



燕山大学
YANSHAN UNIVERSITY



YANSHAN
UNIVERSITY

Guide Book 外教手册

厚德 / 博学 / 求是

VIRTUE / LEARNING / TRUTH



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一、秦皇岛城市简介

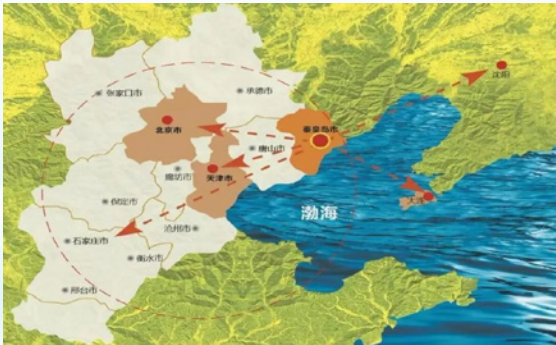
◎ 市名由来

公元前 215 年，千古一帝秦始皇东巡至此派人入海求仙，刻《碣石门辞》，秦皇岛由此得名。



◎ 地理位置

秦皇岛位于河北省东北部，南临渤海，北依燕山，东接辽宁，西近京津，地处华北、东北两大经济区结合部，居环渤海经济圈中心地带，距北京 280 公里，距天津 220 公里，是国家历史文化名城、河北省唯一的零距离滨海城市，素有“长城滨海公园”“京津后花园”美誉，是京津冀经济圈中一颗璀璨明珠。



◎ 气候条件

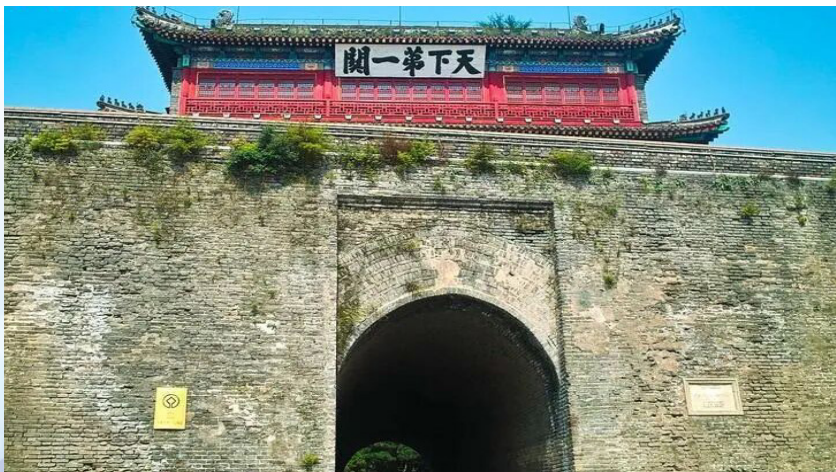


秦皇岛属于暖温带半湿润大陆性季风气候。春季少雨干燥，夏季温热无酷暑，秋季凉爽多晴天，冬季

漫长无严寒。全市平均气温 11.1℃，平均最高 24.8℃，最低零下 8.9℃，年平均降水 602.3 毫米，空气年平均相对湿度为 61%。

◎ 历史沿革

秦皇岛历史悠久，底蕴丰厚。两千余载的岁月长河，留下了夷齐让国、秦皇求仙、姜女寻夫、汉武巡幸、魏武挥鞭、唐宗驻蹕等众多历史掌故，境内有秦皇行宫遗址、求仙入海处、天下第一关、老龙头、姜女庙、韩文公祠、名人别墅群等众多人文遗迹。



◎ 行政区划

秦皇岛市辖海港、北戴河、山海关、抚宁区四个城市区和昌黎、卢龙、青龙满族自治县三个县及秦皇岛经济技术开发区、北戴河新区，陆域面积 7802 平方公里，海域面积 1805 平方公里。2020 年末全市常住人口 3136879 人。



◎ 文化遗存

全市共登记不可移动文物 619 处，全国重点文物保护单位 11 处，文物藏品 5000 多件，拥有在册非物质文化遗产 97 项目，国家级 5 项。长城博物馆、玻璃博物馆、港口博物馆、北戴河博物馆、轮滑博物馆、青龙民族博物馆等 12 个博物馆不仅承载着这座城市的历史文明，也成为与世界交流的平台。



◎ 绚丽文化

传统文化在秦皇岛传承与弘扬，现代艺术也在这座历史文化名城展现别样魅力被誉为“长城文化之乡”、“孤竹文化之乡”、“吹歌之乡”、“民间诗词之乡”等。昌黎地秧歌、抚宁鼓吹乐等民俗文化不断“走出去”，彰显地域文化风采。望海祈福节、中华爱情节、海洋文化节等节庆活动精彩纷呈。《海上生明月》、《幽燕秦皇》、《孤竹浩歌》等大型实景剧目备受游人青睐。与俄罗斯、韩国等国家的文化交流活动日趋活跃。



◎ 体育名城

秦皇岛是唯一协办过亚运会和奥运会的地级城市，拥有国家体育总局秦皇岛训练基地、国家游泳跳水训练基地、奥林匹克体育中心、中国足球学校等一批“国字号”体育设施，女拳世锦赛、国际马拉松赛、中式八球国际大师赛、北戴河国际轮滑节等品牌赛事绽放异彩，正全力打造体育名城。这里的人们既可以去设施先进的体育场所欣赏精彩赛事，也可以呼朋引伴在海边锻炼身体。除了美丽，这座城市也是健康和阳光的。



Introduction to Qinhuangdao City

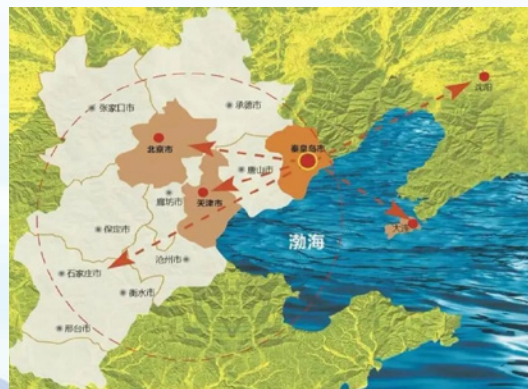
Name

Qinhuangdao, which literally means “Qin Emperor island”, is named after the first emperor in Chinese History, Qin Shi Huang, who sent people into the sea to seek immortals and made the Jieshi Gate Inscription during his eastward tour in 215 BC.



Geography

Qinhuangdao is located in the northeastern Hebei Province, bordering the Bohai Sea on the south, Yanshan on the north, Liaoning on the east, and Beijing and Tianjin to the west. It is 280 kilometers away from Beijing and 220 kilometers away from Tianjin, lying in the heart of the Bohai Economic Rim and connecting the two economic zones of



North China and Northeast China. It is a national historical and cultural city and the only zero-distance coastal city in Hebei Province. Enjoying the reputation as the “Great Wall Seaside Park” and the “Back Garden of Beijing and Tianjin”, Qinhuangdao shines like a bright pearl in the Beijing-Tianjin-Hebei Economic Circle.

Climate

Qinhuangdao has a semi-humid continental monsoon climate in the warm temperate zone. It features a dry spring, a mild summer, a cool and sunny autumn, and a long but warm winter. It has an average temperature of 11.1 ℃, an average highest temperature of 24.8 ℃, and an average lowest temperature of -8.9 ℃. Its annual average precipitation is 602.3 mm, and the annual average relative humidity is 61%.

History



With a history of more than two thousand years, Qinhuangdao has an abundance of cultural heritage. It was the homeland of Boyi and Shuqi who declined the throne for filial piety around 1046 BC. It was the eastern

island that Qin Shi Huang visited to seek immortals in 215 BC. It was the legendary place where Meng Jiangnv wept bitterly for her dead husband. It was even stopped over by Emperor Wu of Han (156-87 BC), Emperor Wu of Wei (155-220), and Emperor Taizong of Tang (598-649). The city boasts historical sites such as the ruins of the palace for Qin Shi Huang, the place where Qin Shi Huang sent people into the sea to seek immortals, the First Pass Under Heaven, the Old Dragon's Head, the Temple of Meng Jiangnv, the Han Wen Gong Temple, and celebrity retreats.

Administrative Divisions



Qinhuangdao has jurisdiction over four urban districts (namely, Haigang District, Beidaihe District, Shanhaiguan District, and Funing District), and three counties (namely, Changli County, Lulong County, Qinglong Manchu Autonomous County), as well as Qinhuangdao Economic and Technological Development Zone and Beidaihe New District. The city covers a land area of 7,802 square kilometers and a

sea area of 1,805 square kilometers. At the end of 2020, the city had a resident population of 3,136,879.

Cultural Relics

Qinhuangdao has registered 619 immovable cultural relics, 11 major historical and cultural sites protected at the national level, and more than 5,000 collections of cultural relics. It possesses 97 recorded intangible cultural heritage items and five national-level ones. The 12 museums including the Great Wall Museum, the Glass Museum, the Port Museum, the Beidaihe Museum, the Roller Skating Museum, and the Qinglong Ethnic Museum not only preserve and exhibit the city's history and culture, but also serve as a platform for the city to communicate with the world.

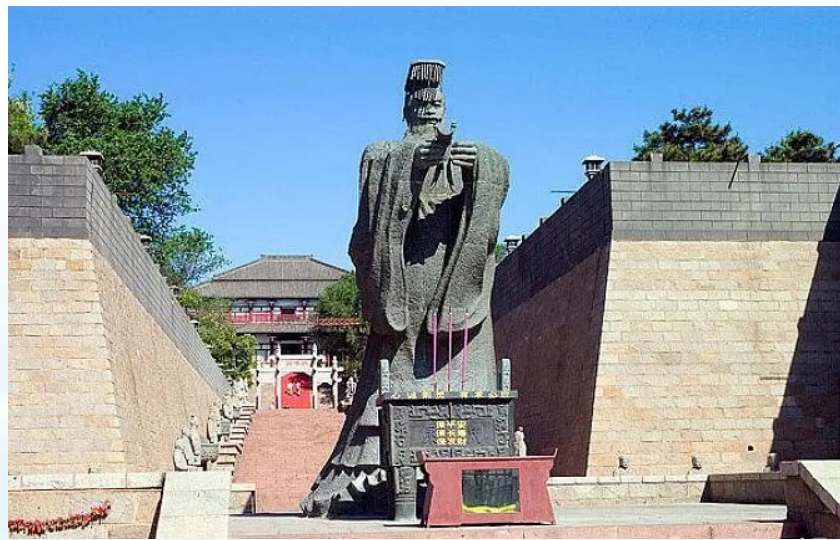


Splendid Culture



While inheriting and promoting traditional culture, Qinhuangdao displays another different charm in modern art. The city is reputed as the “Hometown of Great Wall Culture”, the “Hometown of Guzhu Culture”, the “Hometown of Blowing and Percussion Music”, the “Hometown of Folk Poetry” and the like. Folk cultures such as Changli Yangko and Funing Drum Music has become known far and wide, displaying the glamour of the local culture. Qinhuangdao celebrates a series of wonderful festivals such as the Sea Watching and Blessing Festival, the Chinese Love Festival, and the Ocean Culture Festival. Large-scale live-action dramas like The Bright Moon on the Sea, The Stories of Qinhuangdao and The Epic of Guzhu have won great favor from tourists. The city is acting more and more actively in launching cultural exchange programs with Russia, South Korea and other countries.

Sports Venues



As the only prefecture-level city that has co-hosted the Asian Games and the Olympic Games, Qinhuangdao boasts the Training Base of the General Administration of Sport of China, the National Swimming and Diving Training Base, the Olympic Sports Center, the Chinese Football School and other national-level sports facilities. By hosting brand events such as the Women's Boxing World Championships, the International Marathon, the Chinese Eight-Ball International Masters, and the Beidaihe International Roller Skating Festival, Qinhuangdao is making every effort to get known as a sports city. People here can not only go to the advanced sports venues to enjoy exciting games, but can also invite friends to exercise at the seaside. In addition to being beautiful, the city is a symbol for health and optimism.

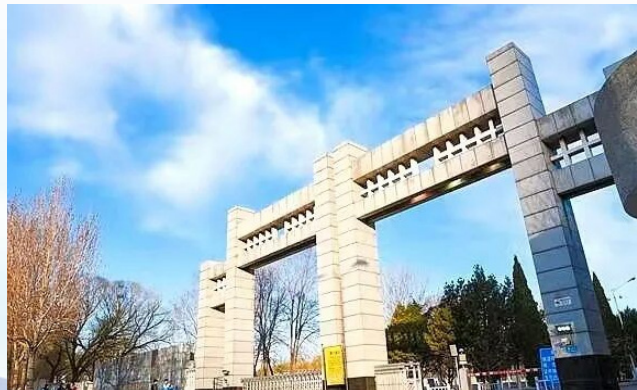


二、燕山大学简介

燕山大学是河北省人民政府、教育部、工业和信息化部共建的全国重点大学，河北省重点支持的国家一流大学和世界一流学科建设高校，北京高科大学联盟成员。



学校源于哈尔滨工业大学，始建于1920年。占地面积4000亩，建筑面106万平方米。现有普通高等教育在校生38000人。现有教职工3200人，包含专职教师2200人，其中，教授509人，副教授678人。教师中含博士生导师376人。有中国科学院院士3人，国务院学科评议组成员1人，国家“万人计划”入选者6人，长江学者奖励计划特聘教授15人，国家杰出青年科学基金获得者26人。学



校设有 11 个博士后流动站，14 个博士学位一级学科，2 个专业博士学位类别，30 个硕士学位一级学科，18 个专业硕士学位类别，68 个本科专业，已形成以工学为主，文学、理学、经济学、管理学、法学、艺术学、教育学等 8 个学科门类共同发展的学科格局；拥有 5 个国家重点学科和 16 个省级重点学科，工程学、材料科学、化学、计算机科学 4 个学科进入 ESI 排名全球前 1%。在全国第四轮学科评估中，8 个学科获得 B 类以上评估结果，其中机械工程为 A- 类，全国排名前 10%，材料科学与工程为 B+，全国排名前 20%。



燕山大学积极推进教育对外开放，构建全球国际交流与合作网络，与 30 个国家和地区的 95 所国（境）外高水平大学和科研机构建立了友好合作关系，在学生联合培养、教师学术交流、科学研究项目等方面开展长期、广泛的合作。学校积极响应国家“一带一路”倡议，全面实施国际化发展战略，致力于培养具有全球竞争力的和全球视野的高素质对外开放人才，不断提升学校的国际影响力和教育对外开放水平。

（2022 年 6 月更新）

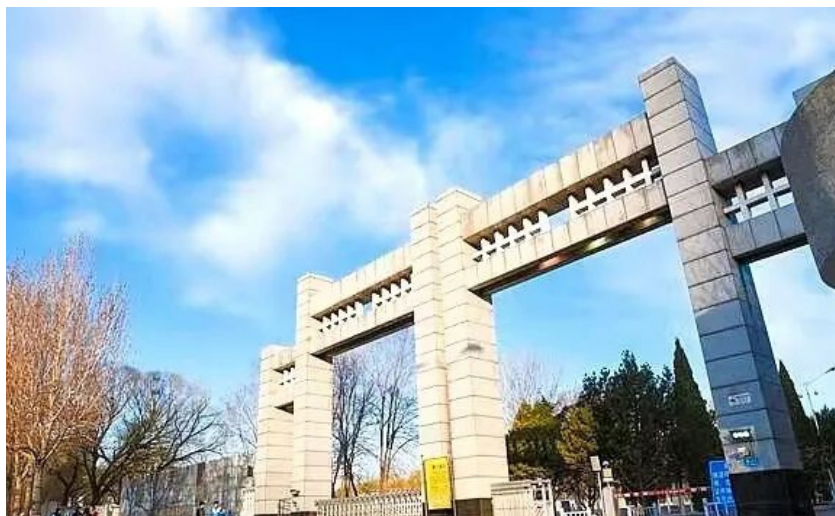
Introduction to Yanshan University

Yanshan University (YSU) is a national key university co-constructed by the People's Government of Hebei Province, the Ministry of Education, the Ministry of Industry and Information Technology. It receives major support from the People's Government of Hebei Province for developing itself into a national first-class university with world-class disciplines. It is also a member of the Cooperation Consortium of Beijing High Technology Universities.



