



Guideline on the Application for Visas and Residence Permits in China

Applying for, and obtaining, a visa to enter China has never been an easy process. Since September 2013 visas for foreigners and residence permits are issued according to a new Regulation on Entry and Exit of Foreigners to China, which brings several new elements. This guideline covers general procedures related to visas for business and working purposes, and residence permits, and highlights what documents are required in each case.

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1 Changes to the Former Visa System

The new Regulation (*Administrative Regulations of PRC on the Entry and Exit of Foreigners (Order No. 637 of State Council hereinafter “the Regulations”*) updated the current visa system and also introduced several changes to the application process for residence permits. At the same time, the Regulations abolished previous administrative regulations on the entry and exit of foreigners.

Currently, in order to travel to China, a foreigner can apply for one of the following types of visas:


- Business (M visa)
- Work (Z visa)
- Visitor (F visa)
- Tourist (L visa)
- Student (X visa)
- Journalist (J visa)
- Family reunion (Q visa)
- Personal affair (S visa)
- Transit (G visa)
- Foreign talents (R visa)
- Crew (C visa)
- Permanent residence (D visa)

The purpose of the Regulations was to standardise the procedures so that they would be more transparent and easier for visa applicants. At the same time it is expected that the implementation of the Regulations and its supervision will be much stricter than in the past. This guideline provides practical advice for business travellers, managers, and employees of European SMEs on how to apply for business/work purpose visas to visit Mainland China¹, specifically, the **M visa, Z visa, or R visa**. This guideline does not focus on special categories of visas such as diplomatic visas, courtesy visas and official visas.

For greater convenience, the Chinese government offers an online visa information website www.visaforchina.org called Chinese Visa Application Service Centre (hereafter “the Visa Centre”). Users can find information on different categories of visas, download forms, and find a list of Visa Centre offices online. Applicants from 16 countries including Belgium, Germany, and the United Kingdom² can fill out their visa applications form online to facilitate the process, though they will still need to print it out, sign it and submit it with the supporting documents at the Visa Centre. See overleaf a couple of snapshots from the website.

¹ Hong Kong, Macau and Taiwan have a separate visa regime from Mainland China.




² The list of countries may change.



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Quick Access

Here are some frequently-used functions.
However, we strongly recommend that all applicants visit the [Step By Step Guidance](#).

Application form


You can prepare your application form on this website and print it out. Please note that it is only a tool for completing an application form, not an online application.



[ENTER](#)

Appointment


You can make a new appointment, cancel or change an existing appointment.



[ENTER](#)

Status

You can always check your application status and whether there is any problem with your application.



[ENTER](#)

The usual procedure requires the applicant to submit their visa application before entry in to China at the visa issuing authority abroad (i.e. at the Chinese embassy or consulate in their home country).

The consular department of the Chinese Embassy or Consulate may require the applicant to provide additional documents, or request a face-to-face interview. The department withholds the right whether or not to issue a visa, and it is within its discretion to decide on validity, duration of stay and number of entries. A visa can also be refused without any explanation. Moreover, there might be different conditions for citizens of different nationalities, taking into account reciprocity. It is advisable therefore when applying for any kind of visa, to consult with the visa issuing authority abroad – commonly in your home country.

2 Business Visa M

Business visas were originally covered under category F visas, which included visits for other purposes. However, the new independent category of M visa was created for those applicants who come to China for business or/and a commercial purpose.

Business visa, also called M visa, is issued to a foreign citizen visiting the Mainland China for business or commercial purposes only.

Visits other than for business, for example, scientific, cultural, educational, health and sporting exchange remain under the F visa category.

2.1 According to the information disclosed by the Visa Centre, it is recommended to start the application procedure by filing the application materials one month in advance but no earlier than three months before intended entry to China. The applicants may apply for once, twice, or multiple entries based on their business schedule. However, the visa-issuing authority abroad will not issue an M visa beyond 180 days.

2.1.1 Basic required documents for each type of visa application, including M visas, include:

- Original passport with at least six months of remaining validity and with blank pages;
- Photocopy of the passport's data page and the photo page if separate;
- Visa application form and photo:
 - 1) Requirements for the passport photo are: recently-taken, in colour (bare-head, full face), against a light background (size: 48mm x 33mm).
 - 2) There are two ways to prepare the application form. One is to complete it on the website of the Visa Centre, print it out and sign it. Another is to download the blank application form and fill it out manually and sign it.
 - 3) Either way, the completed application form has to be submitted at the Visa Centre, or Chinese Embassy or Consulate.
- Proof of legal status (applicable to those who are not applying for the visa in their country of citizenship).

