerce commission, foreign affairs office or Chinese embassy on the local practice in the district in which they plan to work, and which will issue the Z visa.

While it is the intent of the authorities to simplify the visa application procedures for these highly skilled overseas workers, the authorities have also stepped up their efforts to strengthen the supervision and administration of exit and entry of foreigners from China. From January 29th 2017, the Ministry of Public Security began to deploy a biometric identification system at airport passport check, and launched a pilot project at Shenzhen airport and other airports on February 10th 2017, to collect biometric identifications, such as fingerprints from incoming foreign nationals aged between 14 and 70. This taskforce will be rolled out to other airports in due course. Deployment of biometric border security systems will help to track and manage the flow of people across borders, and also detect and prevent the use of false identities.

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