Originating from Harbin Institute of Technology founded in 1920, YSU covers an area of 4,000 mu (1 mu approximates 667 square meters) and a building area of 1.06 million square meters. It has 38,000 students in general higher education and 3,200 faculty members. Among these faculty members, 2,200 are full-time teachers, including 509 professors, 678 associate professors, and 376 doctoral supervisors. YSU has three academicians of the Chinese Academy of Sciences, a member of the Discipline Appraisal Group of the State Council, 6 scholars from the Ten-

thousand Talents Program, 15 distinguished professors from the Chang Jiang Scholars Program, and 25 recipients of the National Science Funds for Distinguished Young Scientists.



YSU offers 11 postdoctoral programs, 14 doctoral programs of first-level disciplines, two professional doctoral degree programs, 30 master's degree programs of first-level disciplines, 18 professional master's degree programs, and 68 undergraduate programs. YSU has established a disciplinary pattern where liberal art, science, economics, management, law, fine arts, philosophy, and education develop together, with engineering as the mainstay. YSU has five national key disciplines and 16 provincial key disciplines. Its engineering, materials science, chemistry, and computer science have been rated as ESI top 1% disciplines. In the fourth national discipline assessment, YSU obtained the ratings of Class B and above for eight disciplines. Specifically, Mechanical Engineering was rated as Class A-, ranking in the top 10% nationally; Materials Science

and Engineering was rated as Class B+, ranking in the top 20% nationally.

YSU actively promotes education opening-up to develop an international exchange and cooperation network. It has established long-term, extensive and friendly cooperative partnerships with 95 high-level universities and scientific research institutions from 30 countries and regions in joint student training, academic exchange among teachers, scientific research projects and other fields. YSU responds positively to the Belt and Road Initiative and implements the international development strategy on all fronts. By doing so, YSU commits itself to cultivating high-quality talents with global competitiveness and vision, in order to constantly improve its international influence and education opening-up.

(Updated in June 2022)



三、在校生活指南

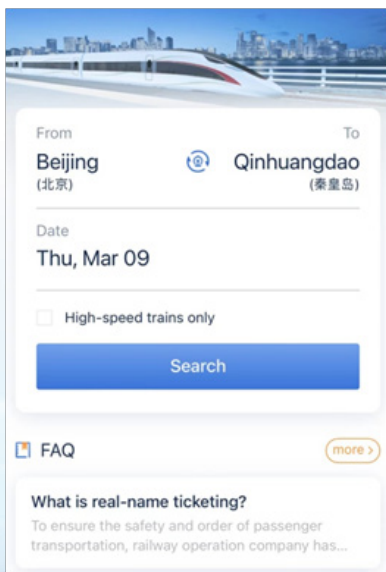
◎ 抵校交通



火车票购买软件

乘坐飞机到北京首都机场，可以乘坐首都机场大巴秦皇岛线直达秦皇岛长途汽车站，到站下车后坐出租车到燕大东门（即闲庭四艺酒店前的大门）。

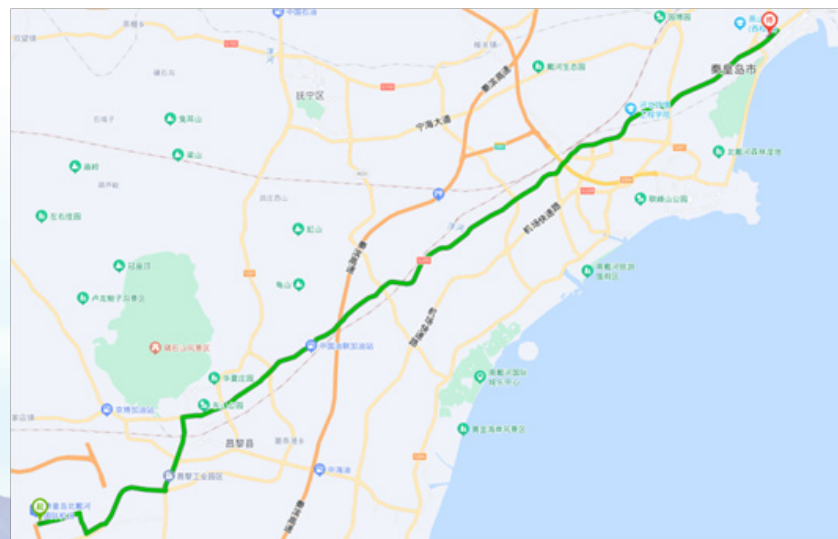
从北京火车站乘火车到秦皇岛火车站，下车后坐出租车到燕大东门（即闲庭四艺酒店前的大门）。



从北京火车站乘火车到北戴河火车站，下车后可以乘坐 6 路公共汽车到燕山大学下车；也可以坐出租车到燕大东门（即闲庭四艺酒店前的大门）。



乘坐飞机到北戴河机场，出机场后可坐出租车到燕大东门（即闲庭四艺酒店前的大门）。



◎ 校内交通

校园内设有通勤车。每次乘车仅需一元。起点位于燕大东门（东区闲庭四艺酒店）对面，行驶环状线路，途经 13 个站点。

首班车 7:00，末班车 20:00。



图为燕大校车线路图

◎ 就餐

东校区食堂有位于三舍对面的中快餐厅，位于五舍对面的燕鸣湖餐厅，在燕鸣湖餐厅后门旁有清真餐厅与教职工餐厅。



燕大西校区大食堂分为三层。一层有清真餐厅，二层三层有面食、炒菜、火锅等特色窗口，供师生选择。



◎ 校医院

东校区：校医院位于闲庭四艺酒店东部。

西校区：从西区大食堂向北走约 100 米，可以看到燕山大学校医院。中午、夜间及节假日需要就诊的话，请到东校区闲庭四艺东边的校医院。

◎ 校内购物

东校区超市位于中餐厅南侧，一楼有理发店、蛋糕店、复印店等，满足师生的多样化需求，二楼为超市，两大超市为师生提供便利。外教公寓所在的燕大小区内也有一兴龙广缘超市。

西校区大食堂向西走约 200 米，是兴龙广缘超市，分为三层，一层以饮品和快递存放处为主，二层是超市，提供日常的商品以及各类的小吃，三层是理发店、复印店、健身房。超市内的商品应有尽有，为师生的日常需求提供了极大的便利。



◎ 银行、邮局

东校区：中国农业银行位于三舍北部，中国建设银行位于东区浴室东部，中国工商银行在三教北侧，外教公寓所在的燕大小区兴龙广缘超市旁有中国工商银行自助取款机。邮政处于燕鸣湖餐厅正门北侧。



西校区：大食堂一层东北角设有中国建设银行、中国工商银行 24 小时自助银行服务和邮政通信服务中心。

◎ 紧急联系电话

匪警电话：110 火警电话：119 医疗急救：120

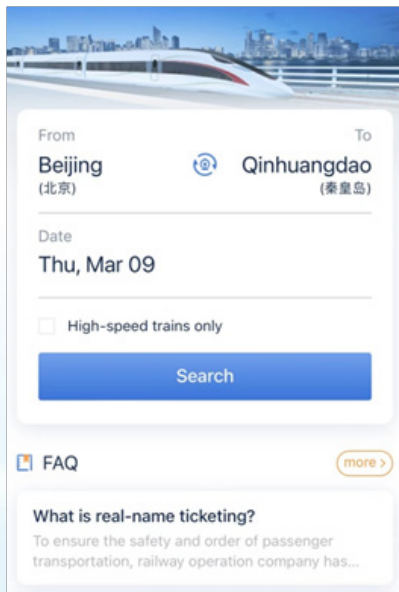
Guide to Campus Life

How to Get to YSU

After arriving at the Beijing Capital Airport by plane, you can take the Qinhuangdao Line of Beijing Capital Airport bus directly to Qinhuangdao Long-distance Bus Station. After arriving at the station, you can take a taxi to the East Gate of YSU (the gate in front of the Four Arts Hotel).



Railway ticket purchase APP

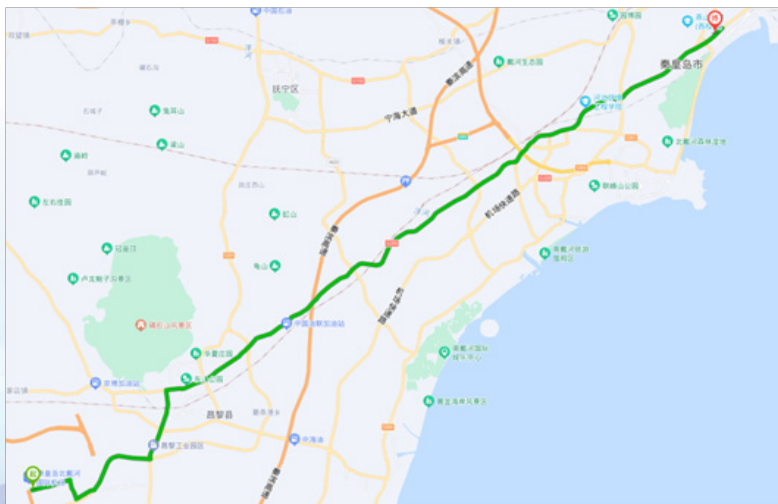


You can take the train from the Beijing Railway Station to the Qinhuangdao Railway Station. After arrival, you can take a taxi to the East Gate of YSU (the gate in front of the Four Arts Hotel).

You can take the train from the Beijing Railway Station to the Qinhuangdao Railway Station. After arrival, you can take the No.6 bus to YSU. You can also take a taxi to the East Gate of YSU (the gate in front of the Four Arts Hotel).



After arriving at the Beidaihe Airport by plane, you can take a taxi to the East Gate of YSU (the gate in front of the Four Arts Hotel).



How to Take a Bus in YSU

The shuttle bus offers a one-yuan circular route from the East Gate of YSU (the Four Arts Hotel in the East Campus) between 7:00 and 20:00, passing through 13 stations.



YSUSchoolBusRouteMap

Where to Dine

In the East Campus, you can dine at the Chinese Fast Food Restaurant opposite the No.3 Dormitory, the Yanminghu Restaurant opposite the No. 5 Dormitory, and the halal restaurant and faculty restaurant next to the back entrance of the Yanminghu Restaurant.

In the East Campus, there is a three-floor Canteen, where you can dine at the halal restaurant on the first floor, or choose noodles, fried dishes, hot pot and other specialists on the second and third floors.



Where to See a Doctor

In the East Campus: A school infirmary lies to the east of the Four Arts Hotel.

In the West Campus: A school infirmary lies about 100 meters north of the Canteen of the West Campus.

If you need to see a doctor at noon, at night or on holidays, please go to the school infirmary to the east of the Four Arts Hotel in the East Campus.

Where to Shop

In the East Campus, there is a service building to the south of the Chinese Fast Food Restaurant. On the first floor of the building, there is a barber shop, a cake shop, a photocopying shop and other stores providing diverse services. On the second floor, there are two convenience supermarkets. There is also a Xinglong Guangyuan Supermarket in the community of Foreign Teacher's apartment.



About 200 meters west of the Canteen of the West Campus lies the three-floor Xinglong Guangyuan Supermarket. The first floor is mainly about beverages and package storage. The second floor hosts a supermarket providing daily goods and snacks. On the third floor, there is a barber shop, a photocopying shop, and a gym. The supermarket supplies a full range of goods for the convenience of teachers and students.

Banking and Posting Services

East Campus: Agricultural Bank of China lies in the north of the No. 3 Dormitory, China Construction Bank in the east of the Eastern bathroom, and Industrial and Commercial Bank of China in the north of the No. 3 Teaching Building. There is also an ICBC ATM in the community of Foreign Teacher's apartment, besides the Xinglong Guangyuan Supermarket. China Post lies to the north of the main entrance of the Yanminghu Restaurant.

West Campus: In the northeastern corner of the first floor of the Canteen of West Campus lie the 24-hour self-service banking machines of the China Construction Bank and the Industrial and Commercial Bank of China as well as the communication service center of China Post. You can go there to withdraw money, buy mobile phone or telephone cards, or mail packages.



Emergency Calls

Police: 110 Fire: 119 Ambulance: 120

四、燕山大学外籍教师聘任与管理办法

第一章 总 则

第一条 为更好地推动学校国际化建设，规范外籍教师的聘任和管理，加大海外引智工作力度，充分发挥外籍教师在教学和科研中的作用，根据国家有关法律法规和河北省有关文件精神，结合学校实际，制订本办法。

第二条 本办法所称外籍教师（以下简称外教），是指由学校聘任、取得外国人来华工作许可和工作类居留证件、在中国境内从事教育教学和科研工作的外籍人员。具体可以分为：

（一）外国文教专家。与我校签订正式聘用合同，主要从事语言课、专业课教学工作的外籍教师。

（二）外国高端专家。与我校签订工作合同，主要从事科研工作的外国高端人才（含外籍博士后人员）。

第二章 聘任条件

第三条 基本条件

外籍人员具备取得来华工作许可和工作类居留证件所需要的条件，具备本办法规定的教育教学专业资质，学校可聘任为外籍教师。

第四条 资质条件

外国文教专家应当具备从事教育工作所必需的教育资质和教学技能。其中，在学校担任学科专业（含外国语言文学专业）教学的教师，应当具备学士以上学位或相关教育机构相关学科 2 年以上教育教学工作经历或者相关领域工作经历；担任外国语言教学的教师，应当具备学士以上学位并受过相应的语言教学专门训练，取得相应的语言培训资质且一般从事母语国母语教学；用中文教授相关课程的外教，普通话水平应达到《普通话水平测试等级标准》三级乙等及以上标准或者通过汉语水平考试获得相应等级证书。担任科研工作的外教，原则上应该具备博士学位或副高级以上职称，或者在相

关科研领域有 2 年以上科研经历并取得一定科研成果。

外籍人员已获得博士学位，或者取得国际教师资格证书，或者拥有教师教育类学士以上学位的，可以免除相应教育工作经历要求。

第五条 其他条件

外教应当身心健康，品行良好，无犯罪记录，无传染性疾病和精神障碍史，无性骚扰、吸食注射毒品、长期服用依赖性精神药品等行为以及其他可能对学生安全和身心健康造成影响的疾病、行为。

第三章 聘任和管理

第六条 各学院或单位要统筹规划外教聘请工作，本着按需聘请、择优选聘、保证重点、讲求实效、提高效益的原则，将外教聘请工作纳入人才培养、科学研究、学科建设的总体规划，经学校审批同意后选聘。

第七条 外教管理实行校、院两级管理模式。国际合作处是学校外教聘任与管理的归口管理部门，负责统筹外国文教专家的聘任、管理与服务工作以及负责外国高端专家的来华工作许可和居留证件手续办理；人力资源处和外教使用学院或单位负责外国高端专家的选聘、在校工作管理和生活服务。

第八条 各学院或单位负责所聘外教的日常管理和服务工作，包括但不限于：

（一）配备专人作为外教在华期间联络人，协助其开展工作并提供必要的生活帮助。

（二）审定外教教学教材，在意识形态、宗教、国家政治安全等内容上严格把关。

（三）建立外教考核制度，负责对所聘外教进行业务考核，外教经考核未达到合同要求的学院或单位应向其提出工作改进意见或按照合同约定解聘。凡需解聘的，需有关部门共同商议后提出解聘意见，报学校审批后执行。

（四）外教合同到期前 3 个月，由学院或单位提出续聘申请。如

不再续聘，需至少提前 3 个月告知学校并协助其办理相关解聘手续。

第四章 薪酬福利

第九条 外教的薪酬分为工资和福利两部分，外国文教专家具体薪资标准和发放办法详见《燕山大学外国文教专家薪酬管理规范》，并按《中华人民共和国个人所得税法》依法向中华人民共和国缴纳个人所得税。

第十条 其他未尽事宜详见《燕山大学外国文教专家薪酬管理规范》。

第五章 行为规范

第十一条 外教应遵守中国的法律法规，尊重中国的道德规范和风俗习惯，遵守校规校纪，不干涉中国内政和学校的内部管理。

第十二条 外教应遵守教师职业道德，所实施的教育教学活动和内容应当符合中国的教育方针和教学基本要求，不得损害中国的国家主权、安全、荣誉和社会公共利益。不得以任何形式向学生收取任何费用。不得进行其他任何有偿或无偿兼职。

第十三条 外教应尊重中国宗教政策，遵守教育与宗教相分离的原则，禁止在校园内、课堂上及其他非宗教场所传教或组织其他宗教活动。

第十四条 外教应在聘期内按照合同按期完成教学科研等工作任务，保证质量。外教应被纳入学院或单位教职工日常教学和管理体系，接受学校的工作安排、业务指导、检查和评估。

第十五条 外教按学校相关要求要求进行调代课，并到学院或单位备案。严格请销假制度，请假超过 2 个工作日，须以书面形式提交学院或单位同意并向国际合作处备案。节假日离秦，须至少提前 3 日到国际合作处登记备案。

外国文教专家应在学校指定的外国专家公寓住宿，并严格遵守外国专家公寓访客登记制度，未经同意，不得留宿他人。如遇特殊情

况需在外居住的，需提前告知国际合作处并征得同意。

外教应注意自身安全。外出时，应妥善处理公寓水电等设施，严禁从事任何危险性活动。发生各类意外情况，应立即向国际合作处等相关部门报告。

其他未尽事宜详见《燕山大学外籍教师行为规范》。

第六章 附 则

第十九条 从事科研等其他工作的外籍人员，其聘任与管理可参照本办法执行。

第二十条 香港特别行政区、澳门特别行政区和台湾地区教职工的聘任与管理可参照本办法执行。

第二十一条 本办法自发布之日起施行，由国际合作处负责解释。

Measures for the Employment and Management of Foreign Teachers at Yanshan University

Chapter I General Provisions

Article 1 These Measures have been formulated in accordance with the relevant laws and regulations of the State and the principles of relevant documents of Hebei Province, and in combination with the actual situation of Yanshan University, so as to better promote the internationalization of Yanshan University, standardize the appointment and management of foreign teachers, increase the efforts of introduction of foreign experts, and give full play to the roles of foreign teachers in the course of teaching and scientific research.

