

China Tax Alert

Issue 8, February 2020

Updates on China immigration policy during the coronavirus epidemic

Regulations discussed in this issue:

- Q&A on immigration and exit-entry management during epidemic prevention and control
- Notice regarding the implementation of the online approval process related to foreigners' work permits in Shanghai, China
- Notice regarding the adjustment of office hours and processing procedures for foreigners' work permit application
- Notice of Guangzhou Science and Technology Bureau on Printing and Distributing the Work Guide for Foreigners Working in China during the Prevention and Control of Novel Coronavirus
- Notice of Shenzhen Municipal Science and Technology Innovation Commission on Work Permits Related to Foreigners Coming to China during the Prevention and Control of Novel Coronavirus outbreak
- Suggestions on delaying the application for entry and exit documents during the prevention and control of the Novel Coronavirus outbreak

Background

In order to strengthen the prevention and control of the Novel Coronavirus outbreak, the National Immigration Administration, the National Science and Technology Commission, and the Exit-Entry Administration of the Public Security Bureau have recently issued new measures to facilitate fast online applications and reduce cross-border movements.

Key contents and updates

Exit-entry concerns for foreigners

How should foreigners currently staying in China apply for a visa or residence permit during the epidemic?

According to the relevant instructions of the National Immigration Bureau, local immigration authorities will take the following actions:

- Continue to provide foreigners with visa extension and residence permit processing services;
- Provide a fast-track service for certain urgent cases;
- Arrange appointment services to for application submissions and passport collections based on local circumstances.

How should foreigners staying in China deal with expired visa or residence permits due to the epidemic?

For foreigners who are unable to leave the country on time and cannot apply for visas and residence permits in a timely manner, local immigration authorities may reduce or waive the overdue residence penalties in accordance with relevant laws and regulations.

Based on the current situation in China, can foreigners enter and leave China as usual?

At present, with the exception of the closure of the Wuhan-China exit channel at Wuhan Port, border authorities at all ports in China are still functioning normally. The visa exemption policy for foreigners has not been adjusted for the outbreak. Land, sea and air ports remain open, and foreigners can cross the border normally with valid exit and entry documents.

In addition, in order to prevent and control the spread of the disease, some countries and regions have implemented corresponding entry control measures. It is recommended that foreigners who intend to leave China should familiarise with any special border measures at the destination country or region to avoid unnecessary delay or financial costs.

Summary of current special local guidance

Authority	Document/ Procedure	Beijing	Shanghai	Guangzhou	Shenzhen
State Administration of Foreign Expert Affairs (SAFEA)	Work Permit (WP)	Applications such as extensions, de-registrations, and variations can be processed online using the "commitment system". No requirement to submit paper documentation in person.	<p>*Full online application process.</p> <p>*For extensions and de-registrations, "commitment system" is applicable to facilitate achieve online processing. No requirement to submit paper documentation in person.</p> <p>*For foreigners who have already obtained a Z visa but are unable to travel to China before visa expiry date due to the epidemic, if the foreigner enters the country with other types of visa, the sponsor entity can continue to process the application supported by an Explanation Letter.</p>	<p>*New applications can be made online. Upon approval, the company will be able to arrange an appointment to collect the WP, and at the same time submit the application documents (also provide the original document for verification).</p> <p>*The employment change, extension, variation, and de-registration of foreigner's WP shall be handled under the "commitment system", and online applications will be accepted on the basis that relevant paper materials will be submitted after the epidemic.</p>	*For employment change, extension, alteration and de-registration applications, the online process and "commitment system" is applicable; for de-registrations, the original WP should be delivered to SAFEA by post; the original WP is not required to for employment change, extension and variation applications.
	Work Permit Notification Letter (WPNL)	Procedure remains unchanged	<p>*Regarding the Category B and C WPNL application, the online process and "commitment system" is applicable. No requirement to submit paper documentation in person.</p> <p>*Foreigners who have obtained WPNL but have not yet entered China are advised to apply for a work visa (Z visa) at the Chinese embassies or consulates abroad, and obtain a Z visa (usually valid for 3 months). According to the actual situation, the individual can enter China for subsequent follow-up procedures within the validity period.</p>	<p>*Online application is applicable.</p> <p>*Foreigners who have obtained WPNL but have not yet entered China are advised to apply for a work visa (Z visa) at the Chinese embassies or consulates abroad, and obtain a Z visa (usually valid for 3 months). According to the actual situation, the individual can enter China for subsequent follow-up procedures within the validity period.</p> <p>*Before and during the epidemic prevention and control period, the validity period of WPNL can be extended to 5 months for applicants who have been granted WPNL for over 90 days.</p>	

	De-registration	-	-	Where the foreigner and the company terminate the labor relationship through mutual agreement, but the foreigner is unable to provide physical signatures on the relevant documentations, alternative proof such as email or WeChat records between the two parties, or electronic signatures can be provided along with an Explanation Letter.
Exit-Entry Administration of the Public Security Bureau (PSB)		It is recommended that all foreigners make online appointments in advance of visiting the immigration authorities.	<p>*A "green channel" is opened, and foreigners can use this online fast-track service to confirm the submission time and collect the passport in a timely manner.</p> <p>*Continue to provide foreigners with visa extension and residence permit application and provide fast-track service for some urgent cases.</p>	<p>Foreigners who have obtained the WPNL can apply for a three-month temporary residence permit in the PSB to facilitate future procedures.</p>

Exit-entry concerns for local residents in China


At the same time, in light of the recent special immigration measures adopted by some countries (regions), local residents who have business or holiday travel plans in the near future should also pay close attention to the latest immigration policies of their destinations. The latest travel information is available via the official website of the National Immigration Bureau (www.nia.gov.cn) and its official WeChat account (NIANEWS).

KPMG observation

During the coronavirus outbreak, while the in-charge authorities are promoting online applications in order to ensure efficiency, employers and individuals should:

- Closely follow policy updates and seek professional advice on policy interpretation and practical guidance;
- Plan applications in advance and make use of available fast-tracks to avoid overstay;
- Familiarise with the latest special border measures in other countries (regions), and appropriately arrange travel plans to avoid unnecessary delay and financial costs;
- Ensure that the application materials/documents are authentic and valid. The authorities will continue to take measures against fraudulent applications.

KPMG is closely following policy and practical updates from the national and local immigration authorities, and will provide businesses and individuals with professional guidance.

An aerial photograph showing a winding asphalt road along a rocky coastline. The water is a vibrant turquoise color, and the sky is a deep blue. The road curves from the top right towards the bottom left. The text is overlaid on a semi-transparent white trapezoidal shape in the lower right quadrant.

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