People’s Republic of China - Updates on Immigration Policy during Coronavirus Epidemic

In order to strengthen the prevention and control of the Novel Coronavirus outbreak, the National Immigration Administration, the National Science and Technology Commission, and the Exit-Entry Administration of the Public Security Bureau in the People’s Republic of China (“China” or “PRC”) have recently issued new measures to facilitate swift online immigration, work permit, and residence permit applications and help reduce cross-border movements.¹

WHY THIS MATTERS

The measures highlight the Chinese government’s efforts to reduce certain administrative burdens for organisations and individuals during the epidemic. Those requiring work permits or planning for employee moves in/out of China in the near future should take note of the renewed administrative requirements in certain key cities. China residents planning to travel abroad should also plan ahead in light of special border measures taken by certain countries.

Frequently Asked Questions and Our Analysis

Exit-Entry Concerns for Foreigners

(1) How should foreigners currently staying in China apply for a visa or residence permit during the epidemic?

According to the relevant instructions of the National Immigration Bureau, local immigration authorities will take the following actions:

(a) Continue to provide foreigners with visa extension and residence permit processing services;
(b) Provide a fast-track service for certain urgent cases;

(c) Arrange appointment services or application submissions and passport collections based on local circumstances.

(2) How should foreigners staying in China deal with expired visa or residence permits due to the epidemic?

For foreigners who are unable to leave the country in time and cannot apply for visas and residence permits in a timely manner, local immigration authorities may reduce or waive the overdue residence penalties in accordance with relevant laws and regulations.

(3) Based on the current situation in China, can foreigners enter and leave China as usual?

As of this newsletter’s publication, with the exception of the closure of the Wuhan-China exit channel at Wuhan Port, border authorities at all ports in China are still functioning normally. The visa exemption policy for foreigners has not been adjusted for the outbreak. Land, sea, and air ports remain open, and foreigners can cross the border normally with valid exit and entry documents.

In addition, in order to prevent and control the spread of the disease, some countries and regions have implemented corresponding entry control measures. It is recommended that foreigners who intend to leave China become familiar with any special border measures in the destination country or region to avoid unnecessary delays or financial costs.

Summary of Current Special Local Guidance

<table>
<thead>
<tr>
<th>Authority</th>
<th>Document/Procedure</th>
<th>Beijing</th>
<th>Shanghai</th>
<th>Guangzhou</th>
<th>Shenzhen</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Administration of Foreign Expert Affairs (SAFEA)</td>
<td>Work Permit (WP)</td>
<td>Applications such as extensions, de-registrations, and variations can be processed online using the &quot;commitment system&quot;. No requirement to submit paper documentation in person.</td>
<td>*Full online application process. *For extensions and de-registrations, the &quot;commitment system&quot; is applicable to facilitate online processing. No requirement to submit paper documentation in person.</td>
<td>*New applications can be made online. Upon approval, the company will be able to arrange an appointment to collect the WP, and at the same time submit the application documents (also provide the original document for verification).</td>
<td>*For employment change, extension, alteration and de-registration applications, the online process and &quot;commitment system&quot; apply; for de-registrations, the original WP should be delivered to SAFEA by post; the original WP is not required for employment change, extension, and variation applications.</td>
</tr>
</tbody>
</table>

© 2020 KPMG Advisory (China) Limited, a wholly foreign owned enterprise in the People’s Republic of China and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative (“KPMG International”), a Swiss entity. All rights reserved. Printed in the USA. NDPPS 530159
| Work Permit Notification Letter (WPNL) | Procedure remains unchanged. | *Regarding the Category B and C WPNL application, the online process and "commitment system" apply. No requirement to submit paper documentation in person. *Foreigners who have obtained WPNL but have not yet entered China are advised to apply for a work visa (Z visa) at the Chinese embassies or consulates abroad, and obtain a Z visa (usually valid for 3 months). According to the actual situation, the individual can enter China for subsequent follow-up procedures within the validity period. *Online application is applicable. *Before and during the epidemic prevention and control period, the validity period of WPNL can be extended to 5 months for applicants who have been granted WPNL for over 90 days. |
| De-registration | | Where the foreigner and the company terminate the labor relationship through mutual agreement, but the foreigner is unable to provide physical signatures on the relevant documentation, alternative proof such as email or WeChat records between the two parties, or electronic signatures, can be provided along with an Explanation Letter. |
### Exit-Entry Concerns for Local Residents in China

At the same time, in light of the recent special immigration measures adopted by some countries or regions, local residents who have business or holiday travel plans in the near future should also pay close attention to the latest immigration policies of their destinations.

The latest travel information is available via the official website of the National Immigration Bureau (www.nia.gov.cn) and its official WeChat account (NIANEWS).

### KPMG NOTE

During the coronavirus outbreak, while the in-charge authorities are promoting online applications in order to foster efficiency, employers and individuals should:

- closely follow policy updates and seek professional advice on policy interpretation and practical guidance;
- plan applications in advance and make use of available fast-tracks to avoid over-stay;
- familiarise themselves with the latest special border measures in other countries and regions, and appropriately arrange travel plans to avoid unnecessary delays and financial costs;
- make sure that the application materials/documents are authentic and valid – the authorities will continue to take measures against fraudulent applications.

The KPMG International member firm in the PRC is closely following policy and practical updates from the national and local immigration authorities, and will endeavour to provide businesses and individuals with important information and professional guidance.
FOOTNOTE:

1 Relevant government policies and announcements (noted in their English-translated titles) covered in this article include:

- Q&A on immigration and exit-entry management during epidemic prevention and control.
- Notice regarding the implementation of the online approval process related to foreigners' work permits in Shanghai, China.
- Notice regarding the adjustment of office hours and processing procedures for foreigners' work permit application.
- Notice of Shenzhen Municipal Science and Technology Innovation Commission on Work Permits Related to Foreigners Coming to China during the Prevention and Control of Novel Coronavirus outbreak.
- Suggestions on delaying the application for entry and exit documents during the prevention and control of the Novel Coronavirus outbreak.

Readers may access a report by Z. Yuning, “China’s National Immigration Administration responds to public concerns during coronavirus pneumonia prevention, control period,” in Chinanews.com (ECNS.cn) dated 1 February 2020 by clicking here. (Please note this is accessible on a non-governmental, non-KPMG, third-party website. Provision of this link does not represent an endorsement of the website or its content by KPMG.)

Additional information on measures taken by the Beijing Municipality (in English) can be found by clicking here and here.

Again, the website for the PRC National Immigration Administration (in Standard Chinese) can be accessed by clicking here.

*   *   *   *

RELATED RESOURCE

This article is excerpted, with permission, from “Updates on China immigration policy during the coronavirus epidemic” in China Tax Alert (Issue 8, January 2020), a publication of the KPMG International member firm in the People’s Republic of China.
Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in the People’s Republic of China:

Michelle Zhou
Partner
Tel. +86 (21) 2212 3458
Michelle.b.zhou@kpmg.com

Vincent Pang
Partner
Tel. +86 108 508 7516
Vincent.pang@kpmg.com

Murray Sarelius
Partner
Tel. +852 3927 5671
Murray.sarelius@kpmg.com

* Please note the KPMG International member firm in the United States does not provide immigration or labour law services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

The information contained in this newsletter was submitted by the KPMG International member firm in the People’s Republic of China.

© 2020 KPMG Huazhen LLP, a People’s Republic of China partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative (“KPMG International”), a Swiss entity. © 2020 KPMG Advisory (China) Limited, a wholly foreign owned enterprise in China and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative (“KPMG International”), a Swiss entity. All rights reserved.