If you are not applying for a visa in the country of your citizenship, you must provide the original and photocopy of your valid certificates of residence, employment or student status,

or other valid certificates of legal stay provided by the relevant authorities of the country where the Visa Centre is located.

- Photocopy of previous Chinese passports or previous Chinese visas (applicable to those who were Chinese citizens and have obtained foreign citizenship).

2.1.2 Supporting documents may be requested for an M visa application, including:

- Invitation letter – usually requested: a document concerning commercial activity issued by a business partner in China, or trade fair invitation etc.
- Other supportive documents required by the visa-issuing authority abroad.

2.2 Invitation Letter Requirements for an M Visa Application

Under the new Regulations, the invitation letter does not theoretically only have to be issued by the duly authorised unit, which is normally the local commercial authority in China (namely the Commission of Commerce, or Foreign Trade and Economic Relations Commission, etc.). Entities (e.g. companies) and even individuals, may issue it. The one who issues the invitation, no matter if it is a duly authorised unit or an individual, will bear responsibility for the authenticity of the document.

In practice however, it may still be the case that only invitation letters issued by the duly authorised unit, are accepted by the visa issuing authority abroad. Therefore, consulting the specific authority for detailed information is important.

In general, the invitation letter should contain:

- a) Information on the applicant (full name, gender, date of birth, etc.);
- b) Information on the planned visit (purpose of visit, arrival and departure dates, place(s) to be visited, relations between the applicant and the inviting entity or individual, financial source for expenditures);
- c) Information on the inviting entity or individual (name, contact telephone number, address, official stamp, signature of the legal representative or the inviting individual).

3 Work Visa Z

The provisions regulating the work visas (Z visa) were only partially affected by the 2013 new *Regulations*. Now, family members of a Z visa applicant are required to apply for a S visa (or personal affair visa), instead than a Z visa.

Notably, starting from January 2015 applicants staying for work purpose for less than 90 days can opt for the recently introduced **Short-term working visas**, which also belong to the Z visa category (further info in paragraph 3.2).

3.1 Documentations Required for Long Term (more than 90 days) working Z Visa Applications

3.1.1 Basic required documents for each category of visa application, including Z visas, are the same as for an M visa (see section 2.1.1 above).

3.1.2 Supporting documents requested for a long term Z visa application:

According to the information displayed on the website of the Visa Centre, the required supporting documents for a Z visa include:

- an invitation letter from a duly authorised unit or confirmation letter of invitation issued by Chinese relevant units (see point 2.2 above); together with
- an alien employment permit for China issued by the Chinese government authority for Human Resources and Social Security; or permit for foreign experts working in China issued by the State Bureau of Foreign Experts; or a registration certificate of the resident representative office of foreign (regional) enterprises issued by related administrative department of industry and commerce; or other such documents required by the visa issuing authority abroad.

The specific required documents mentioned above may vary slightly from one place to another depending on the location of the visa issuing authority. Normally, it is the Chinese enterprise (the future employer) that intends to hire a foreign citizen, who will arrange for supporting documents for Z visa application, however the employer will still require the applicant's cooperation to complete the process. For example, the foreign citizen will be requested to do the following:

- Take an up-to-date physical check and submit his/her health report;
- Fill in his/her application form;
- Prepare his/her resume in Chinese;
- Provide certain documents or materials to prove that he/she is qualified in terms of education and work experiences (e.g. confirmation of employment from previous employers). Such cooperation may be needed as well when the enterprise applies for alien employment permit (approval to hire foreign citizens).
- Provide non-criminal record (in some cases and locations)

An official work contract is not required at the stage of Z-visa application, where a letter of intent on employment is sufficient, however the official work contract is required for the following step – when a Z-visa holder applies for his/her work permit after entry to China. It is also important to be aware that a Z-visa holder must apply for a residence permit from the immigration department of the local public security authority in the place he/she is intending to stay within 30 days upon entry to China. When the Chinese enterprise applies for alien employment licence for the intended hired foreign citizen in Beijing and Xiamen cities, a certificate of non-criminal record is required to be submitted. This is not yet a national-level requirement. In both Beijing and Xiamen, this requirement has been clearly addressed on the websites of the local human resource and social security authorities. The certificate of non-criminal report has to be issued by the local judicial authority or police station of the intended-hired foreign citizen. As to the language of the certificate, the requirement varies from one place to another. In Beijing for example, the certificate of non-criminal report should be translated into Chinese by an officially registered translation company in Beijing, or, authenticated by the Chinese Embassy or Consulate abroad. In Xiamen it is sufficient for the certificate to be translated into Chinese by an official registered translation company, thus a company legally registered in China with translation in its business scope on its business licence. In Shanghai however, submission of the certificate is at the discretion of the local human resource and social security authority but is not necessarily required for applying for an alien employment permit. Again, consulting with the local human resource and social

security authority where the alien employment permit by the Chinese enterprise shall be applied and issued is very important.

