

Migration Policies in China 2017-2019

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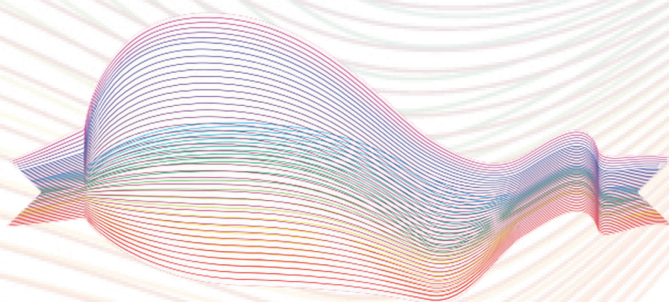
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IMISEM

EVERY IMMIGRANT IS AN EMIGRANT
How Migration Policies Shape
the Paths to Integration

IMISEM CASE REPORT
Migration Policies in

China


2017-2019

Coordinated by:


Luicy Pedroza
Pau Palop-García
So Young Chang

January 2022

G I G A

German  Institute for Global and Area Studies
Leibniz-Institut für Globale und Regionale Studien

Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: www.imisem.info as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

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About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” * two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *polities* that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

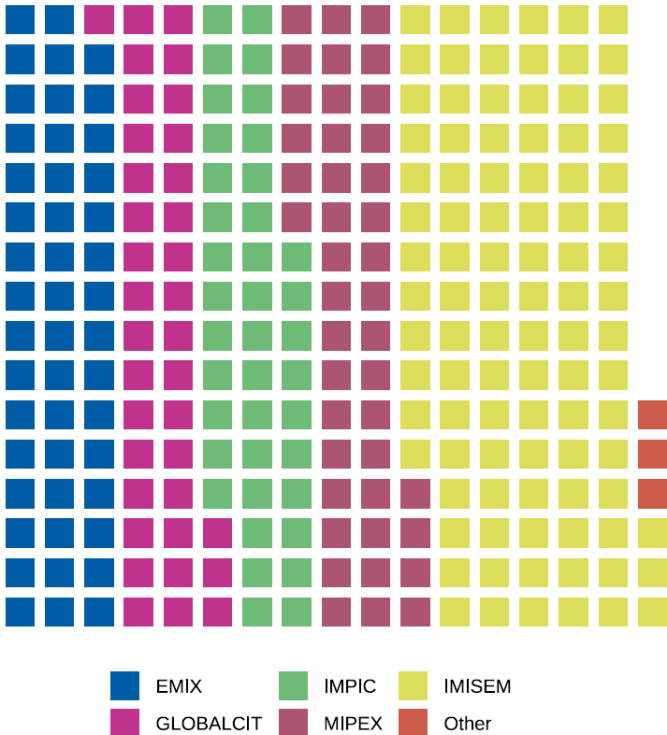
About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.

Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

Answer: this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

Code: this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

Explanation: this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

Sources: this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

Varieties of Standard English

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

Contact

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: lpedroza@colmex.mx or find us through our ORCID numbers:

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Table of Contents

1. Emigration policies	10
1.1. General	10
1.2. Documentation	12
1.2.1. Passport.....	12
1.2.2. Other requirements	14
1.3. Quotas and restrictions	15
1.4. Policy incentives.....	19
1.5. Penalties	21
1.6. Administration	24
2. Emigrant policies	26
2.1. Policies of representation	26
2.1.1. Electoral rights	26
2.1.2. Regulation of political competition abroad	32
2.1.3. Consultative bodies	35
2.1.4. Consultative bodies at the national level.....	35
2.1.5. Funding of emigrant associations	40
2.2. Economic Policies	41
2.2.1. Remittances	41
2.2.2. Investment	43
2.2.3. Brain circulation networks	44
2.2.4. Return policies	44
2.3. Social Policies	48
2.3.1. Retirement benefits	48
2.3.2. Health care benefits	49
2.3.3. Education	50
2.4. Cultural policies.....	51
2.4.1. Visits to country of origin	51
2.4.2. Language courses for emigrants	52
2.5. Obligations	52
2.5.1. Military service	52
2.5.2. Social service	53
2.5.3. Taxes	53
2.6. Administration	54
2.6.1. Home country administration.....	54
2.6.2. Consular network	56
2.6.3. New consular functions	57
2.6.4. Special offices.....	58
3. Emigrant citizenship and nationality policies.....	59

3.1.	Emigrant nationality.....	59
3.1.1.	Dual nationality for emigrants.....	59
3.1.2.	Dual nationality only for some countries of residence.....	60
3.1.3.	Loss of nationality after residence abroad.....	61
3.1.4.	Jus sanguinis for emigrants.....	62
3.1.5.	Jus sanguinis across generations.....	62
3.1.6.	Renunciation of nationality is possible.....	63
3.1.7.	Reacquisition of nationality.....	64
3.2.	Emigrant citizenship.....	65
3.2.1.	Citizenship restrictions for dual nationals.....	65
3.2.2.	Different citizenship for emigrants.....	65
3.2.3.	Loss or suspension of citizen rights after residence abroad.....	66
4.	Immigration policies.....	68
4.1.	General.....	68
4.1.1.	Number of entry tracks.....	68
4.1.2.	Biometric information.....	69
4.1.3.	Visa waivers.....	70
4.2.	Documentation.....	71
4.3.	Quotas and restrictions.....	72
4.3.1.	General quota.....	72
4.3.2.	Specific quotas.....	72
4.3.3.	List of excluded persons.....	75
4.3.4.	List of excluded countries.....	76
4.4.	Policy incentives.....	76
4.4.1.	Recognized brokers.....	76
4.5.	Immigration control and penalties.....	78
4.5.1.	Irregular residence.....	78
4.5.2.	Forged documents.....	79
4.5.3.	Aiding undocumented migrants.....	83
4.5.4.	Employment obligations.....	84
4.5.5.	Landlord obligations.....	85
4.5.6.	Airline penalties.....	86
4.6.	Amnesty programs.....	87
4.7.	Administration.....	90
4.8.	Proxy: Labor migration (high- and low-skilled).....	91
4.8.1.	Domestic workers.....	92
4.8.2.	Agricultural workers.....	97
4.8.3.	Medical doctors.....	102
4.9.	Proxy: Refugees.....	109

4.9.1.	Existence of track	109
4.9.2.	Restrictions	110
4.9.3.	Place of application	112
4.9.4.	Permit validity.....	113
4.9.5.	Maximum timeframe for application resolution.....	113
4.9.6.	Possibility to change migratory status	114
4.9.7.	Detention.....	114
4.9.8.	Status after rejection	115
4.9.9.	Translation and interpretation.....	116
4.10.	Proxy: Co-ethnics	116
4.10.1.	General	116
4.10.2.	Reasons for co-ethnicity.....	117
4.10.3.	Language test	120
4.10.4.	Place of residence.....	120
4.10.5.	Place of application	121
4.10.6.	Date of birth	122
4.10.7.	Permit validity.....	122
5.	Immigrant Policies	124
5.1.	Permanent residence	124
5.1.1.	Eligibility	124
5.1.2.	Security of status.....	133
5.2.	Policies of representation	137
5.2.1.	Electoral rights	137
5.2.2.	Regulation of participation in parties.....	140
5.2.3.	Consultative bodies	141
5.3.	Economic policies	143
5.3.1.	Access to labor market.....	143
5.3.2.	Access to support.....	154
5.3.3.	Worker's rights	157
5.3.4.	Property rights.....	163
5.4.	Social policies	165
5.4.1.	Family reunification	165
5.4.2.	Education	201
5.4.3.	Health care.....	205
5.4.4.	Unemployment benefits.....	208
5.4.5.	Retirement benefits	210
5.5.	Cultural policies	212
5.6.	Mobility policies	213
5.6.1.	Identity documents	213

5.6.2.	Freedom of movement	215
5.6.3.	Obligations	220
5.6.4.	Military service	220
5.6.5.	Social service	222
5.6.6.	Taxes	224
5.7.	Administration	225
6.	Immigrant citizenship and nationality	227
6.1.	Immigrant nationality	227
6.1.1.	Immigrant dual nationality	227
6.1.2.	Emigrant dual nationality for immigrants who naturalized	228
6.1.3.	Loss of nationality after residence abroad for naturalized immigrants.....	228
6.1.4.	Unrestrictive jus soli	229
6.1.5.	Qualified jus soli	229
6.1.6.	Standard naturalization procedure for immigrants due to residence in the country	230
6.1.7.	Socialization based acquisition of citizenship	232
6.1.8.	Special procedure for immigrants with very long residence in country	233
6.1.9.	Preferential naturalization for immigrants from specific countries	233
6.1.10.	Cultural affinity/Ethnic ties	233
6.1.11.	Spousal transfer	234
6.1.12.	Filial transfer	235
6.1.13.	Special naturalization for refugees	235
6.1.14.	Naturalization for special achievements/talents	235
6.1.15.	Naturalization due to investment/financial assets	236
6.1.16.	Transfer to other relatives	236
6.1.17.	Nationality for the stateless	237
6.1.18.	Nationality for regularized immigrants	237
6.1.19.	Naturalization possible even if applicant had irregular status before.....	237
6.2.	Immigrant citizenship.....	238
6.2.1.	Restrictions on citizenship for naturalized immigrants	238
6.2.2.	Loss or suspension of citizenship after residence abroad for immigrants who naturalized	239
6.2.3.	Restrictions on citizenship for naturalized immigrants who are dual nationals	240

1. Emigration policies

1.1. General

EMIGRATION_1. The attempt to leave the country is punishable by law.

Answer: No

Code: 1

Explanation: The attempt to leave the country is not punishable by the law, as long as legal travel documents are issued and the citizen is not under certain restrictive circumstances. "Article 9 Chinese citizens who exit or enter China shall, in accordance with the law, apply for passports or other travel documents. 第九条 中国公民出境入境，应当依法申请办理护照或者其他旅行证件。" "Article 12 Under any of the following circumstances, Chinese citizens are not allowed to exit China:(1) Hold no valid exit/entry documents, or refuse or evade border inspection;(2) Are sentenced to criminal punishments, the execution of which have not been completed, or are suspects or defendants in criminal cases;(3) Are involved in unsettled civil cases and not allowed to exit China upon decision of the people's courts;(4) Are subject to criminal punishment for impairing border administration, or are repatriated by other countries or regions due to illegal exit from China, illegal residence or illegal employment, and the No-Exit-from-China period has not expired;(5) May endanger national security or interests, and are not allowed to exit China upon decision by competent departments under the State Council; or (6) Other circumstances in which exit from China is not allowed in accordance with laws or administrative regulations.[第十二条 中国公民有下列情形之一的，不准出境：（一）未持有效出境入境证件或者拒绝、逃避接受边防检查的；（二）被判处罚尚未执行完毕或者属于刑事案件被告人、犯罪嫌疑人的；（三）有未了结的民事案件，人民法院决定不准出境的；（四）因妨害国（边）境管理受到刑事处罚或者因非法出境、非法居留、非法就业被其他国家或者地区遣返，未满不准出境规定年限的；（五）可能危害国家安全和利益，国务院有关主管部门决定不准出境的；（六）法律、行政法规规定不准出境的其他情形。]"

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Arts. 9 and 12.

EMIGRATION_2: Exit fees.

Prospective emigrants need to pay a fee before emigrating.

Answer: No

Code: 1

Explanation: Such exit fees are not required in the PRC.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Amount of the fee in country of origin currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the fee in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Prospective emigrants need to make a deposit before emigrating:

Answer: No

Code: 1

Explanation: Such exit deposits are not required in the PRC.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Amount of the deposit in the currency of the country of origin:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the deposit in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_3: Citizens can only stay abroad for a given maximum of days.

Citizens can only stay abroad for a given maximum of days

Answer: No

Code: 1

Explanation: No provision in the emigration regulation. Thus, it is assumed that there are not restrictions in this matter of maximum length of days.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Maximum number of days that citizens can stay abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.2. Documentation

1.2.1. Passport

EMIGRATION_4: Cost of ordinary passport.

Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 160

Code: 160

Explanation: 160

Sources: China Consular Affairs. “护照/旅行证 [Passport/ Travel Document]”. Access date not available. <http://cs.mfa.gov.cn/zggmzhw/hzlxz/>.

Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 25

Code: 25

Explanation: 25

Sources: China Consular Affairs. “护照/旅行证 [Passport/ Travel Document]”. Access date not available. <http://cs.mfa.gov.cn/zggmzhw/hzlxz/>.

EMIGRATION_5: Maximum length of procedure to process passport.

Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):

Answer: Yes

Code: 1

Explanation: Yes, there is a maximum length.

Sources: 中华人民共和国护照法 [Passport Law of the People's Republic of China]. 2007.

Maximum length of procedure to process passport (in days):

Answer: 15

Code: 15

Explanation: Within 15 days in normal circumstances; within 30 days for applications from remote/inconvenient regions.

Sources: 中华人民共和国护照法 [Passport Law of the People's Republic of China]. 2007.

Maximum length of procedure to process passport (by categories):

Answer: From 0 to 2 months

Code: 1

Explanation: Within 15 days.

Sources: 中华人民共和国护照法 [Passport Law of the People's Republic of China]. 2007.

EMIGRATION_6. Renewal of passport from abroad is possible:

Answer: Yes

Code: 1

Explanation: “When the holder of an ordinary passport applies for renewal or reissue of such a passport in China, he shall, in person, submit an application shall to the exit-entry control department of the department for public security under the people’s government at or above the county level

where his residence is registered; if he applies for the same abroad, he shall, in person, submit the application to an embassy or consulate of the People's Republic of China, or a mission overseas authorized by the Ministry of Foreign Affairs. Where a Chinese citizen residing abroad applies for renewal or reissue of an ordinary passport after returning to China, he shall, in person, submit an application to the for exit-entry control department of the public security organ under the people's government at or above the county level at the place where he lives temporarily. [护照持有人申请换发或者补发普通护照·在国内·由本人向户籍所在地的县级以上地方人民政府公安机关出入境管理机构提出;在国外·由本人向中华人民共和国驻外使馆、领馆或者外交部委托的其他驻外机构提出。定居国外的中国公民回国后申请换发或者补发普通护照的·由本人向暂住地的县级以上地方人民政府公安机关出入境管理机构提出。]”.

Sources: 中华人民共和国护照法 [Passport Law of the People's Republic of China]. 2007.

1.2.2. Other requirements

EMIGRATION_7. Local police certificate is necessary to emigrate:

Answer: No

Code: 1

Explanation: No, it is not necessary.

Sources: China Consular Affairs. “护照/旅行证 [Passport/ Travel Document]”. Access date not available. <http://cs.mfa.gov.cn/zggmzhw/hzlxz/>.

EMIGRATION_8. Superior/employer's permission is necessary to emigrate:

Answer: Generally no, but required for certain groups

Code: 0.75

Explanation: For the application of ordinary passport, superior/ employer's permission is not necessary for ordinary citizens; but for a State functionary who applies an ordinary passport for non-official purposes, he shall submit “the certificate of approval for exit issued by the work unit to which he belongs or the higher authorities in accordance with the authority of personnel management [提交本人所属工作单位或者上级主管单位按照人事管理权限审批后出具的同意出境的证明]”. (RPC Ministry of Public Security. The Exit and Entry of Chinese citizens.[中华人民共和国公安部. 中国公民出入境]) “For citizens other than those prescribed in the preceding two paragraphs who are to go abroad on official missions, their work units shall, in accordance with the provisions of Subparagraphs (2) and (3) of Article 4 in this Law, submit applications to the department for foreign affairs, which shall, in light of need, issue service passports or diplomatic passports. [前两款规定之外的公民出国执行公务的·由其工作单位依照本法第四条第二款、第三款的规定向外交部门提出申请·由外交部门根据需要签发外交护照或者公务护照]” (Passport Law, 2007)

Sources: 中华人民共和国护照法 [Passport Law of the People's Republic of China]. 2007. / People's Republic of China Ministry of Public Security. “中国公民出入境 [The Exit and Entry of Chinese

Citizens]”. Access date not available.
<http://www.mps.gov.cn/n2256342/n2256352/n2256353/n2256378/n2256379/c3819589/content.html>.

EMIGRATION_9. Proof of income is necessary to emigrate:

Answer: No

Code: 1

Explanation: Proof of income is not necessary for the application of passport. In addition, there is no additional legally stipulated exit permit procedure from the side of PRC once the passport is in place.

Sources: China Consular Affairs. “护照/旅行证 [Passport/ Travel Document]”. Access date not available. <http://cs.mfa.gov.cn/zggmzhw/hzlxz/>.

EMIGRATION_10. Registration abroad is mandatory.

Answer: No

Code: 1

Explanation: No public records show that such mandatory register abroad exists.

Sources: Not applicable

1.3. Quotas and restrictions

EMIGRATION_11. Quotas to emigrate based on ethnicity.

Quotas to emigrate based on ethnicity exist in the country:

Answer: No

Code: 1

Explanation: No official records show that such ethnicity-based quota exist. Nonetheless, there exist media reports that discuss the restricted mobility of ethnic minorities in contested borderline regions of PRC, for example, the Xinjiang Uyghur Autonomous Region (Financial Times, 2017).

Sources: Financial Times. “Security Clampdown Bites in China’s Xinjiang Region”. Access date not available. <https://www.ft.com/content/ee28e156-992e-11e7-a652-cde3f882dd7b>.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_12: Quotas to emigrate based on income.

Quotas to emigrate based on income exist in the country:

Answer: No

Code: 1

Explanation: There are no explicitly stated quotas to migrate based on income.

Sources: Not applicable

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_13. Those who are liable for military conscription are allowed to emigrate:

Answer: No

Code: 0

Explanation: The relevance of an application's age to military conscription is not taken into consideration for the application of ordinary passport.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

EMIGRATION_14: Banned countries for emigration.

There are countries that are banned as destination for emigrants:

Answer: No

Code: 1

Explanation: No such list of banned destination exists.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

List of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_15. Higher education graduates must pay an education “tax” (or compensation) to be able to emigrate:

Answer: No

Code: 1

Explanation: No such education tax exists.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

EMIGRATION_16. Recipients of state scholarship are banned from emigrating:

Answer: Yes

Code: 0

Explanation: Yes. The scholarship recipients of CSC (China Scholarship Council) are banned from emigrating for a period of two years, during which no long-term stay abroad (more than three months) is allowed. “Article 4 Party B's Obligations: 1. Guarantee to complete the study abroad plan stipulated in Article 2 and ensure that you return to your home country for at least two years. During the prescribed period of returning to China, no long-term (more than three months) abroad may be allowed. If a person goes abroad for official purpose, he or she must be approved by the domestic responsible unit and reported to Party A for the record. Otherwise, Party A will investigate Party B's economic compensation liability in violation of the contract. [第四条 乙方承担的义务：1.保证完成第二条所规定的留学计划，并保证在第一条确定的留学期限内学成回国服务至少两年。在规定的回国服务期内，不得因私长期（三个月以上）出国；如因公出国，需经国内推选单位同意并报甲方备案。否则，甲

方将按违约追究乙方的经济赔偿责任。】(CSC Funding for Study Abroad Agreement) Also, the free normal school students are banned from emigrating for a period of 10 years during which they promise to engage in primary and secondary education. “Fourth. The free normal school students signed an agreement with the provincial and educational administrative departments of the province where the school and the student are located before entering the school. They promised to engage in primary and secondary education for more than 10 years after graduation. Free normal school graduates who work in urban schools should first serve in rural compulsory education schools for two years. The state encourages free normal school graduates to teach and teach for life. If the free normal school graduates fail to perform the primary and secondary education work according to the agreement, they must refund the free education fees they have enjoyed and pay the penalty fee. The provincial education administrative department is responsible for compliance management, and establishes the integrity file of free normal students. If there are special reasons why the agreement cannot be fulfilled, it must be submitted to the provincial educational administrative department for approval. [四、免费师范生入学前与学校和生源所在地省级教育行政部门签订协议，承诺毕业后从事中小学教育十年以上。到城镇学校工作的免费师范毕业生，应先到农村义务教育学校任教服务二年。国家鼓励免费师范毕业生长期从教、终身从教。免费师范毕业生未按协议从事中小学教育工作的，要按规定退还已享受的免费教育费用并缴纳违约金。省级教育行政部门负责履约管理，并建立免费师范生的诚信档案。确有特殊原因不能履行协议的，需报经省级教育行政部门批准。】” (The General Office of the State Council forwards the notice of the Ministry of Education and other departments on the implementation (for trial) of free education for the normal schools under the Ministry of Education, 2007).

Sources: 国家留学基金委资助出国留学协议书 [China Scholarship Council Funding for Study Abroad Agreement]. Art. 4. / 国务院办公厅转发教育部等部门关于教育部直属师范大学师范生免费教育实施办法（试行）的通知 [The General Office of the State Council Forwards the Notice of the Ministry of Education and Other Departments on the Implementation (for Trial) of Free Education for the Normal Schools under the Ministry of Education]. 2007.

EMIGRATION_17: Ban for specific civil professional groups.

There is an emigration ban for specific professional group(s):

Answer: No

Code: 1

Explanation: No public records show that such ban exists.

Sources: Online research

There is a ban for medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

There is a ban for other professions:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_18. The ban can be overcome by a letter signed by a supervisor:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_19. The ban can be overcome by a letter signed by an official authority.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.4. Policy incentives

EMIGRATION_20. Existence during 2017 of campaigns to encourage emigration:

Answer: No

Code: 0

Explanation: No public records show that such state-sponsored information campaign to encourage emigration exists.

Sources: Online research

EMIGRATION_21. Existence during 2017 of campaigns to discourage emigration:

Answer: No

Code: 0

Explanation: No public records show that such state-sponsored information campaign to discourage emigration exists.

Sources: Online research

EMIGRATION_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):

Answer: Yes

Code: 1

Explanation: As of October 2018, the state has license systems for two kinds of emigration brokers: Private Exit Intermediary Agency [因私出入境中介机构], and Self-funded Overseas Study Intermediary Service Agency[自费出国留学中介服务机构]. It needs pointing out that effective as of November 10th, 2018, the license system for private exit intermediary agency will be cancelled.

Sources: National Immigration Administration. 2018. 关于取消因私出入境中介机构资格认定审批有关事项的通知 [Notice on Cancellation of Relevant Issues Concerning the Examination and Approval of Qualifications for Private Entry and Exit Intermediaries]. / 中华人民共和国教育部教育涉外监管信息网 [Overseas Education Regulatory Information Network of Ministry of Education of the People's Republic of China]. “因私出入境中介活动管理办法 [Measures on the Administration of Intermediary Activities of the Exit and Entry for Private Purposes]”. Access date not available. <http://www.jsj.edu.cn/api/index/mdDesc/lxzj/7>.

EMIGRATION_23: Emigration lump sum.

State of origin pays a lump sum incentive to citizens willing to emigrate:

Answer: No

Code: 0

Explanation: No public records show that such a lump sum incentive exists in the PRC case.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Register the amount of the sum in country currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Register the amount of the sum in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.

Answer: Yes

Code: 1

Explanation: Yes, in principle it's possible to withdraw accumulated social benefits in bank transfer after the cancellation of Pension [养老金], Provident Fund[公积金], and Medical Insurance [医疗保险].

Sources: 太平洋保险 [China Pacific Insurance Company]. 2017. 移民后社保五险一金如何处理可以取出来吗? [After Emigration, how can the Five Social Insurance Funds be taken out?].

1.5. Penalties

EMIGRATION_25: Loss of private property.

Risk of losing real state in case of emigration:

Answer: No

Code: 1

Explanation: There is no risk of losing private property in case of emigration. Nonetheless, when the property owner becomes a naturalized citizen of another country, he/she automatically loses the PRC nationality and thus needs to submit materials confirming the identity change for the already registered real estate products. "1.8.4.1 The applicant applies for the immovable property registration and submits the following corresponding identity certification materials: 1 Natural persons in the territory: submit resident identity cards, military officers' warrants, and noncommissioned officers' certificates; if ID cards are lost, temporary identity cards should be submitted. Minors can submit resident identity cards or residence booklets; 2 Natural persons in Hong Kong and Macao Special Administrative Regions: submit resident identity cards and passports of Hong Kong and Macao Special Administrative Regions or passports to and from the Mainland; 3 Natural persons in Taiwan: Submit Taiwan residents' permits to travel to mainland China; 4 Overseas Chinese: submit the passports of the People's Republic of China and long-term residence documents for foreign residents; 5 Foreign natural persons: residence certificates issued by the competent authorities of the Chinese government, or their country's passports; 6 Domestic legal person or other organization: business license, or organization code certificate, or other proof of identity registration; 7 Legal persons or other organizations in the Hong Kong Special Administrative Region, Macao Special Administrative Region, Taiwan Region: submit their approval documents and registration certificates for establishing branch offices or representative offices in China; 8 Overseas legal persons or other organizations: submit

their approval documents and registration certificates for setting up branches or representative offices in China. 1.8.4.2 If an already registered real estate product has its owner's name, identification type, or identification number changed, the applicant shall provide materials confirming the identity change when he/she applies for registration of the real property. [1.8.4.1 申请人申请不动产登记，提交下列相应的身份证明材料：1 境内自然人：提交居民身份证或军官证、士官证；身份证遗失的，应提交临时身份证。未成年人可以提交居民身份证或户口簿；2 香港、澳门特别行政区自然人：提交香港、澳门特别行政区居民身份证、护照，或者来往内地通行证；3 台湾地区自然人：提交台湾居民来往大陆通行证；4 华侨：提交中华人民共和国护照和国外长期居留身份证件；5 外籍自然人：中国政府主管机关签发的居留证件，或者其所在国护照；6 境内法人或其他组织：营业执照，或者组织机构代码证，或者其他身份登记证明；7 香港特别行政区、澳门特别行政区、台湾地区的法人或其他组织：提交其在境内设立分支机构或代表机构的批准文件和注册证明；8 境外法人或其他组织：提交其在境内设立分支机构或代表机构的批准文件和注册证明。1.8.4.2 已经登记的不动产，因其权利人的名称、身份证明类型或者身份证明号码等内容发生变更的，申请人申请办理该不动产的登记事项时，应当提供能够证实其身份变更的材料。]”

Sources: 不动产登记操作规范(试行) [Real Estate Registration Operation Measures (Trial)]. 2016.

Risk of losing bank accounts in case of emigration:

Answer: No

Code: 1

Explanation: There is no risk of losing private property in case of emigration.

Sources: 不动产登记操作规范(试行) [Real Estate Registration Operation Measures (Trial)]. 2016.

EMIGRATION_26: Re-entry ban.

Existence of a re-entry ban after residence abroad for nationals by naturalization:

Answer: No

Code: 1

Explanation: No such re-entry ban exists.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Re-entry ban applies after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals by birth:

Answer: No

Code: 1

Explanation: No such re-entry ban exists.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:

Answer: No

Code: 1

Explanation: No such re-entry ban exists.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:

Answer: No

Code: 1

Explanation: Not applicable

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

1.6. Administration

EMIGRATION_28. Existence of institution/agency with competencies for exit and/or emigration:

Existence of institution/agency with competencies for exit and/or emigration:

Answer: Yes

Code: 1

Explanation: Ministry of Public Security[公安部]

Sources: People's Republic of China Ministry of Public Security. "中国公民出入境 [The Exit and Entry of Chinese Citizens]". Access date not available.
<http://www.mps.gov.cn/n2256342/n2256352/n2256353/n2256378/n2256379/c3819589/content.html>.

Name of the institution with competencies for exit and/or emigration in original language:

Answer: 公安部

Name of the institution with competencies for exit and/or emigration in English:

Answer: Ministry of Public Security

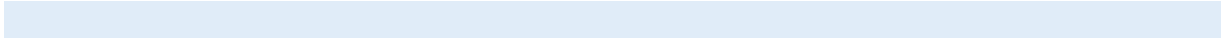
Place in the administrative hierarchy:

Answer: 1st Rank in the public administration in the country (e.g. Ministry)

Code: 1

Explanation: 1st

Sources: People's Republic of China Ministry of Public Security. "中国公民出入境 [The Exit and Entry of Chinese Citizens]". Access date not available.
<http://www.mps.gov.cn/n2256342/n2256352/n2256353/n2256378/n2256379/c3819589/content.html>.



2. Emigrant policies

2.1. Policies of representation

2.1.1. Electoral rights

EMIGRANT_1. Voting is mandatory for citizens residing abroad:

Answer: No

Code: 0

Explanation: No, it is not mandatory. (It is also not mandatory for in-country nationals) For the voting of People's Congress [人民代表大会], overseas Chinese nationals are eligible to participate in their places of origin or places of residence before they go abroad. "Article 6 [...] Citizens of the People's Republic of China who are residing abroad shall be eligible to participate in the election below the county level in their places of origin or places of residence before they go abroad. 第六条 [...] 旅居国外的中华人民共和国公民在县级以下人民代表大会代表选举期间在国内的，可以参加原籍地或者出国前居住地的选举。”

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 6.

Does the country have presidential elections?

Answer: No, the country does not hold democratic elections

Code: 3

Explanation: There are no presidential elections in the country.

Does the country have a bicameral system (e.g. composed of a Lower House and an Upper House, or an originating chamber and a reviewer chamber)?

Answer: No, the country only has a Lower House

Code: 2

Explanation: Not applicable

Presidential elections

EMIGRANT_2. Can non-resident citizens vote in national presidential elections from abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legislative elections

Lower House (National Elections)

EMIGRANT_4. Can non-resident citizens vote in national legislative elections (Lower House) from abroad?

Answer: Not applicable

Code: Not applicable

Explanation: PRC has unicameral Legislature. However, the country does not hold direct, democratic elections.

Sources: 全国人民代表大会 [National People's Congress Law]. 1988. Art. 60. / 中华人民共和国宪法 [Constitution of the People's Republic of China]. 2018.

EMIGRANT_5. Can non-resident citizens stand as candidates in national legislative elections (Lower House) from abroad?

Answer: Non applicable (no lower house elections)

Code: 0

Explanation: There are no direct, democratic elections.

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015.

Upper House (National Elections)

EMIGRANT_6. Can non-resident citizens vote in national legislative elections (Upper House) from abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_7. Can non-resident citizens stand as candidates in national legislative elections (Upper House) from abroad?

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Registration

EMIGRANT_8. Registration in the electoral roll for non-resident citizens:

Answer: Non applicable (non-resident citizens cannot vote)

Code: Not applicable

Explanation: Non-resident citizens can vote but at home only (no external voting), if they go to their home constituencies and preserve that registration even after they leave. There is no separate register for non-resident citizens. "Article 26 The voter registration shall be conducted according to the constituency, and the elector's qualification confirmed by registration shall be valid continuously. Each time before the election, the voters who had returned to their last eighteen years of age after the last voter registration and who had been restored to political rights after the deprivation of political rights expired are to be registered. After the voters have registered and moved out of the original constituency, they are included in the list of voters for the newly moved constituencies; those who have been deprived of their political rights in accordance with the law are removed from the list of voters.[第二十六条 选民登记按选区进行，经登记确认的选民资格长期有效。每次选举前对上次选民登记以后新满十八周岁的、被剥夺政治权利期满后恢复政治权利的选民，予以登记。对选民经登记后迁出原选区的，列入新迁入的选区的选民名单；对死亡的和依照法律被剥夺政治权利的人，从选民名单上除名。]"

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 26.