Article 2 For the purpose of these Measures, the teachers of foreign nationalities (hereinafter referred to as foreign teachers) refer to those foreigners appointed by Yanshan University, who have obtained work permits and work-related residence permits for foreigners, to engage in education, teaching and scientific research within the territory of China. Specifically, foreign teachers can be divided into the following two types:

(1) Foreign cultural and educational experts: foreign teachers who have signed formal Employment Contract with Yanshan University to engage in teaching language and professional courses;

(2) High-end foreign experts: high-level foreign talents (including foreign postdoctoral fellows) who have signed an Employment Contract with Yanshan University to carry out scientific research.

Chapter II Appointment Conditions

Article 3 Basic conditions

Foreigners may be appointed by Yanshan University as foreign

teachers, provided that they possess the necessary conditions to obtain work permits and work-related residence permits in China and have the professional qualifications for education and teaching as stipulated in these Measures.

Article 4 Qualifications

Foreign cultural and educational experts shall possess the necessary educational qualifications and teaching skills to work in education. Teachers who are employed by Yanshan University to give courses concerning various disciplines and specialties (including foreign languages and literature specialty) shall possess the bachelor's degree or higher, or accumulate more than two years of teaching experiences in the relevant disciplines in the educational institutions, or more than two years of working experiences in the related fields; teachers who give courses of foreign languages shall possess the bachelor's degree or higher, and have received special training in language teaching, obtained corresponding language training qualifications, and been generally engaged in teaching in the native language in their native countries; the foreign teachers who teach relevant courses in Chinese shall have Putonghua proficiency conforming to Grade B of Level III and above of Putonghua Proficiency Test Standard, or pass the Chinese proficiency test to obtain the corresponding level certificate. In principle, foreign teachers who are engaged in scientific research shall: hold a doctoral degree or above, or deputy senior professional title, or have at least 2 years of scientific research experience in the relevant research fields, and have achieved certain research results.

Foreign teachers who have obtained a doctoral degree, or an international teacher certificate, or a bachelor's degree or higher in education may be exempted from the requirements on the corresponding educational work experiences.

Article 5 Other conditions

Foreign teachers shall be physically and mentally healthy, of good conduct, and without criminal record and history of infectious diseases or mental disorders, sexual harassment, taking injecting drugs or taking dependent psychotropic drugs for a long time, and shall be free of any other diseases or behaviors that may affect the safety and physical and mental health of students.

Chapter III Appointment and Management

Article 6 Every school or subsidiary unit of Yanshan University shall plan the employment of foreign teachers in a comprehensive manner, and incorporate the employment of foreign teachers into the overall planning for personnel training, scientific research and discipline construction in line with the principles of hiring according to needs, selecting on the basis of merit, ensuring key points, seeking effectiveness, and improving efficiency. The foreign teachers will be selected and employed upon the approval of Yanshan University.

Article 7 The foreign teachers shall be managed at the levels of university and school. The Office of International Cooperation is the centralized management department responsible for the appointment and management of foreign teachers at Yanshan University, which exerts function of coordinating the appointment, management and services of foreign cultural and educational experts, as well as handling the formalities of work permit and residence permit for foreign high-end experts in China. The Human Resources Department and the school or subsidiary unit where foreign teachers work are responsible for the selection, work management and life services of foreign high-end experts.

Article 8 Every school or subsidiary unit of Yanshan University is responsible for the daily management and services of the foreign teachers

employed, including but not limited to:

(1) Assigning a person to serve as a contact person for foreign teachers during their stay in China to assist them in their work and provide necessary living assistance.

(2) Reviewing and approving the teaching materials for foreign teachers, and strictly supervising the elements related to ideology, religion, and national political security.

(3) Establishing an evaluation system for foreign teachers and conducting professional assessment on the foreign teachers employed. If a foreign teacher fails to meet the requirements of the Contract upon assessment, the school or subsidiary unit of Yanshan University shall propose improvements to the foreign teacher or dismiss him/her in accordance with the Contract; if it is necessary to dismiss a foreign teacher, the relevant departments shall make joint discussion and put forward the dismissal opinions, which shall be submitted to Yanshan University for approval before implementation.

(4) The school or subsidiary unit shall submit an application for renewal of the foreign teacher's appointment, three months prior to the expiration of the Contract. If the Contract is not to be renewed, Yanshan University must be notified at least three months in advance, so as to give assistance in the termination procedures.

Chapter IV Remuneration and Benefits

Article 9 The remuneration of foreign teachers is divided into two parts: salary and benefits. The specific salary standards and payment methods of foreign cultural and educational experts are detailed in the Regulations on Management of Foreign Cultural and Educational Experts of Yanshan University. Foreign teachers are required to pay individual income tax in China in accordance with the Individual Income Tax Law

of the People's Republic of China.

Article 10 Other matters uncovered herein are detailed in the Regulations on Management of Foreign Cultural and Educational Experts of Yanshan University.

Chapter V Code of Conduct

Article 11 Foreign teachers shall abide by Chinese laws and regulations, respect moral codes and customs of China, conform to rules and regulations of Yanshan University, and refrain from interfering in the internal affairs of China and the internal management of Yanshan University.

Article 12 Foreign teachers shall abide by the professional ethics of teachers, and carry out the educational and teaching activities in compliance with China's educational policy and basic teaching requirements, and never harm the national sovereignty, security, honors and social public interests of China. Foreign teachers are not allowed to collect any fee from students in any form. Moreover, they are also not allowed to engage in other paid or unpaid part-time work.

Article 13 Foreign teachers shall respect China's religious policies, abide by the principle of separating education from religion, and be prohibited from preaching or organizing other religious activities in the university, classrooms, or other non-religious sites.

Article 14 Foreign teachers shall complete their teaching and scientific research tasks according to the Contract and guarantee the quality during the employment period. Foreign teachers shall be included in the daily teaching and management system of the faculty and staff of the school or subsidiary unit of Yanshan University. They shall accept the work arrangement, guidance, inspection and assessment of Yanshan University.

Article 15 Foreign teachers can adjust curriculum schedule and take over a class for an absent teacher according to the relevant requirements of Yanshan University, and report to the school or subsidiary unit of Yanshan University for record. Foreign teachers shall strictly follow the system of asking for leave and returning after a leave of absence. If the leave of absence exceeds 2 working days, the foreign teacher is required to submit application in writing to the school or subsidiary unit of Yanshan University for approval and file with the Office of International Cooperation. If foreign teachers leave Qinhuangdao on holidays, they must register at the Office of International Cooperation at least 3 days in advance.

Article 16 Foreign cultural and educational experts shall live in the Foreign Expert Apartment designated by Yanshan University, and strictly abide by the visitor registration system of the Foreign Expert Apartment. If foreign teachers need to live off-campus under special circumstances, they must inform the Office of International Cooperation in advance and obtain its consent.

Article 17 Foreign teachers shall pay attention to their own safety. When going out, foreign teachers shall properly handle the water, electricity and other facilities in the apartment. Foreign teachers are strictly prohibited from engaging in any dangerous activity. In case of accidents, foreign teachers shall immediately report to the Office of International Cooperation and other relevant departments.

Article 18 Other matters uncovered herein are detailed in the Code of Conduct for Foreign Teachers of Yanshan University.

Chapter VI Supplementary Provisions

Article 19 The foreign personnel engaged in other work such as scientific research may be appointed and managed with reference to these

Measures.

Article 20 The faculty members from the Hong Kong Special Administrative Region, the Macao Special Administrative Region and Taiwan may be appointed and managed with reference to these Measures.

Article 21 These Measures shall come into effect on the date of publication and be interpreted by the Office of International Cooperation.

五、燕山大学外籍教师行为规范

为加强我校外籍教师（以下简称外教）的管理工作，根据国家有关政策，结合我校实际情况，制定本规范。

一、基本行为规范

第一条 遵守中国的法律、法规，遵守校规校纪，不干涉中国内政和学校的内部管理。

第二条 尊重中国宗教政策，不在校园内、课堂上及其他非宗教场所传教或组织其他宗教活动。不得在校园内成立宗教组织、设立宗教办事机构、设立宗教活动场所，不得在中国公民中发展教徒、委任宗教教职人员和进行其他传教活动。

第三条 尊重中国的道德规范和风俗习惯。

第四条 遵守教师职业道德，不体罚学生，不得以任何形式向学生收取任何费用。

二、工作行为规范

第五条 外教应该自觉遵守课堂纪律。授课时应当注意仪表，衣着整洁，不得穿拖鞋、背心上课，不得在课堂抽烟、吃零食。

第六条 按期完成工作任务，保证工作质量。遵守工作制度和有关外教的管理规定，接受学校的工作安排、业务指导、检查和评估。

第七条 未经学校同意不得私自接受其他任何有偿或无偿兼职。

第八条 按学校调代课相关要求进行调代课。

第九条 严格请销假制度，请假超过两个工作日，须以书面形式提交学院或单位并经国际合作处同意。节假日离开秦皇岛，须到国际合作处登记备案。

三、公寓住宿规范

第十条 外教应在学校指定的外国专家公寓住宿。如遇特殊情况

需在外居住的，需提前告知国际合作处并征得同意。

第十一条 外教入境 24 小时内需办理住宿登记手续。抵达秦皇岛 24 小时之内，需向外国专家公寓前台交验护照和签证，并办理住宿登记手续。

第十二条 外教居住的房间，只能供其本人及随行家属使用，不能转让，不得留宿他人。如外教其他外籍亲属来访，需要留宿的，应事先在公寓管理员处领取并填写《燕山大学外籍专家（教师）住宿申报表》，经国际合作处审核同意后方可入住。

第十三条 学校为外教配备常用家电、厨房用具、床上用品、洗洁用具等物品，外教入住时要清点并签单领取。离宿时与公寓管理部门清点后，方可办理离宿离校手续。配备使用的物品，应妥善保管，不要随意改装拆卸，不能私自与其他房间的物品调换，如有损坏或丢失，应及时报告，属于人为损坏者，须照价赔偿。

第十四条 外教应于每天 23 点前返回入住公寓。如遇特殊情况，需要提前告知国际合作处并征得同意。对于不遵守此规定而引起的一切后果，由外教本人负责。

第十五条 外国专家公寓实行来客登记制度。公寓管理部门应对外教的临时来访客人有效证件进行查验，并实名登记。来访客人应在 22 点以前离开外国专家公寓。

第十六条 外教外出时，应切断电器设备的电源（电冰箱除外），关好门窗。贵重物品需妥善保管，门禁卡需随身携带，不得转交他人。不准私自更换门锁。

第十七条 公寓配备的电器用具，使用时须注意安全。不准私自增加电源插座、私拉电线等，注意水电使用安全。

第十八条 如发生被盗、失火等意外事故，外教应按照《燕山大学外籍教师突发事件应急处理预案》有关要求，保护现场，并立即报告公寓管理人员、国际合作处，协助有关部门做好调查处理工作。

第十九条 未经国际合作处批准不得在公寓内举办婚礼、大型宴席、晚会或舞会等聚集性活动。

第二十条 不得在房间内饲养任何宠物。

第二十一条 22 点以后禁止在公寓内大声喧哗或制造噪音。

四、生活行为规范

第二十二条 外教不得和学生谈恋爱或发生亲密关系。

第二十三条 外教不得从事赌博、色情、聚众酗酒等活动。

第二十四条 外教应注意自身安全。严禁从事任何如蹦极、跳伞等危险性活动。发生各类意外情况，应立即向国际合作处等相关部门报告。

第二十五条 外教不得到非游泳区游泳。

Code of Conduct for Foreign Teachers of Yanshan University

This Code of Conduct is formulated in accordance with the relevant national policies and the actual situation of Yanshan University, so as to strengthen the management of teachers of foreign nationalities (hereinafter referred to as foreign teachers) at Yanshan University.

I. Basic Code of Conduct

Article 1 Foreign teachers shall abide by Chinese laws and regulations, as well as rules and regulations of Yanshan University, and refrain from interfering in the internal affairs of China and the internal management of Yanshan University.

Article 2 Foreign teachers shall respect China's religious policies, and refrain from preaching or organizing other religious activities in the university, classrooms, or other non-religious sites. Foreign teachers are not allowed to establish religious organizations, religious offices, or places of religious activities in the university, or recruit followers, appoint religion clerical personnel, or engage in other missionary activities among Chinese citizens.

Article 3 Foreign teachers shall respect moral codes and customs of China.

Article 4 Foreign teachers shall respect the professional ethics of teachers, and refrain from corporal punishment on students and collection of any fee from students in any form.

II. Work Conduct

Article 5 Foreign teachers shall consciously observe classroom discipline. When giving lessons, foreign teachers shall pay attention to

their appearance and dress neatly and appropriately. It is not allowed to wear slippers or undershirts in class, and smoke or eat snacks in class.

Article 6 Foreign teachers shall complete their work and assignments on schedule and ensure the quality of their work. They shall abide by the work system and the regulations of Yanshan University concerning the management of foreign teachers, and accept the work arrangement, business guidance, inspection and assessment of Yanshan University.

Article 7 Foreign teachers shall not accept any other paid or unpaid part-time jobs without the consent of Yanshan University.

Article 8 Foreign teachers can adjust curriculum schedule and take over a class for an absent teacher according to the requirements of Yanshan University.

Article 9 Foreign teachers shall strictly follow the system of asking for leave and returning after a leave of absence. If the leave of absence exceeds 2 working days, foreign teachers are required to submit application in writing to the school or subsidiary unit of Yanshan University and gain approval from the Office of International Cooperation. When foreign teachers leave Qinhuangdao on holidays, they must register at the Office of International Cooperation.

