

A, B, or C-Expat under the new pilot regulations? – Important changes to Chinese immigration rules

Immigration rules in China are changing significantly. Foreigners working in the mainland of the People's Republic of China will be classified nationwide in categories A, B, or C from April 1, 2017. But from November 1, 2016, the new rules have already gradually been implemented on a pilot basis in several cities and provinces like Shanghai, Beijing, Tianjin and Guangdong. The new rules do not apply to the Hong Kong and Macao Special Administrative Regions, as well as to Taiwan, which all have their own legal systems.

The respective categories can either be achieved based on (i) general qualification of the Chinese employer, and/or individual qualification of the foreign employee, or (ii) for category A and B through a positive result under a new scoring system.

	Preconditions (examples only)
Expat Category A <ul style="list-style-type: none"> • No age restrictions • Easier application processes 	Chinese employer qualification: <ul style="list-style-type: none"> • Global or regional headquarters of Global Fortune 500 companies (For a List of the Global Fortune 500 Click Here) • High-tech enterprises • Certain State-owned enterprises of the central government • Large enterprises (detailed criteria given) • Foreign investment enterprises in the "Encouraged Catalogue" or medium-size enterprises (employment above deputy GM level additionally required) Plus employment as: <ul style="list-style-type: none"> • Senior manager • Technical expert, or • Key R&D staff
	Or foreign employee qualification: <ul style="list-style-type: none"> • Past working experience as senior management or R&D key staff in the headquarter of a Global Fortune 500 company, or as manager or R&D head of GM level or above in the direct subsidiaries or regional headquarter of a Global Fortune 500 company • Past working experience as senior manager in internationally-renowned financial institutions and CPA firms • Annual income and paid IIT up to thresholds (to be defined) • Innovative talents and entrepreneurs meeting certain requirements
	Or ≥85 points in the new scoring system Run the Taylor Wessing China Expat Calculator to get an individual score

<p>Expat Category B</p> <ul style="list-style-type: none"> • Age limits can apply • More complicated application processes and document requirements 	<p>Foreign employee qualification:</p> <ul style="list-style-type: none"> • Bachelor or higher degree, and • At least 2-year working experience <p>Plus employment as (examples only):</p> <ul style="list-style-type: none"> • Management or professional technician • Middle to senior level dispatched staff of transnational companies • Chief representatives or representatives of a foreign enterprise's representative office in China • Foreign language teachers (mother tongue teachers; exceptional rules on the working experience requirement applicable) <p>Or excellent graduate from top 100 foreign universities or a domestic university with master or higher degree For a List of the Top 100 Foreign Universities Click Here</p> <p>Or 60-84 points in the new scoring system Run the Taylor Wessing China Expat Calculator to get an individual score</p>
<p>Expat Category C</p> <ul style="list-style-type: none"> • Subject to quota restrictions (details unknown) 	<p>Foreign interns</p> <ul style="list-style-type: none"> • In practice in Shanghai currently only based on bilateral agreements concluded between China and a foreign country, e.g. the "China-France 1000 Interns Program"

If you would like to check the score in an individual case under the new scoring system, spend 1 minute and try the **Taylor Wessing China Expat Calculator**.

Further changes concern the application process, involved authorities and the issued permits. In some locations like e.g. Shanghai, foreigners may enjoy certain simplified immigration processes (e.g. work (Z) visa no longer being required for the first entry), in case a work permit notice has already been issued. Under certain preconditions, Z-visa may be issued upon arrival.



Ralph Koppitz
Partner | Shanghai



Tina Li
Senior Associate | Shanghai

Find more articles here:

[China's New Judicial Interpretation on Independent Guarantee Letters \(Demand Guarantees\) \(December 1, 2016\)](#)

[A new era - from approval to filing - China streamlines foreign direct investment process \(October 12, 2016\)](#)

[New national and Shanghai rules on Dangerous Chemicals \(October 10, 2016\)](#)

[China opens up the regulatory framework for foreign direct investment \(September 16, 2016\)](#)

[Coping with the upcoming Chinese new automotive antitrust legal regime \(August 19, 2016\)](#)

Taylor Wessing is a full service law firm with over 1,200 lawyers in 33 offices in Europe, the Middle East and Asia, including three offices (Shanghai, Beijing and Hong Kong) in China. For more information please visit www.taylorwessing.com.