Remote voting

EMIGRANT_9. Voting methods from abroad:

Voting methods available to cast votes from abroad - Electronic voting:

Answer: Non applicable

Code: Not applicable

Explanation: Not applicable

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015.

Voting methods available to cast votes from abroad - Proxy voting:

Answer: Non applicable

Code: Not applicable

Explanation: Not applicable

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015.

Voting methods available to cast votes from abroad - Postal voting:

Answer: Non applicable

Code: Not applicable

Explanation: Not applicable

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015.

Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:

Answer: Non applicable

Code: Not applicable

Explanation: Not applicable

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015.

Voting methods available to cast votes from abroad - Ad hoc polling stations:

Answer: Non applicable

Code: Not applicable

Explanation: Article 6 [...] Citizens of the People's Republic of China who are residing abroad shall be eligible to participate in the election below the county level in their places of origin or places of residence before they go abroad. 第六条 [...] 旅居国外的中华人民共和国公民在县级以下人民代表大会代表选举期间在国内的，可以参加原籍地或者出国前居住地的选举。

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 6.

Special representation

EMIGRANT_10: Emigrant special representation.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Lower House?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources:

Number of special seats reserved for non-resident candidates in the Lower House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the Lower House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Upper House?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remote voting implementation

EMIGRANT_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):

Answer: not applicable

Code:

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_12. In case external voting has not been implemented after its adoption, what are the main reasons?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.2. Regulation of political competition abroad

Party offices in the state of reception

EMIGRANT_13. Offices of political parties are legally allowed abroad:

Answer: No specific regulation of offices abroad

Code: 0.5|No specific regulation of offices abroad

Explanation: External Party offices are not legally forbidden. There are no PRC legal regulations on this issue. Many overseas branches of Chinese Communist Party exist at foreign universities and state-owned enterprises abroad (Global Times, 2017; Foreign Policy, 2018).

Sources: Global Times. "CPC Members Encounter Obstacles while Trying to Establish Party Branches Overseas". Access date not available. <http://www.globaltimes.cn/content/1077619.shtml>. / Foreign Policy. "The Chinese Communist Party Is Setting Up Cells at Universities Across America". Access date not available. <http://foreignpolicy.com/2018/04/18/the-chinese-communist-party-is-setting-up-cells-at-universities-across-america-china-students-beijing-surveillance/>.

EMIGRANT_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:

Answer: Yes

Code: 1

Explanation: According to the Constitution of CCP, every Party member must be incorporated into a party branch. And those work units where there are more than three Party members, a Party branch shall be built after the permit of the Party organization at a higher level. With regard to these organizing principles, two major types of party branches are founded by overseas CCP members: - one is the short-term party branch organized by Chinese visiting scholars (who are also CCP members) staying at a foreign university; this kind of party branch functions as a temporal solution that help sustains these scholars' party membership and will be dissolved once they come back to China. - The other is the party branches of State-Owned Enterprises that have business/ are under construction projects overseas. "Article 8 Every party member, regardless of his or her position, must be incorporated into a party branch, group or other specific organization to participate in the party's organizational life and accept the supervision of the masses inside and outside the party. Party members and leading cadres must also participate in the democratic life meeting of party committees and party groups. It is not allowed to have any special party members who do not participate in the party's organizational life and do not accept the supervision of the masses inside and outside the party. [第八条 每个党员，不论职务高低，都必须编入党的一个支部、小组或其他特定组织，参加党的组织生活，接受党内外群众的监督。党员领导干部还必须参加党委、党组的民主生活会。不允许有任何

不参加党的组织生活、不接受党内外群众监督的特殊党员。”] “Article 13 Any decision to establish a new party organization or revokes an existing party organization must be made by the party organization at a higher level. [第十三条 凡是成立党的新组织，或是撤销党的原有组织，必须由上级党组织决定。”] “Article 30 Enterprises, rural areas, institutions, schools, research institutes, street communities, social organizations, the People's Liberation Army Company and other grassroots units, all of whom have more than three official party members, shall establish the party's grassroots organizations. [第三十条 企业、农村、机关、学校、科研院所、街道社区、社会组织、人民解放军连队和其他基层单位，凡是有正式党员三人以上的，都应当成立党的基层组织。”] “Article 34 The Party branch is the basic organization of the party. It is responsible for directly educating party members, managing party members, supervising party members and organizing the masses, propagating the masses, uniting the masses, and serving the masses. [第三十四条 党支部是党的基础组织，担负直接教育党员、管理党员、监督党员和组织群众、宣传群众、凝聚群众、服务群众的职责。”]

Sources: The Constitution of Communist Party of China. 2017. Arts. 8, 13, 30, 34.

EMIGRANT_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_16. Could external party offices receive public funding from state of origin?

Answer: Not applicable

Code: Not applicable

Explanation: Principally not allowed. Although overseas Chinese Communist Party branches exist, they are aimed at “boosting the loyalty of overseas Party members” (Global Times, 2017), rather than at promoting emigrants’ participation in specific home elections which refer to those of People’s Congress in the PRC case. In addition, it is stated in the PRC Electoral Law that individuals participating in the elections of People’s Congress shall not accept any type of support of foreign institutions. “Article 34 The citizens to participate in the election of deputies to the people’s congresses at various levels shall not directly or indirectly accept any type of support provided by foreign institutions, organizations or individuals in connection with the election. [第三十四条 公民参加各级人民代表大会代表的选举，不得直接或者间接接受境外机构、组织、个人提供的与选举有关的任何形式的资助。”] (Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses, 2015)

Sources: Global Times. “CPC Members Encounter Obstacles while Trying to Establish Party Branches Overseas”. Access date not available. <http://www.globaltimes.cn/content/1077619.shtml>. / 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 34.

Political campaigns

EMIGRANT_17. Electoral campaigns abroad for home elections are legally regulated:

Answer: Specific prohibition of campaigns abroad

Code: 0

Explanation: Although overseas Chinese Communist Party branches exist, they are aimed at “boosting the loyalty of overseas Party members” (Global Times, 2017), rather than at promoting emigrants’ participation in specific home elections which refer to those of People’s Congress in the PRC case. In addition, it is stated in the PRC Electoral Law that individuals participating in the elections of People’s Congress shall not accept any type of support of foreign institutions. “Article 34 The citizens to participate in the election of deputies to the people’s congresses at various levels shall not directly or indirectly accept any type of support provided by foreign institutions, organizations or individuals in connection with the election. [第三十四条 公民参加各级人民代表大会代表的选举，不得直接或者间接接受境外机构、组织、个人提供的与选举有关的任何形式的资助。]” (Electoral Law of the People’s Republic of China for the National People’s Congress and Local People’s Congresses, 2015).

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People’s Republic of China for the National People’s Congress and Local People’s Congresses]. 2015. Art. 34. / Global Times. “CPC Members Encounter Obstacles while Trying to Establish Party Branches Overseas”. Access date not available. <http://www.globaltimes.cn/content/1077619.shtml>.

EMIGRANT_18. Actual existence of campaigns abroad for home elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_19. Existence of public funding for electoral campaigns in state of residence:

Answer: Non applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Membership in political parties

EMIGRANT_20. Emigrant membership to home country political parties:

Answer: Not legally allowed

Code: 0

Explanation: For Chinese Communist Party, emigrants principally cannot remain as Party member after long-term overseas residence and especially not after becoming a naturalized citizen of another country because membership is reserved for nationals (the Constitution of Communist Party of China, 2017). But there are exceptions where large state-owned enterprises under infrastructure-building project contracts of belt and road initiative will have “travelling” party branches that accommodate their employees with CCP party memberships overseas. “(1) Party members who go abroad for short-term holidays or go to Hong Kong, Macao or Taiwan to visit relatives or apply for private affairs are still retained in the original unit. (2) Party members who go abroad or go to Hong Kong, Macao, and Taiwan for a long period of time will stop their party membership after leaving the country. Their organizational relations and archival materials will be transferred to the county or equivalent party committee organization department at the county level for preservation. [...] (3) Party members returning to China who left for more than one year without reason can generally not resume their organizational life. If any serious problem is found, after review, if it is true, it must be dealt with seriously, and those people should be given a dismissal from the party. [(1) 短期请假出国或去港澳台探亲或办理私事的党员，其组织关系仍保留在原单位。(2) 出国或去港澳台长期定居的党员，出境以后即停止党籍，其组织关系和档案材料转到县或相当于县一级的党委组织部门，以保存备查。[...] (3) 无故超假一年以上回国的党员，一般不能恢复其组织生活，按自行脱党处理。如发现有严重问题者，经审查，如情况属实，要严肃处理，有的还要给予开除党籍的处分。]” (News of the Communist Party of China)

Sources: 中国共产党章程 [The Constitution of Communist Party of China]. 2017. / 中国共产党新闻网 [News of the Communist Party of China]. “出国、出境党员的组织关系应如何处理？ [How to Deal with the Organizational Relations of the Overseas and Outbound Party Members?]”. Access date not available. URL not available. / Global Times. “CPC Members Encounter Obstacles while Trying to Establish Party Branches Overseas”. Access date not available. <http://www.globaltimes.cn/content/1077619.shtml>.

2.1.3. Consultative bodies

2.1.4. Consultative bodies at the national level

EMIGRANT_21. Existence of a consultative body on emigrant issues:

Answer: Yes

Code: 1

Explanation: Yes. National People's Congress Overseas Chinese Affairs Committee [全国人民代表大会华侨委员会] is a legislative organ.

Sources: 全国人民代表大会华侨委员会 [National People's Congress Overseas Chinese Affairs Committee]. “Home Page”. Access date not available. http://www.npc.gov.cn/npc/bmzz/huaqiao/node_1701.htm.

EMIGRANT_22. The consultation is structural or ad hoc:

Answer: Structural

Code: 1

Explanation: “Article 35 The National People's Congress shall establish the Nationalities Committee, the Law Commission, the Finance and Economic Committee, the Education Science and Culture and Health Committee, the Foreign Affairs Committee, the Overseas Chinese Committee, and other special committees deemed necessary by the National People's Congress. The special committees are led by the National People's Congress; during the intersessional period of the National People's Congress, they are led by the Standing Committee of the National People's Congress. [第三十五条 全国人民代表大会设立民族委员会、法律委员会、财政经济委员会、教育科学文化卫生委员会、外事委员会、华侨委员会和全国人民代表大会认为需要设立的其他专门委员会。各专门委员会受全国人民代表大会领导；在全国人民代表大会闭会期间，受全国人民代表大会常务委员会领导。]”

Sources: Organic Law of the National People's Congress of the People's Republic of China. 1982. Art. 35.

EMIGRANT_23. Composition of the consultative body:

Answer: 0

Code: 0

Explanation: “Candidates for chairman, vice-chairman or member of such special committees shall be nominated from among the deputies by the Presidium and shall be approved by the National People's Congress. When the National People's Congress is not in session, its standing Committee may appoint additional members to the special committees, including a vice-chairman; the Council of the Chairman shall make nominations for these appointments, which shall be subject to approval by a meeting of the Standing Committee. [各专门委员会的主任委员、副主任委员和委员的人选，由主席团在代表中提名，大会通过。在大会闭会期间，全国人民代表大会常务委员会可以补充任命专门委员会的个别副主任委员和部分委员，由委员长会议提名，常务委员会会议通过。]”

Sources: Organic Law of the National People's Congress of the People's Republic of China. 1982.

EMIGRANT_24. Who chairs the consultative body?

Answer: Member of the government

Code: 0.25

Explanation: “The chairman of each special committee shall preside over meetings of the committee and direct its work. The vice-chairman shall assist the chairman in his work. The special committee may appoint a certain number of experts as advisors, if their work so requires. The advisors may attend special committee meetings and express their opinions. The advisors shall be appointed or removed by the Standing Committee of the National People's Congress. [第三十六 各专门委员会主任委员主持委员会会议和委员会的工作。副主任委员协助主任委员工作。各专门委员会可以根据工作需要

· 任命专家若干人为顾问；顾问可以列席专门委员会会议，发表意见。顾问由全国人民代表大会常务委员会任免。]”

Sources: Organic Law of the National People's Congress of the People's Republic of China. 1982.

EMIGRANT_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: No

Code: 0

Explanation: No such provision. “Article 37 The work of the special committees is as follows: (1) To consider the proposals delivered by the Presidium of the National People's Congress or the Standing Committee of the National People's Congress; (2) to submit to the Presidium of the National People's Congress or the Standing Committee of the National People's Congress the proposal relating to the Committee within the terms of reference of the National People's Congress or the Standing Committee of the National People's Congress; (3) Reviewing the administrative regulations, decisions and orders of the State Council that are submitted by the Standing Committee of the National People's Congress, which are considered to be inconsistent with the Constitution and laws, and the orders, instructions and regulations of the State Council's ministries and commissions, and the people's representatives of provinces, autonomous regions and municipalities directly under the Central Government. The local regulations and resolutions of the General Assembly and its Standing Committee, as well as the decisions, orders and regulations of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government, submit reports; (4) To review the case lodged by the Presidium of the National People's Congress or the Standing Committee of the National People's Congress, listen to the replies received from the interrogation organ to the enquiry case, and report to the Presidium of the National People's Congress or the Standing Committee of the National People's Congress when necessary; (5) Conduct investigations and studies on issues related to the Committee within the terms of reference of the National People's Congress or the Standing Committee of the National People's Congress and make recommendations. [第三十七条 各专门委员会的工作如下：（一）审议全国人民代表大会主席团或者全国人民代表大会常务委员会交付的议案；（二）向全国人民代表大会主席团或者全国人民代表大会常务委员会提出属于全国人民代表大会或者全国人民代表大会常务委员会职权范围内同本委员会有关的议案；（三）审议全国人民代表大会常务委员会交付的被认为同宪法、法律相抵触的国务院的行政法规、决定和命令，国务院各部、各委员会的命令、指示和规章，省、自治区、直辖市的人民代表大会和它的常务委员会的地方性法规和决议，以及省、自治区、直辖市的人民政府的决定、命令和规章，提出报告；（四）审议全国人民代表大会主席团或者全国人民代表大会常务委员会交付的质询案，听取受质询机关对质询案的答复，必要的时候向全国人民代表大会主席团或者全国人民代表大会常务委员会提出报告；（五）对属于全国人民代表大会或者全国人民代表大会常务委员会职权范围内同本委员会有关的问题，进行调查研究，提出建议。]”

Sources: Organic Law of the National People's Congress of the People's Republic of China. 1982. Art. 37.

EMIGRANT_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: No

Code: 0

Explanation: In the Organic Law of NPC, it isn't clearly regulated how the advice/recommendations of the Overseas Chinese Committee shall be dealt with.

Sources: Organic Law of the National People's Congress of the People's Republic of China. 1982.

EMIGRANT_27. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Yes

Code: 1

Explanation: In principle, representativeness is valued in the electoral law. It states that "there shall be an appropriate number of women's representatives" in different levels of People's Congress while the Overseas Chinese Committee is a special committee of the national People's Congress. Thus, it can be assumed that the gender representativeness will be taken into consideration for the emigrant consultative body. "Article 6 The representatives of the National People's Congress and local people's congresses at all levels shall have broad representation. They shall have an appropriate number of grassroots representatives, in particular workers, peasants, and intellectuals; there shall be an appropriate number of women's representatives and gradually increase the proportion of women's representation. [第六条 全国人民代表大会和地方各级人民代表大会的代表应当具有广泛的代表性，应当有适当数量的基层代表，特别是工人、农民和知识分子代表；应当有适当数量的妇女代表，并逐步提高妇女代表的比例。]"

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 6.

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: 0

Code: 0

Explanation: "Article 6 The representatives of the National People's Congress and local people's congresses at all levels shall have broad representation. They shall have an appropriate number of grassroots representatives, in particular workers, peasants, and intellectuals; there shall be an appropriate number of women's representatives and gradually increase the proportion of women's representation. [第六条 全国人民代表大会和地方各级人民代表大会的代表应当具有广泛的代表性，应当有适当数量的基层代表，特别是工人、农民和知识分子代表；应当有适当数量的妇女代表，并逐步提高妇女代表的比例。]"

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 6.

Consultative bodies at the consular level

EMIGRANT_28. Existence of a consultative body of emigrants at the consular level.

Answer: No

Code: 0

Explanation: No law/ regulations show such consultative bodies exist at consular level.

Sources: Online research

EMIGRANT_29. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_30. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_31. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_34. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.5. Funding of emigrant associations

EMIGRANT_35. Existence of consular support (in kind or financial) to independent emigrant associations

Answer: Yes

Code: 1

Explanation: The general means by which this funding can be accessed were not found, but there is a media report showing how the United Sabah Chinese Communities Association of Kota Kinabalu [亞庇]

华人同乡会馆联合会] has been continuously supported by the Consulate General of PRC in Kota Kinabalu, Malaysia.

Sources: The Chinese Consulate General once again sponsors RMB 50,000 for the 2019 New Year Chinese Cultural Village Exhibition. Access date not available. URL not available.

2.2. Economic Policies

2.2.1. Remittances

EMIGRANT_36. Government program/strategy to attract remittances from emigrants.

Existence of a government program to attract remittances from emigrants:

Answer: Yes

Code: 1

Explanation: "1. Remittances are the legitimate income of overseas Chinese and the state's policy of protecting remittances is not only the country's current policy, but also the long-term policy of the country. [...] 3. The overseas Chinese have the freedom to use remittances. No one may interfere in the use of remittances by overseas Chinese for living purposes, including weddings, mourning, hikes, and celebrations. Fourth, the state encourages overseas Chinese and overseas Chinese to invest foreign exchange in production or to invest in company-owned human stocks. At the same time, overseas Chinese and overseas Chinese are encouraged to build houses. The local state administrative agencies at all levels should provide convenience. Overseas Chinese have always been enthusiastic about their hometown public welfare undertakings, such as setting up hospitals, building water conservancy, building bridges, and building roads. Local government agencies at all levels should show concern, give guidance and help, and praise them when necessary. [一、侨汇是侨眷的合法收入，国家保护侨汇政策不仅是国家当前的政策，而且是国家的长远政策。[...]三、侨眷有使用侨汇的自由，任何人对侨眷把侨汇用于生活方面，包括用于举办婚、丧、喜、庆等事，不得干涉。四、国家鼓励华侨和侨眷把侨汇投入生产或者向国家投资公司入股，同时鼓励华侨、侨眷修建房屋，各级地方国家行政机关对此应给予便利。华侨素来热心家乡公益事业，如兴办学校医院、兴修水利、造桥、修路等，各级地方国家行政机关对此应表关怀，并给予指导、帮助，必要时予以表扬。]"

Sources: 国务院关于贯彻保护侨汇政策的命令 [Decree of the State Council Concerning the Implementation of the Policy of Protecting Remittances by Overseas Chinese]. 1955.

Measures to improve banking channels for remittances:

Answer: No

Code: 0

Explanation: "1. Remittances are the legitimate income of overseas Chinese and the state's policy of protecting remittances is not only the country's current policy, but also the long-term policy of the country. [...] 3. The overseas Chinese have the freedom to use remittances. No one may interfere in the use of remittances by overseas Chinese for living purposes, including weddings, mourning, hikes,

and celebrations. Fourth, the state encourages overseas Chinese and overseas Chinese to invest foreign exchange in production or to invest in company-owned human stocks. At the same time, overseas Chinese and overseas Chinese are encouraged to build houses. The local state administrative agencies at all levels should provide convenience. Overseas Chinese have always been enthusiastic about their hometown public welfare undertakings, such as setting up hospitals, building water conservancy, building bridges, and building roads. Local government agencies at all levels should show concern, give guidance and help, and praise them when necessary. [一、侨汇是侨眷的合法收入，国家保护侨汇政策不仅是国家当前的政策，而且是国家的长远政策。[...]三、侨眷有使用侨汇的自由，任何人对侨眷把侨汇用于生活方面，包括用于举办婚、丧、喜、庆等事，不得干涉。四、国家鼓励华侨和侨眷把侨汇投入生产或者向国家投资公司入股，同时鼓励华侨、侨眷修建房屋，各级地方国家行政机关对此应给予便利。华侨素来热心家乡公益事业，如兴办学校医院、兴修水利、造桥、修路等，各级地方国家行政机关对此应表关怀，并给予指导、帮助，必要时予以表扬。]”

Sources: 国务院关于贯彻保护侨汇政策的命令 [Decree of the State Council Concerning the Implementation of the Policy of Protecting Remittances by Overseas Chinese]. 1955.

Existence of fee controls for remittances:

Answer: No

Code: 0

Explanation: “1. Remittances are the legitimate income of overseas Chinese and the state’s policy of protecting remittances is not only the country’s current policy, but also the long-term policy of the country. [...] 3. The overseas Chinese have the freedom to use remittances. No one may interfere in the use of remittances by overseas Chinese for living purposes, including weddings, mourning, hikes, and celebrations. Fourth, the state encourages overseas Chinese and overseas Chinese to invest foreign exchange in production or to invest in company-owned human stocks. At the same time, overseas Chinese and overseas Chinese are encouraged to build houses. The local state administrative agencies at all levels should provide convenience. Overseas Chinese have always been enthusiastic about their hometown public welfare undertakings, such as setting up hospitals, building water conservancy, building bridges, and building roads. Local government agencies at all levels should show concern, give guidance and help, and praise them when necessary. [一、侨汇是侨眷的合法收入，国家保护侨汇政策不仅是国家当前的政策，而且是国家的长远政策。[...]三、侨眷有使用侨汇的自由，任何人对侨眷把侨汇用于生活方面，包括用于举办婚、丧、喜、庆等事，不得干涉。四、国家鼓励华侨和侨眷把侨汇投入生产或者向国家投资公司入股，同时鼓励华侨、侨眷修建房屋，各级地方国家行政机关对此应给予便利。华侨素来热心家乡公益事业，如兴办学校医院、兴修水利、造桥、修路等，各级地方国家行政机关对此应表关怀，并给予指导、帮助，必要时予以表扬。]”

Sources: 国务院关于贯彻保护侨汇政策的命令 [Decree of the State Council Concerning the Implementation of the Policy of Protecting Remittances by Overseas Chinese]. 1955.

Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):

Answer: Yes

Code: 1

Explanation: Not formally, but this is sought after in the Law to protect remittances of Overseas Chinese: "overseas Chinese and overseas Chinese are encouraged to build houses. The local state administrative agencies at all levels should provide convenience. Overseas Chinese have always been enthusiastic about their hometown public welfare undertakings, such as setting up hospitals, building water conservancy, building bridges, and building roads. Local government agencies at all levels should show concern, give guidance and help, and praise them when necessary. [一、侨汇是侨眷的合法收入，国家保护侨汇政策不仅是国家当前的政策，而且是国家的长远政策。[...]三、侨眷有使用侨汇的自由，任何人对侨眷把侨汇用于生活方面，包括用于举办婚、丧、喜、庆等事，不得干涉。四、国家鼓励华侨和侨眷把侨汇投入生产或者向国家投资公司入股，同时鼓励华侨、侨眷修建房屋，各级地方国家行政机关对此应给予便利。华侨素来热心家乡公益事业，如兴办学校医院、兴修水利、造桥、修路等，各级地方国家行政机关对此应表关怀，并给予指导、帮助，必要时予以表扬。]"

Sources: 国务院关于贯彻保护侨汇政策的命令 [Decree of the State Council Concerning the Implementation of the Policy of Protecting Remittances by Overseas Chinese]. 1955.

2.2.2. Investment

EMIGRANT_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):

Answer: Yes

Code: 1

Explanation: "Article 1. In order to promote China's economic growth and encourage overseas Chinese and compatriots from Hongkong and Macau (hereafter referred to as overseas Chinese and Hongkong and Macau investors) to make investments within the Chinese mainland, the regulations are hereby formulated. [第一条 为促进我国经济发展，鼓励华侨和香港澳门同胞（以下统称华侨、港澳投资者）在境内投资，制定本规定。] Article 2. overseas Chinese and Hongkong and Macau investors may invest in the provinces, autonomous regions, municipalities directly under the jurisdiction of the central government as well as the special economic zones within the Chinese mainland. Overseas Chinese and Hongkong and Macau investors are encouraged to engaged inland development and management in accordance with the relevant provisions of the State. [第二条 华侨、港澳投资者可以在境内各省、自治区、直辖市、经济特区投资。鼓励华侨、港澳投资者依照国家有关规定从事土地开发经营。] Article 3. Overseas Chinese and Hongkong and Macau investors may invest within the Chinese mainland in the following ways: [第三条 华侨、港澳投资者在境内可以下列形式进行投资：] 1. Establishing solely-owned enterprises of overseas Chinese and Hongkong and Macau investors; [（一）举办华侨、港澳投资者拥有全部资本的企业；] 2. Establishing joint equity and cooperative ventures; [（二）举办合资经营企业、合作经营企业；] 3. Doing business of compensation trade, processing with supplied materials, assembling with provided parts and cooperative production; [（三）开展补偿贸易、来料加工装配、合作生产；] 4. Buying stocks and bonds from enterprises; [（四）购买企业的股票和债券；] 5. Buying house properties; [（五）购置房产；] 6. Acquiring land-use rights according to law and then engaging in business of land development and management. [（六）依法取得土地使用权，开发经营；] 7. Other ways of investment which laws and regulations permit. [（七）法律、法规允许的其他投资形式。] Article 4. Overseas Chinese and Hongkong and Macau investors may invest

within the Chinese mainland in industry, agriculture, service trades and other trades and professions that are in accordance with China's social and economic development. They have full options in selection of items for investments from the projects made public by the related departments of the people's governments in various localities. They may also propose projects of their own choice for investment and file application to local departments of foreign economic relations and trade in the places where they intend to make investment or the offices designated by the local people's government for examining and approving such proposal. Overseas Chinese and Hongkong and Macau investors are encouraged to invest and engage in export-oriented and technologically advanced enterprises, for which appropriate preferential treatments shall be granted to them accordingly.[第四条 华侨、港澳投资者可以在境内的工业、农业、服务业以及其他符合社会和经济发展方向的投资。华侨、港澳投资者可以从各地方人民政府有关部门公布的项目中选择投资项目，也可以自行提出投资项目意向，向拟投资地区对外经济贸易部门或者地方人民政府指定的审批机关申请。国家鼓励华侨、港澳投资者投资举办产品出口企业和先进技术企业，并给予相应的优惠待遇。]

Sources: 国务院关于鼓励华侨和香港澳门同胞投资的规定 [Regulations on Encouragement of Investments from Overseas Chinese and Hong Kong and Macao Compatriots]. 1990. Arts. 1, 2 and 4.

2.2.3. Brain circulation networks

EMIGRANT_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?

Answer: Yes

Code: 1

Explanation: In PRC, such brain-circulation networks can be organized at the subnational level under the institutions of Overseas Talent Workstation [海外人才工作站]. Overseas Talent Workstation (subnational policies). For example, in Canada, there are twelve such official workstations set up by different subnational governments in China (provincial/ municipality governments) in the Chinese Professionals Association of Canada (CPAC). "The specific functions of overseas liaison stations include: promoting policies for attracting talents for local governments; organizing overseas high-level talent recruitment activities; organizing overseas high-level personnel and foreign experts to travel back to the country to inspect, apply, and communicate the needs of Chinese and foreign talents. [海外联络站的具体职能包括：为当地政府宣传推广招商引才的政策；组织安排海外高层次人才招聘活动；组织海外高层次人才及外籍专家组回国考察、应聘，沟通中外人才需求等。]" (CPAC)

Sources: Credible Professional Accountable Canadian (CPAC). "Home Page". Access date not available. <https://www.cpac-canada.ca/oversea-liaison-offices-cn/>.

2.2.4. Return policies

EMIGRANT_39. Recognition of academic and professional qualifications acquired in the state of residence:

Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:

Answer: Yes

Code: 1

Explanation: A process can be started through the Foreign (Overseas) degree certification of Ministry of Education Overseas Study Service Center [教育部留学服务中心国(境)外学历学位认证]. But it is not mandatory. "The qualification degree certification work aims to implement the national policy of overseas studies and promote the international exchange of education. The foreign (outbound) academic degree certification is to provide advice on the legality of the country's (outbound) issuing authority, the authenticity of the diploma certificate, and the corresponding relationship between the foreign(outbound) diploma certificate and China's academic degree. The foreign (outbound) academic degree certification is at the applicant's voluntary request and not mandatory. [学历学位认证工作旨在落实国家留学政策·促进教育国际交流。国(境)外学历学位认证书是对国(境)外颁证机构的合法性、文凭证书的真实性、国(境)外文凭证书与我国学历学位的对应关系提供咨询意见。国(境)外学历学位认证是申请者的自愿行为, 不具强制性。]" (Frequently Asked Questions).

Sources: Chinese Service Center for Scholarly Exchange (CSCSE). "Frequently Asked Questions [常见问题解答]". Access date not available. URL not available. / Chinese Service Center for Scholarly Exchange (CSCSE). "关于分类管理认证工作时限的通知 [Notification of Time Limit for Classification Management Certification Work]". Access date not available. <http://www.cscse.edu.cn/publish/portal0/tab38/info14966.htm>.

Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:

Answer: 6 months or less

Code: 1

Explanation: Within 10 working days: Certification Applications for U.S., Canadian, and Sino-Foreign Cooperative Education Institutions. Within 15 working days: Certification applications for most institutions in the UK, France, Italy, Australia, New Zealand, and Singapore. Within 20 working days: Certification applications for other countries/ regions

Sources: Chinese Service Center for Scholarly Exchange (CSCSE). "关于分类管理认证工作时限的通知 [Notification of Time Limit for Classification Management Certification Work]". Access date not available. <http://www.cscse.edu.cn/publish/portal0/tab38/info14966.htm>.

EMIGRANT_40. Communication campaigns aiming to convince emigrants to return to home country:

Answer: No

Code: 0

Explanation: No recent public mass-scale return campaigns targeted at emigrants.

Sources: Online research

EMIGRANT_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:

Answer: Yes

Code: 1

Explanation: Recruitment Program of Global Experts ("Thousand Talents Plan") [千人计划] and "Cheung Kong Scholars Award Program" [长江学者奖励计划] are examples of brain gain programs.