III. Residence Regulations of Apartment

Article 10 Foreign teachers shall live in the Foreign Expert Apartment designated by Yanshan University. If foreign teachers need to live off-campus under special circumstances, they shall inform the Office of International Cooperation in advance for its consent.

Article 11 Foreign teachers need to go through accommodation registration procedures within 24 hours of their entry. They need to submit their passports and visas to the front desk of the Foreign Expert Apartment and go through accommodation registration procedures within

24 hours of arrival in Qinhuangdao.

Article 12 The rooms occupied by foreign teachers can only be used by themselves and their accompanying family members, which can neither be transferred, nor be accommodated by others. If other foreign relatives of foreign teachers visit Yanshan University and need to stay in the apartment, the foreign teacher shall fill in the Application Form for Accommodation of Foreign Experts (Teachers) of Yanshan University from the apartment administrator in advance, and the relatives can only be allowed to stay in the apartment with the approval of the Office of International Cooperation.

Article 13 Yanshan University will provide foreign teachers with common household appliances, kitchen utensils, bedding, cleaning utensils, and other items. Foreign teachers are required to count and sign for obtaining these items when they move in. When leaving Yanshan University, foreign teachers shall take inventory of these items together with the Apartment Management Department before going through the formalities of leaving the school. Foreign teachers are required to take good care of the items provided in the apartment, never modify and disassemble them at will. They are not allowed to replace these items with other items in difference rooms without permission. If anything is damaged or lost, the foreign teacher shall make reporting in a timely manner. In the case of artificial damage, the foreign teacher shall make compensation according to the cost.

Article 14 Foreign teachers shall return to their apartments before 23:00 every day. In case of special circumstances, foreign teachers must inform the Office of International Cooperation in advance for its consent. Foreign teachers shall be responsible for any consequence caused by non-compliance with this article.

Article 15 A guest registration system shall be implemented in the

Foreign Expert Apartment. The Apartment Management Department shall check the valid documents of the temporary visitors and register them in real names. The visitors shall leave the Foreign Expert Apartment before 22:00.

Article 16 Foreign teachers shall cut off the power supply of electrical equipment (except refrigerators), and close the doors and windows before they go out. Foreign teachers shall keep their valuables in a safe place and carry their access cards with them, and never hand over access cards to others. Foreign teachers are not allowed to change the locks of doors without permission.

Article 17 Foreign teachers shall pay attention to the safety of the electrical appliances provided in the apartment. Foreign teachers are not allowed to add power plugs and wires for themselves. They shall pay attention to the safety in utilizing water and electricity.

Article 18 In the event of unforeseen circumstances such as theft or fire, foreign teachers shall protect the scene in accordance with the relevant requirements of the Emergency Response Plan of Yanshan University for Foreign Teachers, immediately report to the apartment administrator and the Office of International Cooperation, and assist relevant departments in the investigation and disposal.

Article 19 Foreign teachers are not allowed to hold weddings, large banquets, parties or dances in the apartment without the approval of the Office of International Cooperation.

Article 20 Foreign teachers are not allowed to keep any pet in their rooms.

Article 21 Foreign teachers are not allowed to talk loudly or make noises in the apartment after 22:00.

IV. Living Code of Conduct

Article 22 Foreign teachers are not allowed to fall in love and have sexual or romantic relationships with students.

Article 23 Foreign teachers are not allowed to engage in gambling, pornography, or public drunkenness.

Article 24 Foreign teachers shall pay attention to their own safety. Foreign teachers are strictly prohibited from engaging in any dangerous activity such as bungee jumping or parachuting. In case of accidents, foreign teachers shall immediately report to the Office of International Cooperation and other relevant departments.

Article 25 Foreign teachers shall not swim in non-swimming areas.

六、中华人民共和国出境入境管理法

(2012年6月30日第十一届全国人民代表大会常务委员会第二十七次会议通过,同日中华人民共和国主席令第五十七号公布,自2013年7月1日起施行)

第一章 总 则

第一条 为了规范出境入境管理,维护中华人民共和国的主权、安全和社会秩序,促进对外交往和对外开放,制定本法。

第二条 中国公民出境入境、外国人入境出境、外国人在中国境内停留居留的管理,以及交通运输工具出境入境的边防检查,适用本法。

第三条 国家保护中国公民出境入境合法权益。

在中国境内的外国人的合法权益受法律保护。在中国境内的外国人应当遵守中国法律,不得危害中国国家安全、损害社会公共利益、破坏社会公共秩序。

第四条 公安部、外交部按照各自职责负责有关出境入境事务的管理。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(以下称驻外签证机关)负责在境外签发外国人入境签证。出入境边防检查机关负责实施出境入境边防检查。县级以上地方人民政府公安机关及其出入境管理机构负责外国人停留居留管理。

公安部、外交部可以在各自职责范围内委托县级以上地方人民政府公安机关出入境管理机构、县级以上地方人民政府外事部门受理外国人入境、停留居留申请。

公安部、外交部在出境入境事务管理中,应当加强沟通配合,并与国务院有关部门密切合作,按照各自职责分工,依法行使职权,承担责任。

第五条 国家建立统一的出境入境管理信息平台,实现有关管理部门信息共享。

第六条 国家在对外开放的口岸设立出入境边防检查机关。

中国公民、外国人以及交通运输工具应当从对外开放的口岸出境入境,特殊情况下,可以从国务院或者国务院授权的部门批准的地点出境入境。出境入境人员和交通运输工具应当接受出境入境边防检查。

出入境边防检查机关负责对口岸限定区域实施管理。根据维护国家安全和出境入境管理秩序的需要,出入境边防检查机关可以对出境入境人员携带的物品实施边防检查。必要时,出入境边防检查机关可以对出境入境交通运输工具载运的货物实施边防检查,但是应当通知海关。

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。

外国政府对中国公民签发签证、出境入境管理有特别规定的,中国政府可以根据情况采取相应的对等措施。

第八条 履行出境入境管理职责的部门和机构应当切实采取措施,不断提升服务和管理水平,公正执法,便民高效,维护安全、便捷的出境入境秩序。

第二章 中国公民出境入境

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。中国公民前往其他国家或者地区,还需要取得前往国签证或者其他入境许可证明。但是,中国政府与其他国家政府签订互免签证协议或者公安部、外交部另有规定的除外。

中国公民以海员身份出境入境和在国外船舶上从事工作的,应当依法申请办理海员证。

第十条 中国公民往来内地与香港特别行政区、澳门特别行政区,中国公民往来大陆与台湾地区,应当依法申请办理通行证件,并遵守本法有关规定。具体管理办法由国务院规定。

第十一条 中国公民出境入境,应当向出入境边防检查机关交验

本人的护照或者其他旅行证件等出境入境证件，履行规定的手续，经查验准许，方可出境入境。

具备条件的口岸，出入境边防检查机关应当为中国公民出境入境提供专用通道等便利措施。

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) 被判处刑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。

第十三条 定居国外的中国公民要求回国定居的，应当在入境前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申请，也可以由本人或者经由国内亲属向拟定居地的县级以上地方人民政府侨务部门提出申请。

第十四条 定居国外的中国公民在中国境内办理金融、教育、医疗、交通、电信、社会保险、财产登记等事务需要提供身份证明的，可以凭本人的护照证明其身份。

第三章 外国人入境出境

第一节 签证

第十五条 外国人入境，应当向驻外签证机关申请办理签证，但是本法另有规定的除外。

第十六条 签证分为外交签证、礼遇签证、公务签证、普通签证。对因外交、公务事由入境的外国人，签发外交、公务签证；对因身

份特殊需要给予礼遇的外国人，签发礼遇签证。外交签证、礼遇签证、公务签证的签发范围和签发办法由外交部规定。

对因工作、学习、探亲、旅游、商务活动、人才引进等非外交、公务事由入境的外国人，签发相应类别的普通签证。普通签证的类别和签发办法由国务院规定。

第十七条 签证的登记项目包括：签证种类，持有人姓名、性别、出生日期、入境次数、入境有效期、停留期限，签发日期、地点，护照或者其他国际旅行证件号码等。

第十八条 外国人申请办理签证，应当向驻外签证机关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，按照驻外签证机关的要求办理相关手续、接受面谈。

第十九条 外国人申请办理签证需要提供中国境内的单位或者个人出具的邀请函件的，申请人应当按照驻外签证机关的要求提供。出具邀请函件的单位或者个人应当对邀请内容的真实性负责。

第二十条 出于人道原因需要紧急入境，应邀入境从事紧急商务、工程抢修或者具有其他紧急入境需要并持有有关主管部门同意在口岸申办签证的证明材料的外国人，可以在国务院批准办理口岸签证业务的口岸，向公安部委托的口岸签证机关（以下简称口岸签证机关）申请办理口岸签证。

旅行社按照国家有关规定组织入境旅游的，可以向口岸签证机关申请办理团体旅游签证。

外国人向口岸签证机关申请办理签证，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，按照口岸签证机关的要求办理相关手续，并从申请签证的口岸入境。

口岸签证机关签发的签证一次入境有效，签证注明的停留期限不得超过三十日。

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。

第二十二条 外国人有下列情形之一的, 可以免办签证:

(一) 根据中国政府与其他国家政府签订的互免签证协议, 属于免办签证人员的;

(二) 持有效的外国人居留证件的;

(三) 持联程客票搭乘国际航行的航空器、船舶、列车从中国过境前往第三国或者地区, 在中国境内停留不超过二十四小时且不离开口岸, 或者在国务院批准的特定区域内停留不超过规定时限的;

(四) 国务院规定的可以免办签证的其他情形。

第二十三条 有下列情形之一的外国人需要临时入境的, 应当向出入境边防检查机关申请办理临时入境手续:

(一) 外国船员及其随行家属登陆港口所在城市的;

(二) 本法第二十二条第三项规定的人员需要离开口岸的;

(三) 因不可抗力或者其他紧急原因需要临时入境的。临时入境的期限不得超过十五日。对申请办理临时入境手续的外国人, 出入境边防检查机关可以要求外国人本人、载运其入境的交通工具的负责人或者交通工具出境入境业务代理单位提供必要的保证措施。

第二节 入境出境

第二十四条 外国人入境, 应当向出入境边防检查机关交验本人

的护照或者其他国际旅行证件、签证或者其他入境许可证明, 履行规定的手续, 经查验准许, 方可入境。

第二十五条 外国人有下列情形之一的, 不准入境:

(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) 具有本法第二十一条第一款第一项至第四项规定情形的;

(三) 入境后可能从事与签证种类不符的活动的;

(四) 法律、行政法规规定不准入境的其他情形。

对不准入境的, 出入境边防检查机关可以不说明理由。

第二十六条 对未被准许入境的外国人, 出入境边防检查机关应当责令其返回; 对拒不返回的, 强制其返回。外国人等待返回期间, 不得离开限定的区域。

第二十七条 外国人出境, 应当向出入境边防检查机关交验本人的护照或者其他国际旅行证件等出境入境证件, 履行规定的手续, 经查验准许, 方可出境。

第二十八条 外国人有下列情形之一的, 不准出境:

(一) 被判处刑罚尚未执行完毕或者属于刑事案件被告人、犯罪嫌疑人的, 但是按照中国与外国签订的有关协议, 移管被判刑人的除外;

(二) 有未了结的民事案件, 人民法院决定不准出境的;

(三) 拖欠劳动者的劳动报酬, 经国务院有关部门或者省、自治区、直辖市人民政府决定不准出境的;

(四) 法律、行政法规规定不准出境的其他情形。

第四章 外国人停留居留

第一节 停留居留

第二十九条 外国人所持签证注明的停留期限不超过一百八十日的, 持证人凭签证并按照签证注明的停留期限在中国境内停留。

需要延长签证停留期限的, 应当在签证注明的停留期限届满七日前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,

按照要求提交申请事由的相关材料。经审查，延期理由合理、充分的，准予延长停留期限；不予延长停留期限的，应当按期离境。

延长签证停留期限，累计不得超过签证原注明的停留期限。

第三十条 外国人所持签证注明入境后需要办理居留证件的，应当自入境之日起三十日内，向拟居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办理外国人居留证件。

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。公安机关出入境管理机构应当自收到申请材料之日起十五日内进行审查并作出审查决定，根据居留事由签发相应类别和期限的外国人居留证件。

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。

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。

符合国家规定的专门人才、投资者或者出于人道等原因确需由停留变更为居留的外国人，经设区的市级以上地方人民政府公安机关出入境管理机构批准可以办理外国人居留证件。

第三十二条 在中国境内居留的外国人申请延长居留期限的，应当在居留证件有效期届满三十日前向居留地县级以上地方人民政府公安机关出入境管理机构提出申请，按照要求提交申请事由的相关材料。经审查，延期理由合理、充分的，准予延长居留期限；不予延长居留期限的，应当按期离境。

第三十三条 外国人居留证件的登记项目包括：持有人姓名、性别、

出生日期、居留事由、居留期限，签发日期、地点，护照或者其他国际旅行证件号码等。

外国人居留证件登记事项发生变更的，持证件人应当自登记事项发生变更之日起十日内向居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办理变更。

第三十四条 免办签证入境的外国人需要超过免签期限在中国境内停留的，外国船员及其随行家属在中国境内停留需要离开港口所在城市，或者具有需要办理外国人停留证件其他情形的，应当按照规定办理外国人停留证件。

外国人停留证件的有效期最长为一百八十日。

第三十五条 外国人入境后，所持的普通签证、停留居留证件损毁、遗失、被盗抢或者有符合国家规定的事由需要换发、补发的，应当按照规定向停留居留地县级以上地方人民政府公安机关出入境管理机构提出申请。

第三十六条 公安机关出入境管理机构作出的不予办理普通签证延期、换发、补发，不予办理外国人停留居留证件、不予延长居留期限的决定为最终决定。

第三十七条 外国人在中国境内停留居留，不得从事与停留居留事由不相符的活动，并应当在规定的停留居留期限届满前离境。

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。

在中国境内居留的外国人，应当在规定的时间内到居留地县级以上地方人民政府公安机关交验外国人居留证件。

第三十九条 外国人在中国境内旅馆住宿的，旅馆应当按照旅馆业治安管理的有关规定为其办理住宿登记，并向所在地公安机关报送外国人住宿登记信息。

外国人在旅馆以外的其他住所居住或者住宿的，应当在入住后二十四小时内由本人或者留宿人，向居住地的公安机关办理登记。

第四十条 在中国境内出生的外国婴儿，其父母或者代理人应当在婴儿出生六十日内，持该婴儿的出生证明到父母停留居留地县级以上地方人民政府公安机关出入境管理机构为其办理停留或者居留登记。

外国人在中国境内死亡的，其家属、监护人或者代理人，应当按照规定，持该外国人的死亡证明向县级以上地方人民政府公安机关出入境管理机构申报，注销外国人停留居留证件。

第四十一条 外国人在中国境内工作，应当按照规定取得工作许可和工作类居留证件。任何单位和个人不得聘用未取得工作许可和工作类居留证件的外国人。

外国人在中国境内工作管理办法由国务院规定。

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。

国务院教育主管部门会同国务院有关部门建立外国留学生勤工助学管理制度，对外国留学生勤工助学的岗位范围和时限作出规定。

第四十三条 外国人有下列行为之一的，属于非法就业：

- (一) 未按照规定取得工作许可和工作类居留证件在中国境内工作的；
- (二) 超出工作许可限定范围在中国境内工作的；
- (三) 外国留学生违反勤工助学管理规定，超出规定的岗位范围或者时限在中国境内工作的。

第四十四条 根据维护国家安全、公共安全的需要，公安机关、国家安全机关可以限制外国人、外国机构在某些地区设立居住或者办公场所；对已经设立的，可以限期迁离。

未经批准，外国人不得进入限制外国人进入的区域。

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。

公民、法人或者其他组织发现外国人有非法入境、非法居留、非

法就业情形的，应当及时向所在地公安机关报告。

第四十六条 申请难民地位的外国人，在难民地位甄别期间，可以凭公安机关签发的临时身份证明在中国境内停留；被认定为难民的外国人，可以凭公安机关签发的难民身份证件在中国境内停留居留。

