



International Organization for Migration (IOM)



EU-China Dialogue on Migration and Mobility Support Project

支持中欧人员往来和移民领域对话项目



International Labour Organization

Presentation on New Work Permit for Foreigners

Shanghai, 30 November, 2017
Summary Report



On 30 November 2017, the International Organization for Migration (IOM) organized a briefing for 24 Consular officials from 19 European General Consulates based in Shanghai on the new work permit for foreigners working in China. Following a successful similar briefing for European Embassies officials in Beijing in June 2017, the State Administration of Foreign Experts Affairs (SAFEA) and Shanghai Municipal Administration of Foreign Experts Affairs (SHAFEA) actively supported and coordinated this activity, which was carried out under the framework of *EU-China Dialogue on*

Migration and Mobility Support Project.

Ms ZHU Yinghua, Deputy Director from Shanghai SAFEA gave an introduction about local policy and measures of managing and attracting foreign talents, the update of recent new work permit for foreigners in Shanghai, and the challenges of implementation this new system. Shanghai SHAFEA is responsible for local introduction of overseas talents and administration of foreign experts, employment of foreigners, returned Chinese scholars, expatriates in China and personnel from Taiwan, Hong Kong and Macau. It is also in charge of the implementation of new foreigners' work permit system in Shanghai.

Mr Etienne MICALLEF, Project Manager of IOM in China firstly provided a brief introduction about IOM and its work particularly the *EU-China Dialogue on Migration and Mobility Support Project*, which is funded by the Partnership Instrument (PI) of the European Union (EU).

Deputy Director ZHU introduced that Shanghai had 215,000 foreigners that occupied 23.7% of total number of foreigners in China. Shanghai ranked in the list of the 10 most attractive Chinese cities for expats. The municipal government proposed to attract more competitive foreign talents by introducing 30 measures of attracting overseas talents and new measures of supporting Shanghai Science and Technology Centre in 2016.

Following the announcement of the State Council for the pilot of new Work Permit System for Foreign Workers in China in September 2016, Shanghai started its pilot work from October 2016 to April 2017 as one of 10 selected pilot provinces and municipalities. The new system integrated previous Foreigners' Employment Permit and the Foreign Expert Work Permit into one single



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Foreigner's Work Permit in China. The changes to the system result in a more streamlined process, doing away with inconsistent regional administration, and allows for applicants to submit applications online. It is a more authoritative and effective system that unified the management of credentials, adopted category-based management, simplified and consolidated application materials, optimized the review and approval process. Only one code is issued to a single person, which will remain the same for a lifetime, concerning the person's work, management, service, and credit records and other information in China subject to dynamic recording and management.

Under the new system, foreigners are classified into three categories, Category A: High-end Foreign Talents, B: Foreign Professional Talents and C: Other Foreigners.

- Category A include scientists, science and technology leading talents, international entrepreneurs, special talents and other foreign high-end talents urgently needed in the economic and social development of China who mainly fall in line with the national priority list for foreign talents and any of selected for the Domestic Talents Programs; conforming to international criteria of professional achievement; foreign talents fulfilling the market demand for government-encouraged posts; innovative and entrepreneurial talents; outstanding young talents; graded 85 points or more in the points-based system. Applicants placed in the Category A are eligible for service through a “green channel”, which offers, paperless verification pre-entry, expedited approval and other facilitation measures.
- Foreign professionals in line with the “Foreigners Employed in China Guide Catalog” and the corresponding demands of the economic and social development of China who fall within any of the following conditions shall be classified into Category B.
- Foreigners employed to meet the demand of the domestic labor market in line with the state policies and regulations are hereby classified into Category C.

The principle of this new system was to encourage and attract overseas high-end talents (Category A), set relevant eligible requirements and conditions for general professional personnel (Category B) and limit low-end temporary and seasonal personnel to China (Category C). The new system also introduced a points-based system to judge candidates' qualifications. Applicants scoring 85 or more points qualify for Category A; those scoring 60-85 class as Category B; and those scoring below 60 fall under Category C. In addition, the applicants of Category A don't have the limitation for age, education or working experiences. No quota was set for the introduction of high-end foreign talents (Category A); the number of foreign professional talents (Category B) shall be limited based on market demand; and any restriction on ordinary foreigners (Category C) is subject to China's relevant regulations. Decision-making bodies should review applications for a Foreigner's Work Permit, make a decision within 20 working days and inform the employer. An extension of another 10 working days may be considered under special circumstances. The time needed between the applicant's reception of the Notification Letter of Foreigners' Work Permit and the issuance of the Foreigner's Work Permit Card for the purpose verification of relevant application materials shall be excluded from the time limit.

At the Q & A session, European participants asked relevant questions about application process such



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as the criteria of professional achievements under the Category A, the list of prestigious universities and world top 500 companies particularly the educational qualification accreditation system and procedures for applicants. According to the current system, the highest degree certificate obtained overseas should be authenticated by the overseas Chinese Embassy (or Consulate) or the Embassy (or Consulate) of the relevant country in China, or the education certification agency of China. Those certificates obtained in China should be verified in China and the application process can be extended accordingly. The European participants informed that most Consular Missions in China didn't have an authority to authenticate the degree certificate and only the educational certification agency of the country can verify it. This accreditation requirement should be adjusted based on practical situation of different countries. Deputy Director ZHU mentioned that some Embassies reached a consensus with Shanghai SAFEA to help the verification of certificates and this assistance was important to facilitate the verification process of the reliability and authenticity of the certificate. She expressed that two sides should enhance the communication and coordination on this matter in future.

This briefing provided a very good platform for Shanghai SAFEA officials to share update information about new work permit for foreigners and clarify the concerns and questions of European consular officials. The mutual discussions and exchanges were beneficial to help European consular officials disseminate procedures of new system to its nationals, which will improve the effective and better implementation of this new work permit for foreigners. European consular officials and Shanghai SAFEA officials also established a useful working network to strengthen the communication mechanism regarding the operation of this new system. The positive feedbacks were received from the participated European officials whom became more familiar with new application process of new work permit in China.