Recruitment Program of Global Experts ("Thousand Talents Plan") [千人计划]. "China initiated "the Recruitment Program of Global Experts" (known as "the Thousand Talents Plan") since the end of 2008, under which it would bring in overseas top talents to China over the next five to ten years. Relying upon National Key Innovation Projects, National Key Disciplines and National Key Laboratories, central SOEs and state-owned commercial and financial institutions, and various industrial parks (mainly the high-tech development zones), this plan called for strategic scientists or leading talents who can make breakthroughs in key technologies or can enhance China's high-tech industries and emerging disciplines. By the end of May 2014, more than 4180 overseas high-level talents have been introduced in "1000 Talent Plan" by 10 times. When they go (back) to China, they are playing a positive role in the scientific innovation, technological breakthrough, discipline construction, talent training and hi-tech industry development, as an important force in the construction of the innovative country." (1000plan. History and Background.) "Cheung Kong Scholars Award Program" "The "Cheung Kong Scholars Award Program" is a special program set up by the Ministry of Education of the People's Republic of China and Hong Kong's patriotic industrialist Mr. Li Ka-shing to raise the academic status of China's higher education institutions, revitalize Chinese higher education, and jointly raise funds. The plan includes the implementation of the special professorship system and the Yangtze River Scholar Achievement Award. Mr. Li Ka-shing and his company, Changjiang Infrastructure Construction (Group) Co., Ltd., invested HK\$60 million in the first phase, and the Ministry of Education raised corresponding matching funds for the implementation of the special post position system in colleges and universities. Mr. Li Ka-shing also donated another HK\$10 million to set up the "Yangtze River Scholar Achievement Award". The "Yangtze River Scholar Award Program" is a major measure to implement the strategy of rejuvenating the country through science and education, to cooperate with the construction of the "211 Project", to attract and train outstanding talents, and to accelerate the construction of a team of young and middle-aged academic leaders in colleges and universities. Its main purpose is to recruit a large number of elites at home and abroad to participate in the construction of key disciplines in universities and colleges in China through the implementation of special post positions, and to drive these key disciplines to catch up or maintain international advanced standards, and to cultivate and cultivate a batch of The leading academic leaders in the world have greatly improved the academic position and competitive strength of Chinese universities in the world. At the same time, through the implementation of the special post for the post of professor, it will play a powerful role in promoting the reform of the employment system and distribution system of higher education institutions in China, breaking down the ownership of personnel units, the life tenure system, and changing the abuses such as egalitarianism in distribution. ["长江学者奖励计划", 是中华人民共和国教育部与香港爱国实业家李嘉诚先生为提高中国高等学校学术地位, 振兴中国高等教育, 共同筹资设立的专项计划。该计划包括实行特聘教授岗位制度和长江学者成就奖两项内容。李嘉诚先生及其领导的长江基建(集团)有限公司第一期投入港币6000万元, 教育部筹集相应配套资金, 用于在高等学校实行特聘教授岗位制度。李嘉诚先生还另行捐赠港币1000万元, 用于设立"长江学者成就奖"。"长江学者奖励计划"是落实科教兴国战略, 配合"211工程"建设, 吸引和培养杰出人才, 加速高校中青年学科带头人队伍建设的一项重大举措。其主要宗旨在于通过特聘教授岗位制度的实施, 延揽大批海内外中青年学界精英参与我国高等学校重点学科建设, 带动这些重点学科赶超或保持国际先进水平, 并在若干年内培养、造就一批具有国际领先水平的学术带头人, 以大大提高我国高校在世界范围内的学术地位

和竞争实力。同时，通过特聘教授岗位制度的实施，对于推动我国高等学校的用人制度和分配制度改革，打破人才单位所有制、职务终身制，改变分配中存在的平均主义等弊端将起到有力的促进作用。” (Embassy of PRC in Japan)

Sources: Embassy of People's Republic of China in Japan. “长江学者奖励计划 [Cheung Kong Scholars Award Program]”. Access date not available.

<http://www.mfa.gov.cn/ce/cejp/chn/jyylxsl/hgfwzn/wgfwzz/t175145.htm>. / The Thousand Talents Program. “History and Background”. Access date not available.
<http://www.1000plan.org/en/history.html>.

EMIGRANT_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:

Answer: Yes

Code: 1

Explanation: The major category of return migrants as potential policies beneficiaries in PRC is returned overseas Chinese [归侨], that is, PRC nationals who have been granted permanent residence in a foreign country (Overseas Chinese Affairs Office of the State Council, 2015). For returned overseas Chinese, the relevant laws and administrative regulations include Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese (2009)[中华人民共和国归侨侨眷权益保护法], Measures for the Implementation of the Law of the People's Republic of China on the Protection of the Rights and Interests of the Returned Overseas Chinese and the Relatives of Overseas Chinese (2004)[中华人民共和国归侨侨眷权益保护法实施办法(2004)] and Regulations on Encouragement of Investments from Overseas Chinese and Hong Kong and Macao Compatriots (1990)[国务院关于鼓励华侨和香港澳门同胞投资的规定(1990)]. These regulations state that: “Article 3 Returned overseas Chinese and the family members of overseas Chinese shall be entitled to the citizen's rights prescribed by the Constitution and the law and at the same time shall perform the citizen's duties prescribed by the Constitution and the law. No organization or individual may discriminate against them. The State shall, in accordance with the actual conditions and the characteristics of returned overseas Chinese and the family members of overseas Chinese, give them appropriate preferential treatment, and the specific measures thereof shall be formulated by the State Council or the relevant competent departments under the State Council. [第三条 归侨、侨眷享有宪法和法律规定的公民的权利，并履行宪法和法律规定的公民的义务，任何组织或者个人不得歧视。国家根据实际情况和归侨、侨眷的特点，给予适当照顾，具体办法由国务院或者国务院有关主管部门规定。” (Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese, 2009). In addition, “The state encourages overseas Chinese, Hong Kong and Macao investors to invest in product export enterprises and advanced technology companies, and gives them preferential treatment. [国家鼓励华侨、港澳投资者投资举办产品出口企业和先进技术企业，并给予相应的优惠待遇。]” (Regulations on Encouragement of Investments from Overseas Chinese and Hong Kong and Macao Compatriots, 1990)

Sources: Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese. 2009. Art. 3.

2.3. Social Policies

2.3.1. Retirement benefits

EMIGRANT_43. Retirement benefits after emigration (i.e. pensions):

Answer: Yes

Code: 1

Explanation: Yes, it's possible to maintain retirement benefits with certain conditions fulfilled: 1) One has contributed premiums for a cumulative period of 15 years or more when he/she reaches the statutory retirement age 2) One did not terminate his/her social insurance relationship before emigration. Joining foreign nationality does not affect the maintenance of retirement benefits. "Article 16 An individual participating in the basic endowment insurance shall receive a monthly basic pension provided that he/she has contributed premiums for a cumulative period of 15 years or more when he/she reaches the statutory retirement age. [第十六条 参加基本养老保险的个人，达到法定退休年龄时累计缴费满十五年的，按月领取基本养老金。]" (People's Republic of China Social Insurance Law, 2011) "Q: I came to Japan 20 years ago. I worked in China for more than ten years before I left China to join a Japanese nationality. Will foreign Chinese return to China to apply for pension and medical insurance? A: According to the regulations, overseas Chinese and foreign Chinese who are employed in China can participate in social insurance including endowment insurance and medical insurance according to law. If they meet the conditions for social insurance treatment, they can receive social insurance benefits. If you have participated in urban employee pension insurance before leaving the country and have retained pension insurance relationships and personal accounts, once you return to your employment and rejoin the basic pension insurance, the old and new pension insurance relationship can be renewed. If you have already gone through the formalities of leaving the position before you go abroad or terminate your social insurance relationship, both overseas Chinese and foreign Chinese are not eligible for social insurance benefits. Q: I had left without pay, and the original unit in Shanghai joined an old-age insurance premium (paying several times to 50 years old). In the meantime, when I joined the foreign nationals and I was 50 years old, when I went to the social security center to handle my retirement card, I was given help because I couldn't receive a pension because I didn't have an ID card. Thank you! A: If you have already participated in basic pension insurance, reached the statutory retirement age and accumulatively paid for 15 years, you can receive a basic pension as required. Joining foreign nationality does not affect your enjoyment of endowment insurance benefits. The specific issues are suggested to be reported to the Human Resources and Social Security Bureau of Shanghai Municipality or the Overseas Chinese Affairs Office of Shanghai Municipal People's Government. [问：我在二十年前来到日本，出国前在中国工作了将近十年后加入了日本籍，请问外籍华人可以回中国申请养老金和医疗保险吗？答：根据规定，在中国境内就业的华侨、外籍华人，可以依法参加包括养老保险、医疗保险在内的社会保险，符合享受社会保险待遇条件的，可以领取社会保险待遇。如在出国前已经参加城镇职工养老保险并保留养老保险关系和个人账户的，再次回国就业并重新参加基本养老保险后，新、老养老保险关系可以续接。如在出国前已经办理离职手续或者终止社会保险关系的，无论是华侨还是外籍华人，都不符合享受社会保险待遇的条件。问：我曾停薪留职，在上海原来单位自费加入养老保险金(分几次付至50岁)。其间加入外籍，满50岁当我拿退休证去社保中心办手续时，因为没有身份证不能领取养老金，请给予帮助，谢谢！答：如果您已经参加基本养老保险，达到法定退休年龄并累计缴费满15年，按照规定可以领取基本养老金。加入外国国籍并不影响您按规定享受养老保险待遇。具体问题建议向上海市人力资源社会保障局或者上海市人民政府侨务办公室反映。]" (Overseas Chinese Affairs Office of the State Council Q &A, 2017)

Sources: 中华人民共和国社会保险法 [People's Republic of China Social Insurance Law]. 2011. / 国务院侨务办公室 [Overseas Chinese Affairs Office of the State Council]. “国务院侨务办公室权威答疑 [Authoritative Q&A by the Overseas Chinese Affairs Office of the State Council]”. Access date not available. <http://www.gqb.gov.cn/news/2017/1020/43633.shtml>.

2.3.2. Health care benefits

EMIGRANT_44. Health care benefits.

Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):

Answer: No

Code: 0

Explanation: Emigrants keep health coverage in state of origin and can access health care services if they visit the state of origin. Emigrants can enjoy health care benefits in PRC as long as they have participated in the basic medical insurance and didn't terminate the relationship when they left. “1. When carrying out the reform of the medical insurance system, localities shall include the employees of the returned overseas Chinese, relatives of overseas Chinese, relatives, and retirees who are settled out of the country into the scope of basic medical insurance and go through relevant formalities for them. 2. Those who have participated in the local basic medical insurance and are allowed to leave the country are allowed to return to the country to settle in. They are entitled to basic medical insurance benefits in accordance with the relevant local medical insurance regulations. 3. After the employees of the returned overseas Chinese and relatives who have participated in the basic medical insurance but have not yet reached the retirement age, their personal accounts can be settled once they are allowed to settle out of the country. They will be returned to them and will no longer enjoy basic medical insurance benefits. 4. The retired personnel who have been granted permission to leave the country, return to China for medical treatment, and enjoy medical insurance benefits as prescribed. [一、各地在进行医疗保险制度改革时，要将获准出境定居的归侨侨眷职工及退休人员纳入基本医疗保险范围，为他们办理相关手续。二、已参加了当地基本医疗保险、获准出境定居的归侨侨眷退休人员入境就医，按当地有关医疗保险规定，享受基本医疗保险待遇。三、已参加了基本医疗保险但尚未达到退休年龄的归侨侨眷职工，在获准出境定居后，其个人帐户可一次结清，退还本人，今后不再享受基本医疗保险待遇。四、获准出境定居的归侨侨眷离休人员，回国内就医，按规定享受医疗保险待遇。]”

Sources: 关于获准出境定居的归侨侨眷职工医疗保险有关政策问题的通知 [Notice on Policy Issues Concerning the Medical Insurance of Employees of Returned Overseas Chinese and Employees Allowed to Settle Overseas]. 2001.

Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:

Answer: No

Code: 0

Explanation: No such provision was found to exist.

Sources: Consultation with personnel of the Consulate of Argentina in Berlin. February 25, 2019.

Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:

Answer: No

Code: 0

Explanation: No such provision.

Sources: 关于获准出境定居的归侨侨眷职工医疗保险有关政策问题的通知 [Notice on Policy Issues Concerning the Medical Insurance of Employees of Returned Overseas Chinese and Employees Allowed to Settle Overseas]. 2001.

2.3.3. Education

EMIGRANT_45. Education programs for emigrants.

Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:

Answer: No, but special scholarships for emigrants

Code: 0.5

Explanation: "The central government has earmarked special funds to set up overseas Chinese student scholarships (assistances), which are specifically used to reward and support full-time overseas Chinese undergraduates, junior college students, and postgraduates studying at domestic (i.e. Chinese) universities and colleges. The Overseas Chinese Student Award (Assistance) Scholarship is located at the China Education Development Foundation and is managed under the jurisdiction of the Ministry of Education. The total amount of funds, incentives, scope of funding, standards, and distribution methods of the scholarships (assistances) are set by the Ministry of Education and the Ministry of Finance. [中央财政安排专项资金设立华侨学生奖(助)学金, 专门用于奖励、资助到国内普通高校学习的全日制华侨本科生、专科生、研究生。华侨学生奖(助)学金设在中国教育发展基金会, 由教育部归口管理。奖(助)学金的年度资金总额、奖励、资助范围、标准、发放方法由教育部、财政部具体制定。]"

Sources: 国务院侨务办公室 [Overseas Chinese Affairs Office of the State Council]. "国内关于华侨学生奖学金有哪些政策? [What are the policies of domestic scholarships for overseas Chinese students?]" . Access date not available. URL not available.

State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):

Answer: Yes

Code: 1

Explanation: Creation of schools abroad & Language and Cultural courses for children of emigrants: Overseas Chinese Affairs Office of the State Council is the corresponding organ to “guide and promote overseas Chinese propaganda, cultural exchanges and Chinese language education” [指导、推动涉侨宣传、文化交流和华文教育工作。] (Overseas Chinese Affairs Office of the State Council [国务院侨务办公室])

Sources: 国务院侨务办公室 [Overseas Chinese Affairs Office of the State Council]. “Introduction of the Overseas Chinese Affairs Office”. Access date not available.
<http://www.gqb.gov.cn/zyzn/index.shtml>.

State of origin offers language courses to emigrants to learn the language of the state of reception:

Answer: Yes

Code: 1

Explanation: Creation of schools abroad & Language and Cultural courses for children of emigrants: Overseas Chinese Affairs Office of the State Council is the corresponding organ to “guide and promote overseas Chinese propaganda, cultural exchanges and Chinese language education” [指导、推动涉侨宣传、文化交流和华文教育工作。] (Overseas Chinese Affairs Office of the State Council [国务院侨务办公室])

Sources: 国务院侨务办公室 [Overseas Chinese Affairs Office of the State Council]. “Introduction of the Overseas Chinese Affairs Office”. Access date not available.
<http://www.gqb.gov.cn/zyzn/index.shtml>.

2.4. Cultural policies

2.4.1. Visits to country of origin

EMIGRANT_46. State of origin organizes visits to the origin country for emigrants on a regular basis:

Answer: Yes

Code: 1

Explanation: Yes, there is the Chinese root-seeking tour [中国寻根之旅] (targeted at ethnic Chinese overseas). “The “China Roots-seeking Tour” Summer (Winter) Camp is hosted by the Overseas Chinese Affairs Office of the State Council and the China Overseas Exchange Association to help the majority of foreign Chinese youths learn Chinese, understand China's national conditions and Chinese culture, and promote exchanges between Chinese and foreign Chinese teenagers. The activities include learning about Chinese folk dance and Chinese martial arts, learning Chinese and Chinese culture, sharing with young Chinese students, and visiting historical and cultural attractions. All foreign ethnic Chinese young people aged between 12 and 18 who are in good health and wish to understand

Chinese and Chinese culture can apply through the Chinese embassy or consulate. “中国寻根之旅”夏(冬) 令营是国务院侨务办公室和中国海外交流协会为帮助广大海外华裔青少年学习中文、了解中国国情和中华文化、促进海内外华裔青少年的交流而在寒暑假期间举办的活动，主要内容有学习中国民族舞蹈和中华武术、学习汉语和中华文化常识、与中国青少年学生交流、参观历史文化名胜等。凡年龄在12—18岁之间、身体健康、希望了解中国和中华文化的海外华裔青少年均可通过中国驻当地使领馆报名。” (Overseas Chinese Language and Culture Education Online)

Sources: 中国华文教育网 - 寻根之旅 [Overseas Chinese Language and Culture Education Online]. “Home Page”. Access date not available. <http://www.hwjyw.com/xgzl/>.

2.4.2. Language courses for emigrants

EMIGRANT_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):

Answer: Yes

Code: 1

Explanation: Yes, the root-seeking tour includes this.

Sources: 中国华文教育网 - 寻根之旅 [Overseas Chinese Language and Culture Education Online]. “Home Page”. Access date not available. <http://www.hwjyw.com/xgzl/>.

2.5. Obligations

2.5.1. Military service

EMIGRANT_48. Emigrants have the obligation to comply with military service:

Answer: Military service mandatory for residents and nonresidents

Code: 1

Explanation: In principle, yes. All PRC nationals are obligated to comply with military service in accordance with the law. However, the PRC adopts a military service system that combines compulsory and volunteer soldiers. The number of voluntary soldiers has made the source of troops sufficient, and thus the compulsory conscription system has never been substantially implemented. (CNA, 2015) “Article 55 [...] Military service in accordance with the law and participation in militia organizations are the glorious duty of citizens of the People’s Republic of China [第五十五条 [...] 依照法律服兵役和参加民兵组织是中华人民共和国公民的光荣义务]” (Constitution, 2018) “Article 2 The People’s Republic of China adopts a military service system that combines compulsory and volunteer soldiers and militia and reserve service. [第二条 中华人民共和国实行义务兵与志愿兵相结合、民兵与预备役相结合的兵役制度。]” (People’s Republic of China Military Service Law, 1984)

Sources: People's Republic of China Military Service Law. 1984. Art. 2. / 中华人民共和国宪法 [Constitution of the People's Republic of China]. 2018. Art. 55. / CNA. "Peasants with High Status in the People's Liberation Army Rush to Serve as Soldiers" Access date not available. <http://www.cna.com.tw/news/newsworld/201504020004-1.aspx>.

2.5.2. Social service

EMIGRANT_49. Emigrants have the obligation to comply with social service:

Answer: No existence of social service

Code: Not applicable

Explanation: No. There is no compulsory social service (as alternative form of military service) stipulated in PRC Military Service Law.

Sources: Not applicable

2.5.3. Taxes

EMIGRANT_50. Obligation to pay taxes in state of origin

Emigrant must pay income taxes in state of origin:

Answer: Yes

Code: 0

Explanation: In principle, income tax applies also to income earned outside the PRC. There are no specific taxes for emigrants. "Article 1 An individual who has a domicile in the territory of China or who has no domicile but has stayed in the territory of China for one year or more shall pay individual income tax in accordance with the provisions of this Law for his incomes obtained in and/or outside the territory of China". Emigrants (who have a domicile in China in the form of household registration) DO need to pay individual income tax obtained in and/or outside the PRC territory [第一条 在中国境内有住所，或者无住所而在境内居住满一年的个人，从中国境内和境外取得的所得，依照本法规定缴纳个人所得税。]"

Sources: 中华人民共和国个人所得税法 [Individual Income Tax Law of the People's Republic of China]. 2011. Art. 1.

There are special taxes for emigrants:

Answer: No

Code: 0

Explanation: “Article 1 An individual who has a domicile in the territory of China or who has no domicile but has stayed in the territory of China for one year or more shall pay individual income tax in accordance with the provisions of this Law for his incomes obtained in and/or outside the territory of China. Emigrants (who have a domicile in China in the form of household registration) DO need to pay individual income tax obtained in and/or outside the PRC territory [第一条 在中国境内有住所，或者无住所而在境内居住满一年的个人，从中国境内和境外取得的所得，依照本法规定缴纳个人所得税。]”

Sources: 中华人民共和国个人所得税法 [Individual Income Tax Law of the People's Republic of China]. 2011. Art. 1.

2.6. Administration

2.6.1. Home country administration

EMIGRANT_51. Existence of a home country administration agency/body for emigrants in state of origin.

Existence of institution/agency with competencies for emigrant policies:

Answer: Yes

Code: 1

Explanation: Yes. The major agencies include Overseas Chinese Affairs Office of the State Council for emigrant policies [国务院侨务办公室] and the Ministry of Foreign Affairs, for consular affairs [外交部]. The Overseas Chinese Affairs Office of the State Council is: “(1) Responsible for formulating policies and plans for overseas Chinese affairs, drafting relevant laws and regulations, and supervising and checking implementation. (2) Investigate and study the situation of overseas and overseas Chinese affairs at home and abroad, provide information on overseas Chinese affairs to the Party Central Committee and the State Council, organize investigations and studies on major issues concerning overseas Chinese policies, theories, and overseas Chinese affairs, and report the status of overseas Chinese affairs to the overseas Chinese affairs departments. (3) Assist the Premier of the State Council in the handling of overseas Chinese affairs, coordinate and coordinate relevant departments and social organizations involved in overseas Chinese affairs, guide local authorities in overseas affairs, and coordinate with the Ministry of Foreign Affairs in guiding our overseas Chinese embassies and consulates in overseas Chinese affairs. (4) Instructing returned overseas Chinese and their relatives, organizing and coordinating the maintenance of the lawful rights and interests of the returned overseas Chinese and their relatives and overseas Chinese in accordance with the law, cooperating with relevant departments to study and dispose of emergencies involving overseas Chinese, participating in the supervision of donations for major overseas Chinese, and assisting the relevant departments in doing a good job of returning overseas Chinese and their relatives. Staffing arrangements for representative personnel. (5) Responsible for guiding and conducting friendship and service work with overseas Chinese and their communities, conducting friendship work with overseas Chinese in the Hong Kong and Macao Special Administrative Regions, and working with relevant departments to carry out overseas Chinese affairs to Taiwan and undertaking relevant examination and approval matters. (6) To guide and promote the overseas Chinese economy, scientific and technological cooperation and exchanges, and coordinate the economic complaints involving overseas Chinese. (7) To guide and promote overseas Chinese propaganda, cultural exchanges, and Chinese education. (8) To undertake other matters assigned by the State Council. [(一) 负责拟订侨务工作政策和规划，起草相关法律法规草案并督促检查贯彻落实情况。(二) 调查研究国内外侨情和侨务工作情况，向党中央、国务院提供侨务信息，组织开展侨务政策、理论和侨务工作重大问题的调查研

究，负责向涉侨部门通报侨务工作情况。（三）协助国务院总理办理侨务事项，统筹协调有关部门和社会团体涉侨工作，指导地方有关部门侨务工作，协同外交部指导我驻外使领馆侨务工作。（四）指导归侨侨眷工作，依法组织协调归侨侨眷和侨华人在国内合法权益维护工作，配合有关部门研究处置涉侨突发事件，参与重大涉侨捐赠监督工作，协助有关部门做好归侨侨眷代表人士的人事安排工作。（五）负责指导、开展对华侨华人及其社团的联谊和服务工作，开展香港、澳门特别行政区侨界的联谊工作，会同有关部门开展侨务对台工作，承办有关审批事宜。（六）指导、推动涉侨经济、科技合作与交流，协调涉侨经济投诉工作。（七）指导、推动涉侨宣传、文化交流和华文教育工作。（八）承办国务院交办的其他事项。】” (Overseas Chinese Affairs Office of the State Council) The Ministry of Foreign Affairs is: “11. To oversee consular work. To regulate the activities of foreign diplomatic and consular missions in China; oversee work related to consular affairs of Chinese nationals abroad; conduct or participate in handling representations regarding foreign-related cases in China; oversee consular protection and assistance, coordinate relevant government departments, local authorities and guide Chinese diplomatic missions abroad in handling cases requiring consular protection and assistance, and release warning information for consular protection and assistance. 12. To coordinate efforts to handle urgent incidents abroad concerning Chinese interests, safeguard the lawful rights and interests of Chinese citizens and institutions abroad, and take part in efforts to handle urgent incidents in China which involve foreigners. [（十一）负责领事工作。管理外国驻华外交、领事机构；负责海外侨务工作；办理和参与境内涉外案件的对外交涉工作；负责领事保护和协助工作，协调有关部门、地方政府并指导驻外外交机构处理领事保护和协助案件，发布领事保护和协助的预警信息。（十二）负责协调处置境外涉我突发事件，保护境外中国公民和机构的合法权益，参与处置境内涉外突发事件。】” (Ministry of Foreign Affairs of the PRC)

Sources: 国务院侨务办公室 [Overseas Chinese Affairs Office of the State Council]. “Introduction of the Overseas Chinese Affairs Office”. Access date not available. <http://www.gqb.gov.cn/zyzn/index.shtml>. / Ministry of Foreign Affairs of the People’s Republic of China. “Main functions [中华人民共和国外交部.主要职责]”. Access date not available. http://www.fmprc.gov.cn/mfa_eng/wjb_663304/zyzz_663306/.

Name of the institution with competencies for emigrant policies in original language:

Answer: 国务院侨务办公室

Name of the institution with competencies for emigrant policies in English:

Answer: Overseas Chinese Affairs Office of the State Council

EMIGRANT_52. Place in the administrative hierarchy:

Answer: Not applicable

Code: Not applicable

Explanation: The rank of the Overseas Chinese Affairs Office of the State Council of the People’s Republic of China is not clear; it is states that it is an administrative office which assists the Premier in handling affairs related to overseas Chinese. It is administered under the United Front Work Department of CCP Central Committee.

Sources: 国务院侨务办公室 [Overseas Chinese Affairs Office of the State Council]. "Introduction of the Overseas Chinese Affairs Office". Access date not available.
<http://www.gqb.gov.cn/zyzn/index.shtml>.

2.6.2. Consular network

EMIGRANT_53: Number of consulates.

Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):

Answer: 268

Code: 268

Explanation: The number of consulates and the embassies is 268; the number of countries with consular missions is 169. The number of consulates as well as the number of countries with consular missions can be found and calculated based on the list of Chinese Consulates General in the official website of Ministry of Foreign Affairs of the PRC. However, whether this list is up-to-date is not clear. Asia: 30/13 Western Asia and North Africa: 7/6 Africa: 8/6 Europe and Central Asia: 9/4 Europe: 21/11 North America and Oceania: 16/4 Latin America: 8/6 Overall: 99/50 Similarly, the number of embassies can be found and calculated based on the list of Chinese Embassies in the official website. However, whether this list is up-to-date is not clear. Asia: 22/22 Western Asia and North Africa: 23/23 Africa: 43/43 Europe and Central Asia: 12/12 Europe:36/36 North America and Oceania: 12/12 Latin America: 21/21 Overall:169/169

Sources: Ministry of Foreign Affairs of the People's Republic of China. "Home Page". Accessed December 2018. http://www.fmprc.gov.cn/mfa_eng/wjb_663304/zwjg_665342/.

Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):

Answer: 169

Code: 169

Explanation: The number of consulates as well as the number of countries with consular missions can be found and calculated based on the list of Chinese Consulates General in the official website of Ministry of Foreign Affairs of the PRC. However, whether this list is up-to-date is not clear. Asia: 30/13 Western Asia and North Africa: 7/6 Africa: 8/6 Europe and Central Asia: 9/4 Europe: 21/11 North America and Oceania: 16/4 Latin America: 8/6 Overall: 99/50 Similarly, the number of embassies can be found and calculated based on the list of Chinese Embassies in the official website. However, whether this list is up-to-date is not clear. Asia: 22/22 Western Asia and North Africa: 23/23 Africa: 43/43 Europe and Central Asia: 12/12 Europe:36/36 North America and Oceania: 12/12 Latin America: 21/21 Overall:169/169

Sources: Ministry of Foreign Affairs of the People's Republic of China. "Home Page". Accessed December 2018. http://www.fmprc.gov.cn/mfa_eng/wjb_663304/zwjg_665342/.

2.6.3. New consular functions

EMIGRANT_54: Extensions to the consular network services.

Existence of mobile consulates:

Answer: No

Code: 0

Explanation: Not applicable

Sources: 中国领事服务网 [China Consular Service Network]. "Home Page". Accessed December 2018. <http://cs.mfa.gov.cn/zggmzhw/>.

Consulates open on weekends on a regular basis (e.g. once monthly):

Answer: No

Code: 0

Explanation: Not applicable

Sources: 中国领事服务网 [China Consular Service Network]. "Home Page". Accessed December 2018. <http://cs.mfa.gov.cn/zggmzhw/>.

Consulates offer some services online:

Answer: Yes

Code: 1

Explanation: Mobile consulate: Wechat account of "Consular Express"[领事直通车]. In this wechat account, several services are provided, including information provision, interactive regional security warnings, online individual user consultation, and emergency call-for-help.

Sources: 中国领事服务网 [China Consular Service Network]. "Home Page". Accessed December 2018. <http://cs.mfa.gov.cn/zggmzhw/>.

EMIGRANT_55: Adoption of new consular functions.

Consulates offer financial consultancy:

Answer: No

Code: 0

Explanation: No such provision

Sources: 中国领事服务网 [China Consular Service Network]. "Home Page". Accessed December 2018. <http://cs.mfa.gov.cn/zggmzhw/>.

Consulates offer psychological consultancy:

Answer: No

Code: 0

Explanation: No such provision

Sources: 中国领事服务网 [China Consular Service Network]. "Home Page". Accessed December 2018. <http://cs.mfa.gov.cn/zggmzhw/>.

Consulates offer health services:

Answer: No

Code: 0

Explanation: No such provision

Sources: 中国领事服务网 [China Consular Service Network]. "Home Page". Accessed December 2018. <http://cs.mfa.gov.cn/zggmzhw/>.

2.6.4. Special offices

EMIGRANT_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):

Answer: No

Code: 0

Explanation: No such provision

Sources: Online research

3. Emigrant citizenship and nationality policies

CITNAT: Does the country make a distinction between citizenship and nationality?

Answer: No, it uses the terms 'nationality' and 'citizenship' indistinctly

Code: 0

Explanation: No, there is no distinction between citizenship and nationality in the case of PRC based on the Nationality Law [国籍法].

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

3.1. Emigrant nationality

3.1.1. Dual nationality for emigrants

EMINAT_1. Deprivation of nationality for having acquired a foreign nationality.

Loss of nationality for acquisition of foreign citizenship (nationals by birth):

Answer: Lapse upon acquisition of foreign citizenship

Code: 0

Explanation: "Article 9 Any Chinese national who has settled abroad and who has been naturalized as a foreign national or has acquired foreign nationality of his own free will shall automatically lose Chinese nationality [第九条 定居外国的中国公民，自愿加入或取得外国国籍的，即自动丧失中国国籍]"

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 9.

Nationality can be withdrawn only if person resides abroad:

Answer: 0

Code: 0

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person was born abroad:

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:

Answer: 1

Code: 1

Explanation: Not applicable

Sources: Not applicable

Loss of nationality can be prevented:

Answer: No

Code: 0

Explanation: No exceptions are mentioned.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 9.

3.1.2. Dual nationality only for some countries of residence

EMINAT_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.

Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:

Answer: No

Code: 1

Explanation: Not applicable

Sources: Not applicable

Which countries:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.3. Loss of nationality after residence abroad

EMINAT_3: Loss of nationality after residence abroad.

Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: No. PRC nationals who emigrated will not be deprived of their PRC nationality merely because of residence abroad unless they have acquired a foreign nationality. "Article 9 Any Chinese national who has settled abroad and who has been naturalized as a foreign national or has acquired foreign nationality of his own free will shall automatically lose Chinese nationality. Article 10 Chinese nationals who meet one of the following conditions may renounce Chinese nationality upon approval of their applications: [...] (2) they have settled abroad [...]. Article 11 Any person who applies for renunciation of Chinese nationality shall lose Chinese nationality upon approval of his application. [第九条 定居外国的中国公民，自愿加入或取得外国国籍的，即自动丧失中国国籍。第十条 中国公民具有下列条件之一的，可以经申请批准退出中国国籍：[...] 二、定居在外国的；[...] 第十一条 申请退出中国国籍获得批准的，即丧失中国国籍。]"

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Arts. 9-11.