第二节 永久居留

第四十七条 对中国经济社会发展作出突出贡献或者符合其他在中国境内永久居留条件的外国人，经本人申请和公安部批准，取得永久居留资格。

外国人在中国境内永久居留的审批管理办法由公安部、外交部会同国务院有关部门规定。

第四十八条 取得永久居留资格的外国人，凭永久居留证件在中国境内居留和工作，凭本人的护照和永久居留证件出境入境。

第四十九条 外国人有下列情形之一的，由公安部决定取消其在中国境内永久居留资格：

- (一) 对中国国家安全和利益造成危害的；
- (二) 被处驱逐出境的；
- (三) 弄虚作假骗取在中国境内永久居留资格的；
- (四) 在中国境内居留未达到规定时限的；
- (五) 不适宜在中国境内永久居留的其他情形。

第五章 交通运输工具出境入境边防检查

第五十条 出境入境交通运输工具离开、抵达口岸时，应当接受边防检查。对交通运输工具的入境边防检查，在其最先抵达的口岸进行；对交通运输工具的出境边防检查，在其最后离开的口岸进行。特殊情况下，可以在有关主管机关指定的地点进行。

出境的交通运输工具自出境检查后至出境前，入境的交通运输工具自入境后至入境检查前，未经出入境边防检查机关按照规定程序

许可，不得上下人员、装卸货物或者物品。

第五十一条 交通运输工具负责人或者交通运输工具出境入境业务代理单位应当按照规定提前向出入境边防检查机关报告入境、出境的交通运输工具抵达、离开口岸的时间和停留地点，如实申报员工、旅客、货物或者物品等信息。

第五十二条 交通运输工具负责人、交通运输工具出境入境业务代理单位应当配合出境入境边防检查，发现违反本法规定行为的，应当立即报告并协助调查处理。

入境交通运输工具载运不准入境人员的，交通运输工具负责人应当负责载离。

第五十三条 出入境边防检查机关按照规定对处于下列情形之一的出境入境交通运输工具进行监护：

（一）出境的交通运输工具在出境边防检查开始后至出境前、入境的交通运输工具在入境后至入境边防检查完成前；

（二）外国船舶在中国内河航行期间；

（三）有必要进行监护的其他情形。

第五十四条 因装卸物品、维修作业、参观访问等事由需要上下外国船舶的人员，应当向出入境边防检查机关申请办理登轮证件。

中国船舶与外国船舶或者外国船舶之间需要搭靠作业的，应当由船长或者交通运输工具出境入境业务代理单位向出入境边防检查机关申请办理船舶搭靠手续。

第五十五条 外国船舶、航空器在中国境内应当按照规定的路线、航线行驶。

出境入境的船舶、航空器不得驶入对外开放口岸以外地区。因不可预见的紧急情况或者不可抗力驶入的，应当立即向就近的出入境边防检查机关或者当地公安机关报告，并接受监护和管理。

第五十六条 交通运输工具有下列情形之一的，不准出境入境；已经驶离口岸的，可以责令返回：

（一）离开、抵达口岸时，未经查验准许擅自出境入境的；

（二）未经批准擅自改变出境入境口岸的；

（三）涉嫌载有不准出境入境人员，需要查验核实的；

（四）涉嫌载有危害国家安全、利益和社会公共秩序的物品，需要查验核实的；

（五）拒绝接受出入境边防检查机关管理的其他情形。

前款所列情形消失后，出入境边防检查机关对有关交通运输工具应当立即放行。

第五十七条 从事交通运输工具出境入境业务代理的单位，应当向出入境边防检查机关备案。从事业务代理的人员，由所在单位向出入境边防检查机关办理备案手续。

第六章 调查和遣返

第五十八条 本章规定的当场盘问、继续盘问、拘留审查、限制活动范围、遣送出境措施，由县级以上地方人民政府公安机关或者出入境边防检查机关实施。

第五十九条 对涉嫌违反出境入境管理的人员，可以当场盘问；经当场盘问，有下列情形之一的，可以依法继续盘问：

（一）有非法出境入境嫌疑的；

（二）有协助他人非法出境入境嫌疑的；

（三）外国人有非法居留、非法就业嫌疑的；

（四）有危害国家安全和利益，破坏社会公共秩序或者从事其他违法犯罪活动嫌疑的。

当场盘问和继续盘问应当依照《中华人民共和国人民警察法》规定的程序进行。

县级以上地方人民政府公安机关或者出入境边防检查机关需要传唤涉嫌违反出境入境管理的人员的，依照《中华人民共和国治安管理处罚法》的有关规定执行。

第六十条 外国人有本法第五十九条第一款规定情形之一的，经当场盘问或者继续盘问后仍不能排除嫌疑，需要作进一步调查的，

可以拘留审查。

实施拘留审查，应当出示拘留审查决定书，并在二十四小时内进行询问。发现不应当拘留审查的，应当立即解除拘留审查。

拘留审查的期限不得超过三十日；案情复杂的，经上一级地方人民政府公安机关或者出入境边防检查机关批准可以延长至六十日。对国籍、身份不明的外国人，拘留审查期限自查清其国籍、身份之日起计算。

第六十一条 外国人有下列情形之一的，不适用拘留审查，可以限制其活动范围：

- （一）患有严重疾病的；
- （二）怀孕或者哺乳自己不满一周岁婴儿的；
- （三）未满十六周岁或者已满七十周岁的；
- （四）不宜适用拘留审查的其他情形。

被限制活动范围的外国人，应当按照要求接受审查，未经公安机关批准，不得离开限定的区域。限制活动范围的期限不得超过六十日。对国籍、身份不明的外国人，限制活动范围期限自查清其国籍、身份之日起计算。

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。

第六十三条 被拘留审查或者被决定遣送出境但不能立即执行的人员，应当羁押在拘留所或者遣返场所。

第六十四条 外国人对依照本法规定对其实施的继续盘问、拘留审查、限制活动范围、遣送出境措施不服的，可以依法申请行政复议，该行政复议决定为最终决定。

其他境外人员对依照本法规定对其实施的遣送出境措施不服，申请行政复议的，适用前款规定。

第六十五条 对依法决定不准出境或者不准入境的人员，决定机关应当按照规定及时通知出入境边防检查机关；不准出境、入境情形消失的，决定机关应当及时撤销不准出境、入境决定，并通知出入境边防检查机关。

第六十六条 根据维护国家安全和出境入境管理秩序的需要，必要时，出入境边防检查机关可以对出境入境的人员进行人身检查。人身检查应当由两名与受检查人同性别的边防检查人员进行。

第六十七条 签证、外国人停留居留证件等出境入境证件发生损毁、遗失、被盗抢或者签发后发现持证人不符合签发条件等情形的，由签发机关宣布该出境入境证件作废。

伪造、变造、骗取或者被证件签发机关宣布作废的出境入境证件无效。公安机关可以对前款规定的或被他人冒用的出境入境证件予以注销或者收缴。

第六十八条 对用于组织、运送、协助他人非法出境入境的交通运输工具，以及需要作为办案证据的物品，公安机关可以扣押。

对查获的违禁物品，涉及国家秘密的文件、资料以及用于实施违反出境入境管理活动的工具等，公安机关应当予以扣押，并依照相关法律、行政法规规定处理。

第六十九条 出境入境证件的真伪由签发机关、出入境边防检查机关或者公安机关出入境管理机构认定。

第七章 法律责任

第七十条 本章规定的行政处罚，除本章另有规定外，由县级以上地方人民政府公安机关或者出入境边防检查机关决定；其中警告或者五千元以下罚款，可以由县级以上地方人民政府公安机关出入境管理机构决定。

第七十一条 有下列行为之一的，处一千元以上五千元以下罚款；

情节严重的，处五日以上十日以下拘留，可以并处二千元以上一万元以下罚款：

- （一）持用伪造、变造、骗取的出境入境证件出境入境的；
- （二）冒用他人出境入境证件出境入境的；
- （三）逃避出境入境边防检查的；
- （四）以其他方式非法出境入境的。

第七十二条 协助他人非法出境入境的，处二千元以上一万元以下罚款；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，有违法所得的，没收违法所得。

单位有前款行为的，处一万元以上五万元以下罚款，有违法所得的，没收违法所得，并对其直接负责的主管人员和其他直接责任人员依照前款规定予以处罚。

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。

单位有前款行为的，处一万元以上五万元以下罚款，并对其直接负责的主管人员和其他直接责任人员依照前款规定予以处罚。

第七十四条 违反本法规定，为外国人出具邀请函件或者其他申请材料的，处五千元以上一万元以下罚款，有违法所得的，没收违法所得，并责令其承担所邀请外国人的出境费用。

单位有前款行为的，处一万元以上五万元以下罚款，有违法所得的，没收违法所得，并责令其承担所邀请外国人的出境费用，对其直接负责的主管人员和其他直接责任人员依照前款规定予以处罚。

第七十五条 中国公民出境后非法前往其他国家或者地区被遣返的，出入境边防检查机关应当收缴其出境入境证件，出境入境证件签发机关自其被遣返之日起六个月至三年以内不予签发出入境证件。

第七十六条 有下列情形之一的，给予警告，可以并处二千元以下罚款：

- （一）外国人拒不接受公安机关查验其出境入境证件的；
- （二）外国人拒不交验居留证件的；
- （三）未按照规定办理外国人出生登记、死亡申报的；
- （四）外国人居留证件登记事项发生变更，未按照规定办理变更的；
- （五）在中国境内的外国人冒用他人出境入境证件的；
- （六）未按照本法第三十九条第二款规定办理登记的。

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。

第七十七条 外国人未经批准，擅自进入限制外国人进入的区域，责令立即离开；情节严重的，处五日以上十日以下拘留。对外国人非法获取的文字记录、音像资料、电子数据和其他物品，予以收缴或者销毁，所用工具予以收缴。

外国人、外国机构违反本法规定，拒不执行公安机关、国家安全机关限期迁离决定的，给予警告并强制迁离；情节严重的，对有关责任人员处五日以上十五日以下拘留。

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。因监护人或者其他负有监护责任的人未尽到监护义务，致使未满十六周岁的外国人非法居留的，对监护人或者其他负有监护责任的人给予警告，可以并处一千元以下罚款。

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。

单位有前款行为的，处一万元以上五万元以下罚款，有违法所得

的，没收违法所得，并对其直接负责的主管人员和其他直接责任人员依照前款规定予以处罚。

第八十条 外国人非法就业的，处五千元以上二万元以下罚款；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。

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。

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。

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。

第八十二条 有下列情形之一的，给予警告，可以并处二千元以下罚款：

- （一）扰乱口岸限定区域管理秩序的；
- （二）外国船员及其随行家属未办理临时入境手续登陆的；
- （三）未办理登轮证件上下外国船舶的。

违反前款第一项规定，情节严重的，可以并处五日以上十日以下拘留。

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。

第八十四条 交通运输工具有下列情形之一的，对其负责人处二千元以上二万元以下罚款：

- （一）中国或者外国船舶未经批准擅自搭靠外国船舶的；
- （二）外国船舶、航空器在中国境内未按照规定的路线、航线行驶的；
- （三）出境入境的船舶、航空器违反规定驶入对外开放口岸以外地区的。

第八十五条 履行出境入境管理职责的工作人员，有下列行为之一的，依法给予处分：

- （一）违反法律、行政法规，为不符合规定条件的外国人签发签证、外国人停留居留证件等出境入境证件的；
- （二）违反法律、行政法规，审核验放不符合规定条件的人员或者交通运输工具出境入境的；
- （三）泄露在出境入境管理工作中知悉的个人信息，侵害当事人合法权益的；
- （四）不按照规定将依法收取的费用、收缴的罚款及没收的违法所得、非法财物上缴国库的；
- （五）私分、侵占、挪用罚没、扣押的款物或者收取的费用；
- （六）滥用职权、玩忽职守、徇私舞弊，不依法履行法定职责的其他行。

第八十六条 对违反出境入境管理行为处五百元以下罚款的，出入境边防检查机关可以当场作出处罚决定。

第八十七条 对违反出境入境管理行为处罚款的，被处罚人应当自收到处罚决定书之日起十五日内，到指定的银行缴纳罚款。被处罚人在所在地没有固定住所，不当场收缴罚款事后难以执行或者在

口岸向指定银行缴纳罚款确有困难的，可以当场收缴。

第八十八条 违反本法规定，构成犯罪的，依法追究刑事责任。

第八章 附 则

第八十九条 本法下列用语的含义：

出境，是指由中国内地前往其他国家或者地区，由中国内地前往香港特别行政区、澳门特别行政区，由中国大陆前往台湾地区。

入境，是指由其他国家或者地区进入中国内地，由香港特别行政区、澳门特别行政区进入中国内地，由台湾地区进入中国大陆。

外国人，是指不具有中国国籍的人。

第九十条 经国务院批准，同毗邻国家接壤的省、自治区可以根据中国与有关国家签订的边界管理协定制定地方性法规、地方政府规章，对两国边境接壤地区的居民往来作出规定。

第九十一条 外国驻中国的外交代表机构、领事机构成员以及享有特权和豁免的其他外国人，其入境出境及停留居留管理，其他法律另有规定的，依照其规定。

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。

第九十三条 本法自 2013 年 7 月 1 日起施行。《中华人民共和国外国人入境出境管理法》和《中华人民共和国公民出境入境管理法》同时废止。

Exit and Entry Administration Law of the People's Republic of China

(Adopted at the 27th meeting of the Standing Committee of the Eleventh National People's Congress on June 30, 2012)

Chapter I General Provisions

Article 1 In order to regulate exit/entry administration, safeguard the sovereignty, security and social order of the People's Republic of China, and promote foreign exchanges and opening to the outside world, this Law is hereby formulated.

Article 2 This Law is applicable to the administration of exit and entry of Chinese citizens, entry and exit of foreigners, stay and residence of foreigners in China, and the exit/entry border inspection of transport vehicles.

Article 3 The State protects Chinese citizens' legitimate rights and interests of exiting and entering the country.

The legitimate rights and interests of foreigners in China shall be protected by laws. Foreigners in China shall abide by the Chinese laws, and shall not endanger China's national security, harm public interests and disrupt social and public order.

Article 4 The Ministry of Public Security and the Ministry of Foreign Affairs shall, within the scope of their respective responsibilities, be responsible for administering exit/entry affairs.

Embassies and consulates of the People's Republic of China and other institutions stationed abroad entrusted by the Ministry of Foreign Affairs (hereinafter referred to as "the visa-issuing authorities abroad") shall be responsible for issuance of entry visas to foreigners. Exit/entry border inspection authorities shall be responsible for carrying

out exit/entry border inspection. Public security organs under local people's governments at or above the county level and their exit/entry administrations shall be responsible for the administration of the stay and residence of foreigners.

The Ministry of Public Security and the Ministry of Foreign Affairs may, within the scope of their respective responsibilities, entrust exit/entry administrations of public security organs or foreign affairs departments under local people's governments at or above the county level to accept foreigners' applications for entry, stay and residence in China.

In the administration of exit/entry affairs, the Ministry of Public Security and the Ministry of Foreign Affairs shall strengthen communication and cooperation, cooperate closely with relevant departments under the State Council, and exercise functions and powers and bear liabilities within the scope of their respective responsibilities in accordance with the law.

Article 5 The State shall establish a uniform exit/entry administration information platform to share information among relevant administrative departments.

Article 6 The State shall establish exit/entry border inspection authorities at the ports open to foreign countries.

Chinese citizens, foreigners as well as transport vehicles shall exit or enter China via the ports open to foreign countries, or via the places approved by the State Council or by the departments authorized by the State Council under special circumstances. Personnel and transport vehicles that exit or enter China shall be subject to exit/entry border inspection.

Exit/entry border inspection authorities shall be responsible for relevant administration work in the restricted zones of ports. On the basis of the need for safeguarding national security and maintaining the order

of exit/entry administration, exit/entry border inspection authorities may conduct border inspection on the belongings of the persons who exit or enter China. When necessary, exit/entry border inspection authorities may conduct border inspection on the goods carried by transport vehicles that exit or enter China. However, exit/entry border inspection authorities shall notify the Customs of such inspections.

