Regulations of the PRC on Administration of Entry and Exit of Foreigners

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Adopted at the 15th Executive Meeting of the State Council on July 3, 2013; promulgated by Order No. 637 of the State Council of the People's Republic of China on July 12, 2013
Effective: September 1, 2013

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Chapter I — General Provisions

Article 1 — These Regulations are formulated in accordance with the Exit and Entry Administration Law of the People's Republic of China for the purposes of regulating the administration of the entry and exit of foreigners, and safeguarding the sovereignty, security and social interests of the PRC.

Article 2 — The State shall establish a mechanism for the coordinated administration of the entry and exit of foreigners, with the public security organs and the foreign affairs departments assuming their respective responsibilities and the relevant departments performing their respective duties.

Article 3 — The exit and entry border inspection authorities shall be responsible for carrying out border inspection of foreigners. The public security organs under the local people's governments at or above the county level and their exit-entry administration departments shall be responsible for the administration of the stay and residence of foreigners.

Chapter II — Categories of Ordinary Visas

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Article 4 — Ordinary visas shall be classified into the following categories and marked with corresponding Chinese phonetic letters: (1) Category C visa, issued to foreign crew members performing official duties such as international train or international flight duties, and their accompanying family members; (2) Category D visa, issued to foreigners who come to China for permanent residence; (3) Category F visa, issued to foreigners who come to China for exchange, visit, study tour or other purposes; (4) Category G visa, issued to foreigners who transit through China; (5) Category J1 visa, issued to resident foreign correspondents in China; Category J2 visa, issued to foreign correspondents who come to China for short-term news coverage; (6) Category L visa, issued to foreigners who come to China for tourism; (7) Category M visa, issued to foreigners who come to China for commercial trade activities; (8) Category Q1 visa, issued to family members of Chinese citizens or of foreigners with permanent residence status in China who apply for residence in China for family reunion; Category Q2 visa, issued to foreigners who apply for short-term family visits in China; (9) Category R visa, issued to high-level foreign talents and specialized personnel urgently needed by the State; (10) Category S1 visa, issued to spouses, parents, children under the age of 18 or parents-in-law of foreigners who reside in China for work or study and who apply for long-term family visits in China; Category S2 visa, issued to family members of foreigners who stay or reside in China for work or study and apply for short-term family visits; (11) Category X1 visa, issued to foreigners who apply for long-term study in China; Category X2 visa, issued to foreigners who apply for short-term study in China; (12) Category Z visa, issued to foreigners who apply for work in China.

Chapter III — Stay and Residence

Article 5 — Where the period of stay specified in the visa held by a foreigner does not exceed 180 days, the foreigner may stay in China on the strength of the visa. Where the period of stay specified in the visa exceeds 180 days, the holder shall, within 30 days from the date of entry, apply to the exit-entry administration department of the public security organ under the local people's government at or above the county level at the place of intended residence for a foreigner's residence permit. The period of validity of a foreigner's residence permit shall be not less than 180 days, but shall not exceed the period of validity of the passport or other international travel document held by the foreigner.

Article 6 — Foreigners who apply for a foreigner's residence permit shall submit their passports or other international travel documents and the relevant application materials, and retain their biometric identification information such as fingerprints. The exit-entry administration department of the public security organ shall examine the application within 15 days from the date of acceptance and make a decision.

Article 7 — Where a foreigner has any change in the registered items on the residence permit, such as the holder's name, the reasons for residence, or the place of residence, the holder shall, within ten days, apply to the exit-entry administration department of the public security organ at the place of residence for making the change.

Article 8 — Where a foreigner who resides in China needs to temporarily leave the place of residence, he or she shall register with the public security organ at the place of temporary stay in accordance with the relevant provisions of the State.

Article 9 — Where a foreigner with a work-type residence permit changes his or her employer but remains in the same region, he or she shall apply for the change; where the foreigner changes his or her employer and moves to a different region, he or she shall reapply for a residence permit.

Article 10 — Where a foreigner loses his or her passport or other international travel document while in China, he or she shall promptly report the loss to the exit-entry administration department of the public security organ. Where a foreigner's visa, stay permit or residence permit is damaged, lost or stolen, or is found lost after the occurrence of any of the above circumstances, the foreigner shall promptly report to the exit-entry administration department of the public security organ at the place of stay or residence.

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Article 11 — Employers hiring foreigners shall register the relevant information of the employed foreigners with the exit-entry administration department of the public security organ in accordance with the relevant provisions of the State.

Chapter IV — Investigation and Repatriation

Article 12 — The public security organs may, in accordance with law, question foreigners suspected of violating the laws and regulations on exit and entry administration. Where further investigation is necessary, the public security organs may detain the foreigner for investigation or restrict the scope of his or her activities, in accordance with law.

Article 13 — The public security organs shall, when interrogating a foreigner suspected of violating the laws and regulations on exit and entry administration, safeguard the basic rights and interests of the foreigner. The relevant consulate of the foreigner's country shall be notified of the detention for investigation.

Article 14 — After conducting an investigation, the public security organ shall make a decision to penalize the foreigner in accordance with law, or repatriate the foreigner, or transfer the foreigner to other relevant departments for handling.

Article 15 — Foreigners under any of the following circumstances shall be repatriated: (1) those ordered to exit within a time limit but failing to do so; (2) those who enter China under circumstances that do not permit entry; (3) those who illegally reside or work in China; or (4) those who are required to be repatriated by any law or administrative regulation.

Article 16 — The expenses for the repatriation of repatriated persons shall be borne by the repatriated persons themselves or their employers. Where the repatriated person or his or her employer is unable to bear the expenses, the expenses shall be paid from the public security organs' funds.

Chapter V — Supplementary Provisions

Article 17 — Foreigners who enter or exit China or stay or reside in China shall abide by Chinese laws and shall not endanger China's national security, damage the public interests, or disrupt the public order.

Article 18 — The specific measures for the implementation of the administration of the entry and exit of foreigners shall be formulated by the Ministry of Public Security in conjunction with the Ministry of Foreign Affairs and other relevant departments under the State Council.

Article 19 — The Ministry of Public Security may, in conjunction with other relevant departments under the State Council, formulate simplified procedures for the entry of foreigners for the purposes of promoting the development of tourism and related industries.

Article 20 — These Regulations shall come into force as of September 1, 2013. The Rules on the Administration of the Entry and Exit of Foreigners approved by the State Council on December 3, 1986 and the Measures for the Administration of the Entry and Exit of Foreigners promulgated on the same day shall be repealed simultaneously.

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