Nationality can be withdrawn only if person resides abroad for 20 years or more:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person has another citizenship:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:

Answer: No provision = 1

Code: 1

Explanation: No. Citizens by naturalization who emigrated will not be deprived of their PRC nationality because of residence abroad.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

3.1.4. Jus sanguinis for emigrants

EMINAT_4: Transfer of nationality to children born abroad.

Country of origin permit parents to confer their nationality on their children who are born abroad:

Answer: Yes

Code: 1

Explanation: Yes, the children born abroad shall have Chinese nationality, provided that (1) at least one of their parents is a Chinese national, and (2) the children have not acquired foreign nationality at birth. "Article 5 Any person born abroad whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality. But a person whose parents are both Chinese nationals and have both settled abroad, or one of whose parents is a Chinese national and has settled abroad, and who has acquired foreign nationality at birth shall not have Chinese nationality. [第五条 父母双方或一方为中国公民，本人出生在国外，具有中国国籍；但父母双方或一方为中国公民并定居在外国，本人出生时即具有外国国籍的，不具有中国国籍。]"

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 5.

Transfer of nationality is applicable to:

Answer: No limit

Code: 0.5

Explanation: There are no limitations mentioned on the transfer of nationality across generations.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 7.

3.1.5. Jus sanguinis across generations

EMINAT_5: Transfer of nationality to children born abroad from former citizens.

Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens

Answer: No

Code: 0

Explanation: Children born abroad cannot adopt the nationality of parents that are former citizens.

Sources: Embassy of the People's Republic of China in the United Kingdom of Great Britain and Northern Ireland “十四、关于国籍认定和有关问题的说明 [14, Notes on Nationality Determination and Related Issues]”. Accessed January 31, 2020.
<http://www.chineseembassy.org.uk/chn/lsw/hzlxz/blxz/t1249113.htm>.

Transfer of nationality is applicable to:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.6. Renunciation of nationality is possible

EMINAT_6: Voluntary renunciation of nationality abroad is possible.

Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:

Answer: Renunciation is possible

Code: 1

Explanation: Yes, renunciation of nationality is possible under certain conditions for citizens who are not state functionaries and military personnel on active service. “Article 10 Chinese nationals who meet one of the following conditions may renounce Chinese nationality upon approval of their applications: (1)they are near relatives of foreign nationals ; (2)they have settled abroad; or (3)they have other legitimate reasons. Article 12 State functionaries and military personnel on active service shall not renounce Chinese nationality. [第十条 中国公民具有下列条件之一的，可以经申请批准退出中国国籍：一、外国人的近亲属；二、定居在外国的；三、有其它正当理由。第十二条 国家工作人员和现役军人，不得退出中国国籍。]”

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Arts. 10-12.

Renunciation abroad is only possible if person has another nationality:

Answer: No, person renouncing does not have to show proof of another nationality

Code: 0

Explanation: Article 10 Chinese nationals who meet one of the following conditions may renounce Chinese nationality upon approval of their applications: (1)they are near relatives of foreign nationals ; (2)they have settled abroad; or (3)they have other legitimate reasons. Article 12 State functionaries and military personnel on active service shall not renounce Chinese nationality. [第十条 中国公民具有下列条件之一的，可以经申请批准退出中国国籍：一、外国人的近亲属；二、定居在外国的；三、有其它正当理由。第十二条 国家工作人员和现役军人，不得退出中国国籍。]

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Arts. 10-12.

Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:

Answer: No

Code: 0

Explanation: Article 10 Chinese nationals who meet one of the following conditions may renounce Chinese nationality upon approval of their applications: (1)they are near relatives of foreign nationals ; (2)they have settled abroad; or (3)they have other legitimate reasons. Article 12 State functionaries and military personnel on active service shall not renounce Chinese nationality. [第十条 中国公民具有下列条件之一的，可以经申请批准退出中国国籍：一、外国人的近亲属；二、定居在外国的；三、有其它正当理由。第十二条 国家工作人员和现役军人，不得退出中国国籍。]

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Arts. 10-12.

3.1.7. Reacquisition of nationality

EMINAT_7. Country of origin provides for reacquisition of nationality for former nationals:

Answer: Yes

Code: 1

Explanation: "Article 13 Foreign nationals who once held Chinese nationality may apply for restoration of Chinese nationality if they have legitimate reasons; those whose applications for restoration of Chinese nationality have been approved shall not retain foreign nationality. [第十三条 曾有过中国国籍的外国人，具有正当理由，可以申请恢复中国国籍；被批准恢复中国国籍的，不得再保留外国国籍。]" (Nationality Law of the People's Republic of China, 1980) "Application Procedures (1) Complete the "Application for Regaining Nationality of the People's Republic of China." (b) Submit a written request for restoration of Chinese nationality. (3) Submit the corresponding certificates: (1) A copy of the foreign passport; (2) A copy of the foreigner's permanent residence permit; (3) Provide relevant proofs that one once had Chinese nationality. [申请手续 (一) 填写《恢复中华人民共和国国籍申请表》。(

二) 提交要求恢复中国国籍的书面申请。(三) 提交相应证明:(1) 外国护照复印件;(2) 外国人永久居留证复印件;(3) 提供曾经具有过中国国籍的相关证明。】”(State Immigration Administration, 2008)

Sources: 中华人民共和国国籍法 [Nationality Law of the People’s Republic of China]. 1980. Art. 13. / 国家移民管理局 [State Immigration Administration]. 2008. 申请恢复中国国籍须知 [Application for Restoration of Chinese Nationality].

3.2. Emigrant citizenship

3.2.1. Citizenship restrictions for dual nationals

EMICIT_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.2.2. Different citizenship for emigrants

EMICIT_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?

Answer: Yes

Code: 1

Explanation: Yes. In the PRC case, this refers to “Overseas Chinese” [hua qiao 华侨], that is, PRC nationals who hold permanent residence in a foreign country. (Note: it is different from “foreign Chinese” [外籍华人] which refers to ethnic Chinese with foreign nationality). “Overseas Chinese are designated as Chinese citizens permanently living abroad. “permanently living” refers to the fact that Chinese citizens have acquired the right of long-term or permanent residence in the country they live in and they have been living for two consecutive years and no less than 18 months within two years in that country. Chinese citizens are regarded as overseas Chinese if they have obtained the status of legal residence for more than five years (including five years) and at least 30 months within five years in another country of residence. Chinese citizens who study abroad (including public funds and self-paid expenses) are not regarded as overseas Chinese while they are studying abroad or when they go abroad for work (including the assignment of labor service personnel). 华侨是指定居在国外的中国公民，其中“定居”是指中国公民已经取得住在国长期或者永久居留权，并已在住在国连续居留两年，两年内

累计居留不少于 18 个月；中国公民虽未取得住在国长期或者永久居留权，但已取得住在国连续 5 年以上(含 5 年)合法居留资格，5 年内在住在国累计居留不少于 30 个月，视为华侨；中国公民出国留学(包括公派和自费)在外学习期间，或因公务出国(包括外派劳务人员)在外工作期间，均不视为华侨。”

Sources: 国务院侨务办公室 [Overseas Chinese Affairs Office of the State Council]. “外籍华人的定义是什么？” [What are the Definitions of Overseas Chinese and Foreign Chinese?]. Access date not available. <http://www.gqb.gov.cn/news/2015/1125/37146.shtml>.

3.2.3. Loss or suspension of citizen rights after residence abroad

EMICIT_3: Country deprives their national citizens by birth who emigrated of their citizen rights.

Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: Yes

Code: 1

Explanation: Yes, the emigrated citizens cannot stand as candidates in People's Congress unless they come back as overseas Chinese returnees. This is not a general deactivation of their rights, but given that their rights are limited to begin with in a non-democracy and that this comes with a limitation of their party membership and so on, this is considerable. Recently, new norms in the PRC stipulate laws to protect the interests of overseas Chinese only if they returned. Until now, the citizenship rights of overseas Chinese are regulated by Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese (2009)[中华人民共和国归侨侨眷权益保护法]. On April 26, the Standing Committee of the National People's Congress promulgated the "Opinions and Suggestions on the Protection of Overseas Chinese Rights and Interests"[对华侨权益保护工作情况报告的意见和建议](NPC, 2018), signaling some new possible facets of this issue. “Offices of overseas Chinese affairs, foreign affairs, public security and other departments should strengthen cooperation, clarify the standards of overseas Chinese identification, and guarantee the rights of overseas Chinese returnees to settle in China. Many attendees pointed out that the law stipulates that overseas Chinese can carry out activities in China with their passports. However, in real life, it is very inconvenient for overseas Chinese to stay in hotels, to use transportation and to access financial practices with passports. It is necessary to study and solve this problem. [侨务、外事、公安等部门应加强协作，明确华侨身份标准，保障华侨回国定居权益。许多出席人员指出，法律规定华侨在国内办理相关事务可以凭本人护照证明身份，但在实际生活中，华侨凭护照在国内入住酒店，办理交通、金融等业务都十分不便，应抓紧研究解决这一问题。]” (NPC, 2018) “Article 3 Returned overseas Chinese and the family members of overseas Chinese shall be entitled to the citizen's rights prescribed by the Constitution and the law and at the same time shall perform the citizen's duties prescribed by the Constitution and the law. No organization or individual may discriminate against them. [第三条 归侨、侨眷享有宪法和法律规定的公民的权利，并履行宪法和法律规定的公民的义务，任何组织或者个人不得歧视。国家根据实际情况和归侨、侨眷的特点，给予适当照顾，具体办法由国务院或者国务院有关主管部门规定。]” References: Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese (2009)[中华人民共和国归侨侨眷权益保护法(2009)] NPC (2018) "Opinions and Suggestions on the Protection of Overseas Chinese Rights and Interests"[对华侨权益保

护工作情况报告的意见和建议] http://www.npc.gov.cn/npc/xinwen/jdgz/2018-05/30/content_2055229.htm

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [The Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 34. / 中华人民共和国归侨侨眷权益保护法 [Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese]. 2009. Art. 3. / National People's Congress. "对华侨权益保护工作情况报告的意见和建议 [Opinions and Suggestions on the Protection of Overseas Chinese Rights and Interests]". Accessed November 2018. http://www.npc.gov.cn/npc/xinwen/jdgz/2018-05/30/content_2055229.htm.

Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) [*If it is not specified in the regulation, it is coded as restrictions not conditional to return]:

Answer: Restrictions if 5 years or less living abroad (or if not related to residence abroad) conditional to return

Code: 0.25

Explanation: Yes, the emigrated citizens cannot stand as candidates in People's Congress unless they come back as overseas Chinese returnees. This is not a general deactivation of their rights, but given that their rights are limited to begin with in a non-democracy and that this comes with a limitation of their party membership and so on, this is considerable. Recently, new norms in the PRC stipulate laws to protect the interests of overseas Chinese only if they return.

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [The Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 34. / 中华人民共和国归侨侨眷权益保护法 [Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese]. 2009. / National People's Congress. "对华侨权益保护工作情况报告的意见和建议 [Opinions and Suggestions on the Protection of Overseas Chinese Rights and Interests]". Accessed November 2018. http://www.npc.gov.cn/npc/xinwen/jdgz/2018-05/30/content_2055229.htm.

4. Immigration policies

4.1. General

4.1.1. Number of entry tracks

IMMIGRATION_1. How many visa types does the country have?

Answer: 19

Code: 19

Explanation: 19 visa types: diplomatic visa, courtesy visa, official visa, C visa, D visa, F visa, G visa, J1 visa, J2 visa, L visa, M visa, Q1 visa, Q2 visa, R visa, S1 visa, S2 visa, X1 visa, X2 visa, Z visa
“Article 16 Visas are categorized as diplomatic visa, courtesy visa, official visa and ordinary visa. [第十六条 签证分为外交签证、礼遇签证、公务签证、普通签证。](The Exit and Entry Administration Law of the People’s Republic of China, 2013) “Article 6 Ordinary visas are divided into the following categories and shall be marked with corresponding letters in the Chinese phonetic alphabet: (1) The C visa is issued to crewmembers performing duties on board an international train, aircraft or vessel, and the accompanying family members of vessel crewmembers, and vehicle drivers engaged in international transportation services; (2) The D visa is issued to persons who come to China for permanent residence; (3) The F visa is issued to persons who come to China for exchanges, visits, study tours or other relevant activities; (4) The G visa is issued to persons who transit through China; (5) The J1 visa is issued to resident foreign journalists of permanent offices of foreign news agencies in China; the J2 visa is for foreign journalists who come to China for short-term news coverage; (6) The L visa is issued to persons who come to China for travel; persons who come to China for group travel can be issued Group L visas; (7) The M visa is issued to persons who come to China for commercial trade activities; (8) The Q1 visa is issued to family members of Chinese citizens and family members of foreigners with permanent residence status in China who apply for residence in China for family reunion, as well as for persons who apply for residence in China for fosterage or other purposes; the Q2 visa is for relatives of Chinese citizens living in China, or relatives of foreigners with permanent residence status in China, who apply for a short-term visit; (9) The R visa is issued to foreigners of high talent who are needed, or specialists who are urgently needed, by the State; (10) The S1 visa is issued to the spouses, parents, children under the age of 18 or parents-in-law of foreigners residing in China for work, study or other purposes who apply for a long-term visit to China, as well as for persons who need to reside in China for other personal matters; the S2 visa is for family members of foreigners staying or residing in China for work, study or other purposes who apply for a short-term visit to China, as well as for persons who need to stay in China for other personal matters; (11) The X1 visa is issued to persons who apply for long-term study in China; the X2 visa is for persons who apply for short-term study in China; and (12) The Z visa is issued to persons who apply for work in China. [第六条 普通签证分为以下类别，并在签证上标明相应的汉语拼音字母：（一）C 字签证，发给执行乘务、航空、航运任务的国际列车乘务员、国际航空器机组人员、国际航行船舶的船员及船员随行家属和从事国际道路运输的汽车驾驶员。（二）D 字签证，发给入境永久居留的人员。（三）F 字签证，发给入境从事交流、访问、考察等活动的人员。（四）G 字签证，发给经中国过境的人员。（五）J1 字签证，发给外国常驻中国新闻机构的外国常驻记者；J2 字签证，发给入境进行短期采访报道的外国记者。（六）L 字签证，发给入境旅游的人员；以团体形式入境旅游的，可以签发团体 L 字签证。（七）M 字签证，发给入境进行商业贸易活动的人员。（八）Q1 字签证，发给因家庭团聚申请入境居留的中国公民的家庭成员和具有中国永久居留资格的外国人的家庭成员，以及因寄养等原因申请入境居留的人员；Q2 字签证，发给申请入境短期探亲的居住在中国境内的中国公民的亲属和具有中国永久居留资格的外国人的亲属。

(九) R 字签证·发给国家需要的外国高层次人才和急需紧缺专门人才。 (十) S1 字签证·发给申请入境长期探亲的因工作、学习等事由在中国境内居留的外国人的配偶、父母、未满 18 周岁的子女、配偶的父母·以及因其他私人事务需要在中国境内居留的人员；S2 字签证·发给申请入境短期探亲的因工作、学习等事由在中国境内停留居留的外国人的家庭成员·以及因其他私人事务需要在中国境内停留的人员。 (十一) X1 字签证·发给申请在中国境内长期学习的人员；X2 字签证·发给申请在中国境内短期学习的人员。 (十二) Z 字签证·发给申请在中国境内工作的人员。】”(Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners, 2013).

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. Art. 16. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 6.

IMMIGRATION_2: Categorical organization of visas

Are the visas organized by overarching categories?

Answer: Yes

Code: 1

Explanation: 4 main categories: (1) diplomatic, (2) courtesy, (3) official, (4) ordinary visa. 12 subcategories under the ordinary visa: C, D, F, G, J1/J2, L, M, Q1/Q2, R, S1/S2, X1/X2, Z.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

How many categories?

Answer: 4

Code: 4

Explanation: 4 main categories: (1) diplomatic, (2) courtesy, (3) official, (4) ordinary visa.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

4.1.2. Biometric information

IMMIGRATION_3: Collection of biometric information.

Does the state collect biometric information from all citizens for example for passports?

Answer: Yes

Code: 1

Explanation: Including but not limited to personal photos and fingerprints. "Article 3 Items to be registered on a resident identity card include: name, gender, nationality, date of birth, address of permanent domicile, citizen's identity number, photograph, fingerprints, term of validity, and issuing authority. [第三条 居民身份证登记的项目包括：姓名、性别、民族、出生日期、常住户口所在地住址、公民身份号码、本人相片、指纹信息、证件的有效期和签发机关。]" (Law of the People's Republic of China on Resident Identity Cards, 2011)

Sources: 中华人民共和国居民身份证法 [Law of the People's Republic of China on Resident Identity Cards]. 2011. Art. 3.

Does the state collect biometric information from immigrants for example for passports?

Answer: Yes

Code: 1

Explanation: Including but not limited to personal photos and fingerprints. "Article 7 A foreigner applying for a visa shall fill out the application form, and submit his or her passport or other international travel documents, qualified photos, and material relating to the purpose of application. [第七条 外国人申请办理签证，应当填写申请表，提交本人的护照或者其他国际旅行证件以及符合规定的照片和申请事由的相关材料。]" (Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners, 2013) "Article 7 Upon approval by the State Council, the Ministry of Public Security and the Ministry of Foreign Affairs may, on the basis of the need for exit/entry administration, set forth regulations on the collection and keep of fingerprints and other biometric identification information of the persons who exit or enter China. [第七条 经国务院批准，公安部、外交部根据出境入境管理的需要，可以对留存出境入境人员的指纹等人体生物识别信息作出规定。]" (The Exit and Entry Administration Law of the People's Republic of China, 2013) "Article 30 [...] Applicants for foreigners' residence permits shall submit their passports or other international travel documents, as well as relevant information of specific application matters, and provide biometric identification information such as fingerprints. [第三十条 [...] 申请办理外国人居留证件，应当提交本人的护照或者其他国际旅行证件，以及申请事由的相关材料，并留存指纹等人体生物识别信息。]" (The Exit and Entry Administration Law of the People's Republic of China, 2013)

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Arts. 7 and 30.

4.1.3. Visa waivers

IMMIGRATION_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spaetaussiedler or Jewish immigrants in Germany)?

Answer: No

Code: 0

Explanation: No such provision

Sources: Online research

4.2. Documentation

IMMIGRATION_5: Issue of legal compulsory identification documents.

Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?

Answer: Yes

Code: 1

Explanation: Yes. For foreigners or immigrants (above the age of 16) who stay or reside in China shall always carry with them their passports or other international travel documents, or foreigners' stay or residence permits, and accept the inspection of public security organs. "Article 9 When going through the formalities of permanent residence registration, compatriots from Hong Kong, Macao or Taiwan who move to resettle down on the mainland, or overseas Chinese who return to reside in China, or foreign nationals or stateless persons who reside within the territory of the People's Republic of China and who are naturalized or whose nationality of the People's Republic of China is restored upon approval shall, in accordance with the provisions in this Law, apply for resident identity cards. [第九条 香港同胞、澳门同胞、台湾同胞迁入内地定居的、华侨回国定居的、以及外国人、无国籍人在中华人民共和国境内定居并被批准加入或者恢复中华人民共和国国籍的，在办理常住户口登记时，应当依照本法规定申请领取居民身份证。]" (Law of the People's Republic of China on Resident Identity Cards, 2011) "Article 38 Foreigners having reached the age of 16 who stay or reside in China shall carry with them their passports or other international travel documents, or foreigners' stay or residence permits, and accept the inspection of public security organs. [第三十八条 年满十六周岁的外国人在中国境内停留居留，应当随身携带本人的护照或者其他国际旅行证件，或者外国人停留居留证件，接受公安机关的查验。]" (The Exit and Entry Administration Law of the People's Republic of China, 2013)

Sources: 中华人民共和国居民身份证法 [Law of the People's Republic of China on Resident Identity Cards]. 2011. Art. 9. / 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 38.

Are they required to carry them at all times?

Answer: Yes

Code: 1

Explanation: Citizens are not required to carry the resident identity cards at all time. However, foreigners or immigrants (above the age of 16) who stay or reside in China shall always carry with them their passports or other international travel documents, or foreigners' stay or residence permits, and accept the inspection of public security organs.

Sources: 中华人民共和国居民身份证法 [Law of the People's Republic of China on Resident Identity Cards]. 2011. / 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

4.3. Quotas and restrictions

4.3.1. General quota

IMMIGRATION_6: General quota for immigration.

Is there a general quota (numerical limit) for immigration?

Answer: No

Code: 1

Explanation: No such provision

Sources: 中华人民共和国居民身份证法 [Law of the People's Republic of China on Resident Identity Cards]. 2011. / 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.2. Specific quotas

IMMIGRATION_7: Quota for high-skilled migrants.

Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?

Answer: No

Code: 1

Explanation: No publicly announced quota for high-skilled migrants

Sources: 中华人民共和国居民身份证法 [Law of the People's Republic of China on Resident Identity Cards]. 2011. / 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_8: Quota for low-skilled migrants.

Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?

Answer: No

Code: 1

Explanation: No publicly announced quota for low-skilled migrants.

Sources: 中华人民共和国居民身份证法 [Law of the People's Republic of China on Resident Identity Cards]. 2011. / 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_9: Quota for refugees.

Is there a quota (numerical limit) on the number of refugees?

Answer: No

Code: 1

Explanation: No. China accepts asylum seekers for political reasons in theory, but there is no publicly announced quota on the overall number of recognized refugees. "In theory, China accepts asylum seekers for political reasons. An alien's right to seek asylum is recognized in accordance with Article 32 (2) of the Constitution 1982 (amended in 2004) (PRC), which prescribes that 'the People's Republic of China may grant asylum to foreigners who request it for political reasons.' China is a signatory to the Convention Relating to the Status of Refugees 1951 and the Protocol Relating to the Status of Refugees 1967 in 1982. Since the Sino-Vietnamese war in 1979, 300,000 Southeast Asian refugees have resided in China (United Nation High Commission Refugee 2007), and there were about 50,000 North Korean refugees in China in 2006 according to statistics from the MFA (China Asian Political News 2006). However, there are no detailed conditions and procedures for application for refugee status in China and no clarification of what might constitute these broad terms. Thus, in practice, due to a lack of detailed rules for their implementation, the regulations are not yet fully enforceable." (Liu, 2009)

Sources: Liu, G. 2009. "Changing Chinese Migration Law: From Restriction to Relaxation". *Revue de l'integration et de la migration internationale [Journal of International Migration and Integration]* 10(3): 311-333.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_10: Quota for co-ethnics.

Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?

Answer: No

Code: 1

Explanation: No, there are no publicly announced quotas of co-ethnics.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.3. List of excluded persons

IMMIGRATION_11: Categories of excluded persons.

Are there categories of excluded persons from immigration?

Answer: Yes

Code: 0

Explanation: Yes. Foreigners shall not be granted visas or residence permits under certain circumstances listed by The Exit and Entry Administration Law of the People's Republic of China (2013). "Article 21 Under any of the following circumstances, visas shall not be issued to foreigners: (1) Was deported, or was repatriated upon decision, and the No-Entry-into-China period has not expired; (2) Is suffering from serious mental disorders, infectious tuberculosis or other infectious diseases that may severely jeopardize the public health; (3) May endanger China's national security or interests, or disrupt social and public order, or engage in other illegal or criminal activities; (4) Resort to fraudulent acts in visa application or cannot guarantee expected expenditures during their stay in China; (5) Fail to submit relevant information required by the visa-issuing authorities; or (6) Other circumstances in which visa authorities consider a visa should not be issued. The visa-issuing authorities are not required to give reasons for refusing the issuance of a visa. [第二十一条 外国人有下列情形之一的，不予签发签证：（一）被处驱逐出境或者被决定遣送出境，未满不准入境规定年限的；（二）患有严重精神障碍、传染性肺结核病或者有可能对公共卫生造成重大危害的其他传染病的；（三）可能危害中国国家安全和利益、破坏社会公共秩序或者从事其他违法犯罪活动的；（四）在申请签证过程中弄虚作假或者不能保障在中国境内期间所需费用的；（五）不能提交签证机关要求提交的相关材料的；（六）签证机关认为不宜签发签证的其他情形。对不予签发签证的，签证机关可以不说明理由。]" "Article 31 Under any of the following circumstances, a foreigner's residence permit shall not be issued: (1) The visa held does not belong to the type for which a foreigner's residence permit should be issued; (2) Resorts to fraudulent acts in application; (3) Fails to provide relevant supporting materials in accordance with relevant regulations; (4) Is not eligible to reside in China because of violation of relevant Chinese laws or administrative regulations; or (5) Other circumstances in which the issuing authority considers a foreigner's residence permit should not be issued. [第三十一条 外国人有下列情形之一的，不予签发外国人居留证件：（一）所持签证类别属于不应办理外国人居留证件的；（二）在申请过程中弄虚作假的；（三）不能按照规定提供相关证明材料的；（四）违反中国有关法律、行政法规，不适合在中国境内居留的；（五）签发机关认为不宜签发外国人居留证件的其他情形

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Arts. 21 and 31.

List of categories of excluded persons:

Answer: (1) Was deported, or was repatriated upon decision, and the No-Entry-into-China period has not expired; (2) Is suffering from serious mental disorders, infectious tuberculosis or other infectious diseases that may severely jeopardize the public health; (3) May endanger China's national security or interests, or disrupt social and public order, or engage in other illegal or criminal activities; (4) Resort to fraudulent acts in visa application or cannot guarantee expected expenditures during their stay in China; (5) Fail to submit relevant information required by the visa-issuing authorities; or (6) Other circumstances in which visa authorities consider a visa should not be issued.

Code: (1) Was deported, or was repatriated upon decision, and the No-Entry-into-China period has not expired; (2) Is suffering from serious mental disorders, infectious tuberculosis or other infectious diseases that may severely jeopardize the public health; (3) May endanger China's national security or

interests, or disrupt social and public order, or engage in other illegal or criminal activities; (4) Resort to fraudulent acts in visa application or cannot guarantee expected expenditures during their stay in China; (5) Fail to submit relevant information required by the visa-issuing authorities; or (6) Other circumstances in which visa authorities consider a visa should not be issued.

Explanation: List provided in answer.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 21.

4.3.4. List of excluded countries

IMMIGRATION_12: Countries excluded.

Is there a list of countries whose nationals are banned for immigration in this country?

Answer: No

Code: 1

Explanation: No. There is no publicly announced list of countries whose citizens are banned for immigration in PRC in 2017.

Sources: 中华人民共和国居民身份证法 [Law of the People's Republic of China on Resident Identity Cards]. 2011. / 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

List of countries excluded:

Answer: Not applicable

Code: Not applicable

Explanation: No. There is no publicly announced list of countries whose citizens are banned for immigration in PRC in 2017.

Sources: web research

4.4. Policy incentives

4.4.1. Recognized brokers

IMMIGRATION_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):

Answer: Yes

Code: 1

Explanation: "Labor Dispatch Permit", "Human Resources Service Permit", and qualification for foreigner employment agency issued by the State Administration of Foreign Experts Affairs [《劳务派遣经营许可证》、《人力资源服务许可证》、外专局外国人就业中介代办资质] "The competent department of human resources and social security and the competent department in charge of foreign experts affairs under the State Council shall, in conjunction with relevant departments under the State Council, formulate and regularly adjust the guiding catalogue for foreigners working in China based on the needs for economic and social development as well as the supply and demand of human resources. [第四十二条 国务院人力资源社会保障主管部门、外国专家主管部门会同国务院有关部门根据经济社会发展需要和人力资源供求状况制定并定期调整外国人在中国境内工作指导目录。]" (The Exit and Entry Administration Law of the People's Republic of China, 2013) Ministry of Human Resources and Social Security of the People's Republic of China [中华人民共和国人力资源和社会保障部] State Council department personnel service agencies directory [国务院所属部门人才中介服务机构名录] refers to franchised or concurrently-managed talent intermediary service agencies set up by ministries and commissions under the State Council, directly affiliated institutions, directly-affiliated institutions, centrally-administered enterprises, and national societies. State Administration of Foreign Experts Affairs P.R. China [中华人民共和国国家外国专家局] <http://www.safea.gov.cn/> Service System for Foreigners Working in China [外国人来华工作管理服务系统] <http://fwp.safea.gov.cn/>

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. / 中华人民共和国人力资源和社会保障部 [Ministry of Human Resource and Social Security of the People's Republic of China]. "In 2017, the List of Talent Intermediary Service Agencies under the State Council was Released". Access date not available. http://www.mohrss.gov.cn/SYrlzyhshbzb/dongtaixinwen/buneyiaowen/201804/t20180419_292608.html.

IMMIGRATION_14. State offers pecuniary incentives to citizens willing to immigrate:

Answer: Yes

Code: 1

Explanation: Recruitment Program of Global Experts ("Thousand Talents Plan")[千人计划] has six categories of candidates: (1) innovative talents (long-term), (2) entrepreneurs, (3) young professionals, (4) innovative talents, (5) foreign experts, (6) topnotch talents and teams. For (1) eligible are people - under the age of 55, - willing to work in China on a full-time basis - with full professorships or the equivalent in prestigious foreign universities and Research & Development institutes, or with senior titles from well-known international companies or financial institutions. Each awardee shall receive a one-off, start-up package of RMB 1 million yuan from the nation's central budget. For (2) eligible are entrepreneurial talents who have earned their degree in foreign countries, with experiences in starting a business overseas or serving as middle or senior-level managers in renowned international enterprises for more than 3 years, as the main founder of his/her business which started 1 to 5 years ago; their technologies or invention patents shall be in the leading position by international standard, filling the gap in China, in line of national strategic direction of key industries with potential market which can be put into industrialized production. For (3) eligible are applicants engaged in scientific researches and below the age of 40, shall possess a PHD degree granted by prestigious overseas universities, with formal teaching and researching positions in overseas prestigious universities, institutions or enterprises, who will be able to work full time in China. For (4) eligible are candidates who shall be able to take the lead in the urgently needed areas of science, technology, industrial development and disciplinary construction. They shall work with stable employers in China with clear

work objectives and be able to make substantive contribution. They shall have signed contracts valid for at least 3 consecutive years and with at least 2 months each year working in China. The ownership of intellectual property right shall be clearly defined. 500,000 RMB shall be granted to each talent recruited. For (5) talents are required to work for more than 9 months per year in China for 3 consecutive years. Candidates should meet the general standard of the Plan. Taking into consideration the real situation, people under the age of 65 may apply. A lump sum of 1 million RMB research subsidies shall be granted to each talent enrolled. A total amount of 3-5 million RMB research subsidies shall be granted, through employer, to those engaged in scientific research, particularly those in basic science research. For (6) eligible are winners of important international awards, such as the Nobel Prize, the A.M. Turing Award, the Fields Medal etc, the academicians of academy of sciences or engineering in developed countries such as the United States, the UK, Canada, Australia, famous scholars from world top universities or R&D institutes, and other urgently needed top talents shall be introduced on a case by case basis.

