

## Notice About Administration of Foreign Expert Certificate Issued by State Administration of Foreign Affairs

### Description

**[Jaosn's Comments:** *I quote this article from the official website of SAFEA. SAFEA is one of my concern because every time a foreign investor intending to set up a language training school in China always brings up this issue. News had it also that many many English training schools or centres here in Shanghai failed to obtain proper employment permits/licenses, in particular, the foreign expert certificate, for their foreign teachers. Under current rules, foreigners working as English teachers are deemed as "foreign experts" and therefore need to apply for this foreign expert certificate. This seems and indeed is ridiculous and stupid practice. But it happens here in this country. To employ foreign experts, the school, centre or company shall first apply for a qualification certificate certifying that this entity is now qualified to hire foreign experts. The problem is that except for those Sino-foreign joint venture schools, other training entities shall only apply for this qualification certificate after their businesses run for more than one (1) year. A critical question arises before foreign investors, within this one (1) year, they cannot employ foreign teachers or have to do it illegally. ]*

Foreign affairs Offices of Provincial and autonomous regional governments, municipality directly under the central authority, education committee, talents importing office, general office(Bureau) of public security, ministries and commissions of the State Council, education departments and foreign affairs departments of Institutions directly under State Council:

In order to conform to the reform and opening policy, to promote macro-administration of importing overseas talents into China, the State Administration of Foreign Experts Affairs (SAFEA) issued the notice about implementing the system of foreign expert certificate in 1994, with Ministry of Finance, Ministry of Railways, Ministry of Communications, State Administration of Foreign Exchange Control and Price Administration Department of State Planning Committee released notice about implementing the system of foreign expert certificate for examining qualification of foreign expert in China and providing better condition for them. The measure is supported and appreciated by relevant departments, retaining institutions and foreign experts. Policy of foreign experts' employment has changed recently, the administration of certificate administration need be improved, the relevant information is as follows:

### I the granted object of foreign expert certificate

#### 1. Foreign Expert Certificate (cultural and educational category)

All Foreign economists and technologists with job Visa (category z), who are working in China, need apply for foreign expert certificates(economic and technologic category), Foreign economists and technologists with other Visa, also take foreign expert certificate

#### 2. Foreign Expert Certificate(cultural and educational category)

All foreign experts who are employed by the retaining institutions with qualification certificate of

retaining cultural and educational foreign experts and overseas agencies in China authorized by SAFEA need apply for it.

A foreign expert can be granted a foreign expert certificate by normal contract(original one) signed with retaining institution, which is printed and issued by SAFEA.

A cultural and educational foreign expert who is working in China according to agreement also need sign a normal contract before applying for foreign expert certificate.

A cultural and educational foreign expert who is working to china for short term also can apply for a foreign expert certificate authorized by provincial, municipal, ministries and commissions' departments in charge of foreign expert if it is necessary.

Staffs of overseas agencies in China, foreign teachers and administrators of cooperative school between China and foreign countries, foreign teachers and administrative staffs of school specialized in recruiting foreigners' children, which is run by overseas organization and Individual in China, apply for foreign expert certificate by legal writs.

## **II the Procedure for Residence**

Within 30 days after a foreign expert enters into China, he needs to take procedure for residence by foreign expert certificate in entry and exit administrative department of Public Security Ministry.

## **III the administration of foreign expert certificate**

1. Foreign affairs Offices of Provincial, autonomous regional governments, municipality directly under the central authority take charge of the numeration of local foreign expert certificate and sealing in column of license-issuing authority, then granting it to retaining institution via original canal (departments in charge such as foreign office, education committee importing talents office and more)

Steel seal of signing and issuing institution is stamped by license-issuing authority or by retaining institution authorized by license-issuing authority.

2. Central committee, relevant ministries and commissions of State Council, directly under Institution, corporation and headquarters can entrust Beijing foreign affairs Office to take charge of granting institutions directly under central authority in Beijing foreign expert certificate which also can be released by foreign affairs departments of ministries and commissions, corporation. Foreign expert certificate of local school in Beijing and other educational institution(include retaining institution under Ministry of Education) is granted by Beijing foreign affairs Office.

3. Foreign expert need hand over foreign expert certificate if they change into a new institution which should conduct foreign expert certificate again for foreign expert.

4. Before a foreign expert leaves China, the retaining institution should take back foreign expert certificate or written Off it. Signing and issuing department and retaining institution have no right to charge expert guarantee deposit.

5. According to No.105 documents [1994] issued by Foreign Expert Bureau, foreign expert certificate can be charged for printing of the certificate, but one shouldn't exceed 50 Yuan.

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