

China: New Foreigner Work Permit Policies

By Debra Beynon of Crown World Mobility
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To standardize the management of work permits for foreigners, and to attract more quality talent to the territory, the Chinese government has designed and implemented a new foreigner work permit management system. This reform is initiated by the State Council and implemented by the State Administration of Foreign Experts Affairs (SAFEA).



Trials for the integrated process began on November 1, 2016, in nine pilot cities/provinces: Shanghai, Beijing, Hebei, Tianjin, Anhui, Shandong, Guangdong, Sichuan and Ningxia Hui Autonomous Region. The new system is expected to roll out to the remainder of the country by April 1, 2017.

Prior to the change, the SAFEA and the Ministry of Human Resources and Social Services (MOHRSS) were responsible for approving Foreign Expert Certificates and Alien Employment Permits.

Under the new management system mechanism, the following points should be noted:

Change in work permits

Since November 1, 2016, the Foreigner Expert Working License and Alien Employment License have been combined into the Notification Letter of Foreigner Work Permit (外国人工作许可通知). The Foreigner Expert Permit and Alien Employment Permit have also been combined into the Foreigner Work Permit (外国人工作许可证).

New classifications

Foreigners will be classified into the following three categories: A (high-end professionals), B (professional personnel) and C (temporary, seasonal, non-technical or service jobs). The Chinese government intends to encourage applicants in category A to control the number of applications in B and restrict the number of applications in C.

The above classification is based on the following criteria (which is subject to change):

1. The need of professional type
2. Performance of labor market test
3. Quota management
4. Scoring mechanism to evaluate the applicant's income, academic background, work experience, Chinese language proficiency, age, length of service time in China:
 - a. Category A – 85 or above
 - b. Category B – between 60 and 84
 - c. Category C – below 60

Simplified approval process and additional personal documents

The new policy will simplify the application process for a Foreigner Work Permit Notice. It requires the applicant to submit an online application for pre-approval. An online pre-review process, with timely feedback, will save time on the notification of documents that are not acceptable to the authorities.

The following additional documents are required at the preliminary stage, including but not limited to:

1. The original highest academic certificate legalized and notarized by the Chinese Embassy or Consulate in the home country.
2. Original criminal records check legalized and notarized by the Chinese Embassy or Consulate in the home country. This requirement is waived for category A professionals.
3. Original medical check-up report.

Different processes and timeline

The new process will consist of both an online application and physical documentation submission. The sponsoring company is required to complete the online registration first. Applicants in categories B and C will experience longer processing times, but category A applicants will receive expedited approval if all requirements are met.

Other notes

Policies for Taiwan, Hong Kong and Macao employees remain unchanged.

Foreigners can continue to hold their current Foreign Experts Permit until expired or replaced with a new one.

This change is intended to manage the information on all foreigners working in China through a central management system. However, possible initial delays may be experienced during the transition period. More information on the change to regulations and required documents are expected soon.

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