Sources: The Thousand Talents Program. "Home Page". Accessed May 17, 2018.
<http://www.1000plan.org/en/foreign.html>.

4.5. Immigration control and penalties

4.5.1. Irregular residence

IMMIGRATION_15: Illegal residence.

Is illegal residence in the country considered a criminal offense?

Answer: No

Code: 1

Explanation: Not a criminal offense, but an administrative offense.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Is illegal residence considered an administrative offense?

Answer: Yes

Code: 0

Explanation: "Article 78 Foreigners who reside in China illegally shall be given a warning; where circumstances are serious, they shall be imposed with a fine of RMB 500 yuan per day, with a cap of RMB 10,000 yuan in total, or be detained for not less than five days but not more than 15 days. [第七十八条 外国人非法居留的，给予警告；情节严重的，处每非法居留一日五百元，总额不超过一万元的罚款或者五日以上十五日以下拘留。]"

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 78.

4.5.2. Forged documents

IMMIGRATION_16: Penalties for immigrants with forged documents.

Are there penalties for immigrants for forged documents?

Answer: Yes

Code: 0

Explanation: It is possible that immigrants with forged documents would be subject to a warning, expulsion (deportation), fine, as well as detention. “Article 73 Persons who obtain exit/entry documents such as visas or stay or residence permits by resorting to fraudulent acts shall be fined not less than RMB 2,000 yuan but not more than RMB 5,000 yuan; where circumstances are serious, they shall be detained for not less than 10 days but not more than 15 days and shall also be fined not less than RMB 5,000 yuan but not more than RMB 20,000 yuan. [第七十三条 弄虚作假骗取签证、停留居留证件等出境入境证件的，处二千元以上五千元以下罚款；情节严重的，处十日以上十五日以下拘留，并处五千元以上二万元以下罚款。]” (The Exit and Entry Administration Law of the People’s Republic of China, 2013) “Article 81 Where foreigners engage in activities not corresponding to the purposes of stay or residence, or otherwise violate the laws or regulations of China, which makes them no longer eligible to stay or reside in China, they may be ordered to exit China within a time limit. Where a foreigner’s violation of this Law is serious but does not constitute a crime, the Ministry of Public Security may deport them. The penalty decision made by the Ministry of Public Security shall be final. Deported foreigners shall not be allowed to enter China within 10 years calculating from the date of deportation. [第八十一条 外国人从事与停留居留事由不相符的活动，或者有其他违反中国法律、法规规定，不适宜在中国境内继续停留居留情形的，可以处限期出境。外国人违反本法规定，情节严重，尚不构成犯罪的，公安部可以处驱逐出境。公安部的处罚决定为最终决定。被驱逐出境的外国人，自被驱逐出境之日起十年内不准入境。]” (The Exit and Entry Administration Law of the People’s Republic of China, 2013) “Article 26 If a person uses a Hong Kong/Macao Entry Pass, a Hong Kong/Macao Travel Pass, a Pass for Hong Kong/Macao Compatriots Revisiting their Homeland or a Border Entry-Exit Pass which is forged, altered or otherwise invalid, or fraudulently uses the Pass of another, the Pass shall be confiscated and the person using the Pass shall be given a warning or be detained for up to five days, depending on the seriousness of the case.[第二十六条 持用伪造、涂改等无效的或者冒用他人的前往港澳通行证，往来港澳通行证，港澳同胞回乡证，入出境通行证的，除可以没收证件外，依视情节轻重，处以警告或5日以下拘留。]” (Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons, 1986)

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. Arts. 73 and 81. / 中国公民因私事往来香港地区或者澳门地区的暂行管理办法 [Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons]. 1986. Art. 26.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: Article 81 Where foreigners engage in activities not corresponding to the purposes of stay or residence, or otherwise violate the laws or regulations of China, which makes them no longer eligible to stay or reside in China, they may be ordered to exit China within a time limit. Where a foreigner's violation of this Law is serious but does not constitute a crime, the Ministry of Public Security may deport them. The penalty decision made by the Ministry of Public Security shall be final. Deported foreigners shall not be allowed to enter China within 10 years calculating from the date of deportation. [第八十一条 外国人从事与停留居留事由不相符的活动，或者有其他违反中国法律、法规规定，不适宜在中国境内继续停留居留情形的，可以处限期出境。外国人违反本法规定，情节严重，尚不构成犯罪的，公安部可以处驱逐出境。公安部的处罚决定为最终决定。被驱逐出境的外国人，自被驱逐出境之日起十年内不准入境。]” (The Exit and Entry Administration Law of the People's Republic of China, 2013)

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 81. / 中国公民因私事往来香港地区或者澳门地区的暂行管理办法 [Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons]. 1986.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: “Article 73 Persons who obtain exit/entry documents such as visas or stay or residence permits by resorting to fraudulent acts shall be fined not less than RMB 2,000 yuan but not more than RMB 5,000 yuan; where circumstances are serious, they shall be detained for not less than 10 days but not more than 15 days and shall also be fined not less than RMB 5,000 yuan but not more than RMB 20,000 yuan. [第七十三条 弄虚作假骗取签证、停留居留证件等出境入境证件的，处二千元以上五千元以下罚款；情节严重的，处十日以上十五日以下拘留，并处五千元以上二万元以下罚款。]” (The Exit and Entry Administration Law of the People's Republic of China, 2013)

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 73.

Penalty is detention:

Answer: Yes

Code: 2

Explanation: “Article 26 If a person uses a Hong Kong/Macao Entry Pass, a Hong Kong/Macao Travel Pass, a Pass for Hong Kong/Macao Compatriots Revisiting their Homeland or a Border Entry-Exit Pass which is forged, altered or otherwise invalid, or fraudulently uses the Pass of another, the Pass shall be confiscated and the person using the Pass shall be given a warning or be detained for up to five days, depending on the seriousness of the case.[第二十六条 持用伪造、涂改等无效的或者冒用他人的前往港澳通行证，往来港澳通行证，港澳同胞回乡证，入出境通行证的，除可以没收证件外，依视情节轻重，处以警告或5日以下拘留。]” (Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons, 1986)

Sources: 中国公民因私事往来香港地区或者澳门地区的暂行管理办法 [Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons]. 1986. Art. 26.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: No such provision

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. / 中国公民往来台湾地区管理办法. [Measures for the Administration of Chinese Citizens Travelling to or from Taiwan Region]. 2015.

IMMIGRATION_17: Penalties for immigrants with expired documents.

Are there penalties for immigrants with expired documents?

Answer: Yes

Code: 0

Explanation: It's possible that immigrants with expired documents would be subject to a warning, a fine, as well as deportation/expulsion. "Article 62 Under any of the following circumstances, foreigners may be deported:(1) Are ordered to exit China within a prescribed time limit but fail to do so;(2) Are involved in circumstances in which they are not allowed to enter China;(3) Illegally reside or work in China; or (4) Need to be repatriated for violation of this Law or other laws or administrative regulations. Other overseas personnel who fall under any of the circumstances prescribed in the preceding paragraph may be repatriated in accordance with the law. Repatriated persons shall not be allowed to enter China for one to five years, calculating from the date of repatriation. [第六十二条 外国人有下列情形之一的, 可以遣送出境: (一) 被处限期出境, 未在规定期限内离境的; (二) 有不准入境情形的; (三) 非法居留、非法就业的; (四) 违反本法或者其他法律、行政法规需要遣送出境的。其他境外人员有前款所列情形之一的, 可以依法遣送出境。被遣送出境的人员, 自被遣送出境之日起一至五年内不准入境。]" (The Exit and Entry Administration Law of the People's Republic of China, 2013) "Article 35 Whoever violates the provisions of Article 18 of the present Measures and surrenders an illegal residence within the time limit shall be given a warning and may be paid a single fine or concurrently at a fine of 100 yuan per day on the date of the cancellation. [第三十五条 违反本办法第十八条的规定, 逾期非法居留的, 处以警告, 可以单处或者并处每逾期 1 日 100 元的罚款。]" (Measures for the Administration of Chinese Citizens Travelling to or from Taiwan Region, 2015)

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 62.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: “Article 62 Under any of the following circumstances, foreigners may be deported:(1) Are ordered to exit China within a prescribed time limit but fail to do so;(2) Are involved in circumstances in which they are not allowed to enter China;(3) Illegally reside or work in China; or (4) Need to be repatriated for violation of this Law or other laws or administrative regulations. Other overseas personnel who fall under any of the circumstances prescribed in the preceding paragraph may be repatriated in accordance with the law. Repatriated persons shall not be allowed to enter China for one to five years, calculating from the date of repatriation. [第六十二条 外国人有下列情形之一的，可以遣送出境：（一）被处限期出境，未在规定期限内离境的；（二）有不准入境情形的；（三）非法居留、非法就业的；（四）违反本法或者其他法律、行政法规需要遣送出境的。其他境外人员有前款所列情形之一的，可以依法遣送出境。被遣送出境的人员，自被遣送出境之日起一至五年内不准入境。]” (The Exit and Entry Administration Law of the People’s Republic of China, 2013)

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. Art. 62.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: “Article 35 Whoever violates the provisions of Article 18 of the present Measures and surrenders an illegal residence within the time limit shall be given a warning and may be paid a single fine or concurrently at a fine of 100 yuan per day on the date of the cancellation. [第三十五条违反本办法第十八条的规定，逾期非法居留的，处以警告，可以单处或者并处每逾期1日100元的罚款。]” (Measures for the Administration of Chinese Citizens Travelling to or from Taiwan Region, 2015)

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013.

Penalty is detention:

Answer: No

Code: No

Explanation: No such provision

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. / 中国公民因私事往来香港地区或者澳门地区的暂行管理办法 [Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons]. 1986.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: No such provision

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. / 中国公民因私事往来香港地区或者澳门地区的暂行管理办法 [Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons]. 1986.

4.5.3. Aiding undocumented migrants

IMMIGRATION_18: Penalties for aiding undocumented migrants.

Are there penalties for aiding undocumented migrants?

Answer: Yes

Code: 0

Explanation: Yes. It's possible that those aiding the entry of undocumented migrants would be subject to a fine, detention, and the confiscation of illegal gains. "Article 79 Persons harboring or hiding foreigners who illegally enter or reside in China, or assisting such foreigners in evading inspection, or providing, in violation of the law, exit/entry documents for foreigners who illegally reside in China shall be fined not less than RMB 2,000 yuan but not more than RMB 10,000 yuan; where circumstances are serious, such persons shall be detained for not less than five days but not more than fifteen days and shall also be fined not less than RMB 5,000 yuan but not more than RMB 20,000 yuan, with the illegal gains confiscated if there are any. [第七十九条 容留、藏匿非法入境、非法居留的外国人，协助非法入境、非法居留的外国人逃避检查，或者为非法居留的外国人违法提供出境入境证件的，处二千元以上一万元以下罚款；情节严重的，处五日以上十五日以下拘留，并处五千元以上二万元以下罚款，有违法所得的，没收违法所得。]" "Article 80 Persons who introduce jobs to ineligible foreigners shall be fined RMB 5,000 yuan for each job illegally introduced to one foreigner, with a cap of not more than RMB 50,000 yuan in total; and entities that introduce jobs to ineligible foreigners shall be fined RMB 5,000 yuan for each job illegally introduced to one foreigner, with a cap of RMB 100,000 yuan in total; and the illegal gains, if any, shall be confiscated.[第八十条[...]介绍外国人非法就业的，对个人处每非法介绍一人五千元，总额不超过五万元的罚款；对单位处每非法介绍一人五千元，总额不超过十万元的罚款；有违法所得的，没收违法所得。]"

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. / 中国公民因私事往来香港地区或者澳门地区的暂行管理办法 [Provisional Measures for the Control of Chinese Citizens Entering and Leaving the Regions of Hong Kong and Macao for Personal Reasons]. 1986.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: "Article 79 Persons harboring or hiding foreigners who illegally enter or reside in China, or assisting such foreigners in evading inspection, or providing, in violation of the law, exit/entry

documents for foreigners who illegally reside in China shall be fined not less than RMB 2,000 yuan but not more than RMB 10,000 yuan; where circumstances are serious, such persons shall be detained for not less than five days but not more than fifteen days and shall also be fined not less than RMB 5,000 yuan but not more than RMB 20,000 yuan, with the illegal gains confiscated if there are any. [第七十九条 容留、藏匿非法入境、非法居留的外国人，协助非法入境、非法居留的外国人逃避检查，或者为非法居留的外国人违法提供出境入境证件的，处二千元以上一万元以下罚款；情节严重的，处五日以上十五日以下拘留，并处五千元以上二万元以下罚款，有违法所得的，没收违法所得。]” “Article 80 Persons who introduce jobs to ineligible foreigners shall be fined RMB 5,000 yuan for each job illegally introduced to one foreigner, with a cap of not more than RMB 50,000 yuan in total; and entities that introduce jobs to ineligible foreigners shall be fined RMB 5,000 yuan for each job illegally introduced to one foreigner, with a cap of RMB 100,000 yuan in total; and the illegal gains, if any, shall be confiscated.[第八十条[...]]介绍外国人非法就业的，对个人处每非法介绍一人五千元，总额不超过五万元的罚款；对单位处每非法介绍一人五千元，总额不超过十万元的罚款；有违法所得的，没收违法所得。”

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Arts. 79 and 80.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: No such provision

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

4.5.4. Employment obligations

IMMIGRATION_19: Penalties for employers who hire migrant workers without a legal work permit.

Are there sanctions for employers hiring migrant workers without a legal work permit?

Answer: Yes

Code: 0

Explanation: “Article 80 [...] Individuals or entities that illegally employ foreigners shall be fined RMB 10,000 yuan for each illegally employed foreigner, with a cap of RMB 100,000 yuan in total; and the illegal gains, if any, shall be confiscated. [非法聘用外国人的，处每非法聘用一人一万元，总额不超过十万元的罚款；有违法所得的，没收违法所得。]”

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 80.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: "Article 80 [...] Individuals or entities that illegally employ foreigners shall be fined RMB 10,000 yuan for each illegally employed foreigner, with a cap of RMB 100,000 yuan in total; and the illegal gains, if any, shall be confiscated. [非法聘用外国人的，处每非法聘用一人一万元，总额不超过十万元的罚款；有违法所得的，没收违法所得。]"

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 80.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: No such provision

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

4.5.5. Landlord obligations

IMMIGRATION_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.

Are there penalties for landlords who rent shelter to migrants without a regular migrant status?

Answer: Yes

Code: 0

Explanation: Yes, penalties for landlords who shelter irregular migrants exist. First of all, there exists an obligation for hotels or persons offering accommodation to foreigners to go through registration formalities with the public security organs in the place of residence. Persons harboring foreigners who illegally enter or reside in China would be subject to a fine, detention, and the confiscation of the illegal gains.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Arts. 39, 76 and 79.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: “Article 76 [...] Hotels that fail to process accommodation registration for foreigners shall be punished in accordance with the relevant provisions of the Law of the People’s Republic of China on Penalties for Administration of Public Security; hotels that fail to submit foreigners’ accommodation registration information to public security organs shall be given a warning; where circumstances are serious, such hotels shall be fined not less than RMB 1,000 yuan but not more than RMB 5,000 yuan.[第七十六条 [...] 旅馆未按照规定办理外国人住宿登记的，依照《中华人民共和国治安管理处罚法》的有关规定予以处罚；未按照规定向公安机关报送外国人住宿登记信息的，给予警告；情节严重的，处一千元以上五千元以下罚款。”

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. Art. 76.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: No such provision

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013.

4.5.6. Airline penalties

IMMIGRATION_21: Penalties for airlines carrying immigrants without documentation.

Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?

Answer: Yes

Code: 0

Explanation: Yes, they are subject to a fine and the transport vehicles might be seized.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People’s Republic of China]. 2013. Arts. 68 and 83.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: "Article 83 Where transport vehicles fall under any of the following circumstances, the persons in charge of the transport vehicles shall be fined not less than RMB 5,000 yuan but not more than RMB 50,000 yuan:(1) Exit or enter China without examination and approval, or change the ports of exit or entry without approval; (2) Fail to truthfully declare information of staff, passengers, goods or articles, or refuse to assist in exit/entry border inspection; or (3) Embark or disembark passengers, or load or unload goods or articles in violation of the regulations on exit/entry border inspection. Transport vehicles that exit or enter China carrying persons who are not allowed to exit or enter China shall be fined not less than RMB 5,000 yuan but not more than RMB 10,000 yuan for each aforesaid person carried. Where the persons in charge of the transport vehicles prove that they have taken reasonable preventative measures, they may be given mitigated penalties or be exempt from penalties. [第八十三条 交通运输工具有下列情形之一的，对其负责人处五千元以上五万元以下罚款：（一）未经查验准许擅自出境入境或者未经批准擅自改变出境入境口岸的；（二）未按照规定如实申报员工、旅客、货物或者物品等信息，或者拒绝协助出境入境边防检查的；（三）违反出境入境边防检查规定上下人员、装卸货物或者物品的。出境入境交通运输工具载运不准出境入境人员出境入境的，处每载运一人五千元以上一万元以下罚款。交通运输工具负责人证明其已经采取合理预防措施的，可以减轻或者免于处罚。]"

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 83.

Penalty is more than a fine:

Answer: No

Code: 1

Explanation: The penalty was a fine, but not imprisonment.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 83.

4.6. Amnesty programs

IMMIGRATION_22: Existence of amnesty program.

In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?

Answer: No

Code: 0

Explanation: No such provision

Sources: Online research

The amnesty program is/was:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being employed is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Does a case by case regularization for irregular immigrants existed?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Being employed is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is regularization through marriage possible:

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_23. The amnesty defines the types of irregular migrants as:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.7. Administration

IMMIGRATION_24_1: Administration in charge of immigration regulation.

Which institution is in charge of immigration regulation (in original language)?

Answer: 全国人民代表大会, 中华人民共和国国务院

Code: 全国人民代表大会, 中华人民共和国国务院

Explanation: Not applicable

Sources: Xinhuanet News. "Explanation of the State Council's Institutional Reform Program". Access date not available. http://www.xinhuanet.com/politics/2018lh/2018-03/14/c_1122533011.htm.

Which institution is in charge of immigration regulation (in English language)?

Answer: National People's Congress (national, legislative) State Council (national, executive)

IMMIGRATION_24_2: Administration in charge of implementing immigration policies.

Which institution is in charge of the implementation of immigration policies (in original language)?

Answer: 全国人民代表大会, 中华人民共和国国务院

Code: 全国人民代表大会, 中华人民共和国国务院

Explanation: Not applicable

Sources: Xinhuanet News. "Explanation of the State Council's Institutional Reform Program". Access date not available. http://www.xinhuanet.com/politics/2018lh/2018-03/14/c_1122533011.htm.

Which institution is in charge of immigration regulation (in English language)?

Answer: National People's Congress (national, legislative) State Council (national, executive)

IMMIGRATION_24_3: Administration in charge of border control.

Which institution is in charge of border control (in original language)?

Answer: Ministry of Public Security[公安部] State Immigration Administration[国家移民管理局] (founded in 2018), also under the name of Bureau of Exit and Entry Administration [出入境管理局]

Code: Ministry of Public Security[公安部] State Immigration Administration[国家移民管理局] (founded in 2018), also under the name of Bureau of Exit and Entry Administration [出入境管理局]

Explanation: Not applicable

Sources: 中华人民共和国公安部 [People's Republic of China Ministry of Public Security. "中国公民出入境 [The Exit and Entry of Chinese Citizens]". Access date not available.
<http://www.mps.gov.cn/n2256342/n2256352/n2256353/n2256378/n2256379/c3819589/content.html>. /国家移民管理局 [State Immigration Administration]. 2008. 申请恢复中国国籍须知 [Application for Restoration of Chinese Nationality].

Which institution is in charge of border control (in English language)?

Answer: The Ministry of Public Security; the State Immigration Administration (founded in 2018), also under the name of Bureau of Exit and Entry Administration

IMMIGRATION_24_4: Administration in charge of detentions.

Which institution is in charge of detentions (in original language)?

Answer: 公安部 国家移民管理局; 出入境管理局

Code: 公安部 国家移民管理局; 出入境管理局

Explanation: Ministry of Public Security[公安部] State Immigration Administration[国家移民管理局] (founded in 2018), also under the name of Bureau of Exit and Entry Administration [出入境管理局]

Sources: 中华人民共和国公安部 [People's Republic of China Ministry of Public Security. "中国公民出入境 [The Exit and Entry of Chinese Citizens]". Access date not available.
<http://www.mps.gov.cn/n2256342/n2256352/n2256353/n2256378/n2256379/c3819589/content.html>. /国家移民管理局 [State Immigration Administration]. 2008. 申请恢复中国国籍须知 [Application for Restoration of Chinese Nationality].

Which institution is in charge of detentions (in English language)?

Answer: Ministry of Public Security and the State Immigration Administration (founded in 2018), also under the name of Bureau of Exit and Entry Administration

4.8. Proxy: Labor migration (high- and low-skilled)

IMMIGRATION_25: Visas applied to labor migration.

Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?

Answer: Yes

Code: 1

Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?

Answer: No

Code: 0

Explanation: Not applicable

Sources: 就业服务与就业管理规定 [Employment Services and Employment Management Regulations]. 2015.

4.8.1. Domestic workers

Is there a visa scheme (entry track) for domestic workers?

Answer: No

Code: 0

Explanation: No such visa track legally allowed. Immigrants are NOT allowed to work as domestic workers because of the Chinese government's usual reluctance to grant foreigners visas for unskilled labor. "Employing units must employ foreigners in positions that require special skills and have no suitable candidates in the country, and do not violate the relevant regulations of the state. [第二十三条 用人单位招用外国人的岗位必须是有特殊技能要求、国内暂无适当人选的岗位，并且不违反国家有关规定。]" (Employment Services and Employment Management Regulations, 2015) Many immigrants providing domestic services enter China with a Tourist Visa (L), which is illegal (Xinhuanet, 2017). In some cities such as Shanghai, measures are taken to grant Philippine nannies (who hold touristic visa) legal residence permit. "Foreign domestic workers can first enter China with a tourist visa before applying for the residence permit. However, the Exit-Entry Administration of the Shanghai Municipal Public Security Bureau in Pudong is currently the only office able to process such applications." (China Briefing, 2017)

Sources: 就业服务与就业管理规定 [Employment Services and Employment Management Regulations]. 2015.

IMMIGRATION_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in the explanation).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_30: Restrictions based on age.

Are there age limits for migrant domestic workers in order to be admitted to the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_31. Is having a certain gender a requisite to be admitted to the country under the domestic worker entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_33. Do migrant domestic workers need to prove the ability to support themselves?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_36. How long is the domestic work permit valid for? Indicate the period in months.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_37. Is it possible to renew the work permit granted under the domestic worker entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_38: Possibility of changing jobs.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_41. Is a minimum level of education required to apply to the domestic entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_42. Is a test of good health required for migrant domestic worker?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.8.2. Agricultural workers

Is there a visa scheme (entry track) for agricultural workers?

Answer: No

Code: 0

Explanation: No such visa track legally allowed.

Sources: 就业服务与就业管理规定 [Employment Services and Employment Management Regulations]. 2015.

IMMIGRATION_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_47: Restrictions based on age.

Are age limits for migrant agricultural workers in order to be admitted to the polity?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_48. Is having a certain gender a requisite to be admitted to the country under this entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_50. Do migrant agricultural workers need to prove the ability to support themselves?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_51. Is knowledge of the host polity's language considered beneficial or required for the decision on immigrating as an agricultural worker?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_53. How long is the work permit valid for? Indicate the period in months.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_54. Is it possible to renew the work permit granted under the agricultural worker entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_55: Possibility of changing jobs.

Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_58. Is a minimum level of education required to apply to the agricultural worker entry track?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_59. Is a test of good health required for migrant agricultural workers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.8.3. Medical doctors

Is there a visa scheme (entry track) for medical doctors?

Answer: Yes

Code: 1

Explanation: Medical doctors can apply for Work Visa (Z) when the Foreigners' Work Permit is issued, and Talents Visa (R) in exceptional cases. "China's economic and social development is in urgent need of scientists, leading scientists, international entrepreneurs, specialized special talents and other "high-precision" foreign high-end talent, in line with the state's introduction of foreign talent focus and directory and one of the following conditions, identified as Class A, Implementation of the "green channel" and "tolerance and admissibility" services. [...] (3) Foreign talents who meet the requirements of market-oriented encouragement posts [...] 5. Domestic top three general hospitals or sub-provincial-level cities specialized hospitals or foreign-funded hospitals are appointed as senior management positions or vice seniors Professional and technical staff. [中国经济社会发展急需的科学家、科技领军人才、国际企业家、专门特殊人才等“高精尖缺”外国高端人才，符合国家引进外国人才重点和目录及以下条件之一的，确定为A类，实行“绿色通道”和“容缺受理”服务。[...] (三) 符合市场导向的鼓励类岗位需求的外国人才[...] 5.国内三甲综合医院或副省级以上城市专科医院或外资医院聘任担任高级管理职务或副高级以上专业技术职务的人员。]" (Classification of Foreigners Who Work in China (Trial), 2017)

Sources: 国家外国专家局 [State Administration of Foreign Experts Affair]. "外国人来华工作分类标准 (试行) [Classification of Foreigners Who Work in China (Trial)]". Accessed March 28, 2017. http://fwf.safea.gov.cn/sinosoft/attached/file/20170717/20170717193419_177.pdf.

IMMIGRATION_60. Do migrants trying to enter the polity under the medical doctor entry track, needed to be sponsored by an individual or group?

Answer: Yes

Code: 0

Explanation: Yes. Medical doctors who enter China with a Work Visa (Z) must have their employers as sponsors. "Article 45 Entities that employ foreigners or enroll foreign students shall report relevant information to local public security organs in accordance with relevant regulations. [第四十五条 聘用外国人工作或者招收外国留学生的单位，应当按照规定向所在地公安机关报告有关信息。]" (The Exit and Entry Administration Law of the People's Republic of China, 2013) In addition, medical doctors who enter China with a Talent Visa (R) are those who are "-Invited by the Chinese government (Ministry of Organization; Ministry of Human Resources and Social Security or State Administration of Foreign Experts)se -Or Invited by the Shanghai local government (Shanghai Ministry of Organization; Shanghai Ministry of Human Resources and Social Security or Shanghai Foreign Experts bureau) -Or employed by the shanghai high-technology company which has the valid high-tech certificate" (VisainChina)

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China45. / Visa in China. "Talents R Visa". Access date not available. <http://www.visainchina.com/talentsvisa.htm>.

IMMIGRATION_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?

Answer: Yes, required

Code: 0.25

Explanation: Job offer is required. "Employment contract or proof of service (including multinational company dispatch letter): A Chinese contract should be provided. It should be signed by the applicant and affixed with the company's official seal, and must not be altered. An employing unit recognized by the licensing decision agency as an example of the integrity of an employing unit and who has no bad credit history for three consecutive years, who cannot provide an employment contract prior to entry into China, may provide proof of employment and apply for a "Permit for the Work of Foreigners of the People's Republic of China" after entering China. When submitting an employment contract, the necessary contents must be consistent; if there is any inconsistency, you need to apply for a new license, except when the salary is increased or the position (position) is promoted. [聘用合同或任职证明 (包括跨国公司派遣函): 应提供中文合同, 应由申请人签名并加盖单位公章, 不得涂改。经许可决定机构认定的用人单位诚信典型和连续三年无不良信用记录的用人单位, 入境前无法提供聘用合同的, 可提供任职证明, 入境后申领《中华人民共和国外国人工作许可证》时提交聘用合同, 必要内容需前后一致; 如不一致, 需重新申请许可, 但薪酬提高或者职务(职位)提升的除外。]"

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)].

IMMIGRATION_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?

Answer: No

Code: 1

Explanation: No openly announced usage of labor market test.

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)].

IMMIGRATION_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No publicly announced restrictions to certain nationalities.

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)].

IMMIGRATION_64: Restrictions based on age.

Are there age limits for migrant medical doctors to be admitted to the country?

Answer: No

Code: 1

Explanation: No, there is not an age limit. The age is not an exclusionary factor, but, when applying for R or Z visa and the work permit in PRC, the immigrant has to make the statement that "I confirm that, if I am over sixty years old, I will apply for medical insurance coverage as are needed during my work period in China".

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)].

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_65. Is having a certain gender a requisite to be admitted to the polity under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No publicly announced gender requisite.

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)].

IMMIGRATION_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No publicly announced requisite of certain marital status.

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)].

IMMIGRATION_67. Do migrant medical doctors need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No publicly announced requisite of financial self-sustainability. But for those who apply for the R and Z visa, an Integral Element Score Assignment Table is devised where it indicates these with higher contract income will be favored.

Sources: 国家外国专家局 [State Administration of Foreign Experts Affair]. “外国人来华工作分类标准 (试行) [Classification of Foreigners Who Work in China (Trial)]”. Accessed March 28, 2017. http://fwp.safea.gov.cn/sinosoft/attached/file/20170717/20170717193419_177.pdf.

IMMIGRATION_68. Is knowledge of the host polity's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?

Answer: Yes, beneficial

Code: 0.5

Explanation: Beneficial. For those who apply for the R or Z visa, an Integral Element Score Assignment a Table indicates that proficiency of Mandarin is a bonus factor.

Sources: 国家外国专家局 [State Administration of Foreign Experts Affair]. “外国人来华工作分类标准 (试行) [Classification of Foreigners Who Work in China (Trial)]”. Accessed March 28, 2017. http://fwp.safea.gov.cn/sinosoft/attached/file/20170717/20170717193419_177.pdf.

IMMIGRATION_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 0

Code: 0

Explanation: No additional process fees need to be paid other than the visa & document fees. The costs of the visa depend on the country of origin. “Article 92 Foreigners who apply for exit/entry documents such as visas or foreigner stay or residence permits or apply for document extension or alteration shall pay visa fees or document fees in accordance with relevant regulations. [第九十二条 外

国人申请办理签证、外国人停留居留证件等出境入境证件或者申请办理证件延期、变更的，应当按照规定缴纳签证费、证件费。”]

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

IMMIGRATION_70. How long is the medical doctor work permit valid for? Indicate the period in months.

Answer: 60

Code: 60

Explanation: There are two types of Foreigners' Work Permit: (1) below 90 days, or (2) 90 days and above. The second type of FWP can be prolonged up to 5 years. (Foreigner's Work Permit Service Guide to China (Provisional), 2017) "Article 30 The validity period of a foreigner's work-type residence permit shall be 90 days at the minimum and five years at the maximum; and the validity period of a non-work-type foreigner's residence permit shall be 180 days at the minimum and five years at the maximum. [第三十条 外国人工作类居留证件的有效期最短为九十日，最长为五年；非工作类居留证件的有效期最短为一百八十日，最长为五年。]" (The Exit and Entry Administration Law of the People's Republic of China, 2013)

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南（暂行） [Foreigner's Work Permit Service Guide to China (Provisional)]. / 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. Art. 30.

IMMIGRATION_71. Is it possible to renew the work permit granted under the medical doctor entry track?

