

# Status of China Immigration During the Coronavirus Outbreak

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The outbreak of the **coronavirus** starting in Wuhan, China is significantly affecting individuals, businesses, travel, supply chains, and financial markets. Our team in China has prepared the following update detailing the outbreak's impact on visas and immigration for business to and from China.

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## Across the Major Provinces

Most immigration offices throughout China have resumed limited visa and immigration processing as of Feb 4, 2020. **Wuhan** authorities are scheduled to resume work on February 14. Foreign nationals who are unable to exit China or to extend their visa, stay or residence permits due to these interruptions will be subject only to lighter (or exempted from) late penalties from the authorities depending upon specific circumstances.

In **Shanghai**, foreign nationals whose visas/stays/residence permits/passports expired within the past 10 days – including those whose employment in China ended – may visit the local immigration authorities to file their visa, stay, or residence permit extensions immediately after February 10.

All physical submissions of paper documents related to work permit renewals and cancellations in Shanghai have been suspended until further notice. Instead, these applications should be processed online only – with a commitment letter provided by the Chinese employer for this period. The commitment letter should confirm the authenticity and validity of the online submission, and original documents should be retained for future confirmation. A similar online process has been adopted in other regions in China, including **Beijing, Zhe Jiang, and Guangdong**.

In **Beijing**, immigration authorities are asking all foreign nationals and Chinese citizens to hold off submitting their visa/

stay/residence permit applications in person if it is not urgent. Those who require urgent assistance with applications are encouraged to make appointment reservations in advance. As mentioned above, Beijing has adopted an online submission and commitment letter process for work permit renewals and cancellations.

In **Shenzhen**, immigration authorities have opened green channels for expedited applications for emergencies and urgent requests. The authorities have also implemented other convenient measures to facilitate visa applications for those remaining in Shenzhen during this outbreak period.

Regarding **entry into China** during this outbreak period, foreign nationals are encouraged to enter China with a Z visa/work visa, only after having obtained their notification letter of work permit. Those who fail to enter China within the validity of their Z visas due to the coronavirus situation will be permitted to enter China with other visa types. When doing so, their Chinese employers should provide letters of explanation in support of the use of an alternative visa.

## Bottom Line

Given the severity of the current situation, Chinese immigration authorities are taking measures to ensure the least disruption to foreign nationals' entry and exit movements. Foreign nationals are strongly encouraged to take health risks and travel warnings into consideration when making their visa and immigration decisions. Those whose visa and immigration applications are affected during this outbreak period are encouraged to contact their Newland Chase/Newland Chase-FSG contacts for assistance.

Bear in mind that the current situation and authorities' responses will remain extremely fluid for the foreseeable future. Anticipate frequent changes in visa and immigration policy and processes given the evolving situation surrounding the coronavirus outbreak. Our team in China is closely monitoring all developments on the ground. Please feel free to contact us should you have any specific question or require assistance.

Please contact us at [china@newlandchase-fsg.com](mailto:china@newlandchase-fsg.com).

# Frequently Asked Questions

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## Q | **May foreign nationals continue to enter and exit China as usual during the period of coronavirus prevention and control?**

At present – except for the lockdown on exiting Wuhan – all port visa agencies are operating as usual. Visa-free transit policies for foreign nationals are still in effect. All land, sea and airports in China are functioning. Foreign nationals may enter or exit as usual with their valid international travel documents. However, given the current health risks, it is advisable that foreign nationals limit their cross-border/city travel as much as possible and always check entry requirements for their destination countries or regions in or outside China. We can provide more detailed guidance and instructions regarding more than 190 countries upon request.

## Q | **How do foreign nationals apply for visas, stay and residence permits during the period of coronavirus prevention and control?**

Most immigration authorities throughout China have resumed limited work as of February 3 to process extensions and issuances of visa, stay and residence permits. Emergency service is available in most areas as well, subject to prior approval. However, given the current situation, foreign nationals should refrain from visits to the local authorities' offices unless it is an absolute necessity, particularly where in-person application involves encountering large groups. In many cases, the local authorities may require appointments be scheduled in advance or have restrictions on number of people inside the authority building/office. Please contact us if such a request arises.

## Q | **What do we do when a foreign national's visa, stay or residence permit expires during the period of coronavirus prevention and control?**

Foreign nationals are encouraged to exit China or extend their visa/stay/residence permit before its expiry date. However, those who are unable to exit as scheduled, or to extend their visas or permits due to the coronavirus shall be subject only to lighter (or exempted from) late penalties, depending upon their circumstances. Foreign nationals and their Chinese employers/work permit sponsoring entity should provide an explanation statement in support of the above situations.

## Q | **I am currently an expat working in China. My work permit and residence permit are currently valid, though both will be expiring within the next few months. I departed (or plan to depart) China soon on a temporary basis. What do I do if my permits expire while I am outside of China?**

If the expat's assignment has ended in China, he should cancel the work and residence permits before leaving China. Expedited service for residence permit cancellation (3 working days) is possible under emergency circumstances, provided the departing flight tickets and other relevant evidence are supplied.

However, if the applicant is currently outside of China, it is difficult to cancel the work and residence permits. The original passport and signed employment termination letter are required. In this situation, expats should wait until their work and residence permits expire naturally. However, if an applicant will be on assignment in China after this crisis is over, he should file an initial application for a new work permit and residence permit. In addition, the work permit may be extended while the applicant is currently out of China, provided any requested documents are properly signed. However, residence permits cannot be extended while applicants are outside China.

## Q | **The same scenario as above. What if I have already started the renewal process for my permits, but the extension has not yet been approved?**

In general, work permit renewals can be processed while foreign nationals are outside of China (just ensure all of the signed documents are in good order before departing). However, residence permits cannot be renewed without the presence of the applicant in China. In those cases, applicants need to apply for new visas to enter China and convert them to residence permits after returning (generally within three months). Note that new medical reports may be required or it might trigger some minor penalty if there is delay in converting. Some of this relies on the specific situation, so it should be evaluated on a case-by-case basis.

## Q | **I will be ending my expat assignment in China early and departing soon. I will not be in China long enough to complete the cancellation and de-registration process for my work and residence permits. Will my employer or I be penalized?**

As discussed above, work and residence permits should be cancelled before leaving China. However, bear in mind that Chinese immigration authorities understand the challenges foreign nationals may encounter under the current situation. They will likely not impose penalties as long as sound reasons are provided and all best efforts made to comply. With that said, we recommend you contact us before departing for help in addressing challenges of this kind.

*This white paper is not intended as a substitute for legal advice. Readers are reminded that immigration laws are subject to change. We are not responsible for any loss arising from reliance on this publication. Please contact Newland Chase should you require any additional clarification or case-specific advice.*