This article is only intended for an exchange of ideas. It shall not constitute any legal advice or analysis by its author(s), Taylor Wessing or any of its partners, members, employees or individuals working for Taylor Wessing. It does not constitute any client relationship of the recipient with Taylor Wessing or any of the aforesaid. Each recipient shall continue to be exclusively liable for his/her own acts and any consequences thereof, and there shall be no recourse to Taylor Wessing or any partner, member or employee of, or individual working for Taylor Wessing based on this article.

For any legal advice or other expert opinion on any specific or general matter, please refer to qualified professionals for legal assistance.

Email to the editor: shanghai@taylorwessing.com

In case you do not wish to receive emails in the future, please send an email to h.song@taylorwessing.com

TAYLOR WESSING PARTNERSCHAFTSGESELLSCHAFT
von Rechtsanwälten, Steuerberatern, Solicitors und Avocats à la Cour mbB
Sitz Düsseldorf, AG Essen, PR 1530

TAYLOR WESSING Shanghai Representative Office
Unit 1509, United Plaza, 1468 Nanjing West Road
Jing'an District, Shanghai 200040, China

TAYLOR WESSING Beijing Representative Office
Unit 2307, West Tower, Twin Towers, B-12 Jianguomenwai Avenue
Chaoyang District, Beijing 100022, China

TAYLOR WESSING Hong Kong
21st Floor, 8 Queen's Road Central
Hong Kong, China

Website www.taylorwessing.com

Diese Nachricht (inklusive aller Anhänge) ist vertraulich. Sie darf ausschließlich durch den vorgesehenen Empfänger und Adressaten gelesen, kopiert oder genutzt werden. Sollten Sie diese Nachricht versehentlich erhalten haben, bitten wir, den Absender (durch Antwort-E-Mail) hiervon unverzüglich zu informieren und die Nachricht zu löschen. Jede unerlaubte Nutzung oder Weitergabe des Inhalts dieser Nachricht, sei es vollständig oder teilweise, ist unzulässig. Bitte beachten Sie, dass E-Mail-Nachrichten an den Absender nicht für fristgebundene Mitteilungen geeignet sind. Fristgebundene Mitteilungen sind daher ausschließlich per Post oder per Telefax zu übersenden. Wir sind im Verbund mit unseren nationalen Partnern an den Standorten Amsterdam, Berlin, Bratislava, Brunn, Brüssel, Budapest, Cambridge, Dubai, Düsseldorf, Eindhoven, Frankfurt, Hamburg, Hanoi, Ho Chi Minh City, Hong Kong, Jakarta, Jeddah, Kiew, Klagenfurt, London, London Tech City, München, Paris, Prag, Riad, Singapur, Seoul, Warschau und Wien tätig sowie mit einer Repräsentanz in New York, Menlo Park, Peking und Shanghai vertreten.

This message (including any attachments) is confidential and may be privileged. It may be read, copied and used only by the intended recipient. If you have received it in error please contact the sender (by return E-Mail) immediately and delete this message. Any unauthorised use or dissemination of this message in whole or in part is strictly prohibited. Please note that, for organisational reasons, the personal E-Mail address of the sender is not available for matters subject to a deadline. Please send, therefore, matters subject to deadline exclusively by mail or by fax. We operate in combination with our national partnership in Amsterdam, Berlin, Bratislava, Brno, Brussels, Budapest, Cambridge, Dubai, Dusseldorf, Eindhoven, Frankfurt, Hamburg, Hanoi, Ho Chi Minh City, Hong Kong, Jakarta, Jeddah, Kiev, Klagenfurt, London, London Tech City, Munich, Paris, Prague, Riyadh, Singapore, Seoul, Warsaw and Vienna and are represented in New York, Menlo Park, Beijing and Shanghai.