Answer: Yes

Code: 1

Explanation: Yes. There are two types of Foreigners' Work Permit: (1) below 90 days, or (2) 90 days and above. The second type of FWP can be prolonged up to 5 years. There is no need to leave the country in order to be granted renewal.

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南（暂行） [Foreigner's Work Permit Service Guide to China (Provisional)].

IMMIGRATION_72: Possibility of changing jobs.

Is it possible for a migrant medical doctor to switch employers?

Answer: Yes

Code: 1

Explanation: Yes, it is possible with an additional procedure. “If a new position (professional) is re-employed, the current work permit shall be written off and the foreigner shall apply for a new foreigner's work permit. 改任新岗位（职业）的，应注销现有工作许可，重新申请办理外国人来华工作许可。”

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南（暂行） [Foreigner's Work Permit Service Guide to China (Provisional)].

Is it possible for a migrant medical doctor to switch professional sectors?

Answer: Yes

Code: 1

Explanation: Yes, it is possible with an additional procedure. “If a new position (professional) is re-employed, the current work permit shall be written off and the foreigner shall apply for a new foreigner's work permit. 改任新岗位（职业）的，应注销现有工作许可，重新申请办理外国人来华工作许可。”

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南（暂行） [Foreigner's Work Permit Service Guide to China (Provisional)].

Is it possible for a migrant medical doctor to switch locations?

Answer: Yes

Code: 1

Explanation: Yes, it is possible with an additional procedure “If a new position (professional) is re-employed, the current work permit shall be written off and the foreigner shall apply for a new foreigner's work permit. 改任新岗位（职业）的，应注销现有工作许可，重新申请办理外国人来华工作许可。”

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南（暂行） [Foreigner's Work Permit Service Guide to China (Provisional)].

IMMIGRATION_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?

Answer: Yes, right away

Code: 1

Explanation: Yes. The loss of employment may result in the cancellation of the work permit and the residence permit. “Article 20 After the employment contract between the hired foreigner and the employing unit is lifted, the employing unit shall promptly report to the labor and public security department, return the foreigner’s employment permit and residence permit, and go through the formalities for exit from the public security organ. [第二十条 被聘用的外国人与用人单位的劳动合同被解除后，该用人单位应及时报告劳动、公安部门，交还该外国人的就业证和居留证件，并到公安机关办理出境手续。]”

Sources: 外国人在中国就业管理规定 [Regulations on the Management of Employment of Foreigners in China]. 2017. Art. 20.

IMMIGRATION_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: It is mentioned that “The salary of foreigners employed shall not be less than the local minimum wage standard. [支付所聘用外国人的工资、薪金不得低于当地最低工资标准。]” (Foreigner’s Work Permit Service Guide to China (Provisional), 2017)

Sources: 中华人民共和国人力资源和社会保障部 [Ministry of Human Resources and Social Security of the People’s Republic of China]. 2011. 在中国境内就业的外国人参加社会保险暂行办法 [Interim Measures for Foreigners Participating in Social Insurance for Employment in China]. / 外国人来华工作管理服务系统 [Management Service System for Foreigners’ Work in China]. 2017. 外国人来华工作许可服务指南（暂行） [Foreigner’s Work Permit Service Guide to China (Provisional)].

IMMIGRATION_75. Is a minimum level of education required to apply to the medical doctor entry track?

Answer: No

Code: 1

Explanation: No, there is no minimum level of education required to apply for Z or R visa. “Foreign high-end talent is not subject to age, education and work experience. [外国高端人才可不受年龄、学历和工作经历限制。]”

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners’ Work in China]. 2017. 外国人来华工作许可服务指南（暂行） [Foreigner’s Work Permit Service Guide to China (Provisional)].

IMMIGRATION_76. Is a test of good health required for migrant medical doctors?

Answer: Yes

Code: 1

Explanation: A test of good health is needed for these who are entering via Z visa because it is required for the application of Foreigner's Work Permit. A test of good health is not needed for these entering via R visa. To apply for Foreigner's Work Permit, a Medical Examination is required. It is "the verification certificate issued by the Chinese inspection and quarantine agency or the health inspection certificate issued by the Chinese inspection and quarantine agency or the medical certificate issued by an overseas health medical institution approved by the Chinese inspection and quarantine agency shall be issued within six months. [由中国检验检疫机构出具的境外人员体格检查记录验证证明或健康检查证明书·或经中国检验检疫机构认可的境外卫生医疗机构出具的体检证明·签发时间均在6个月内]。"

Sources: 外国人来华工作管理服务系统 [Management Service System for Foreigners' Work in China]. 2017. 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)].

4.9. Proxy: Refugees

4.9.1. Existence of track

IMMIGRATION_77. Does the country grant refugee status?

Answer: No

Code: 0

Explanation: There is no national asylum law or agency in the People's Republic of China. UNHCR is conducting the refugee status determination in the country. While the 2012 Exit and Entry Administration Law provides for asylum seekers and refugees to have identification documents issued by Chinese authorities, this has not been implemented. There is insufficient evidence that a functioning refugee system exists in China.

Sources: United Nations High Commissioner for Refugee. 2018. People's Republic of China and the Special Administrative Regions of Hong Kong and Macao. Universal Periodic Review.

IMMIGRATION_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_79: Safe countries of origin.

Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

How many countries?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.2. Restrictions

IMMIGRATION_80: Refugee status restricted for certain nationalities.

Is refugee status restricted to certain nationalities?

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

Which nationalities?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_81: Restrictions based on age.

Are there age limits for potential refugees to be admitted to the polity?

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

Below which age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_82. Is having a certain gender a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_83. Is having a certain marital status a requisite to be granted refugee status?

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

4.9.3. Place of application

IMMIGRATION_84: Place of application

Can asylum seekers file an application for asylum from outside the destination polity's territory?

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can asylum seekers file an application for asylum at the border/ports of entry of polity's territory?

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

Can asylum seekers file an application for asylum on the destination polity's territory?

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

4.9.4. Permit validity

IMMIGRATION_85. How long is the initial residence permit for recognized refugees valid for?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_86: Permit renewal.

Is it possible to renew a temporary residence permit?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible to apply for a permanent resident permit for recognized refugees?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.5. Maximum timeframe for application resolution

IMMIGRATION_88: Timeframe for resolution.

Is there a maximum of days to process the application of asylum seekers?

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

What is the maximum of days?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.6. Possibility to change migratory status

IMMIGRATION_89. If an application on refugee status is rejected, does the applicant have the right to appeal?

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_90. Is it possible for recognized refugees to change their migratory status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.7. Detention

IMMIGRATION_91: Detention

Are asylum seekers detained while their claims are being processed?

Answer: Not applicable

Code: 4

Explanation: Not applicable

Sources: Not applicable

Are asylum seekers detained after their claims are processed?

Answer: Not applicable

Code: 2

Explanation: Not applicable

Sources: Not applicable

4.9.8. Status after rejection

IMMIGRATION_92. What is the status of asylum seekers whose applications are rejected?

Answer: Not applicable

Code: 5

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_93. Do asylum seekers have the possibility to work during the process of application?

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

4.9.9. Translation and interpretation

IMMIGRATION_94. Does the state provide official translation or interpretation for the process of asylum seekers?

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

4.10. Proxy: Co-ethnics

4.10.1. General

IMMIGRATION_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: Yes

Code: 1

Explanation: "In recent years, the Ministry of Public Security, together with relevant departments, has introduced a series of policies and measures to facilitate the visit of foreign Chinese to China to encourage and attract more foreign Chinese to participate in China's economic and social construction. It has played an active role in serving the economic and social development and gathering innovative entrepreneurial talents. In order to provide Chinese foreigners working, studying, and living in China with a more convenient and pragmatic entry and exit environment, the Ministry of Public Security has decided to further optimize the measures for the entry and exit and the residence of foreign Chinese. The visa track that allowed multiple entries within max. a year in the past will be extended to allow multiple entries within five years; the residence permit that was valid for max. 3 years will be extended to 5 years. [近年来，公安部会同有关部门推出一系列便利外籍华人来华政策措施，鼓励和吸引更多外籍华人参与我国经济社会建设，为服务经济社会发展、聚集创新创业人才发挥了积极作用。为给在华工作、学习、生活的外籍华人提供更为便利、务实的出入境环境，公安部决定进一步优化外籍华人出入境和停居留措施，将签证由之前最长1年多次有效，放宽至5年内多次有效；将居留许可期限由之前最长不超过3年，增加至5年。]"

Sources: 公安部 [Ministry of Public Security]. "集中推出八项出入境便利措施解读 [Introduction of Eight Measures to Facilitate Entry and Exit]". Access date not available.
<http://www.mps.gov.cn/n2254098/n4904352/c5983401/content.html>.

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: Yes, co-ethnic have a specific entry track

Code: 1

Explanation: “In recent years, the Ministry of Public Security, together with relevant departments, has introduced a series of policies and measures to facilitate the visit of foreign Chinese to China to encourage and attract more foreign Chinese to participate in China's economic and social construction. It has played an active role in serving the economic and social development and gathering innovative entrepreneurial talents. In order to provide Chinese foreigners working, studying, and living in China with a more convenient and pragmatic entry and exit environment, the Ministry of Public Security has decided to further optimize the measures for the entry and exit and the residence of foreign Chinese. The visa track that allowed multiple entries within max. a year in the past will be extended to allow multiple entries within five years; the residence permit that was valid for max. 3 years will be extended to 5 years. [近年来，公安部会同有关部门推出一系列便利外籍华人来华政策措施，鼓励和吸引更多外籍华人参与我国经济社会建设，为服务经济社会发展、聚集创新创业人才发挥了积极作用。为给在华工作、学习、生活的外籍华人提供更为便利、务实的出入境环境，公安部决定进一步优化外籍华人出入境和停居留措施，将签证由之前最长1年多次有效，放宽至5年内多次有效；将居留许可期限由之前最长不超过3年，增加至5年。]”

Sources: 公安部 [Ministry of Public Security]. “集中推出八项出入境便利措施解读 [Introduction of Eight Measures to Facilitate Entry and Exit]”. Access date not available.
<http://www.mps.gov.cn/n2254098/n4904352/c5983401/content.html>.

IMMIGRATION_96. Register the name of the group(s).

Answer: Foreign Chinese (“外籍华人”) .

Code: Foreign Chinese (“外籍华人”) .

Explanation: Not applicable

Sources: 公安部 [Ministry of Public Security]. “集中推出八项出入境便利措施解读 [Introduction of Eight Measures to Facilitate Entry and Exit]”. Access date not available.
<http://www.mps.gov.cn/n2254098/n4904352/c5983401/content.html>.

4.10.2. Reasons for co-ethnicity

IMMIGRATION_97. Reasons for co-ethnicity.

Shared language:

Answer: No

Code: 0

Explanation: Not necessarily. “Foreign Chinese refer to former Chinese citizens who have acquired a foreign nationality and their descendants, and the foreign nationals who are the descendants of Chinese citizens.[外籍华人是指已加入外国国籍的原中国公民及其外国籍后裔和中国公民的外国籍后裔

。]” (Shanghai Overseas Chinese Affairs Center, 2016) “In recent years, the Ministry of Public Security, together with relevant departments, has introduced a series of policies and measures to facilitate the visit of foreign Chinese to China to encourage and attract more foreign Chinese to participate in China's economic and social construction. It has played an active role in serving the economic and social development and gathering innovative entrepreneurial talents. In order to provide Chinese foreigners working, studying, and living in China with a more convenient and pragmatic entry and exit environment, the Ministry of Public Security has decided to further optimize the measures for the entry and exit of foreign Chinese nationals and to stop the stay. The visa will be valid for a maximum of one year and will be released several times. Valid for multiple times within 5 years; increase the residence permit period from the previous maximum of 3 years to 5 years. [近年来，公安部会同有关部门推出一系列便利外籍华人来华政策措施，鼓励和吸引更多外籍华人参与我国经济社会建设，为服务经济社会发展、聚集创新创业人才发挥了积极作用。为给在华工作、学习、生活的外籍华人提供更为便利、务实的出入境环境，公安部决定进一步优化外籍华人出入境和停居留措施，将签证由之前最长1年多次有效，放宽至5年内多次有效；将居留许可期限由之前最长不超过3年，增加至5年。]” (The Ministry of Public Security on the introduction of eight measures to facilitate entry and exit (2018))

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese]. / 公安部 [Ministry of Public Security]. “集中推出八项出入境便利措施解读 [Introduction of Eight Measures to Facilitate Entry and Exit]”. Access date not available. <http://www.mps.gov.cn/n2254098/n4904352/c5983401/content.html>.

Shared religion:

Answer: No

Code: 0

Explanation: “Foreign Chinese refer to former Chinese citizens who have joined a foreign nationality and their descendants, and the foreign nationals who are the descendants of Chinese citizens. [外籍华人是指已加入外国国籍的原中国公民及其外国籍后裔和中国公民的外国籍后裔。]”

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

Shared ancestry:

Answer: Yes

Code: 1

Explanation: “Foreign Chinese refer to former Chinese citizens who have joined a foreign nationality and their descendants, and the foreign nationals who are the descendants of Chinese citizens. [外籍华人是指已加入外国国籍的原中国公民及其外国籍后裔和中国公民的外国籍后裔。]”

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

Citizen of former colony:

Answer: No

Code: 0

Explanation: “Foreign Chinese refer to former Chinese citizens who have joined a foreign nationality and their descendants, and the foreign nationals who are the descendants of Chinese citizens. [外籍华人是指已加入外国国籍的原中国公民及其外国籍后裔和中国公民的外国籍后裔。]”

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

III treatment by country in the past:

Answer: No

Code: 0

Explanation: “Foreign Chinese refer to former Chinese citizens who have joined a foreign nationality and their descendants, and the foreign nationals who are the descendants of Chinese citizens. [外籍华人是指已加入外国国籍的原中国公民及其外国籍后裔和中国公民的外国籍后裔。]”

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

Self-declaration: avowal to be of country's ethnicity:

Answer: No

Code: 0

Explanation: “Foreign Chinese refer to former Chinese citizens who have joined a foreign nationality and their descendants, and the foreign nationals who are the descendants of Chinese citizens. [外籍华人是指已加入外国国籍的原中国公民及其外国籍后裔和中国公民的外国籍后裔。]”

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

Other:

Answer: No

Code: 0

Explanation: Not applicable

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

IMMIGRATION_98. May converts apply?

Answer: No

Code: Not applicable

Explanation: Not applicable, since religion is not a ground to establish coethnicity

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

IMMIGRATION_99. Which degree of ancestry is sufficient to claim entitlement to preferential immigration rights?

Answer: Degree not defined in regulations

Code: 5

Explanation: “Foreign Chinese refer to former Chinese citizens who have joined a foreign nationality and their descendants, and the foreign nationals who are the descendants of Chinese citizens. [外籍华人是指已加入外国国籍的原中国公民及其外国籍后裔和中国公民的外国籍后裔。]”

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

4.10.3. Language test

IMMIGRATION_100. What is the required level of language skills?

Answer: Not applicable

Code: Not applicable

Explanation: Language is not to be understood as a reason for co-ethnicity in the case of PRC.

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

4.10.4. Place of residence

IMMIGRATION_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).

Answer: No

Code: 0

Explanation: No. The place of residence in a specific country is not a relevant factor when the applicant applies for entry in PRC as co-ethnics.

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

4.10.5. Place of application

IMMIGRATION_102. Place of application.

Can applicants file an application from outside the territory of the host country?

Answer: Yes

Code: 1

Explanation: For co-ethnics, there are two types of preferential policies: longer visa validity (Q1/Q2), and longer residence permit validity (Q1). The applications can be filed both from outside or on host country's territory. But in the latter case, the applicant must have obtained another valid visa and residence permit to justify the stay in PRC before he/she switches to the Q1/Q2 visa. "Article 10 Where, after entry with a visa, a foreigner changes his or her purpose of stay or is granted entry conveniences in accordance with relevant provisions of the State, or where a foreigner starts using a new passport or needs to stay separately from his or her tour group after entering China with a group visa due to objective reasons, the applicant may apply to the exit and entry administration authority of the public security organ of the local people's government at or above the county level in the place of his or her stay for a change of visa.[第十条 外国人持签证入境后，按照国家规定可以变更停留事由、给予入境便利的，或者因使用新护照、持团体签证入境后由于客观原因需要分团停留的，可以向停留地县级以上地方人民政府公安机关出入境管理机构申请换发签证。]"

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Can applicants file an application on host country's territory?

Answer: Yes

Code: 1

Explanation: For co-ethnics, there are two types of preferential policies: longer visa validity (Q1/Q2), and longer residence permit validity (Q1). The applications can be filed both from outside or on host country's territory. But in the latter case, the applicant must have obtained another valid visa and residence permit to justify the stay in PRC before he/she switches to the Q1/Q2 visa. "Article 10 Where, after entry with a visa, a foreigner changes his or her purpose of stay or is granted entry

conveniences in accordance with relevant provisions of the State, or where a foreigner starts using a new passport or needs to stay separately from his or her tour group after entering China with a group visa due to objective reasons, the applicant may apply to the exit and entry administration authority of the public security organ of the local people's government at or above the county level in the place of his or her stay for a change of visa.[第十条 外国人持签证入境后，按照国家规定可以变更停留事由、给予入境便利的，或者因使用新护照、持团体签证入境后由于客观原因需要分团停留的，可以向停留地县级以上地方人民政府公安机关出入境管理机构申请换发签证。]"

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

4.10.6. Date of birth

IMMIGRATION_103. Do applicants need to be born before or after a certain date to be eligible?

Answer: No

Code: 0

Explanation: No, the date of birth is an irrelevant factor for the application

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

4.10.7. Permit validity

IMMIGRATION_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?

Answer: Temporary, between 37 and 60 months

Code: 3

Explanation: "For foreign Chinese visiting relatives, negotiating business, carrying out science and education, cultural and educational exchange activities, and handling private affairs, the public security exit and entry administrative authority may issue multiple-entry valid visas within five years as required; working, studying, visiting relatives in the local area, and Foreign Chinese who are engaged in private affairs and need long-term residence may issue a residence permit within 5 years of validity. [对来华探望亲属、洽谈商务、开展科教文卫交流活动及处理私人事务的外籍华人，公安出入境管理机构可按规定签发5年以内多次入境有效签证；对在当地工作、学习、探亲以及从事私人事务需长期居留的外籍华人，可按规定签发有效期5年以内的居留许可。]"

Sources: 公安部 [Ministry of Public Security]. 2018. 为外籍华人提供签证、居留便利 [Providing Visas and Residence Facilities for Foreign Chinese].

IMMIGRATION_105. Permit renewal.

Is it possible to renew a temporary residence permit for co-ethnics?

Answer: Yes

Code: 1

Explanation: For an application for extension of residence period and change of residence certificate registration, an applicant shall submit relevant certification materials or basic personal information and relevant certification materials for change of residence reason in accordance with the provisions of the above clauses, therefore can extend the residence period and renew residence certificate. [外国人延长居留期限、居留证件登记事项发生变更的申请，申请人应当按照上述条款规定提交相关证明材料或者个人基本信息以及居留事由变更的相关证明材料，可以延长居留期限、换发居留证件。]

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

Is it possible to apply for a permanent resident permit for co-ethnics?

Answer: Yes, possible to apply for permanent permit after 2-4 years

Code: 2

Explanation: "Foreign Chinese wishing to apply for permanent residence in China must submit a photocopy of their doctorate certificate or a copy of their working residence permit that has been working in the city for four consecutive years, and submit an original copy of the work permit. [拟申请在华永久居留的外籍华人，需提交其博士学位证明复印件或者其在本市连续工作满4年的工作居留许可复印件，交验正本核对。]"

Sources: 上海华侨事务中心 [Shanghai Overseas Chinese Affairs Center]. 2016. 外籍华人身份认定 [Identification of Foreign Chinese].

5. Immigrant Policies

5.1. Permanent residence

5.1.1. Eligibility

IMMIGRANT_1: General existence of a permanent residence scheme.

Answer: No

Code: 0

Explanation: Article 6 of the "Measures for the Administration of Examination and Approval of Foreigners' Permanent Residence in China" states that: "Foreigners applying for permanent residence in China must abide by Chinese laws, be in good health and without any criminal record, and must meet at least one of the following requirements: (1) Having made direct investment in China with stable operation and a good tax paying record for three successive years; (2) Having been holding the post of deputy general manager, deputy factory director or above or of associate professor, associate research fellow and other associate senior titles of professional post or above or enjoying an equal treatment, for at least four successive years, with a minimum period of residence in China for three cumulative years within four years and with a good tax paying record; (3) Having made a great and outstanding contribution to and being specially needed by China; (4) Being the spouse or unmarried child under 18 years old of a person with reference to the item (1), (2) or (3) of this paragraph; (5) Being the spouse of a Chinese citizen or of a foreigner with permanent residence status in China, in a marriage relationship for at least five years, with at least five successive years of residence in China and at least nine months of residence in China each year, and having stable source of subsistence and a dwelling place; (6) Being an unmarried person under 18 years old turning to his parent; or (7) Being a person who is or above 60 years old, who has no direct relative abroad and is to turn to any directive relative in China, and has stayed in China for at least five successive years with at least nine-month residence in China each year, and has stable source of subsistence and a dwelling place". While the status of permanent resident exists in China, the eligibility is restricted to a narrow group of foreigners based on special/familial/economic merits rather than based on residence. Since the application procedure does not apply in the general sense to any of the migrant groups in our study, we omit the information regarding the permanent residence scheme in the Immigration dimension. However, we do include information about the rights of permanent residence in the Immigrant dimension, which allows us to analyse this status in comparison to other temporary residence permits.

Sources: 外国人在中国永久居留审批管理办法 [Measures for the Administration of Examination and Approval of Foreigners' Permanent Residence in China]. 2004. Art. 6.

IMMIGRANT_2: Existence of a permanent residence scheme for different proxies.

Do asylum seekers have access to permanent residence?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Do refugees have access to permanent residence?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have access to permanent residence?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have access to permanent residence?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_3: Required time of habitual residence.

How many months of habitual residence are required from asylum seekers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from refugees for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from co-ethnics for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from domestic workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from agricultural workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from medical doctors for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_4: Periods of absence allowed.

Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-

consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_5. Result of a regularization process.

The regularization process leads to:

Answer: No regularization process possible

Code: 0

Explanation: No regularization process exists in PRC.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

IMMIGRANT_6: Language test.

Is there a language requirement for asylum seekers to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for refugees to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for co-ethnics to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for domestic workers to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for co-ethnics to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for medical doctors to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_7: Economic resources.

Is there an economic resources requirement for applying to permanent residence for asylum seekers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for refugees?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for co-ethnics?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for domestic workers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for agricultural workers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for medical doctors?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_8: Cost of application.

What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_9: Employer sponsorship.

Do asylum seekers have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.1.2. Security of status

IMMIGRANT_10: Maximum length of application procedure.

Maximum length of application procedure for asylum seekers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for asylum seekers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for medical doctors in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for medical doctors:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_11: Grounds for rejection.

Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_12: Legal guarantees.

Rejection of applications must be reasoned:

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

Rejected applicants have the right to appeal:

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_13: Expulsion is precluded for victims of violence or crime.

Expulsion is precluded for immigrants of all categories who are victims of violence or crime:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.2. Policies of representation

IMMIGRANT_14: Regulation of electoral rights.

Subnational electoral rights can be regulated at the subnational level:

Answer: No

Code: 0

Explanation: The subnational electoral rights are regulated in PRC at the national level. Article 15 of the "Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses" states: "The number of deputies to the National People's Congress in the Hong Kong Special Administrative Region and the Macao Special Administrative Region shall be selected by the National People's Congress". On the other hand, China has specific regulations in this regard for Macao, Hong Kong and Taiwan.

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 15.

5.2.1. Electoral rights

IMMIGRANT_15: Voting eligibility for non-citizens.

Does the country have presidential elections?

Answer: The country does not hold direct popular elections for its president.

Code: 3

Does the country have a bicameral system (composed of a Lower House and an Upper House)?

Answer: No, the country only has a Lower House.

Code: 2

Can non-citizen residents vote in national presidential elections?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can non-citizen residents vote in national legislative elections (Lower House)?

Answer: Not applicable (no direct elections)

Code: Not applicable

Explanation: The right to vote and stand for the election of People's Congress is restricted to Chinese nationals in mainland China. Article 3 of the "Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses" states: "All citizens of the People's Republic of China who have reached the age of 18 shall have the right to vote and stand for election, regardless of ethnic status, race, sex, occupation, family background, religious belief, education, property status or length of residence. Persons who have been deprived of political rights according to the law shall not have the right to vote and stand for election".

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 3.

Can non-citizen residents vote in national legislative elections (Upper House)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_16: Residence duration-based requirements for active electoral rights.

Previous residence required for being eligible to vote in presidential elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in Lower House elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in Upper House elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_17: Registration in the electoral roll for non-citizen residents.

Registration in the electoral roll for non-citizen residents:

Answer: Not applicable (non-citizen residents cannot vote)

Code: Not applicable

Explanation: The right to vote and stand for the election of People's Congress is restricted to Chinese nationals in mainland China.

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 3.

IMMIGRANT_18: Passive electoral rights for non-citizen residents.

Can non-citizen residents stand as candidates in national presidential elections?

Answer: Not applicable (no presidential elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can non-citizen residents stand as candidates in national legislative elections (Lower House)?

Answer: Not applicable (no presidential elections)

Code: Not applicable

Explanation: The right to vote and stand for the election of People's Congress is restricted to Chinese nationals in mainland China.

Sources: 中华人民共和国全国人民代表大会和地方各级人民代表大会选举法 [Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congresses]. 2015. Art. 3.

Can non-citizen residents stand as candidates in national legislative elections (Upper House)?

Answer: Not applicable (no presidential elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_19: Residence duration-based restrictions for passive electoral rights.

Previous residence required for being eligible to stand as candidate in presidential elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to stand as candidate in lower house elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.2.2. Regulation of participation in parties

IMMIGRANT_20: Emigrant membership to home country political parties.

Non-citizen resident membership to state or reception political parties:

Answer: Not legally allowed

Code: 0

Explanation: Membership in a political party is reserved to nationals. Article 1 of the Constitution of Communist Party of China: "The above-18-year-old Chinese workers, peasants, soldiers, intellectuals,

and advanced individuals of other social classes who acknowledge the Party's programs and regulations, are willing to participate in an organization of the Party and actively work in it, implement Party resolutions, and pay Party membership fees on schedule, can apply to join the Communist Party of China". Article 13 of the China Democratic League Charter: "Chinese intellectuals engaged in cultural education, science and technology, and other work who voluntarily abide by the statutes of the China Democratic League may apply to join the China Democratic League".

Sources: 中国共产党章程 [The Constitution of Communist Party of China. 2017]. 2017. / 中国民主同盟章程 [China Democratic League Charter]. 2017.

5.2.3. Consultative bodies

IMMIGRANT_21: Existence of a consultative body of immigrants acting at the national level.

Existence of a consultative body on immigrant issues:

Answer: No

Code: 0

Explanation: Not found to exist.

Sources: Not applicable

IMMIGRANT_22: Structural or ad hoc consultation.

The consultation is:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_23: Composition of the consultative body.

Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_24: Leadership of the consultative body.

Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_25: Right of initiative to make its own reports or recommendations.

The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_26: Right to get a response from the government to recommendation.

Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_27: Selection criteria to ensure representativeness.

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographic-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.3. Economic policies

5.3.1. Access to labor market

IMMIGRANT_28: Migrant access to labor market.

Can asylum seekers access the labor market?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can refugees access the labor market?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access the labor market?

Answer: No

Code: 0

Explanation: For a co-ethnic immigrant (foreign Chinese) to be able to work in PRC, he/she has to apply for the general Foreigner's Work Permit and Work-type residence permit to which all foreigners apply to.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Can domestic workers access the labor market?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers access the labor market?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors access the labor market?

Answer: No

Code: 0

Explanation: For an immigrant to work as a medical doctor in PRC, he/she has to apply for Foreigner's Work Permit and Work-type residence permit.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Can permanent residents access the labor market?

Answer: Yes, equal access

Code: 1

Explanation: According to the "Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China": "All foreign nationals holding the "Foreigner's Permanent Residence Permit" in China may enjoy the following benefits: 1. In principle, they shall have the same rights and assume the same obligations as Chinese citizens, except for political rights and certain rights and obligations that are not stipulated by laws and regulations".

Sources: Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

IMMIGRANT_29: Migrant access to self-employment.

Can asylum seekers access self-employment?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access self-employment?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access self-employment?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Principally, self-employment is not an option for an immigrant foreign Chinese who is under a work permit because they must be hired by an employing unit that fulfills certain qualifications. However, according to media reports, there are regional (municipal) policies that support foreign Chinese specifically (not other foreign immigrants) to build startups or start their own business [People's Daily, 2018].

Sources: People's Daily. 2018. "中国各地争出台惠侨新政 吸引华侨华人精英归国创业 [Regions in China Rushed to Launch New Preferential Policies to Attract Foreign Chinese to Return to China and Start Business]". / 外国人来华工作许可服务指南 (暂行) [Foreigner's Work Permit Service Guide to China (Provisional)]. 2017.

Can domestic workers access self-employment?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers access self-employment?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors access self-employment?

Answer: no

Code: 0

Explanation: Self-employment is not an option for immigrant medical doctors because they have to be hired by an employing unit that fulfills certain qualifications.

Sources: 外国人来华工作许可服务指南（暂行）[Foreigner's Work Permit Service Guide to China (Provisional)]. 2017.

Can permanent residents access self-employment?

Answer: yes, equal access

Code: 1

Explanation: According to the "Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China": "All foreign nationals holding the "Foreigner's Permanent Residence Permit" in China may enjoy the following benefits: 1. In principle, they shall have the same rights and assume the same obligations as Chinese citizens, except for political rights and certain rights and obligations that are not stipulated by laws and regulations".

Sources: Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

IMMIGRANT_30: Migrant access to civil service.

Can asylum seekers access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in schools (primary and secondary)?

Answer: No

Code: 0

Explanation: Employment in public administration is only accessible to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can domestic workers access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors access employment in schools (primary and secondary)?

Answer: No

Code: 0

Explanation: Employment in public administration is only available to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can permanent residents access employment in schools (primary and secondary)?

Answer: No

Code: 0

Explanation: Employment in public administration is only available to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can asylum seekers access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in public administration?

Answer: No

Code: 0

Explanation: Employment in public administration is only accessible to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can domestic workers access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors access employment in public administration?

Answer: No

Code: 0

Explanation: Employment in public administration is only available to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can permanent residents access employment in public administration?

Answer: No

Code: 0

Explanation: Employment in public administration is only available to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can asylum seekers access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in the police?

Answer: No

Code: 0

Explanation: Employment in public administration is only accessible to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can domestic workers access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors access employment in the police?

Answer: No

Code: 0

Explanation: Employment in public administration is only accessible to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Can permanent residents access employment in the police?

Answer: No

Code: 0

Explanation: Employment in public administration is only accessible to PRC nationals. Article 11 of the Civil Service Law: "Civil servants shall meet the following conditions: (1) Having nationality of the People's Republic of China".

Sources: 中华人民共和国公务员法 [The People's Republic of China Civil Service Law]. 2017. Art. 11.

