



APPLYING FOR WORKING VISAS AND RELATED DOCUMENTATION

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中华人民共和国
People's Republic of China



外国人就业证
ALIEN EMPLOYMENT PERMIT

Applying for Working Visas and Related Documentation

A lot was written prior to the Beijing Olympics about China's restriction of visas for foreigners doing business in the country. With the Olympics now a thing of the past, the restrictions are likely to remain in place during the whole 2009. China has various anniversaries to contend with, such as the 50th anniversary of the Dalai Lama's departure to India, the 20th anniversary of the Tiananmen Square demonstrations in June and the 60th anniversary of the People Republic in October. These will result in heightened domestic security measures during the year and will impact on the type of foreign involvement China wants in the country during this time. Visa issuance will be affected. Applications for employment visas and residence permits will become more stringent. In this article, we look at how to apply for an employment and residence certificate in China, and specifically in Guangzhou, the current documentation needed, and new requirements that are being put in place.

Applying for an employment and residence certificate in China can be roughly broken down into four steps: the Employment Visa and Residence Permit Notification application; the Alien Employment License application; the Alien Employment Permit application; and the Residence Permit application.

Notification for Application of Employment Visa and Residence Permit

The Entry-Exit Administration of the Public Security Bureau in the city where the foreigner wishes to work and reside must issue this notification before an Alien Employment Permit will be issued. The following documentation must be submitted by the employer:

- Employment of the Foreigner Application Form
- Copies of valid passport of the applicant (the information page, the latest visa page and the latest exit/entry page)
- Resume of the applicant
- Copies of education certificate of the applicant
- Copies of the Business License of the employer (duplicate)
- Copies of the Enterprise Code Certificate of the employer (duplicate)
- Copies of the Local Tax Registration Certificate of the employer (duplicate)
- Temporary Accommodation Registration Certificate (if the applicant is in China when submitting the application documents)
- The appointment letter for the applicant

Alien Employment License

The Alien Employment License is a document which basically states that a foreigner is allowed to work in China. It is needed to apply for an Employment (Z) Visa Invitation Letter from the Bureau of Foreign Trade and Economic Cooperation. An invitation letter is needed to apply for an entry visa that can be converted into a work and residence permit. While in the past it was common for F visas to be converted into work and residence permits, since last year most cities (including Guangzhou) require an applicant to obtain their Z Visa from their country of residence (their home nation or country where they possess legal residency). However, after the Olympic Games, some foreigners have been allowed to apply for the Z visa in the Office of the Commission of the Ministry of Foreign Affairs in Hong Kong Special Administrative Region. The following documentation must be submitted:

- Application Letter for Employment Permit for Foreigners
- Notification for Application of Employment Visa and Residence Permit
- Copies of valid passport
- Copies of the Business License of the employer (duplicate)
- Copies of the Enterprise Code Certificate of the employer (duplicate)
- Resume of the applicant
- Copies of education certificate of the applicant
- Health certificate issued by the Entry-Exit Inspection and Quarantine Authority*
- Reasons for employment
- Credentials required for job
- Curriculum vitae of foreigner to be employed Letter of intention for employment
- Criminal record check**

* This can vary from city to city and even nationality to nationality; some nationalities do not need this certificate prior to obtaining their entry visa.

**This is a relatively new requirement that is not yet implemented in Guangzhou. We suspect that in the near future, it will become a standard requirement in every city.

Alien Employment Permit

The Alien Employment Permit allows foreigners to work legally in China. It is usually valid for one year and must be renewed annually. The following documentation must be submitted by the employer:

- Alien Employment License
- Valid passport (the copies of information page and visa page shall be attached)
- Notification for Application of Employment Visa and Residence Permit
- Alien Employment Registration Form
- Copies of the labor contract or certificate of appointment (those who have a clear and defined position specified on the Business License/Registration or other governmental instrument of ratification may be exempt)

Residence Permit

The Residence Permit allows foreigners to legally reside within China. It is usually valid for one year and allows the holder to enter and leave China whenever they choose. The following documentation must be submitted:

- Valid passport (the copies of information page and visa page shall be attached)
- Alien Employment Permit
- Health certificate issued by the Entry-Exit Inspection and Quarantine Authority
- Temporary Accommodation Registration Certificate
- Interview Record of Residence Qualification Application for Foreigners
- Chinese Visa or Residence Application form
- Copies of the Business License of the employer (duplicate)
- Copies of the Enterprise Code Certificate of the employer (duplicate)
- Copies of the Local Tax Registration Certificate of the employer (duplicate)
- Copies of the labor contract or certificate of appointment (those who have a clear and defined position specified on the Business License/Registration or other governmental instrument of ratification may be exempt)

Once these four steps have been completed, a valid work and residence permit will be issued and the foreigner is legally able to work and reside within the People's Republic of China for the validity period of their permit (usually, but not always, one year). Both permits can be renewed prior to their expiration.



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PLAN PARA LA REFORMA Y DESARROLLO DEL DELTA DEL RÍO PERLA (2008-2020)

Como ya sucedió hace 30 años, el Delta de Río Perla vuelve a ser pionero en la puesta en marcha de un proceso de reformas, como consecuencia del Plan para la Reforma y Desarrollo del Delta del Río Perla (2008-2020) aprobado por la Comisión Nacional para el Desarrollo y Reforma (NDRC).

El Plan busca una mayor integración a todos los niveles entre Guangdong, Hong Kong y Macao, con el objeto de que el Delta del Río Perla sea el área económica más importante de la región Asia-Pacífico en 2020. Este Plan contempla convertir esta zona en:

Una región experimental para el desarrollo científico.

Una región experimental donde se prueben reformas que posteriormente se puedan trasladar al resto del País.

Un punto de referencia en la apertura de China al exterior, mediante la ampliación de la cooperación internacional y regional, y en general mediante una mayor apertura de su economía.

Una base mundial para la fabricación avanzada (modernización del tejido industrial de la zona) y para las industrias de servicios, convirtiéndose en un centro internacional de transporte, logística, comercio, conferencias y turismo.

Un importante centro económico nacional, capaz de influenciar a otras regiones de la zona.

Se favorecerá la modernización del tejido industrial de la zona y la evolución hacia un modelo económico basado en las industrias de alto valor añadido y menor impacto ambiental y en el desarrollo de la industria de servicios, y se realizarán cuantiosas inversiones en infraestructuras de transporte, medio ambiente y relocalización de industrias productivas.

Como indicaba Wang Yang, Secretario General del Partido en la Provincia de Guangdong, hay que poner en marcha nuevas políticas que permitan transformar la estructura de la industria de tal forma que Guangdong se posicione a la cabeza del nuevo desarrollo de la economía en China. Sectores tales como el biotecnológico, el sanitario, el de las altas tecnologías, el financiero, el del diseño y construcción, el de industrias creativas y el energético, serán algunos de los máximos beneficiados por la puesta en marcha de estas políticas, ofreciendo interesantes oportunidades de negocio para las empresas extranjeras.

Fuente: (Presentación GDDOFTEC) Background briefing on the Outline of the Plan for the Reform and Development of the Pearl River Delta (Guangzhou, Abril, 2009)