3.2 Documentations Required for Short-Term working Z Visa Applications

3.2.1 Short-term visa are required and can be applied for work lasting no longer than 90 days. After arrival to China the visa will be changed to residence permit, and it will allow its holder to enter and exit China without limitation in terms of number of entries/exits.

Basic required documents for each category of visa application, including Short-term working Z visas, are the same as for an M visa (see section 2.1.1 above).

3.2.2 Supporting documents requested for a Short-term Z visa application

- Application form;
- Resume in Chinese;
- Certain documents or materials to prove that he/she is qualified in terms of education and work experiences (e.g. confirmation of at least 2 years long employment from previous employers)
- Alien employment permit and short-term work certificate and (see 3.1.2)
- Letter of Invitation (see 3.1.2)

Comparing to supporting documents for long term visa: health check report, local employment contract or assignment letter, and non-criminal report **are not required**.

For further information on Short-term working visa please watch our webinar on this topic at [this link](#).

4 Special Talent Visa R

A special talent visa, also called R visa, is a new visa category under the Regulations, issued to those foreigners with high-level talent needed in China and in short supply or urgently-needed expertise.

Thus far there is no available list of documents required for application. However, the Regulations state “to apply for an R visa, the foreigner shall meet the criteria and requirements determined by relevant authorities of the Chinese government on the introduction of foreign high-level talents and talents in shortage with urgently-needed expertise”, and “submit corresponding supporting documents in accordance with pertinent provisions”.

It is therefore necessary to consult local authorities on requirements for specific employment.

5 Work Permit and Residence Permit

According to the Regulations, the visa-issuing authority shall indicate on the relevant visa the time period for applying for the residence permit upon entry to mainland China. Normally the period is 30 days upon entry to China, nevertheless it is better to carefully check within what period of time a residence permit should be applied for, and follow the indication on your visa.

5.1 Documents for Work Permit Application

In order for the residence permit to be issued, certain documents have to be submitted. A valid work permit is one of them. In practice, there is some confusion about the relation between the documents of

Z visa, work permit, and residence permit. But it is very important to keep in mind that in most cases it is the **work permit which is the official document to prove that a foreign citizen is legally working in China**, and not the Z visa or residence permit.

The work permit is one of the documents required to be submitted for the application of the residence permit. Considering that the residence permit should be applied for within 30 days upon entry to China, and given the fact that other documents are also required (such as the official work contract), the Z visa applicant should encourage his/her employer to get all required documents prepared early enough, (e.g. already at the moment when the visa application process started), to avoid the situation that a Z visa holder might not get his/her work permit for the application of residence permit in time.

The local human resource and social security authority is the authority responsible for the application and issuance of work permits. Various locations may have slight differences in terms of requirements of application materials. Visiting their websites and acquiring the application information even calling by for prior confirmation is important and necessary.

In general, the documents for acquiring a work permit are:

- 1) Alien employment licence;
- 2) Valid passport original and a photocopy;
- 3) Business licence of the employer and employment contract;
- 4) Application form.

5.2 Documents for residence permit application

The following documents are required to prepare in advance for the residence permit application for a Z visa holder:

- 1) Valid passport or other valid international certificate;
- 2) The original and the duplicate of the certificate of temporary residence (issued by the hotel or the police substation of the area where the applicant is staying);
- 3) Application Form on Visa and Residence permit for Aliens (shall be filled in with black ink pen), photo, and the common stamp of the employer's enterprise may be requested with certain requirements;
- 4) Registration/incorporation certificate/other valid certificate of the employer's enterprise according to the nature of such enterprise;
- 5) Work permit in China, or other permit that can prove such residence permit applicant may be allowed to work legally in China;
- 6) Other materials required by the local public security authority exit and entry office.

The required materials may understandably vary from one place to another since under the Regulations, it is the local public security authorities at, or above, the county level that are in charge of residence permits. The residence permit applicant may also be asked to keep their fingerprints or other human biological identifying information with the said administration.

Conclusion:

The Regulations not only bring some new procedures for visa applications, but also provide for stricter control on complying with the rules. Therefore attention should be paid not only to application procedures, but also to timely renewals in order to avoid penalties and troubles due to a delayed renewal

of a residence permit or an expired visa. Sanctions might lead not only to financial penalty, but also to restriction on entry to China.



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