Quotas for preferential hiring of asylum seekers exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of refugees exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of co-ethnics exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of domestic workers exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of agricultural workers exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of permanent residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can asylum seekers access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in the armed forces?

Answer: No

Code: 0

Explanation: Employment in the armed forces is only accessible to PRC nationals.

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

Can domestic workers access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors access employment in the armed forces?

Answer: No

Code: 0

Explanation: Employment in the armed forces is only accessible to PRC nationals.

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

Can permanent residents access employment in the armed forces?

Answer: No

Code: 0

Explanation: Employment in the armed forces is only accessible to PRC nationals.

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

5.3.2. Access to support

IMMIGRANT_31: Public employment services.

Can asylum seekers access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access public employment services?

Answer: No

Code: 0

Explanation: Public Employment Service (公共就业服务) in PRC is linked to household registration (Hukou) and national ID, which is not applicable to foreign nationals. Article 6 of the Employment Services and Employment Management Regulations: "Laborers shall enjoy the right to choose their own jobs according to law. If a worker is 16 years of age or older, has the ability to work, and has a desire for employment, he or she may use their own identity documents to apply for employment

through public employment service agencies, professional intermediary agencies, or directly contacting employers".

Sources: 就业服务与就业管理规定 [Employment Services and Employment Management Regulations]. 2015. Art. 6.

Can domestic workers access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors access public employment services?

Answer: No

Code: 0

Explanation: Public Employment Service (公共就业服务) in PRC is linked to household registration (Hukou) and national ID, which is not applicable to foreign nationals. Article 6 of the Employment Services and Employment Management Regulations: "Laborers shall enjoy the right to choose their own jobs according to law. If a worker is 16 years of age or older, has the ability to work, and has a desire for employment, he or she may use their own identity documents to apply for employment through public employment service agencies, professional intermediary agencies, or directly contacting employers".

Sources: 就业服务与就业管理规定 [Employment Services and Employment Management Regulations]. 2015. Art. 6.

Can permanent residents access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: According to the "Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China": "All foreign nationals holding the "Foreigner's Permanent Residence Permit" in China may enjoy the following benefits: 1. In principle, they shall have the same rights and assume the same obligations as Chinese citizens, except for political rights and certain rights and obligations that are not stipulated by laws and regulations".

Sources: Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

IMMIGRANT_32: Recognition of qualifications.

Recognition of qualifications acquired abroad by asylum seekers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by refugees:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by co-ethnics:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Not applicable

Sources: Ministry of Education Overseas Study Service Center. "教育部留学服务中心国（境）外学历学位认证 [Foreign (Overseas) Degree Certification]". Access date not available. <http://renzheng.cscse.edu.cn/Login.aspx>.

Recognition of qualifications acquired abroad by domestic workers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by agricultural workers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by medical doctors:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Same procedure as for nationals.

Sources: Ministry of Education Overseas Study Service Center. "教育部留学服务中心国（境）外学历学位认证 [Foreign (Overseas) Degree Certification]". Access date not available.
<http://renzheng.cscse.edu.cn/Login.aspx>.

Recognition of qualifications acquired abroad by permanent residents:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Same procedure as for nationals.

Sources: Ministry of Education Overseas Study Service Center. "教育部留学服务中心国（境）外学历学位认证 [Foreign (Overseas) Degree Certification]". Access date not available.
<http://renzheng.cscse.edu.cn/Login.aspx>.

5.3.3. Worker's rights

IMMIGRANT_33: Membership in trade unions.

Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Article 3 of the Trade Union Law of the People's Republic of China: "All workers doing physical or mental work in enterprises, public institutions and government organs within Chinese territory who earn their living primarily from wages shall have the right to participate in and form trade union organizations pursuant to the law, regardless of their nationality, race, sex, occupation, religious beliefs or level of education".

Sources: 中华人民共和国工会法 [The Trade Union Law of the People's Republic of China]. 2001. Art. 3.

Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Article 3 of the Trade Union Law of the People's Republic of China states: "All workers doing physical or mental work in enterprises, public institutions and government organs within Chinese territory who earn their living primarily from wages shall have the right to participate in and form trade union organizations pursuant to the law, regardless of their nationality, race, sex, occupation, religious beliefs or level of education".

Sources: 中华人民共和国工会法 [The Trade Union Law of the People's Republic of China]. 2001. Art. 3.

Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Article 3 of the Trade Union Law of the People's Republic of China states: "All workers doing physical or mental work in enterprises, public institutions and government organs within Chinese territory who earn their living primarily from wages shall have the right to participate in and form trade union organizations pursuant to the law, regardless of their nationality, race, sex, occupation, religious beliefs or level of education".

Sources: 中华人民共和国工会法 [The Trade Union Law of the People's Republic of China]. 2001. Art. 3.

IMMIGRANT_34: Job transferability.

Can asylum seekers change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics change their employer without risking their immigration status?

Answer: No

Code: 0

Explanation: There is no freedom to change employer purely based on the merit of being a recognized co-ethnic.

Sources: 外国人在中国就业管理规定 [Regulations on the Management of Employment of Foreigners in China], 2017.

Can domestic workers change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Article 23 of the "Regulations on the Management of Employment of Foreigners In China" states that: "The work units of the foreigners who work in China must be consistent with the units indicated in their employment certificates. If a foreigner changes an employer within the area specified by the issuing authority but still engages in the original occupation, it must obtain approval from the original issuing authority and go through the formalities for the change of employment permit.

Foreigners who have left employment in the areas stipulated by the development authority or changed employers within the original stipulated area and engage in different occupations must go through the formalities for the employment permit again".

Sources: 外国人在中国就业管理规定 [Regulations on the Management of Employment of Foreigners in China]. 2017. Art. 23

Can permanent residents change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: According to the "Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China": "All foreign nationals holding the "Foreigner's Permanent Residence Permit" in China may enjoy the following benefits: 1. In principle, they shall have the same rights and assume the same obligations as Chinese citizens, except for political rights and certain rights and obligations that are not stipulated by laws and regulations".

Sources: 外国人在中国就业管理规定 [Regulations on the Management of Employment of Foreigners in China]. 2017.

IMMIGRANT_35: Right to redress.

Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 2 of the "Labor Law of the People's Republic of China": "This Law applies to enterprises, individually-owned economic organizations (hereinafter referred to as the employer) and laborers who form a labor relationship with them within the boundary of the Peoples Republic of China. State departments, institutional organizations and social groups and laborers who form a labor relationship with them shall follow this Law". Article 3 then states: "Laborers have the right to be employed on an equal basis, choose occupations, obtain remunerations for labor, take rests, have holidays and leaves, receive labor safety and sanitation protection, get training in professional skills, enjoy social insurance and welfare treatment, and submit applications for settlement of labor disputes, and other labor rights stipulated by law. Laborers shall fulfill their tasks of labor, improve their professional skills, follow rules on labor safety and sanitation, observe labor discipline and professional ethics".

Sources: 中華人民共和國勞動法 [Labor Law of the People's Republic of China]. 2009. Arts. 2 and 3.

Do domestic workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 2 of the "Labor Law of the People's Republic of China": "This Law applies to enterprises, individually-owned economic organizations (hereinafter referred to as the employer) and laborers who form a labor relationship with them within the boundary of the Peoples Republic of China. State departments, institutional organizations and social groups and laborers who form a labor relationship with them shall follow this Law". Article 3 states then: "Laborers have the right to be employed on an equal basis, choose occupations, obtain remunerations for labor, take rests, have holidays and leaves, receive labor safety and sanitation protection, get training in professional skills, enjoy social insurance and welfare treatment, and submit applications for settlement of labor disputes,

and other labor rights stipulated by law. Laborers shall fulfill their tasks of labor, improve their professional skills, follow rules on labor safety and sanitation, observe labor discipline and professional ethics".

Sources: 中華人民共和國勞動法 [Labor Law of the People's Republic of China]. 2009. Arts. 2 and 3.

Do permanent residents have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 2 of the "Labor Law of the People's Republic of China": "This Law applies to enterprises, individually-owned economic organizations (hereinafter referred to as the employer) and laborers who form a labor relationship with them within the boundary of the Peoples Republic of China. State departments, institutional organizations and social groups and laborers who form a labor relationship with them shall follow this Law". Article 3: "Laborers have the right to be employed on an equal basis, choose occupations, obtain remunerations for labor, take rests, have holidays and leaves, receive labor safety and sanitation protection, get training in professional skills, enjoy social insurance and welfare treatment, and submit applications for settlement of labor disputes, and other labor rights stipulated by law. Laborers shall fulfill their tasks of labor, improve their professional skills, follow rules on labor safety and sanitation, observe labor discipline and professional ethics".

Sources: 中華人民共和國勞動法 [Labor Law of the People's Republic of China]. 2009. Arts. 2 and 3.

5.3.4. Property rights

IMMIGRANT_36: Property rights.

Can asylum seekers acquire property in the state of reception?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can refugees acquire property in the state of reception?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics acquire property in the state of reception?

Answer: No

Code: 0

Explanation: In general, land in PRC is not to be occupied, traded, or illegally transferred by any unit or individuals. Article 2 of the "Law of the People's Republic of China on Land Administration" states: "The People's Republic of China resorts to a socialist public ownership i.e. an ownership by the whole people and ownerships by collectives, of land. In ownership by the whole people, the State Council is empowered to be on behalf of the State to administer the land owned by the State. No unit or individual is allowed to occupy, trade or illegally transfer land by other means. Land use right may be transferred by law. The state may make expropriation or requisition on land according to law for public interests, but shall give compensations accordingly".

Sources: 中华人民共和国土地管理法 [Law of the People's Republic of China on Land Administration]. 2004. Art. 2.

Can domestic workers acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors acquire property in the state of reception?

Answer: No

Code: 0

Explanation: In general, land in PRC is not to be occupied, traded, or illegally transferred by any unit or individuals. Article 2 of the "Law of the People's Republic of China on Land Administration" states: "The People's Republic of China resorts to a socialist public ownership i.e. an ownership by the whole people and ownerships by collectives, of land. In ownership by the whole people, the State Council is empowered to be on behalf of the State to administer the land owned by the State. No unit or individual is allowed to occupy, trade or illegally transfer land by other means. Land use right may be

transferred by law. The state may make expropriation or requisition on land according to law for public interests, but shall give compensations accordingly".

Sources: 中华人民共和国土地管理法 [Law of the People's Republic of China on Land Administration], 2004. Art. 2.

Can permanent residents acquire property in the state of reception?

Answer: No

Code: 0

Explanation: In general, land in PRC is not to be occupied, traded, or illegally transferred by any unit or individuals. Article 2 of the "Law of the People's Republic of China on Land Administration" states: "The People's Republic of China resorts to a socialist public ownership i.e. an ownership by the whole people and ownerships by collectives, of land. In ownership by the whole people, the State Council is empowered to be on behalf of the State to administer the land owned by the State. No unit or individual is allowed to occupy, trade or illegally transfer land by other means. Land use right may be transferred by law. The state may make expropriation or requisition on land according to law for public interests, but shall give compensations accordingly".

Sources: 中华人民共和国土地管理法 [Law of the People's Republic of China on Land Administration], 2004. Art. 2.

5.4. Social policies

5.4.1. Family reunification

Can asylum seekers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can refugees bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Foreign Chinese as co-ethnics residing in China don't have access to family reunification purely based on the merit of being recognized co-ethnics; other restrictive conditions must be fulfilled such as working or having a permanent residence status.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Can domestic workers bring their families to their country of residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can agricultural workers bring their families to their country of residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can medical doctors bring their families to their country of residence?

Answer: Yes

Code: 1

Explanation: The family members can apply for a S visa (Foreign family visit) when they are related to a foreigner residing in China for work. Art. 7 of the Exit and Entry Administration Law: "(10) To apply for the S1 or S2 visa, the applicant shall, as required, submit the invitation letter provided by the foreigner staying or residing in China for work, study or other purposes and proof of family relationship, or the certification documents required for dealing with personal matters in China".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 7.

Can permanent residents bring their families to their country of residence?

Answer: Yes

Code: 1

Explanation: The family members can apply for a Q visa (China family reunion) when they are related to a foreigner with a permanent residence status in PRC. Art. 7 of the Exit and Entry Administration Law: "(8) To apply for the Q1 visa, in the case of applying for residence in China for family reunion, the applicant shall submit the invitation letter provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China and proof of family relationship; and in the case of applying for entry for fosterage or other purposes, the applicant shall submit such certification documents as a power of attorney; to apply for the Q2 visa, the applicant shall submit such certification documents as the letter of invitation provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 7.

Eligibility

IMMIGRANT_37: Resident requirement for ordinary legal residents.

Residence requirement for ordinary legal residents (asylum seekers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (refugees). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (medical doctors). In months:

Answer: 0

Code: 0

Explanation: There is no residence requirement. The family members can apply for a S visa (Foreign family visit) when they are related to a foreigner residing in China for work. Art. 7 of the Exit and Entry Administration Law: "(10) To apply for the S1 or S2 visa, the applicant shall, as required, submit the invitation letter provided by the foreigner staying or residing in China for work, study or other purposes and proof of family relationship, or the certification documents required for dealing with personal matters in China".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 7.

Residence requirement for ordinary legal residents (medical doctors):

Answer: no residence requirement

Code: 1

Explanation: There is no residence requirement. The family members can apply for a S visa (Foreign family visit) when they are related to a foreigner residing in China for work. Art. 7 of the Exit and Entry Administration Law: "(10) To apply for the S1 or S2 visa, the applicant shall, as required, submit the invitation letter provided by the foreigner staying or residing in China for work, study or other purposes and proof of family relationship, or the certification documents required for dealing with personal matters in China".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 7.

Residence requirement for ordinary legal residents (permanent residents). In months:

Answer: 0

Code: 0

Explanation: There is no residence requirement. The family members can apply for a Q visa (China family reunion) when they are related to a foreigner with a permanent residence status in PRC. Art. 7 of the Exit and Entry Administration Law: "(8) To apply for the Q1 visa, in the case of applying for residence in China for family reunion, the applicant shall submit the invitation letter provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China and proof of family relationship; and in the case of applying for entry for fosterage or other purposes, the applicant shall submit such certification documents as a power of attorney; to apply for the Q2 visa, the applicant shall submit such certification documents as the letter of invitation provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 7.

Residence requirement for ordinary legal residents (permanent residents):

Answer: no residence requirement

Code: 1

Explanation: There is no residence requirement. The family members can apply for a Q visa (China family reunion) when they are related to a foreigner with a permanent residence status in PRC. Art. 7 of the Exit and Entry Administration Law: "(8) To apply for the Q1 visa, in the case of applying for residence in China for family reunion, the applicant shall submit the invitation letter provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China and proof of family relationship; and in the case of applying for entry for fosterage or other purposes, the applicant shall submit such certification documents as a power of attorney; to apply for the Q2 visa, the applicant shall submit such certification documents as the letter of invitation provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China". There is also the S1 Visa, "issued to the spouses, parents, children under the age of 18 or parents-in-law of foreigners residing in China for work, study or other purposes who apply for a long-term visit to China" (Art. 10).

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Arts. 7 and 10.

IMMIGRANT_38: Family members considered for reunification.

Family member eligible for reunification (asylum seekers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Spouse.

Answer: Yes

Code: 1

Explanation: For long-term visit (S1): direct relatives including Spouse, Children, Parents (Parents-in-law). S1 visa is "issued to those who intend to go to China to visit the foreigners working or studying in China to whom they are spouses, parents, sons or daughters under the age of 18 or parents-in-law, or to those who intend to go to China for other private affairs. The intended duration of stay in China exceeds 180 days".

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.

Answer: no

Code: 0

Explanation: For long-term visit (S1): direct relatives including Spouse, Children, Parents (Parents-in-law). S1 visa is "issued to those who intend to go to China to visit the foreigners working or studying in China to whom they are spouses, parents, sons or daughters under the age of 18 or parents-in-law, or to those who intend to go to China for other private affairs. The intended duration of stay in China exceeds 180 days".

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Family member eligible for reunification (medical doctors): Children.

Answer: Yes

Code: 1

Explanation: For long-term visit (S1): direct relatives including Spouse, Children, Parents (Parents-in-law). S1 visa is "issued to those who intend to go to China to visit the foreigners working or studying in China to whom they are spouses, parents, sons or daughters under the age of 18 or parents-in-law, or to those who intend to go to China for other private affairs. The intended duration of stay in China exceeds 180 days".

Sources: 'China Dependent Visa (Q visa or S visa) application service in shanghai'
<http://www.visainchina.com/familyvisa.htm>

Family member eligible for reunification (medical doctors): Parents.

Answer: Yes

Code: 1

Explanation: For long-term visit (S1): direct relatives including Spouse, Children, Parents (Parents-in-law). S1 visa is "issued to those who intend to go to China to visit the foreigners working or studying in China to whom they are spouses, parents, sons or daughters under the age of 18 or parents-in-law, or to those who intend to go to China for other private affairs. The intended duration of stay in China exceeds 180 days".

Sources: 'China Dependent Visa (Q visa or S visa) application service in shanghai'
<http://www.visainchina.com/familyvisa.htm>

Family member eligible for reunification (medical doctors): Grandparents.

Answer: No

Code: 0

Explanation: For long-term visit (S1): direct relatives including Spouse, Children, Parents (Parents-in-law). S1 visa is "issued to those who intend to go to China to visit the foreigners working or studying in China to whom they are spouses, parents, sons or daughters under the age of 18 or parents-in-law, or to those who intend to go to China for other private affairs. The intended duration of stay in China exceeds 180 days".

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai".
Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Family member eligible for reunification (permanent residents): Spouse.

Answer: Yyes

Code: 1

Explanation: The Q visa track includes spouses, parents, sons, daughters, spouses of sons or daughters, brothers, sisters, grandparents, grandsons, granddaughters and parents-in-law.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai".
Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.

Answer: No

Code: 0

Explanation: The Q visa track includes spouses, parents, sons, daughters, spouses of sons or daughters, brothers, sisters, grandparents, grandsons, granddaughters and parents-in-law.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai".
Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Family member eligible for reunification (permanent residents): Children.

Answer: Yes

Code: 1

Explanation: The Q visa track includes spouses, parents, sons, daughters, spouses of sons or daughters, brothers, sisters, grandparents, grandsons, granddaughters and parents-in-law.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Family member eligible for reunification (permanent residents): Parents.

Answer: Yes

Code: 1

Explanation: The Q visa track includes spouses, parents, sons, daughters, spouses of sons or daughters, brothers, sisters, grandparents, grandsons, granddaughters and parents-in-law.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Family member eligible for reunification (permanent residents): Grandparents.

Answer: yes

Code: 1

Explanation: The Q visa track includes spouses, parents, sons, daughters, spouses of sons or daughters, brothers, sisters, grandparents, grandsons, granddaughters and parents-in-law.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Security of status

IMMIGRANT_39: Length of application procedure.

Length of application procedure in months (asylum seekers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (asylum seekers).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (refugees).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (refugees).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (co-ethnics).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (domestic workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (domestic workers).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (agricultural workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (agricultural workers).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (medical doctors).

Answer: 0.25

Code: 0.25

Explanation: For the application of S visa, it usually takes 8 working days. This is not clearly regulated by the law. This information is provided in a local authority's webpage.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Length of application procedure (medical doctors).

Answer: less or equal six months defined by law

Code: 1

Explanation: For the application of S visa, it usually takes 8 working days. This is not clearly regulated by the law. This information is provided in a local authority's webpage.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Length of application procedure in months (permanent residents).

Answer: 0.25

Code: 0.25

Explanation: For the application of Q visa, it usually takes 8 working days This is not clearly regulated by the law.

Sources: Not applicable

Length of application procedure (permanent residents).

Answer: less or equal six months defined by law

Code: 1

Explanation: For the application of Q visa, it usually takes 8 working days. This is not clearly regulated by the law.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

IMMIGRANT_40: Duration of permit.

Duration of validity of permit (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (refugees):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (medical doctors):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: With the S1 visa track, the permit can be equal to sponsor's residence permit and renewable.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

Duration of validity of permit (permanent residents):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: With the Q1 visa track, the permit can be equal to sponsor's residence permit and renewable.

Sources: VisainChina. "China Dependent Visa (Q visa or S visa) Application Service in Shanghai". Access date not available. <http://www.visainchina.com/familyvisa.htm>.

IMMIGRANT_41: Grounds for rejection, withdrawing or refusing to renew status.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (refugees):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):

Answer: Yes

Code: 1

Explanation: Article 21 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners": "In one of the following circumstances, the exit and entry administration authority of the public security organ shall not approve the application for extension, change or reissuance of a visa or residence permit, or the application for a stay permit, submitted by a foreigner: [...] (3) The applicant is not eligible for staying or residing in China due to violation of relevant Chinese laws or administrative regulations".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 21.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):

Answer: Yes

Code: 1

Explanation: Article 21 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners": "In one of the following circumstances, the exit and entry administration authority of the public security organ shall not approve the application for extension, change or

reissuance of a visa or residence permit, or the application for a stay permit, submitted by a foreigner: (2) The applicant has knowingly falsified information in the application process”.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 21.

Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):

Answer: No

Code: 0

Explanation: It is not specified whether a break-up of family relationship is a ground for rejecting family reunification application or not. Article 21 of the "Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners": "In one of the following circumstances, the exit and entry administration authority of the public security organ shall not approve the application for extension, change or reissuance of a visa or residence permit, or the application for a stay permit, submitted by a foreigner: (1) The applicant fails to provide material supporting his or her application in accordance with relevant provisions; (2) The applicant has knowingly falsified information in the application process;(3) The applicant is not eligible for staying or residing in China due to violation of relevant Chinese laws or administrative regulations; or (4) Other circumstances where it is not appropriate to approve the applicant’s application for extension, change or reissuance of a visa or residence permit, or for issuance of a stay permit”.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 21.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):

Answer: Yes

Code: 1

Explanation: Article 21 of the "Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners": "In one of the following circumstances, the exit and entry administration authority of the public security organ shall not approve the application for extension, change or reissuance of a visa or residence permit, or the application for a stay permit, submitted by a foreigner: [...] (3) The applicant is not eligible for staying or residing in China due to violation of relevant Chinese laws or administrative regulations”.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People’s Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 21.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):

Answer: Yes

Code: 1

Explanation: Article 21 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners": "In one of the following circumstances, the exit and entry administration authority of the public security organ shall not approve the application for extension, change or reissuance of a visa or residence permit, or the application for a stay permit, submitted by a foreigner: (2) The applicant has knowingly falsified information in the application process".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 21.

Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):

Answer: No

Code: 0

Explanation: It is not specified whether a break-up of family relationship is a ground for rejecting family reunification application or not. Article 21 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners": "In one of the following circumstances, the exit and entry administration authority of the public security organ shall not approve the application for extension, change or reissuance of a visa or residence permit, or the application for a stay permit, submitted by a foreigner: (1) The applicant fails to provide material supporting his or her application in accordance with relevant provisions; (2) The applicant has knowingly falsified information in the application process; (3) The applicant is not eligible for staying or residing in China due to violation of relevant Chinese laws or administrative regulations; or (4) Other circumstances where it is not appropriate to approve the applicant's application for extension, change or reissuance of a visa or residence permit, or for issuance of a stay permit".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 21.

IMMIGRANT_42: Special circumstances.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):

Answer: Yes

Code: 1

Explanation: Art. 7 (10) of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners" states: "To apply for the S1 or S2 visa, the applicant shall, as required, submit the invitation letter provided by the foreigner staying or residing in China for work, study or other purposes and proof of family relationship, or the certification documents required for dealing with personal matters in China".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 7.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):

Answer: No

Code: 0

Explanation: No regulation exists in this regard.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):

Answer: No

Code: 0

Explanation: No regulation exists in this regard.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):

Answer: No

Code: 0

Explanation: No regulation exists in this regard.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):

Answer: Yes

Code: 1

Explanation: Art. 7 (8) of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners" states: "To apply for the Q1 visa, in the case of applying for residence in China for family reunion, the applicant shall submit the invitation letter provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China and proof of family relationship; and in the case of applying for entry for fosterage or other purposes, the applicant shall submit such certification documents as a power of attorney; to apply for the Q2 visa, the applicant shall submit such certification documents as the letter of invitation provided by the Chinese citizen living in China or by the foreigner with permanent residence status in China".

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):

Answer: No

Code: 0

Explanation: No regulation exists in this regard.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):

Answer: No

Code: 0

Explanation: No regulation exists in this regard.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):

Answer: No

Code: 0

Explanation: No regulation exists in this regard.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

IMMIGRANT_43: Legal guarantees and redress in case of refusal or withdrawal.

Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):

Answer: No

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):

Answer: No

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):

Answer: No

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):

Answer: No

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):

Answer: No

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):

Answer: No

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

IMMIGRANT_44: Right to autonomous permit.

Right to autonomous residence permit for partners and children at age of majority (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (medical doctors):

Answer: No right

Code: 0

Explanation: There is no regulation regarding the right to an autonomous residence permit for partners and children at age of majority.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Right to autonomous residence permit for partners and children at age of majority (permanent residents):

Answer: No right

Code: 0

Explanation: There is no regulation regarding the right to an autonomous residence permit for partners and children at age of majority.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

5.4.2. Education

IMMIGRANT_45: Access to education.

Children of asylum seekers have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of refugees have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of co-ethnics have access to compulsory education:

Answer: Yes, implicit obligation for all children to access education

Code: 0.5

Explanation: There is no category of migrants excluded in the law. In the Compulsory Education Law, it is stated that children with PRC nationality shall have the right to receive compulsory education, but it doesn't explicitly exclude immigrant children to access compulsory education. Article 4: "All children and juveniles of the right age who have the citizenship of the People's Republic of China, regardless of gender, ethnicity, race, family property status, religious beliefs, etc., shall have the right to receive compulsory education on an equal basis in accordance with law, and shall fulfill their obligation to receive compulsory education".

Sources: 中华人民共和国义务教育法 [Compulsory Education Law of the People's Republic of China]. 2006. Art. 4.

Children of domestic workers have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of agricultural workers have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of medical doctors have access to compulsory education:

Answer: Yes, implicit obligation for all children to access education

Code: 0.5

Explanation: There is no category of migrants excluded in the law. In the Compulsory Education Law, it is stated that children with PRC nationality shall have the right to receive compulsory education, but it doesn't explicitly exclude immigrant children to access compulsory education. Article 4: "All children and juveniles of the right age who have the citizenship of the People's Republic of China, regardless of gender, ethnicity, race, family property status, religious beliefs, etc., shall have the right to receive compulsory education on an equal basis in accordance with law, and shall fulfill their obligation to receive compulsory education".

Sources: 中华人民共和国义务教育法 [Compulsory Education Law of the People's Republic of China]. 2006. Art. 4.

Children of permanent residents have access to compulsory education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Part VIII of the "Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China": "For enrolled children in compulsory education stage, if they meet the conditions, they may enjoy relevant policies. The administrative department of education in their place of residence shall apply for entry and transfer procedures in accordance with the principle of nearest admission, and shall not charge fees other than those stipulated by the state".

Sources: 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China]. 2012.

IMMIGRANT_46: Access to higher education.

Asylum seekers and their children have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Refugees have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Co-ethnics have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Access is possible (no category of migrants excluded in law).

Sources: 中华人民共和国高等教育法 [Law of the People's Republic of China on Higher Education]. 1999.

Domestic workers have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Agricultural workers have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: 中华人民共和国高等教育法 [Law of the People's Republic of China on Higher Education]. 1999.

Medical doctors have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Access is possible (no category excluded in law).

Sources: 中华人民共和国高等教育法 [Law of the People's Republic of China on Higher Education]. 1999.

Permanent residents have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Access is possible (no category of migrants excluded in law).

Sources: 中华人民共和国高等教育法 [Law of the People's Republic of China on Higher Education]. 1999.

IMMIGRANT_47: Support for language instruction.

Provision of education support in language(s) of instruction for migrant pupils:

Answer: No

Code: 0

Explanation: No publicly announced provision of continuous education support in language of instruction for migrant pupils.

Sources: Online research

IMMIGRANT_48: Intercultural education.

Intercultural education is included in pre-service training in order to qualify as a teacher:

Answer: No

Code: 0

Explanation: No public records that show such topic is required in pre-service training.

Sources: Online research.

IMMIGRANT_49: Integration in teachers' syllabus.

Migration and integration are obligatory topics in professional development training:

Answer: No

Code: 0

Explanation: No public records that show migration and integration are required topics in obligatory in-service professional development training.

Sources: Online research.

5.4.3. Health care

IMMIGRANT_50: Conditions for inclusion in the health care system

Conditions for inclusion of asylum seekers in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of refugees in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of co-ethnics in the health care system:

Answer: Some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Inclusion under the condition of being employed.

Sources: 中華人民共和國勞動法 [Labor Law of the People's Republic of China]. 2009.

Conditions for inclusion of domestic workers in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of agricultural workers in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of medical doctors in the health care system:

Answer: Some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Inclusion under the condition of being employed. But being employed is already a condition for a work visa.

Sources: 中華人民共和國勞動法 [Labor Law of the People's Republic of China]. 2009.

Conditions for inclusion of permanent residents in the health care system:

Answer: Inclusion is unconditional

Code: 1

Explanation: The "Foreigner's Permanent Residence Permit" can be used as a valid identity document to handle various procedures for participating in social insurance. If you are employed in China, participate in various social insurances in accordance with the relevant provisions of the Social Insurance Law of the People's Republic of China; if you live in China but are not employed, and you meet the requirements of the unified planning, you may refer to the participation of domestic urban residents in the basic medical insurance for urban residents and towns. Residents' social pension insurance enjoys social insurance benefits. To handle the procedures for the transfer, termination, and termination of social insurance relations, the social insurance agency will simplify the process and provide convenience in accordance with relevant regulations.

Sources: Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

IMMIGRANT_51: Coverage of health care services.

Health care coverage for asylum seekers.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for refugees.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for co-ethnics.

Answer: Same coverage as nationals

Code: 1

Explanation: Article 5 fo the "Interim Measures for Foreigners Participating in Social Insurance for Employment in China": "Foreigners participating in social insurance, if they meet the conditions, shall enjoy social insurance benefits according to law".

Sources: 在中国境内就业的外国人参加社会保险暂行办法 [Interim Measures for Foreigners Participating in Social Insurance for Employment in China]. 2011. Art. 5.

Health care coverage for domestic workers.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for agricultural workers.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for medical doctors.

Answer: Same coverage as nationals

Code: 1

Explanation: Article 5 of the "Interim Measures for Foreigners Participating in Social Insurance for Employment in China" states: "Foreigners participating in social insurance, if they meet the conditions, shall enjoy social insurance benefits according to law".

Sources: 在中国境内就业的外国人参加社会保险暂行办法 [Interim Measures for Foreigners Participating in Social Insurance for Employment in China]. 2011. Art. 5.

Health care coverage for permanent residents.

Answer: Same coverage as nationals

Code: 1

Explanation: Article 5 of the "Interim Measures for Foreigners Participating in Social Insurance for Employment in China" states: "Foreigners participating in social insurance, if they meet the conditions, shall enjoy social insurance benefits according to law".

