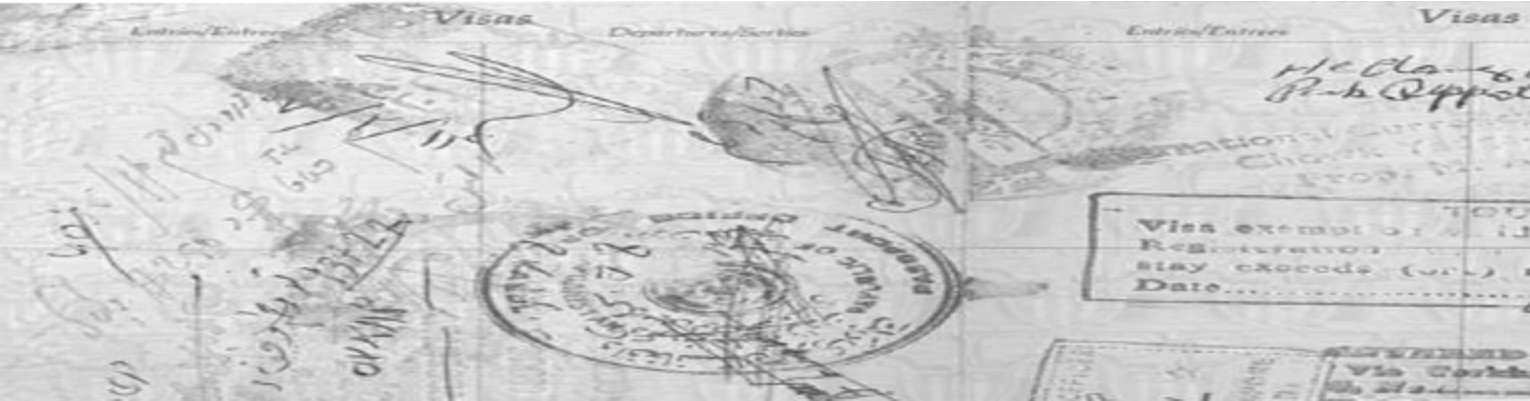


U.S. and China Visa Law Blog

by Gary Chodorow, an immigration lawyer in Beijing



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Beijing to Require “Certificate of No Criminal Conviction” for Foreigners’ Employment Licenses

中文版

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The Beijing Municipal Bureau of Human Resources and Social Security has announced that employment license applicants will need to submit a “certificate of no criminal conviction” (also known as a police clearance letter) from their country of residence, effective July 1. Here’s a translation of the announcement:



Per the requirements of the Regulations on the Administration of Employment of Foreigners in China, the Regulations on Foreign Experts’ Applications for Employment Permits, etc., foreigners applying to work in China should submit a certificate of no criminal conviction. In order to strictly enforce the rules and regulations

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related to examination and approval of employment licenses, effective July 1, 2013, a work unit applying for a foreigner’s employment license should submit with the application materials a certificate of no criminal conviction from the applicant’s place of residence. Specifically:

I. Scope of Persons Covered:

- 1. Persons applying for a “foreigner’s employment license” or “foreign expert work permit”;*
- 2. Persons applying for a representative office’s “foreigner’s employment permit”; and*
- 3. Persons who hold a “foreigner’s employment permit” or “foreign expert certificate” issued in another city seeking to transfer employment to our city.*

II. Requirements for the Certificate:

- 1. A certificate of no criminal conviction should be issued by the public security or judicial authorities in the applicant’s place of residence (with a translation by an official translation company); and*
- 2. The certificate of no criminal conviction should be authenticated by a Chinese Consulate.*

*Beijing Municipal Bureau of Human Resources and Social Security
June 4, 2013*

The certificate should show that the applicant has no criminal conviction from age 18 to the present. There is no provision for whether an applicant needs to present an additional certificate from a third country where he or she has previously resided.

It appears that the “certificate of no criminal conviction” requirement will apply only to initial applications, not applications for renewal, amendment, or annual inspections of work permits.

Some other cities, such as Suzhou and Nanjing, already have similar requirements in place. In addition, [draft State Council regulations](#) allow Chinese consulates to require a certificate of no criminal conviction as part of the visa application process.

[consultation](#) in person in Beijing, by phone, or Skype.

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Employers should plan ahead to apply for such certificates because timing for issuance can vary from country to country, plus obtaining the [authentication](#) from a Chinese consulate can take a week or so. Our law firm can assist with this matter.

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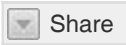


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