China: Talent Visa for foreign high level talents

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In brief
The State Administration of Foreign Experts Affairs, the Ministry of Foreign Affairs and the Ministry of Public Security recently released an official Notice on the “Guidelines for the Implementation of the Talent Visa” (the “Guideline”), which aims to define the Talent Visa (the “R Visa”) policy and process in order to attract high-level foreign talents into China. This new guideline will be implemented cross China with three phrases, with the first phase commencing in 9 provinces and cities from 1 January 2018.

In detail
To supplement the comprehensive overhaul of the immigration program introduced from April last year, the Central Government released this Guideline to actively encourage more foreign talent to enter China in support of its future growth.

The criteria for the R visa is subject to local implementation and is generally framed around the eligibility criteria for the Category A Work Permit, which are:

- Qualified for Government’s talent program;
- Internationally recognised professional achievements;
- Strong market demands talent;
- Innovation and Start Up talent;
- Under 40 post-doctorates; and
- 85 points and above from the points system

Subject to eligibility requirements, companies can apply for the “Confirmation Letter of High Level Foreign Talents” through the Expert Bureau’s Online System and the authority will assess the application within 5 working days.

Once the Confirmation Letter is issued, foreign talents can apply for the R Visa with the Chinese Consulate in the home country. The Consulate will assess and grant the R Visa in 2 working days with a validity of 5 years or 10 years, multiple-entry with up to 180 days per entry. Spouse and dependent children under 18 years old will also be granted the same visa validity and duration.

Privileges for R Visa include expedited processing time, simplified process, no paper documents required and Government fee waived.

For R Visa holders who establish a local employment relationship in China, the R Visa can be converted into a Work Permit by online submission of an employment contract and a health check report, the authority will assess and generally grant the work permit card within 3 working days.

The takeaway
Other privileges of the R Visa will be announced by the authority in the due course, and a quota might be imposed in future. Companies should take advantages of this R Visa scheme and identify suitable candidates who may qualify.

The R Visa may also be suitable for frequent travellers to China who exceeds the 90 days per calendar year and find it difficult to stay in China for long periods of time for the standard work and residence permit process.

Our team can assist to evaluate your foreign worker and traveller population, advise on related tax and social security implications of this new Guideline, assess your candidates’ eligibilities and lodge the R Visa application on their behalf. If you would like to understand more on the R Visa scheme or like to arrange a tailor-made training session for your business, please reach out to the below contacts.
Let’s talk

For a deeper discussion of how this issue might affect your business, please contact your PwC Global Mobility engagement team or one of the following team members:

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