Sources: 在中国境内就业的外国人参加社会保险暂行办法 [Interim Measures for Foreigners Participating in Social Insurance for Employment in China]. 2011. Art. 5.

5.4.4. Unemployment benefits

IMMIGRANT_52: Unemployment benefits.

Access of asylum seekers to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of refugees to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of co-ethnics to unemployment benefits as compared to citizen residents:

Answer: Limited access

Code: 0.5

Explanation: The access is possible if the individual was previously employed and had participated in the unemployment insurance program. According to the "Regulations on Unemployment Insurance": "Unemployed persons who meet the following conditions may receive unemployment insurance premiums: (1) having participated in unemployment insurance in accordance with regulations, and their units and themselves have fulfilled their payment obligations in accordance with regulations for one year; (2) having not interrupted their employment because of their own wishes; (3)) having been registered for unemployment and having job search requirements".

Sources: 失业保险条例 [Regulations on Unemployment Insurance]. 1999.

Access of domestic workers to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of agricultural workers to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of medical doctors to unemployment benefits as compared to citizen residents:

Answer: Limited access

Code: 0.5

Explanation: The access is possible if the individual was previously employed and had participated in the unemployment insurance program. According to the "Regulations on Unemployment Insurance": "Unemployed persons who meet the following conditions may receive unemployment insurance premiums: (1) having participated in unemployment insurance in accordance with regulations, and their units and themselves have fulfilled their payment obligations in accordance with regulations for one year; (2) having not interrupted their employment because of their own wishes; (3)) having been registered for unemployment and having job search requirements".

Sources: 失业保险条例 [Regulations on Unemployment Insurance]. 1999.

Access of permanent residents to unemployment benefits as compared to citizen residents:

Answer: Equal access

Code: 1

Explanation: Equal access. Article 5 of the "Interim Measures for Foreigners Participating in Social Insurance for Employment in China" states: "Foreigners participating in social insurance, if they meet the conditions, shall enjoy social insurance benefits according to law".

Sources: Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

5.4.5. Retirement benefits

IMMIGRANT_53: Retirement benefits.

Access of asylum seekers to retirement benefits as compared to citizen residents:

Answer: No access

Code: 0

Explanation: Not applicable

Sources: Not applicable

Access of refugees to retirement benefits as compared to citizen residents:

Answer: No access

Code: 0

Explanation: Not applicable

Sources: Not applicable

Access of co-ethnics to retirement benefits as compared to citizen residents:

Answer: Limited access

Code: 0.5

Explanation: Access is possible access if the individual was previously employed and had participated in the worker's basic endowment insurance. Article 5 of the "Interim Measures for Employed Foreigners Participating in Social Insurance in China": "Foreigners participating in social insurance, if they meet the conditions, shall enjoy social insurance benefits according to law. If the person leaves the country before reaching the required pension age, his social insurance personal account will be retained. If he comes to China for employment again, the cumulative payment period will be calculated. If he terminates the social insurance relationship in writing, he may also use his social insurance personal account. One-time payment of the deposit to myself".

Sources: 在中国境内就业的外国人参加社会保险暂行办法 [Interim Measures for Foreigners Participating in Social Insurance for Employment in China]. 2011.

Access of domestic workers to retirement benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of agricultural workers to retirement benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of medical doctors to retirement benefits as compared to citizen residents:

Answer: Limited access

Code: 0.5

Explanation: Access is possible access if the individual was previously employed and had participated in the worker's basic endowment insurance. Article 5 of the "Interim Measures for Employed Foreigners Participating in Social Insurance in China": "Foreigners participating in social insurance, if they meet the conditions, shall enjoy social insurance benefits according to law. If the person leaves the country before reaching the required pension age, his social insurance personal account will be retained. If he comes to China for employment again, the cumulative payment period will be calculated. If he terminates the social insurance relationship in writing, he may also use his social insurance personal account. One-time payment of the deposit to myself".

Sources: 在中国境内就业的外国人参加社会保险暂行办法 [Interim Measures for Foreigners Participating in Social Insurance for Employment in China]. 2011.

Access of permanent residents to retirement benefits as compared to citizen residents:

Answer: Equal access

Code: 1

Explanation: Article 5 of the "Interim Measures for Foreigners Participating in Social Insurance for Employment in China" states: "Foreigners participating in social insurance, if they meet the conditions, shall enjoy social insurance benefits according to law".

Sources: Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

5.5. Cultural policies

IMMIGRANT_54: Funding for bilingual education.

Is there public funding for bilingual education in the language of majoritarian migrant groups?

Answer: No

Code: 0

Explanation: No currently available records show that such funding exists.

Sources: Not applicable

IMMIGRANT_55: Funding for media on main migrant group's language.

Is there public funding for media in the language of the main migrant group?

Answer: No

Code: 0

Explanation: No currently available records show that such funding exists. A possible suspect might be CCTV (China Central Television) International, which is “the first non-Chinese broadcasting channel of our country (PRC) [中央电视台英语频道是我国第一个以非母语播出的电视频道]”. However, it’s not targeted specifically at migrant groups, but rather “a broad English-speaking audience in the country and overseas [广大海内外英语观众]”. On CCTV-9’s official website, it writes “CCTV International (CCTV-9) is the English-language 24-hour news channel of China Central Television, China’s largest national TV network. Launched on September 25, 2000, CCTV International is dedicated to reporting news and information to its global audience, with a special focus on China”.

Sources: CCTV. "CCTV-9". Accessed 7 June 2018.
<http://www.cctv.com/homepage/profile/09/index.shtml>.

5.6. Mobility policies

5.6.1. Identity documents

IMMIGRANT_56: Confiscation of identification documents.

Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: No

Code: 0

Explanation: No regulation found in this regard.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: No

Code: 0

Explanation: No regulation in this regard.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: No

Code: 0

Explanation: No regulation in this regard.

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013.

5.6.2. Freedom of movement

IMMIGRANT_57: Freedom of movement within country.

Do asylum seekers have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right to move freely within the country?

Answer: No

Code: 0

Explanation: Article 39 of "The Exit and Entry Administration Law of the People's Republic of China": "Where foreigners stay in hotels in China, the hotels shall register their accommodation in accordance with the regulations on the public security administration of the hotel industry, and submit foreigners' accommodation registration information to the public security organs in the places where the hotels are located. For foreigners who reside or stay in domiciles other than hotels, they or the persons who accommodate them shall, within 24 hours after the foreigners' arrival, go through the registration formalities with the public security organs in the places of residence". Article 44: "On the basis of the need for maintaining national security and public security, public security organs and national security organs may impose restrictions on foreigners and foreign institutions from establishing places of residence or work in certain areas; and may order that established places of residence or work be relocated within a prescribed time limit. Without approval, foreigners shall not access foreigner-restricted areas". Article 25 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners": "25 In one of the following circumstances, a foreigner shall be deemed to be residing in China illegally:(3) The activities of the applicant go beyond the restricted area of stay or residence".

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Do domestic workers have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the right to move freely within the country?

Answer: No

Code: 0

Explanation: Article 39 of "The Exit and Entry Administration Law of the People's Republic of China": "Where foreigners stay in hotels in China, the hotels shall register their accommodation in accordance with the regulations on the public security administration of the hotel industry, and submit foreigners' accommodation registration information to the public security organs in the places where the hotels are located. For foreigners who reside or stay in domiciles other than hotels, they or the persons who accommodate them shall, within 24 hours after the foreigners' arrival, go through the registration formalities with the public security organs in the places of residence". Article 44 further states: "On the basis of the need for maintaining national security and public security, public security organs and national security organs may impose restrictions on foreigners and foreign institutions from establishing places of residence or work in certain areas; and may order that established places of residence or work be relocated within a prescribed time limit. Without approval, foreigners shall not access foreigner-restricted areas".

Furthermore, Article 25 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners" states: "In one of the following circumstances, a foreigner shall be deemed to be residing in China illegally:(3) The activities of the applicant go beyond the restricted area of stay or residence".

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Do permanent residents have the right to move freely within the country?

Answer: No

Code: 0

Explanation: The freedom of movement is not regulated specifically in Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China (2012) [外国人在中国永久居留享有相关待遇的办法(2012)]; it can be assumed that general regulation of the movement of immigrants applies to permanent residents. Article 39 of "The Exit and Entry Administration Law of the People's Republic of China": "Where foreigners stay in hotels in China, the hotels shall register their accommodation in accordance with the regulations on the public security administration of the hotel industry, and submit foreigners' accommodation registration information to the public security organs in the places where the hotels are located. For foreigners who reside or stay in domiciles other than hotels, they or the persons who accommodate them shall, within 24 hours after the foreigners' arrival, go through the registration formalities with the public security organs in the places of residence". Article 44 further states: "On the basis of the need for maintaining national security and public security, public security organs and national security organs may impose restrictions on foreigners and foreign institutions from establishing places of residence or work in certain areas; and may order that established places of residence or work be relocated within a prescribed time limit. Without approval, foreigners shall not access foreigner-restricted areas". Furthermore, Article 25 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners" states: "In one of the following circumstances, a foreigner shall be deemed to be residing in China illegally:(3) The activities of the applicant go beyond the restricted area of stay or residence".

Sources: 中华人民共和国出境入境管理法 [The Exit and Entry Administration Law of the People's Republic of China]. 2013. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. / Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

IMMIGRANT_58: Freedom to move outside the country.

Do asylum seekers have the right to leave the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to leave the country?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right to leave the country?

Answer: Yes

Code: 1

Explanation: Foreign Chinese are not tied to a particular entry visa track, but rather can apply for different visas according to their entry purpose. They are allowed to leave and come back to PRC as long as their visa types allow multiple entries. There is no specification on how many months of absence per year are allowed.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Number of months of absence allowed per year (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: There is no specification on how many months of absence per year are allowed.

Sources: Not applicable

Do domestic workers have the right to leave the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the right to leave the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the right to leave the country?

Answer: Yes

Code: 1

Explanation: Immigrant medical doctors are allowed to leave and come back to PRC as long as their resident permit is within validity and their work visa (Z visa) allows multiple entries. There is no specification on how many months of absence per year are allowed.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Number of months of absence allowed per year (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: There is no specification on how many months of absence per year are allowed.

Sources: Not applicable

Do permanent residents have the right to leave the country?

Answer: Yes

Code: 1

Explanation: Article 48 of the "Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners": "A foreigner who has obtained permanent residence status shall stay and work in China with a permanent residence permit and enter and leave the country with his/her passport and permanent residence permit". There is no specification on how many months of absence per year are allowed.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 48.

Number of months of absence allowed per year (permanent residents):

Answer: Not applicable

Code: Not applicable

Explanation: There is no specification on how many months of absence per year are allowed.

Sources: Not applicable

5.6.3. Obligations

5.6.4. Military service

IMMIGRANT_59: Military service.

Do asylum seekers have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the obligation to comply with military service?

Answer: Military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 3 of the "People's Republic of China Military Service Law" states: "Citizens of the People's Republic of China are obliged to perform military service in accordance with the provisions of this Law, irrespective of ethnic origin, race, occupation, family origin, religious belief and educational level. Persons with serious physical defects or serious disabilities who are not suitable for military service shall be exempted from military service. Persons deprived of political rights in accordance with the law shall not perform military service".

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

Do domestic workers have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the obligation to comply with military service?

Answer: Military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 3 of the "People's Republic of China Military Service Law" states: "Citizens of the People's Republic of China are obliged to perform military service in accordance with the provisions of this Law, irrespective of ethnic origin, race, occupation, family origin, religious belief and educational level. Persons with serious physical defects or serious disabilities who are not suitable for military service shall be exempted from military service. Persons deprived of political rights in accordance with the law shall not perform military service".

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

Do permanent residents have the obligation to comply with military service?

Answer: Military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 3 of the "People's Republic of China Military Service Law" states: "Citizens of the People's Republic of China are obliged to perform military service in accordance with the provisions of this Law, irrespective of ethnic origin, race, occupation, family origin, religious belief and educational level. Persons with serious physical defects or serious disabilities who are not suitable for military service shall be exempted from military service. Persons deprived of political rights in accordance with the law shall not perform military service".

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

5.6.5. Social service

IMMIGRANT_60: Social service.

Do asylum seekers have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the obligation to comply with social service?

Answer: No social service in state of reception

Code: 97

Explanation: There is no compulsory social service (or as alternative form of military service) stipulated in PRC Military Service Law.

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

Do domestic workers have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the obligation to comply with social service?

Answer: No social service in state of reception

Code: 97

Explanation: There is no compulsory social service (not even as alternative form of military service).

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

Do permanent residents have the obligation to comply with social service?

Answer: No social service in state of reception

Code: 97

Explanation: There is no compulsory social service (not even as alternative form of military service).

Sources: 中华人民共和国兵役法 [People's Republic of China Military Service Law]. 1984.

5.6.6. Taxes

IMMIGRANT_61: Income taxes.

Do asylum seekers have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have to pay income taxes in state of reception?

Answer: Yes

Code: 1

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have to pay income taxes in state of reception?

Answer: Yes

Code: 1

Explanation: Article 1 of the "Individual Income Tax Law of the People's Republic of China": "Individuals who have a domicile in China or do not have a domicile and have lived in the country for one full year shall receive personal income tax in accordance with the provisions of this Law. Individuals who do not have a domicile in China and do not live or have no domicile but have lived in the country for less than one year shall receive personal income tax in accordance with the provisions of this Law".

Sources: 中华人民共和国个人所得税法 [Individual Income Tax Law of the People's Republic of China]. 2011. Art. 1.

Do permanent residents have to pay income taxes in state of reception?

Answer: Yes

Code: 1

Explanation: Part XII of the "Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China": "In respect of the payment of income tax, in accordance with the relevant provisions of China's tax laws and regulations and tax agreements, the corresponding tax liability shall be fulfilled".

Sources: Ministry of Human Resources and Social Security. 2012. 外国人在中国永久居留享有相关待遇的办法 [Measures for Relevant Treatments Enjoyed by Foreigners with Permanent Residence Status in China].

5.7. Administration

IMMIGRANT_62: Existence of immigrant integration agency in state of reception.

Existence of institution/agency with competencies for immigrant policies:

Answer: Yes

Code: 1

Explanation: According to the State Immigration Administration's website: the State Immigration Administration has its name under the People's Republic of China's Entry and Exit Administration Bureau and is administered by the Ministry of Public Security. The main duties of the National Immigration Bureau are to coordinate the preparation of immigration policies and organize their implementation. They are responsible for immigration management, port identification and border management, for foreigners stay- and permanent residence management, refugee management, nationality management, and coordinating illegal immigration, illegal residence, illegal employment of foreigners, illegal immigration repatriation, Chinese citizens' private management of entry & exit services and international cooperation in the field of immigration.

Sources: State Immigration Administration. "国家移民管理局 [State Immigration Administration]". Accessed 12 April 2019. <http://www.mps.gov.cn/n2254996/n2254997/index.html>.

Name of the institution with competencies for immigrant policies in original language:

Answer: 国家移民管理局

Name of the institution with competencies for immigrant policies in English:

Answer: State Immigration Administration

Access to antidiscrimination body.

Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):

Answer: Yes

Code: 1

Explanation: They are not explicitly excluded from access to disciplinary inspection and control organs, as the relevant regulation indicates in its Art. 2: "Any unit or individual shall have the right to report to disciplinary inspection and control organs and sue party organizations, party members, and other personnel appointed by state administrative agencies, state civil servants and other national administrative agencies in violation of laws and regulations. No unit or individual may, under any pretext, block or suppress the prosecution or prosecution or accusation of the prosecutor according to law".

Sources: 中共中央纪律检查委员会, 中华人民共和国监察部关于保护检举、控告人的规定 [The provisions of the Disciplinary Inspection Committee of the CPC Central Committee and the Ministry of Supervision of the People's Republic of China on the protection of prosecutors and accusers]. 1996. Art. 2.

6. Immigrant citizenship and nationality

6.1. Immigrant nationality

6.1.1. Immigrant dual nationality

IMNAT_1: Renunciation of previous nationality.

Does the country require applicants to naturalization by residence to renounce their previous nationality?

Answer: Yes

Code: 0

Explanation: "Article 8 Any person who applies for naturalization as a Chinese national shall acquire Chinese nationality upon approval of his application; a person whose application for naturalization as a Chinese national has been approved shall not retain foreign nationality. [第八条 申请加入中国国籍获得批准的，即取得中国国籍；被批准加入中国国籍的，不得再保留外国国籍。]"

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 8.

Citizenship can be withdrawn only if person resides outside the country:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are there exceptions?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMNAT_1_1: Sanctions.

Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?

Answer: No

Code: 0

Explanation: Keeping the nationality of the country of origin is not allowed for naturalized persons; but the sanctions are not clearly announced.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

6.1.2. Emigrant dual nationality for immigrants who naturalized

IMNAT_2: Emigrant dual nationality for naturalized immigrants.

Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?

Answer: Procedure for loss is withdrawal

Code: 0.25

Explanation: "Article 3 The People's Republic of China does not recognize dual nationality for any Chinese national. [第三条 中华人民共和国不承认中国公民具有双重国籍。]" (This applies for both naturalized citizens and citizens by birth.)

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 3.

6.1.3. Loss of nationality after residence abroad for naturalized immigrants

IMNAT_3: Loss after residence abroad for naturalized immigrants

For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad?

Answer: No provision

Code: 1

Explanation: No. Citizens by naturalization who emigrated will not be deprived of their PRC nationality because of residence abroad.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

After how many years abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.4. Unrestrictive jus soli

IMNAT_4: Unrestrictive jus soli.

Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?

Answer: No

Code: 0

Explanation: Generally, no. Nationality by birth is only possible in very limited circumstances. Any person born in China shall have Chinese nationality if the parents are stateless or of uncertain nationality and have settled in China. Under this condition, the birthplace of the parents is irrelevant. "Article 6 Any person born in China whose parents are stateless or of uncertain nationality and have settled in China shall have Chinese nationality.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 6.

6.1.5. Qualified jus soli

IMNAT_5: Qualified jus soli.

Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?

Answer: No

Code: 0

Explanation: No, other restrictive conditions apply. Any person born in China shall have Chinese nationality if (1) his/ her parents are both Chinese nationals or (2) one of the parents is a Chinese national. In both cases, (one of) the parents need to not only be born in China but also stay as a Chinese national. In the second case scenario, it doesn't matter if it's the mother or father who is the Chinese national. "Article 4 Any person born in China whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality. [第四条 父母双方或一方为中国公民·本人出生在中国·具有中国国籍。]"

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 4.

6.1.6. Standard naturalization procedure for immigrants due to residence in the country

IMNAT_6: Ordinary naturalization.

Does the country provide for standard naturalization procedure for immigrants due to residence in it?

Answer: No provision for standard naturalization based on residence

Code: 0

Explanation: Immigrants who wish to apply for PRC naturalization based on residence must firstly obtain a permanent residence permit which can be only granted under certain demanding conditions. "Article 7 Foreign nationals or stateless persons who are willing to abide by China's Constitution and laws and who meet one of the following conditions may be naturalized upon approval of their applications: (1) they are near relatives of Chinese nationals; (2) they have settled in China; or (3) they have other legitimate reasons. [第七条 外国人或无国籍人，愿意遵守中国宪法和法律，并具有下列条件之一的，可以经申请批准加入中国国籍：一、中国人的近亲属；二、定居在中国的；三、有其它正当理由。]" (Nationality Law of the People's Republic of China, 1980) "Article 6 Foreigners applying for permanent residence in China must abide by Chinese laws, be in good health and without any criminal record, and must meet at least one of the following requirements: (1) Having made direct investment in China with stable operation and a good tax paying record for three successive years; (2) Having been holding the post of deputy general manager, deputy factory director or above or of associate professor, associate research fellow and other associate senior titles of professional post or above or enjoying an equal treatment, for at least four successive years, with a minimum period of residence in China for three cumulative years within four years and with a good tax paying record; (3) Having made a great and outstanding contribution to and being specially needed by China; (4) Being the spouse or unmarried child under 18 years old of a person with reference to the item (1), (2) or (3) of this paragraph; (5) Being the spouse of a Chinese citizen or of a foreigner with permanent residence status in China, in a marriage relationship for at least five years, with at least five successive years of residence in China and at least nine months of residence in China each year, and having stable source of subsistence and a dwelling place; (6) Being an unmarried person under 18 years old turning to his parent; or (7) Being a person who is or above 60 years old, who has no direct relative abroad and is to turn to any directive relative in China, and has stayed in China for at least five successive years with at least nine- month residence in China each year, and has stable source of subsistence and a dwelling place. [第六条 申请在中国永久居留的外国人应当遵守中国法律，身体健康，无犯罪记录，并符合下列条件之一：(一)在中国直接投资、连续三年投资情况稳定且纳税记录良好的；(二)在中国担任副总经理、副厂长等职务以上或者具有副教授、副研究员等副高级职称以上以及享受同等待遇，已连续任职满四年、四年内在 中国居留累计不少于三年且纳税记录良好的；(三)对中国有重大、突出贡献以及国家特别需要的；(四)本款第一项、第二项、第三项所指人员的配偶及其未满 18 周岁的未婚子女；(五)中国公民或者在中国获得永久居留资格的外国人的配偶，婚姻关系存续满五年、已在中国连续居留满五年、每年在中国居留不少于九个月且有稳定生活保障和住所的；(六)未满 18 周岁未婚子女投靠父母的；(七)在境外无直系亲属，投靠境内直系亲属，且年满 60 周岁、已在中国连续居留满五年、每年在中国居留不少于九个月并有稳定生活保障和住所的。]" (Measures for the Administration of Examination and Approval of Foreigners' Permanent Residence in China, 2004)

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 7. / 外国人在中国永久居留审批管理办法 [Measures for the Administration of Examination and Approval of Foreigners' Permanent Residence in China]. 2004. Art. 6.

Number of years of residence required for naturalization:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of continuous years of residence required for naturalization:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Permanent residence status is required for naturalization:

Answer: Yes

Code: 1

Explanation: Immigrants who wish to apply for PRC naturalization based on residence must firstly obtain a permanent residence permit which can be only granted under certain demanding conditions.

Sources:

中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. / 外国人在中国永久居留审批管理办法 [Measures for the Administration of Examination and Approval of Foreigners' Permanent Residence in China]. 2004.

Renunciation of previous nationality is required:

Answer: Not applicable

Code: Not applicable

Explanation: No provision for ordinary naturalization. An applicant needs to first secure permanent residence before applying for naturalization.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. / 外国人在中国永久居留审批管理办法 [Measures for the Administration of Examination and Approval of Foreigners' Permanent Residence in China]. 2004.

Language condition for naturalization:

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

Civil knowledge is a requisite for naturalization:

Answer: Not applicable

Code: 0

Explanation: Not applicable

Sources: Not applicable

Clean criminal record is a requisite:

Answer: Not applicable

Code: 0.75

Explanation: Not applicable

Sources: Not applicable

Economic resources as requisite for naturalization:

Answer: Not applicable

Code: 1

Explanation: Not applicable

Sources: Not applicable

6.1.7. Socialization based acquisition of citizenship

IMNAT_7: Naturalization by socialization.

Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?

Answer: No provision

Code: 0

Explanation: No. PRC does not provide for the acquisition of nationality of minors purely based on their merits of residing for a certain period or schooling in the country.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

6.1.8. Special procedure for immigrants with very long residence in country

IMNAT_8: Long residence.

Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?

Answer: No

Code: 0

Explanation: There is no such provision.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

6.1.9. Preferential naturalization for immigrants from specific countries

IMNAT_9: Preferential naturalization by polity.

Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific polity?

Answer: No

Code: 0

Explanation: No public evidence shows that special acquisition of nationality exists which is tied to a specific country of origin.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

6.1.10. Cultural affinity/Ethnic ties

IMNAT_10: Preferential naturalization due to cultural or ethnic ties.

Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?

Answer: No

Code: 0

Explanation: In the nationality law, there is a special article that specifically targets “foreign nationals who once held Chinese nationality”. This group of people is a subset of “foreign Chinese”; they can apply to restore their Chinese nationality. However, for foreign Chinese who have not had PRC nationality in the past, the ethnic commonality does not suffice to be a reason for obtaining PRC nationality.

Sources: 中华人民共和国国籍法 [Nationality Law of the People’s Republic of China]. 1980. / 国家移民管理局 [State Immigration Administration]. 2008. 申请恢复中国国籍须知 [Application for Restoration of Chinese Nationality].

6.1.11. Spousal transfer

IMNAT_11: Spousal transfer.

Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: It’s legally possible. In practice, the spouse of a Chinese national must firstly apply for a permanent residence permit which is granted only under demanding conditions. There are few cases of successful naturalization via spousal transfer. “Article 7 Foreign nationals or stateless persons who are willing to abide by China’s Constitution and laws and who meet one of the following conditions may be naturalized upon approval of their applications:(1) they are near relatives of Chinese nationals[...] [第七条 外国人或无国籍人，愿意遵守中国宪法和法律，并具有下列条件之一的，可以经申请批准加入中国国籍：一、中国人的近亲属[...]” (Nationality Law of the People’s Republic of China, 1980) “Article 6 Foreigners applying for permanent residence in China must abide by Chinese laws, be in good health and without any criminal record, and must meet at least one of the following requirements:[...] (5) Being the spouse of a Chinese citizen or of a foreigner with permanent residence status in China, in a marriage relationship for at least five years, with at least five successive years of residence in China and at least nine months of residence in China each year, and having stable source of subsistence and a dwelling place; [第六条 申请在中国永久居留的外国人应当遵守中国法律，身体健康，无犯罪记录，并符合下列条件之一：[...] (五)中国公民或者在中国获得永久居留资格的外国人的配偶，婚姻关系存续满五年、已在中国连续居留满五年、每年在中国居留不少于九个月且有稳定生活保障和住所的]”(Measures for the Administration of Examination and Approval of Foreigners’ Permanent Residence in China, 2004)

Sources: 中华人民共和国国籍法 [Nationality Law of the People’s Republic of China]. 1980. Art. 7.

6.1.12. Filial transfer

IMNAT_12: Filial transfer.

Does the polity provide for acquisition of nationality by the child of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: Yes, if the parents of the child are Chinese nationals, then the child is eligible for the acquisition of Chinese nationality. This excludes the situation where the child has already acquired foreign nationality at birth because the parents have settled abroad. “Article 4 Any person born in China whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality. Article 5 Any person born abroad whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality. But a person whose parents are both Chinese nationals and have both settled abroad, or one of whose parents is a Chinese national and has settled abroad, and who has acquired foreign nationality at birth shall not have Chinese nationality. [第四条 父母双方或一方为中国公民，本人出生在中国，具有中国国籍。第五条 父母双方或一方为中国公民，本人出生在国外，具有中国国籍；但父母双方或一方为中国公民并定居在国外，本人出生时即具有外国国籍的，不具有中国国籍。]”

Sources: 中华人民共和国国籍法 [Nationality Law of the People’s Republic of China]. 1980. Arts. 4 and 5.

6.1.13. Special naturalization for refugees

IMNAT_13: Refugees.

Does the polity facilitate the acquisition of nationality by a refugee in its territory?

Answer: Not applicable (i.e. no refugee proxy)

Code: Not applicable

Explanation: No

Sources: 中华人民共和国国籍法 [Nationality Law of the People’s Republic of China]. 1980.

6.1.14. Naturalization for special achievements/talents

IMNAT_14: Special talents.

Does the polity provide for the acquisition of nationality by a person in account of special achievements/talents?

Answer: No

Code: 0

Explanation: No. However, special achievement is a legitimate advantage that may facilitate the process of application for permanent residence which is a required condition for naturalization.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

6.1.15. Naturalization due to investment/financial assets

IMNAT_15: Special talents.

Does the polity provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?

Answer: No

Code: 0

Explanation: No. However, investment is a legitimate advantage that may facilitate the process of application for permanent residence which is a required condition for naturalization.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

6.1.16. Transfer to other relatives

IMNAT_16: Transfer to other relatives.

Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?

Answer: Yes

Code: 1

Explanation: It's legally possible, but not regulated in detail. "Article 7 Aliens or stateless persons who are willing to abide by the Chinese Constitution and laws and have one of the following conditions may apply for approval to join Chinese nationality: 1. Close relatives of Chinese people [第七条 外国人或无国籍人，愿意遵守中国宪法和法律，并具有下列条件之一的，可以经申请批准加入中国国籍：一、中国人的近亲属]"

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 7.

6.1.17. Nationality for the stateless

IMNAT_17: Stateless.

Does the country facilitate the naturalization of a stateless person in its territory?

Answer: Yes

Code: 1

Explanation: "Article 7 Foreign nationals or stateless persons who are willing to abide by China's Constitution and laws and who meet one of the following conditions may be naturalized upon approval of their applications: (1)they are near relatives of Chinese nationals ; (2)they have settled in China; or (3)they have other legitimate reasons. [第七条 外国人或无国籍人, 愿意遵守中国宪法和法律, 并具有下列条件之一的, 可以经申请批准加入中国国籍: 一、中国人的近亲属; 二、定居在中国的; 三、有其它正当理由。]"

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. Art. 7.

6.1.18. Nationality for regularized immigrants

IMNAT_18: Regularization.

Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?

Answer: No differentiation

Code: 0.5

Explanation: No differentiation.

Sources: 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

6.1.19. Naturalization possible even if applicant had irregular status before

IMNAT_19: Irregular status.

Does the polity provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization(i. e. is ever having been an irregular migrant an impediment to regularize)?

Answer: No

Code: 0

Explanation: No, it's not possible. A prerequisite for a possible naturalization process to begin is that the applicant is "willing to abide by the Chinese Constitution and laws[愿意遵守中国宪法和法律]" (Nationality Law of the People's Republic of China, 1980). A person with irregular status would be subject to deportation. "Article 62 Under any of the following circumstances, foreigners may be repatriated:(3) Illegally reside or work in China[第六十二条 外国人有下列情形之一的，可以遣送出境：（三）非法居留、非法就业的]" (The Exit and Entry Administration Law of the People's Republic of China, 2013)

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013. Art. 62.

6.2. Immigrant citizenship

6.2.1. Restrictions on citizenship for naturalized immigrants

IMCIT_1: Restrictions for naturalized immigrants.

Does the polity restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?

Answer: No

Code: 0

Explanation: No explicit citizenship restrictions for naturalized nationals.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

For how long are the restrictions applied?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do the restrictions apply to electoral rights?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do the restrictions apply to public office posts?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Other type of restrictions

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized

IMCIT_2. Loss or suspension of citizenship.

Does the polity deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad.

Answer: No

Code: 0

Explanation: No loss or suspension of citizenship for the naturalized nationals after residence abroad.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980. / 中华人民共和国外国人入境出境管理条例 [Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners]. 2013.

Are these rights recovered upon return?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals

IMCIT_3: Restrictions for naturalized immigrants who are dual nationals.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?

Answer: Not applicable

Code: 0

Explanation: Dual nationality is not recognized.

Sources: 中华人民共和国国籍法 [Nationality Law of the People's Republic of China]. 1980.

For how long do the restrictions apply?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do the restrictions apply to electoral rights?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do the restrictions apply to public office post?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Other type of restrictions (beyond electoral and public office posts).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable