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GES NewsFlash

People's Republic of China (PRC) — New Interpretations of The PRC Exit-Entry Administration Law

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Effective as of July 1, 2013, the new PRC Exit-Entry Administration Law (the "New Law") will more strictly regulate foreigners entering, living, and working in China. The Beijing Municipal Public Security Bureau provided some guidance through a seminar arranged by the American Chamber of Commerce and indicated the following new interpretations, which would only apply to Beijing. So far, it is still not clear if the following points would be codified into a written regulation.

Stay permit

Per Article 34 of Chapter 4 of the New Law, foreign nationals (i.e., Japanese, Singaporean, or Brunei citizens) wishing to stay in China longer than 15 days visa-free may apply for a stay permit extension at the local Public Security Bureau. The duration of an extended stay shall be no more than 180 days.

Entry visa or residence permit extension

Visitors wishing to stay in China past their visa expiration date must apply for a visa extension at the local authority where they are staying at least seven days before the visa expires. If the foreigner holds a residence permit, they must apply for renewal 30 days prior to the visa expiration date.

The cumulative extension of stay cannot exceed the duration of stay specified in the original visa. For example, a visitor entering China on a business visa (i.e., F visa) for fewer than 30 days may apply at the local authority for a visa extension of an additional 30 days maximum. The visitor must leave China before the extended visa expires.

Dependent residence permit

Unmarried or same-sex partners may apply for dependent residence permit in Beijing with a package of supportive documentation, e.g., a cohabitation certificate (for unmarried partners) or marriage certificate (for same-sex partners) issued by the relevant home country authorities, and other application materials required by the local authority.

Processing time for residence permit application

It will take 15 calendar days to process a residence permit application at the Public Security Bureau instead of the current processing time of five working days.

Visa collection receipt

Visitors age 16 and older must carry their own passport and registration form of temporary residence in the event of random inspection by relevant authorities such as Public Security Bureau officials. If the visitor's passport is retained by the Beijing Public Security Bureau for visa extension, they will be issued visa collection receipt, which should be carried in the event of random inspection. However, the visitor may not use the receipt or a copy of their passport to leave Beijing for domestic travel.

Deloitte's view

Implementation regulations of the New Law are under discussion and could be published at a later stage. Until they are published, it is very important for visitors in Beijing or other Chinese cities to follow local practice or interpretations of the New Law indicated by the relevant government authorities. Please feel free to contact your immigration specialist with any questions.

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