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.

Where foreign governments have special regulations on issuing visas to Chinese citizens or the exit/entry administration of Chinese citizens, the Chinese government may, as the circumstances require, take corresponding and equivalent measures.

Article 8 Departments and institutions that are responsible for the exit/entry administration shall take practical measures, constantly improve service and administration, enforce laws impartially, provide convenient and efficient service and ensure the security and conveyance of the exit/entry procedures.

Chapter II Exit and Entry of Chinese Citizens

Article 9 Chinese citizens who exit or enter China shall, in accordance with the law, apply for passports or other travel documents.

Chinese citizens bound for other countries or regions shall obtain visas or other entry permits from destination countries, unless the Chinese government has signed visa exemption agreements with the governments of those countries, or otherwise stipulated by the Ministry of Public Security and the Ministry of Foreign Affairs.

Chinese citizens who exit or enter China as seamen or work on foreign ships shall apply for seamen's certificates in accordance with the law.

Article 10 Chinese citizens who travel between the Mainland and the Hong Kong Special Administrative Region, between the Mainland and the Macao Special Administrative Region, and between the Mainland and Taiwan Region, shall apply for exit/entry permits in accordance with the law, and abide by the relevant provisions of this Law. The specific administrative measures shall be stipulated by the State Council.

Article 11 Chinese citizens who exit or enter China shall submit their exit/entry documents such as passports or other travel documents to the exit/entry border inspection authorities for examination, go through the prescribed formalities, and may exit or enter upon examination and approval.

For ports that meet relevant conditions, exit/entry border inspection authorities shall provide convenience such as special lanes for the exit and entry of Chinese citizens.

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.

Article 13 Chinese citizens residing abroad who desire to return to China for permanent residence shall, prior to the entry, file applications with Chinese embassies or consulates or other institutions stationed abroad entrusted by the Ministry of Foreign Affairs. They may also file such applications to the overseas Chinese affairs departments under the local people's governments at or above the county level of the proposed places of permanent residence on their own or via their relatives in China.

Article 14 When handling financial affairs or affairs involving education, medical treatment, transportation, telecommunications, social insurance or property registration, where identity certificates are required, Chinese citizens residing abroad may provide their passports for proof of identity.

Chapter III Entry and Exit of Foreigners

Section 1 Visa

Article 15 In order to entering China, foreigners shall apply to the visa-issuing authorities stationed abroad for a visa, except as otherwise provided for in this Law.

Article 16 Visas are categorized as diplomatic visa, courtesy visa, official visa and ordinary visa.

Diplomatic or official visas shall be issued to foreigners who enter China for diplomatic or official reasons; and courtesy visas shall be issued to foreigners who are given courtesy due to their special status. The scope and measures for issuing diplomatic, courtesy and official visas shall be

stipulated by the Ministry of Foreign Affairs.

Appropriate types of ordinary visa shall be issued to foreigners who enter China due to non-diplomatic or official reasons including work, study, family visit, travel, business activities and talent introduction. The types of ordinary visa and relevant issuance measures shall be stipulated by the State Council.

Article 17 The registered items of a visa shall include visa type, name, sex, date of birth, number of allowed entries, validity period of entry and duration of stay of the holder, date and place of issuance, as well as passport number or other international travel documents number.

Article 18 Foreigners who apply for visas shall submit their passports or other international travel documents, as well as information of specific application matters, to the visa-issuing authorities stationed abroad. They shall go through relevant formalities and accept interviews in accordance with the requirements of the visa-issuing authorities stationed abroad.

Article 19 Where foreigners applying for visas need to provide written invitations issued by entities or individuals within China, the applicants shall provide such invitations in accordance with the requirements of the visa-issuing authorities abroad. Entities or individuals that issue written invitations shall be liable for the fidelity of the contents.

Article 20 Foreigners who need to enter China urgently for humanitarian reasons, or are invited to enter China for urgent business or rush repair work, or have other urgent needs, and hold materials that prove the competent departments' approval of their applying for visas at port, may apply for port visas with the visa-issuing authorities entrusted by the Ministry of Public Security at the ports (hereinafter referred to as "port visa authorities") which are approved to issue port visas by the State Council.

Travel agencies that organize inbound tourism in accordance with

relevant State regulations may apply for group tourist visas from port visa authorities.

Foreigners who apply to port visa authorities for visas shall submit their passports or other international travel documents, as well as relevant information of specific application matters. They shall go through relevant formalities in accordance with the requirements of the port visa authorities, and enter China at the ports where they apply for visas.

Visas issued by port visa authorities shall be single entry and the duration of stay shall not exceed 30 days.

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.

Article 22 Under any of the following circumstances, foreigners may be exempt from applying for visas:

- (1) So exempted based on the visa exemption agreements signed by the Chinese government with the governments of other countries;

(2) Hold valid foreigners' residence permits;

(3) Hold connected passenger tickets and are in transit to a third country or region by an international aircraft, ship or train via China, will stay for not more than 24 hours in China without leaving the port of entry, or will stay in the specific zones approved by the State Council within the prescribed time limit; or

(4) Other circumstances stipulated by the State Council in which visas may be exempted.

Article 23 Where foreigners under any of the following circumstances need to enter China temporarily, they shall apply to exit/entry border inspection agencies for going through the formalities for temporary entry:

(1) Foreign seamen and their accompanying family members disembark at cities where the ports are located;

(2) Persons specified in Subparagraph (3) of Article 22 of this Law need to leave ports; or

(3) Foreigners need to enter China temporarily due to force majeure or for any other urgent reason.

The duration of stay for temporary entry shall not exceed 15 days.

For foreigners who apply for going through the formalities for temporary entry, exit/entry border inspection authorities may require such foreigners, the persons in charge of the transport vehicles used for such foreigners' entry or the agencies handling the exit/entry business for transport vehicles to provide necessary guaranty measures.

Section 2 Entry and Exit

Article 24 Foreigners who enter China shall submit their passports, other international travel documents, visas or other entry permits to the exit/entry border inspection authorities for examination, go through the prescribed formalities, and may enter upon examination and approval.

Article 25 Under any of the following circumstances, foreigners shall not be allowed to enter China :

(1) Hold no valid exit/entry documents, or refuse or evade border inspection;

(2) Are involved in any of the circumstances specified in Subparagraph (1) through (4) of the first paragraph of Article 21 of this Law;

(3) May engage in activities not conform to the types of visa after entering China; or

(4) Other circumstances in which entry is not allowed in accordance with laws or administrative regulations.

Exit/entry border inspection authorities are not required to give reasons for denying an entry.

Article 26 Exit/entry border inspection authorities shall order foreigners who are denied entry in China to return, and shall force the return of those who refuse to do so. While waiting for return, those foreigners shall not leave the restricted zones.

Article 27 Foreigners who exit China shall submit their exit/entry documents including passports or other international travel documents to the exit/entry border inspection authorities for examination, go through prescribed formalities, and may exit upon examination and approval.

Article 28 Under any of the following circumstances, foreigners shall not be allowed to exit China:

(1) Are sentenced to criminal punishments, the execution of which are not completed, or suspects or defendants in criminal cases, except those who are sentenced and transferred under relevant agreements between China and foreign countries;

(2) Are involved in unsettled civil cases and are not allowed to exit China upon decision of the people's courts;

(3) Are in arrears of paying off labor remuneration and therefore are not allowed to exit by decision of the relevant departments under the State Council or of the people's governments of provinces, autonomous regions or municipalities directly under the Central Government; or

(4) Other circumstances in which exit shall not be allowed in accordance with laws or administrative regulations.

Chapter IV Stay and Residence of Foreigners

Section 1 Stay and Residence

Article 29 Where the duration of stay specified in a visa held by a foreigner does not exceed 180 days, the holder may stay in China within the duration specified therein.

Where the duration of stay needs to be extended, the visa holder shall file an application with the exit/entry administration of public security organ under the local people's government at or above the county level in the place of his stay seven days prior to the expiry of the duration specified in the visa, and shall submit information of specific application matters in accordance with relevant requirements. If upon examination, the reasons for extension are appropriate and sufficient, such extension shall be granted; if an extension is denied, the foreigner shall leave China on the expiry of the duration.

The accumulated length of extension shall not exceed the original duration of stay specified in the visa.

Article 30 Where visas held by foreigners specify that foreigners need to apply for residence permits after entry, such foreigners shall, within 30 days from the date of their entry, apply to the exit/entry administrations of public security organs under local people's governments at or above the county level in the proposed places of residence for foreigners' residence permits.

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. The exit/entry administrations of public security organs shall, within 15 days upon the date of receipt, conduct examination and make a decision thereupon. Based on the purpose of residence, those administrations shall issue the appropriate types of foreigners' residence permits with the duration.

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.

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.

Foreigners with expertise and foreign investors who conform to relevant State regulations or foreigners who need to change their status from stay to residence for humanitarian or other reasons, may undergo the formalities for obtaining foreigner's residence permits upon approval by the exit/entry administrations of public security organs under local people's governments at or above the city with districts.

Article 32 Foreigners residing in China who apply for the extension of the duration of residence shall, within 30 days prior to the expiry of the validity period on their residence permits, file applications with the exit/entry administrations of public security organs under local people's governments at or above the county level, and submit relevant information of specific application matters in accordance with relevant requirements. If upon examination, the reasons for extension are appropriate and sufficient, an extension shall be granted; if an extension is denied, the foreigner concerned shall leave China on the expiry of the validity period specified in their residence permits.

Article 33 The registered items of a foreign residence permit shall include name, sex, date of birth, reason for residence and duration of residence of the holder, date and place of issuance, passport number or other international travel documents number.

Where the registered item in a foreigner's residence permit has changed, the holder shall, within 10 days from the date of change, apply to the exit/entry administration of public security organ under the local people's government at or above the county level in the place of residence for going through the formalities for alteration.

Article 34 Where visa-exempt foreigners need to stay in China longer than the visa-free period, or foreign seamen and their accompanying family members need to leave the cities where the ports are located, or under other circumstances in which foreigners' stay permits should be applied for, they shall apply for such permits in accordance with relevant regulations.

The maximum validity period of a foreigner's stay permit shall be 180 days.

Article 35 Where ordinary visas, stay or residence permits held by foreigners need to be reissued due to damage, loss, theft, robbery or other

reasons in compliance with relevant State regulations after foreigners enter China, those foreigners shall apply for a reissue with the exit/entry administrations of public security organs under local people's governments at or above the county level in the places of stay or residence in accordance with relevant regulations.

Article 36 Decisions made by the exit/entry administration of public security organ on rejecting applications for visa extension or reissuance, or on not issuing foreigners' stay or residence permits or not extending the duration of residence shall be final.

Article 37 Foreigners who stay or reside in China shall not engage in activities not corresponding to the purpose of stay or residence, and shall leave China prior to the expiry of the prescribed duration of stay or residence.

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.

Foreigners who reside in China shall, within the prescribed time limit, submit foreigners' residence permits to public security organs under local people's governments at or above the county level in the places of residence for examination.

Article 39 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 40 For foreign infants born in China, their parents or agents shall, within 60 days after they are born, on the strength of the birth certificates, go through the formalities for stay or residence registration for them with the exit/entry administrations of public security organs under people's governments at or above the county level in the places of their parents' stay or residence.

For foreigners who de cease in China, their relatives, guardians or agents shall, in accordance with relevant regulations, on the strength of the death certificates, report their death to the exit/entry administrations of the public security organs under local people's governments at or above the county level to cancel their stay or residence permits.

Article 41 Foreigners who work in China shall obtain work permits and work-type residence permits in accordance with relevant regulations. No entities or individuals shall employ foreigners who have no work permits or work-type residence permits.

The administrative measures for foreigners working in China shall be stipulated by the State Council.

Article 42 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.

The competent department of education under the State Council shall, in conjunction with relevant departments under the State Council, establish an administrative system for foreign students working to support their study in China and set forth regulations on the scope of jobs and the

limit of work time for such foreign students.

Article 43 Any of the following acts of foreigners shall be deemed unlawful employment:

(1) Work in China without obtaining work permits or work-type residence permits in accordance with relevant regulations;

(2) Work in China beyond the scope prescribed in the work permits; or

(3) Foreign students work in violation of the regulations on the administration of foreign students working to support their study in China and work beyond the prescribed scope of jobs or prescribed time limit.

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 45 Entities that employ foreigners or enroll foreign students shall report relevant information to local public security organs in accordance with relevant regulations.

Citizens, legal persons or other organizations who find foreigners illegal enter, reside or work in China shall duly report such matter to the local public security organs.

Article 46 Foreigners applying for refugee status may, during the screening process, stay in China on the strength of temporary identity certificates issued by public security organs; foreigners who are recognized as refugees may stay or reside in China on the strength of refugee identity certificates issued by public security organs.

Section 2 Permanent Residence

Article 47 Foreigners who have made remarkable contribution to China's economic and social development or meet other conditions for permanent residence in China may obtain permanent residence status upon application approved by the Ministry of Public Security.

The administrative measures for examination and approval of foreigners' permanent residence in China shall be stipulated by the Ministry of Public Security and the Ministry of Foreign Affairs in conjunction with relevant departments under the State Council.

Article 48 Foreigners who have obtained permanent residence status may reside or work in China on the strength of permanent residence permits, and exit or enter China on the strength of their passports and permanent residence permits.

Article 49 Where foreigners fall under any of the following circumstances, the Ministry of Public Security shall decide to cancel their permanent residence status in China :

- (1) Endanger China's national security or interests;
- (2) Are deported;
- (3) Obtain permanent residence status in China by fraudulent acts;
- (4) Fail to reside in China for the prescribed time limit; or
- (5) Other circumstances in which foreigners are not eligible to reside in China permanently.

Chapter V Border Inspection of Transport Vehicles Exiting/Entering China.

Article 50 Transport vehicles that exit or enter China shall be subject to border inspection when leaving or arriving at ports. Border inspection of entering transport vehicles shall be conducted at the first arriving port in China ; border inspection of exiting transport vehicles

shall be conducted at the last port when they leave China . Under special circumstances, border inspection may be conducted in places designated by competent authorities.

Without the permission of exit/entry border inspection authorities in accordance with prescribed procedures, transport vehicles that exit China shall not embark or disembark passengers, or load and unload goods or articles between exit inspection and exit, and nor shall transport vehicles that enter China do so between entry and entry inspection.

Article 51 Persons in charge of transport vehicles or agencies handling the exit/entry business for transport vehicles shall, in accordance with relevant regulations, report to the exit/entry border inspection authorities in advance on the entering or exiting transport vehicles' time of arrival at or departure from the port and the places of stay, and truthfully declare information including staff, passengers, goods and articles.

Article 52 Persons in charge of transport vehicles or agencies handling the exit/entry business for transport vehicles shall provide cooperation in exit/entry border inspection, and shall immediately report any violations of this Law found thereby and give assistance in the investigation and handling of such violations.

Where transport vehicles that enter China carry persons who are not allowed to enter China , the persons in charge of the transport vehicles shall be responsible for their leaving.

Article 53 Exit/entry border inspection authorities shall supervise transport vehicles that exit or enter China under any of the following circumstances:

- (1) Between exit border inspection and exit for transport vehicles that exit China, and between entry and entry border inspection for transport vehicles that enter China;
- (2) When foreign ships navigate in China's inland waters; or

(3) Other circumstances in which supervision is necessary.

Article 54 Persons who need to embark on or disembark from foreign ships for reasons such as goods loading or unloading, maintenance operations or visit shall apply to exit/entry border inspection authorities for boarding pass.

Where a Chinese ship needs to berth alongside a foreign ship, or a foreign ship needs to berth alongside another foreign ship, the captain or the agency handling the exit/entry business for relevant transport vehicles shall apply to the exit/entry border inspection authority for going through formalities for berth.

Article 55 Foreign ships and aircrafts shall navigate according to prescribed routes.

Ships and aircrafts that exit or enter China shall not access areas outside the ports open to foreign countries. The aforesaid ships or aircrafts that access such areas due to unforeseeable emergencies or force majeure shall immediately report to the nearest exit/entry border inspection authority or local public security organ, and accept supervision and administration.

Article 56 Under any of the following circumstances, transport vehicles shall be not allowed to exit or enter China ; those that have left ports may be ordered to return:

- (1) Exit or enter China without examination and approval when leaving or arriving at port;
- (2) Change the port of exit or entry without approval;
- (3) Are suspected of carrying persons who are not allowed to exit or enter China and therefore need to be inspected and verified;
- (4) Are suspected of carrying articles endangering national security or interests or disrupting social or public order and therefore need to be inspected and verified; or

(5) Other circumstances in which transport vehicles refuse to subject themselves to exit/entry border inspection authorities' administration.

After the circumstances specified in the preceding paragraph disappear, exit/entry border inspection authorities shall immediately release relevant transport vehicles.

Article 57 Agencies handling the exit/entry business for transport vehicles shall file records with exit/entry border inspection authorities. For agents engaging in such a business, the entities they work for shall file relevant records for them with exit/entry border inspection authorities.

Chapter VI Investigation and Repatriation

Article 58 Measures for on-the-spot interrogation, continued interrogation, detention for investigation, movement restriction and repatriation prescribed in this Chapter shall be enforced by public security organs under local people's governments at or above the county level or by exit/entry border inspection authorities.

Article 59 Persons suspected of violating the regulations on exit/entry administration may be interrogated on the spot; upon on-the-spot interrogation, the aforesaid persons may be interrogated in continuation in accordance with the law under any of the following circumstances:

- (1) Are suspected of illegally exiting or entering China;
- (2) Are suspected of assisting others in illegally exiting or entering China;
- (3) Are foreigners suspected of illegally residing or working in China; or
- (4) Are suspected of endangering national security or interests, disrupting social or public order, or engaging in other illegal or criminal activities.

On-the-spot interrogation and continued interrogation shall be

conducted in accordance with the procedures prescribed in the People's Police Law of the People's Republic of China .

Where public security organs under local people's governments at or above the county level or exit/entry border inspection authorities need to summon the persons suspected of violating the regulations on exit/entry administration, they shall handle the matter in accordance with the relevant regulations of the Law of the People's Republic of China on Penalties for Administration of Public Security.

Article 60 Where foreigners involved in any of the circumstances specified in the first paragraph of Article 59 of this Law cannot be cleared of suspicion after on-the-spot interrogation or continued interrogation and therefore need to be further investigated, he may be detained for investigation.

When detaining a foreigner for investigation, the authority concerned shall present a written decision on detention for investigation and shall interrogate the detained foreigner within 24 hours. Where the aforesaid organ finds that a foreigner should not be detained for investigation, it shall immediately release him from detention for investigation.

The period of detention for investigation shall not exceed 30 days; for complicated cases, the period may be extended to 60 days upon approval by the public security organs under the local people's governments at the next higher level or by the exit/entry border inspection authorities at the next higher level. For foreigners whose nationalities and identities are unknown, the period of detention for investigation shall be calculated from the date when their nationalities and identities are found out.

Article 61 Under any of the following circumstances, detention for investigation is not applicable to foreigners, however, their movements may be restricted:

- (1) Suffer from serious diseases;

(2) Are pregnant or breast-feeding their own infants under one year of age;

(3) Are under 16 years of age or have reached the age of 70; or

(4) Other circumstances in which detention for investigation should not be applied.

Foreigners whose movements are restricted shall subject themselves to investigation as required, and shall not leave the restricted zones without approval of public security organs. The period of movement restriction shall not exceed 60 days. For foreigners whose nationalities and identities are unknown, the period of movement restriction shall be calculated from the date when their nationalities and identities are found out.

Article 62 Under any of the following circumstances, foreigners may be repatriated:

(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.

Article 63 Persons who are detained for investigation or who are to be repatriated upon decision but cannot be repatriated promptly shall be held in custody in detention houses or places of repatriation.

Article 64 Foreigners dissatisfied with the measure imposed on them in accordance with this Law, such as continued interrogation, detention for investigation, movement restriction or repatriation, may apply for administrative reconsideration in accordance with the law, and the administrative reconsideration decision shall be final.

Where other overseas personnel dissatisfied with the decision of repatriation imposed on them in accordance with this Law apply for administrative reconsideration, the provisions in the preceding paragraph are applicable.

Article 65 Where persons are not allowed to exit or enter China upon decisions made in accordance with the law, the decision-making authorities shall duly inform the exit/entry border inspection authorities of such decisions in accordance with relevant regulations; where the circumstances in which the persons are not allowed to exit or enter China disappear, the decision-making authorities shall duly cancel the aforesaid decisions and inform exit/entry border inspection authorities of the cancellation.

Article 66 On the basis of the need for safeguarding national security and maintaining the order of exit/entry administration, exit/entry border inspection authorities may, when necessary, search the persons entering and exiting the country. Personal Search shall be conducted by two border inspectors who are the same sex as the persons subject to the search.

Article 67 In such cases that the exit/entry documents such as visas or foreigners' stay or residence permits are damaged, lost or stolen, or that after the issuance of such documents, the holders are found not eligible for being issued such documents, the issuing authorities shall declare the aforesaid documents void.

Exit/entry documents which are forged, altered, obtained by fraudulent means or are declared void by issuing authorities shall be

invalid.

Public security organs may cancel or confiscate the exit/entry documents prescribed in the preceding paragraph or used fraudulently by persons other than the specified holders.

Article 68 Public security organs may seize the transport vehicles used to organize, transport or assist others in illegally exiting or entering China as well as the articles needed as evidence in handling the cases.

Public security organs shall seize banned articles, documents and data involving state secrets, as well as tools used in activities violating the regulations on exit/entry administration, and handle them in accordance with relevant laws or administrative regulations.

Article 69 The authenticity of exit/entry documents shall be determined by the issuing authorities, the exit/entry border inspection authorities or the exit/entry administrations of public security organs.

Chapter VII Legal Liabilities

Article 70 Unless otherwise provided for in this Chapter, the administrative penalties prescribed in this Chapter shall be decided by the public security organs under local people's governments at or above the county level or the exit/entry border inspection authorities. Penalties involving the imposition of warnings or fines of not more than RMB 5, 000 yuan may be decided by the exit/entry administrations of public security organs under local people's governments at or above the county level.

Article 71 Persons who commit any of the following acts shall be fined not less than RMB 1,000 yuan but not more than RMB 5,000 yuan; where circumstances are serious, such persons shall be detained for not less than five days but not more ten days and may also be fined not less than RMB 2, 000 yuan but not more than RMB 10,000 yuan.

(1) Exit or enter China with forged, altered or fraudulently obtained exit/entry documents;

(2) Exit or enter China using others' exit/entry documents;

(3) Evade exit/entry border inspection; or

(4) Illegally exit or enter China in any other way.

Article 72 Persons who assist others in illegally exiting or entering China shall be fined not less than RMB 2,000 yuan but not more than RMB 10,000 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, and the illegal gains, if any, shall be confiscated.

Entities engaging in any of the acts prescribed in the preceding paragraph shall be fined not less than RMB 10,000 yuan but not more than RMB 50,000 yuan, with the illegal gains confiscated if there are any; and the persons in charge of the entities who are directly responsible and other persons directly responsible shall be punished in accordance with the provisions in the preceding paragraph.

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.

Entities engaging in any of the acts prescribed in the preceding paragraph shall be fined not less than RMB 10,000 yuan but not more than RMB 50,000 yuan; and the persons in charge of the entities who are directly responsible and other persons directly responsible shall be punished in accordance with the provisions in the preceding paragraph.

Article 74 Persons who issue written invitations or other application

materials to foreigners in violation of this Law shall be fined not less than RMB 5,000 yuan but not more than RMB 10,000 yuan, with the illegal gains confiscated if there are any, and shall also be ordered to bear exit expenses of the invited foreigners.

Entities engaging in any of the acts prescribed in the preceding paragraph shall be fined not less than RMB 10,000 yuan but not more than RMB 50,000 yuan, with the illegal gains confiscated if there are any, and shall also be ordered to bear exit expenses of the invited foreigners; the persons in charge of the entities who are directly responsible and other persons directly responsible shall be punished in accordance with the provisions in the preceding paragraph.

Article 75 Where Chinese citizens are repatriated due to illegally going to other countries or regions after exiting China, exit/entry border inspection authorities shall confiscate their exit/entry documents. Exit/entry document issuing authorities shall refuse to issue new exit/entry documents to such citizens for a period ranging from six months to three years calculating from the date of their repatriation.

Article 76 Under any of the following circumstances, a warning shall be given, and a fine of not more than RMB 2,000 yuan may also be imposed:

(1) Foreigners refuse to accept examination of their exit/entry documents by public security organs;

(2) Foreigners refuse to submit their residence permits for examination;

(3) Persons concerned fail to go through the formalities for foreigners' birth registration or death declaration in accordance with relevant regulations;

(4) Foreigners fail to go through the formalities for altering registration in accordance with the relevant regulations when there is any

change in the registered items in their residence permits;

(5) Foreigners in China use others' exit/entry documents; or

(6) Persons concerned fail to go through registration formalities in accordance with the provisions in the second paragraph of Article 39 of this Law.

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.

Article 77 Foreigners accessing foreigner-restricted areas without approval shall be ordered to leave promptly; where circumstances are serious, such foreigners shall be detained for not less than five days but not more than ten days. The text records, audio-visual data, electronic data and other articles illegally obtained thereof by the foreigners shall be confiscated or destroyed, and the tools used for the aforementioned purposes shall be confiscated.

Foreigners or foreign institutions refusing to execute decisions made by public security organs or national security organs ordering them to relocate within a prescribed time limit shall be given a warning and be relocated mandatorily; where circumstances are serious, relevant responsible persons shall be detained for not less than five days but not more than fifteen days.

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.

Where guardians or other persons responsible for guardianship fail to perform the guardian obligation and result in foreigners below 16 years of age residing in China illegally, the said guardians or other obligated persons shall be given a warning and may also be fined not more than RMB 1,000 yuan.

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.

Entities engaging in any of the acts prescribed in the preceding paragraph shall be fined not less than RMB 10, 000 yuan but not more than RMB 50, 000 yuan, with the illegal gains confiscated if there are any; and the persons in charge of the entities who are directly responsible and other persons directly responsible shall be punished in accordance with the provisions in the preceding paragraph.

Article 80 Foreigners who work in China illegally shall be fined not less than RMB 5,000 but not more than RMB 20,000 yuan; where circumstances are serious, they 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.

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.

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.

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.

Article 82 Under any of the following circumstances, relevant persons shall be given a warning and may also be fined not more than RMB 2,000 yuan:

- (1) Disrupt the administrative order of the restricted zones of ports;
- (2) Foreign seamen or their accompanying family members disembark without going through the formalities for temporary entry; or
- (3) Embark on or disembark from foreign ships without obtaining boarding passes.

Persons who violate Subparagraph (1) of the preceding paragraph may be detained for not less than five days but not more than ten days if the circumstances are serious.

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.

Article 84 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 2,000 yuan but not more than RMB 20,000 yuan:

- (1) Chinese or foreign ships berth alongside foreign ships without approval;
- (2) Foreign ships or aircrafts fail to navigate according to the prescribed routes in China; or
- (3) Ships and aircrafts that exit or enter China access areas outside the ports open to foreign countries.

Article 85 Where staff members performing the duty of exit/entry administration commit any of the following acts, they shall be given disciplinary sanctions in accordance with the law:

- (1) In violation of laws or administrative regulations, issue exit/entry documents such as visas or stay or residence permits to foreigners who do not meet the prescribed conditions;
- (2) In violation of laws or administrative regulations, examine and allow the exit or entry of persons or transport vehicles that do not meet

the prescribed conditions;

(3) Divulge personal information gained in exit/entry administration work and infringing the legitimate rights and interests of relevant parties;

(4) Fail to turn over in accordance with relevant regulations to the State Treasury the fees, fines or illegal gains or property that are collected or confiscated in accordance with the law;

(5) Privately share, encroach on or misappropriate the funds or articles confiscated or seized or the fees collected; or

(6) Other failures in performing statutory duties in accordance with the law, such as abuse of power, dereliction of duty, or resorting to malpractice for personal gain.

Article 86 In the case of violation of regulations on exit/entry administration and that a fine of not more than RMB 500 yuan should be imposed, the exit/entry border inspection authorities may make a penalty decision on the spot.

Article 87 Persons or entities that are fined for violation of regulations on exit/entry administration shall pay their fines in the designated banks within 15 days from the date of receiving the written decision on penalty. Where it is difficult to collect fines after a fine is imposed because the person or entity subject to penalty has no fixed domicile in the place where the fine is imposed or it is difficult to pay fine to the designated bank at the port, the fine may be collected on the spot.

Article 88 Where a violation of this Law constitutes a crime, criminal liabilities shall be investigated in accordance with the law.

Chapter VIII Supplementary Provisions

Article 89 Definitions of the following terms mentioned in this Law: Exit refers to leaving the Chinese mainland for other countries or regions, for the Hong Kong Special Administrative Region or the Macao Special

Administrative Region, or for Taiwan Region.

Entry refers to entering the Chinese mainland from other countries or regions, from the Hong Kong Special Administrative Region or the Macao Special Administrative Region, or from Taiwan Region.

Foreigners refer to persons without Chinese nationality.

Article 90 Upon approval by the State Council, provinces and autonomous regions bordering on neighboring countries may, in accordance with the boundary administration agreements signed by China with relevant countries, formulate local regulations or local government rules to regulate the association of residents in border areas of the two countries.

Article 91 Where there are other regulations on the administration of the entry/exit, stay or residence of the members of foreign diplomatic and consular missions in China, or the entry/exit, stay or residence of other foreigners who enjoy diplomatic privileges and immunities, these regulations shall prevail.

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.

Article 93 This Law shall come into force as of July 1, 2013. The Law of the People's Republic of China on the Entry and Exit Administration of Foreigners and the Law of the People's Republic of China on the Entry and Exit Administration of Chinese Citizens shall be annulled simultaneously.

七、中华人民共和国外国人入境出境管理条例

(2013年7月3日国务院第15次常务会议通过,2013年7月12日中华人民共和国国务院令 第637号公布,自2013年9月1日起施行)

第一章 总 则

第一条 为了规范签证的签发和外国人在中国境内停留居留的服务和管理,根据《中华人民共和国出境入境管理法》(以下简称出境入境管理法)制定本条例。

第二条 国家建立外国人入境出境服务和管理协调机制,加强外国人入境出境服务和管理工作的统筹、协调与配合。

省、自治区、直辖市人民政府可以根据需要建立外国人入境出境服务和管理协调机制,加强信息交流与协调配合,做好本行政区域的外国人入境出境服务和管理工作的。

第三条 公安部应当会同国务院有关部门建立外国人入境出境服务和管理信息平台,实现有关信息的共享。

第四条 在签证签发管理和外国人在中国境内停留居留管理工作中,外交部、公安部等国务院部门应当在部门门户网站、受理出境入境证件申请的地点等场所,提供外国人入境出境管理法律法规和其他需要外国人知悉的信息。

第二章 签证的类别和签发

第五条 外交签证、礼遇签证、公务签证的签发范围和签发办法由外交部规定。

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。

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:

(一) 申请 C 字签证, 应当提交外国运输公司出具的担保函件或者中国境内有关单位出具的邀请函件。

(二) 申请 D 字签证, 应当提交公安部签发的外国人永久居留身份确认表。

(三) 申请 F 字签证, 应当提交中国境内的邀请方出具的邀请函件。

(四) 申请 G 字签证, 应当提交前往国家(地区)的已确定日期、座位的联程机(车、船)票。

(五) 申请 J1 字及 J2 字签证, 应当按照中国有关外国常驻新闻机构和外国记者采访的规定履行审批手续并提交相应的申请材料。

(六) 申请 L 字签证, 应当按照要求提交旅行计划行程安排等材料; 以团体形式入境旅游的, 还应当提交旅行社出具的邀请函件。

(七) 申请 M 字签证, 应当按照要求提交中国境内商业贸易合作方出具的邀请函件。

(八) 申请 Q1 字签证, 因家庭团聚申请入境居留的, 应当提交居住在中国境内的中国公民、具有永久居留资格的外国人出具的邀请函件和家庭成员关系证明, 因寄养等原因申请入境的, 应当提交委托书等证明材料; 申请 Q2 字签证, 应当提交居住在中国境内的中国公民、具有永久居留资格的外国人出具的邀请函件等证明材料。

(九) 申请 R 字签证, 应当符合中国政府有关主管部门确定的外国高层次人才和急需紧缺专门人才的引进条件和要求, 并按照规定提交相应的证明材料。

(十) 申请 S1 字及 S2 字签证, 应当按照要求提交因工作、学习等事由在中国境内停留居留的外国人出具的邀请函件、家庭成员关系证明, 或者入境处理私人事务所需的证明材料。

(十一) 申请 X1 字签证应当按照规定提交招收单位出具的录取通知书和主管部门出具的证明材料; 申请 X2 字签证, 应当按照规定提交招收单位出具的录取通知书等证明材料。

(十二) 申请 Z 字签证, 应当按照规定提交工作许可等证明材料。

签证机关可以根据具体情况要求外国人提交其他申请材料。

第八条 外国人有下列情形之一的, 应当按照驻外签证机关要求接受面谈:

(一) 申请入境居留的;

(二) 个人身份信息、入境事由需要进一步核实的;

(三) 曾有不准入境、被限期出境记录的;

(四) 有必要进行面谈的其他情形。

驻外签证机关签发签证需要向中国境内有关部门、单位核实有关信息的, 中国境内有关部门、单位应当予以配合。

第九条 签证机关经审查认为符合签发条件的, 签发相应类别签证。对入境后需要办理居留证件的, 签证机关应当在签证上注明入境后办理居留证件的时限。

第三章 停留居留管理

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。

第十一条 在中国境内的外国人所持签证遗失、损毁、被盗窃的, 应当及时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补发签证。

第十二条 外国人申请签证的延期、换发、补发和申请办理停留证件, 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。

第十三条 外国人申请签证延期、换发、补发和申请办理停留证件符合受理规定的, 公安机关出入境管理机构应当出具有效期不超过 7 日的受理回执, 并在受理回执有效期内作出是否签发的决定。

外国人申请签证延期、换发、补发和申请办理停留证件的手续或者材料不符合规定的, 公安机关出入境管理机构应当一次性告知申

请人需要履行的手续和补正的申请材料。

申请人所持护照或者其他国际旅行证件因办理证件被收存期间，可以凭受理回执在中国境内合法停留。

第十四条 公安机关出入境管理机构作出的延长签证停留期限决定，仅对本次入境有效，不影响签证的入境次数和入境有效期，并且累计延长的停留期限不得超过原签证注明的停留期限。

签证停留期限延长后，外国人应当按照原签证规定的事由和延长的期限停留。

第十五条 居留证件分为以下种类：

- （一）工作类居留证件，发给在中国境内工作的人员；
- （二）学习类居留证件，发给在中国境内长期学习的人员；
- （三）记者类居留证件，发给外国常驻中国新闻机构的外国常驻记者；

（四）团聚类居留证件，发给因家庭团聚需要在中国境内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，以及因寄养等原因需要在中国境内居留的人员；

（五）私人事务类居留证件，发给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。

第十六条 外国人申请办理外国人居留证件，应当提交本人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，本人到居留地县级以上地方人民政府公安机关出入境管理机构办理相关手续，并留存指纹等人体生物识别信息。

（一）作类居留证件，应当提交工作许可等证明材料；属于国家需要的外国高层次人才和急需紧缺专门人才的，应当按照规定提交有关证明材料。

（二）学习类居留证件，应当按照规定提交招收单位出具的注明学习期限的函件等证明材料。

（三）记者类居留证件，应当提交有关主管部门出具的函件和核

发的记者证。

（四）团聚类居留证件，因家庭团聚需要在中国境内居留的，应当提交家庭成员关系证明和与申请事由相关的证明材料；因寄养等原因需要在中国境内居留的，应当提交委托书等证明材料。

（五）私人事务类居留证件，长期探亲的，应当按照要求提交亲属关系证明、被探望人的居留证件等证明材料；入境处理私人事务的，应当提交因处理私人事务需要在中国境内居留的相关证明材料。

外国人申请有效期1年以上的居留证件的，应当按照规定提交健康证明。健康证明自开具之日起6个月内有效。

第十七条 外国人申请办理居留证件的延期、换发、补发，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。

第十八条 外国人申请居留证件或者申请居留证件的延期、换发、补发符合受理规定的，公安机关出入境管理机构应当出具有效期不超过15日的受理回执，并在受理回执有效期内作出是否签发的决定。

外国人申请居留证件或者申请居留证件的延期、换发、补发的手续或者材料不符合规定的，公安机关出入境管理机构应当一次性告知申请人需要履行的手续和补正的申请材料。

申请人所持护照或者其他国际旅行证件因办理证件被收存期间，可以凭受理回执在中国境内合法居留。

第十九条 外国人申请签证和居留证件的延期、换发、补发，申请办理停留证件，有下列情形之一的，可以由邀请单位或者个人、申请人的亲属、有关专门服务机构代为申请：

（一）未满16周岁或者已满60周岁以及因疾病等原因行动不便的；

（二）非首次入境且在中国境内停留居留记录良好的；

（三）邀请单位或者个人对外国人在中国境内期间所需费用提供保证措施的。

外国人申请居留证件，属于国家需要的外国高层次人才和急需紧

缺专门人才以及前款第一项规定情形的,可以由邀请单位或者个人、申请人的亲属、有关专门服务机构代为申请。

第二十条 公安机关出入境管理机构可以通过面谈、电话询问、实地调查等方式核实申请事由的真实性,申请人以及出具邀请函件、证明材料的单位或者个人应当予以配合。

第二十一条 公安机关出入境管理机构对有下列情形之一的外国人,不予批准签证和居留证件的延期、换发、补发,不予签发停留证件:

- (一) 不能按照规定提供申请材料的;
- (二) 在申请过程中弄虚作假的;
- (三) 违反中国有关法律、行政法规规定,不适合在中国境内停留居留的;
- (四) 不宜批准签证和居留证件的延期、换发、补发或者签发停留证件的其他情形。

第二十二条 持学习类居留证件的外国人需要在校外勤工助学或者实习的,应当经所在学校同意后,向公安机关出入境管理机构申请居留证件加注勤工助学或者实习地点、期限等信息。

持学习类居留证件的外国人所持居留证件未加注前款规定信息的,不得在校外勤工助学或者实习。

第二十三条 在中国境内的外国人因证件遗失、损毁、被盗抢等原因未持有效护照或者国际旅行证件,无法在本国驻中国有关机构补办的,可以向停留居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办理出境手续。

第二十四条 所持出境入境证件注明停留区域的外国人、出入境边防检查机关批准临时入境且限定停留区域的外国人,应当在限定的区域内停留。

第二十五条 外国人在中国境内有下列情形之一的,属于非法居留:

- (一) 超过签证、停留居留证件规定的停留居留期限停留居留的;
- (二) 免办签证入境的外国人超过免签期限停留且未办理停留居留

证件的;

- (三) 外国人超出限定的停留居留区域活动的;
- (四) 其他非法居留的情形。

第二十六条 聘用外国人工作或者招收外国留学生的单位,发现有下列情形之一的,应当及时向所在地县级以上地方人民政府公安机关出入境管理机构报告:

- (一) 聘用的外国人离职或者变更工作地域的;
- (二) 招收的外国留学生毕业、结业、肄业、退学,离开原招收单位的;
- (三) 聘用的外国人、招收的外国留学生违反出境入境管理规定的;
- (四) 聘用的外国人、招收的外国留学生出现死亡、失踪等情形的。

第二十七条 金融、教育、医疗、电信等单位在办理业务时需要核实外国人身份信息的,可以向公安机关出入境管理机构申请核实。

第二十八条 外国人因外交、公务事由在中国境内停留居留证件的签发管理,按照外交部的规定执行。

第四章 调查和遣返

第二十九条 公安机关根据实际需要可以设置遣返场所。

依照出境入境管理法第六十条的规定对外国人实施拘留审查的,应当在 24 小时内将被拘留审查的外国人送到拘留所或者遣返场所。

由于天气、当事人健康状况等原因无法立即执行遣送出境、驱逐出境的,应当凭相关法律文书将外国人羁押在拘留所或者遣返场所。

第三十条 依照出境入境管理法第六十一条的规定,对外国人限制活动范围的,应当出具限制活动范围决定书。被限制活动范围的外国人,应当在指定的时间到公安机关报到;未经决定机关批准,不得变更生活居所或者离开限定的区域。

第三十一条 依照出境入境管理法第六十二条的规定,对外国人

实施遣送出境的，作出遣送出境决定的机关应当依法确定被遣送出境的外国人不准入境的具体期限。

第三十二条 外国人被遣送出境所需的费用由本人承担。本人无力承担的，属于非法就业的，由非法聘用的单位、个人承担；属于其他情形的，由对外国人在中国境内停留居留提供保证措施的单位或者个人承担。

遣送外国人出境，由县级以上地方人民政府公安机关或者出入境边防检查机关实施。

第三十三条 外国人被决定限期出境的，作出决定的机关应当在注销或者收缴其原出境入境证件后，为其补办停留手续并限定出境的期限。限定出境期限最长不得超过 15 日。

第三十四条 外国人有下列情形之一的，其所持签证、停留居留证件由签发机关宣布作废：

- （一）签证、停留居留证件损毁、遗失、被盗抢的；
- （二）被决定限期出境、遣送出境、驱逐出境，其所持签证、停留居留证件未被收缴或者注销的；
- （三）原居留事由变更，未在规定期限内向公安机关出入境管理机构申报，经公安机关公告后仍未申报的；
- （四）有出境入境管理法第二十一条、第三十一条规定的不予签发签证、居留证件情形的。签发机关对签证、停留居留证件依法宣布作废的，可以当场宣布作废或者公告宣布作废。

第三十五条 外国人所持签证、停留居留证件有下列情形之一的，由公安机关注销或者收缴：

- （一）被签发机关宣布作废或者被他人冒用的；
- （二）通过伪造、变造、骗取或者其他方式非法获取的；
- （三）持有人被决定限期出境、遣送出境、驱逐出境的；
- （四）作出注销或者收缴决定的机关应当及时通知签发机关。

第五章 附 则

第三十六条 本条例下列用语的含义：

（一）签证的入境次数，是指持证人在签证入境有效期内可以入境的次数。

（二）签证的入境有效期，是指持证人所持签证入境的有效时间范围。非经签发机关注明，签证自签发之日起生效，于有效期满当日北京时间 24 时失效。

（三）签证的停留期限，是指持证人每次入境后被准许停留的时限，自入境次日开始计算。

（四）短期，是指在中国境内停留不超过 180 日（含 180 日）。

（五）长期、常驻，是指在中国境内居留超过 180 日。

本条例规定的公安机关出入境管理机构审批期限和受理回执有效期以工作日计算，不含法定节假日。

第三十七条 经外交部批准，驻外签证机关可以委托当地有关机构承办外国人签证申请的接件、录入、咨询等服务性事务。

第三十八条 签证的式样由外交部会同公安部规定。停留居留证件的式样由公安部规定。

第三十九条 本条例自 2013 年 9 月 1 日起施行。1986 年 12 月 3 日国务院批准，1986 年 12 月 27 日公安部、外交部公布，1994 年 7 月 13 日、2010 年 4 月 24 日国务院修订的《中华人民共和国外国人入境出境管理法实施细则》同时废止。

Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners

Chapter I General Provisions

Article 1 These Regulations are formulated in accordance with the Exit and Entry Administration Law of the People's Republic of China (hereinafter referred to as the Exit and Entry Administration Law), for the purpose of regulating the issuance of visas and provision of services to, and administration of affairs of, foreigners who stay or reside within the territory of China.

Article 2 The State establishes a mechanism for coordinating the services and administration in respect of the entry and exit of foreigners, in order to improve the overall arrangement, coordination and cooperation in this field.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may, where necessary, establish mechanisms for coordinating the services and administration in respect of the entry and exit of foreigners, in order to increase exchange of information and facilitate coordination and cooperation, and provide services and administration within their respective administrative regions.

Article 3 The Ministry of Public Security shall, in conjunction with the relevant departments of the State Council, establish a platform of information concerning the services and administration in respect of the entry and exit of foreigners in order to share information in this field.

Article 4 In issuing visas and in administering the stay and residence of foreigners within the territory of China, the Ministry of Foreign Affairs, the Ministry of Public Security and other departments of the State Council

shall, on their portals and websites and at the places where exit or entry applications are accepted, make available the laws and regulations on the administration of the entry and exit of foreigners and other information that foreigners need to know.

Chapter II Categories and Issuance of Visas

Article 5 The scope and measures for issuance of diplomatic, courtesy and official visas shall be specified by the Ministry of Foreign Affairs.

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;

(12) The Z visa is issued to persons who apply for work in China.

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.

(1) To apply for the C visa, the applicant shall submit the letter of guarantee provided by a foreign transportation company or the letter of invitation provided by the entity concerned in China;

(2) To apply for the D visa, the applicant shall submit the form issued by the Ministry of Public Security confirming his or her permanent residence status;

(3) To apply for the F visa, the applicant shall submit the invitation letter provided by the inviting party in China;

(4) To apply for the G visa, the applicant shall submit a through ticket (air, road, rail or sea) to another country or region with the date and seat number on it;

(5) To apply for the J1 or J2 visa, the applicant shall go through the formalities of examination and approval in accordance with the Chinese provisions on news coverage by permanent offices of foreign news agencies in China and by foreign journalists, and submit the relevant application material;

(6) To apply for the L visa, the applicant shall, as required, submit travel plans and itinerary and other material; in the case of a group tour, the applicant shall also submit the letter of invitation provided by the travel agency;

(7) To apply for the M visa, the applicant shall, as required, submit the letter of invitation provided by the commercial or trade partner in China;

(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;

(9) To apply for the R visa, the applicant shall meet the qualifications and requirements set by the competent authorities of the Chinese

government for inviting persons of high talent or urgently needed specialists, and the applicant shall, in accordance with relevant provisions, submit the relevant certification documents;

(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;

(11) To apply for the X1 visa, the applicant shall, in accordance with relevant provisions, submit the admission notice issued by the admission institution and the certification documents provided by the competent authority; to apply for the X2 visa, the applicant shall, in accordance with relevant provisions, submit such certification documents as the admission notice issued by the admission institution;

(12) To apply for the Z visa, the applicant shall, in accordance with relevant provisions, submit the work permit and other certification documents.

The visa authority may, in light of specific cases, require a foreigner to submit additional application material.

Article 8 In one of the following circumstances, a foreigner shall be interviewed as required by the visa authority abroad:

- (1) The applicant applies for entry into China for residence;
- (2) Information about the applicant's personal identity or his or her purpose of entry requires further verification;
- (3) The applicant has a record of being denied entry into China or ordered to exit China within the prescribed time limit;
- (4) Other circumstances where an interview is necessary.

Where the visa authority abroad requires relevant departments or entities in China to help with the verification of relevant information, the

latter shall cooperate.

Article 9 Where the visa authority, upon examination, deems the applicant to be eligible for being issued a visa, it shall issue to the applicant the appropriate category of visa. Where the applicant needs to obtain a residence permit after entry, the visa authority shall specify on the visa the time limit for applying for such permit after entry.

Chapter III Administration of Stay and Residence

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.

Article 11 Where the visa of a foreigner in China is lost, damaged, destroyed, stolen or robbed, the applicant shall, in a timely manner, 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 reissuance of the visa.

Article 12 To apply for extension, change or reissuance of a visa, or for a stay permit, a foreigner shall fill out an application form and submit his or her passport or other international travel documents, qualified photos, and material relating to the purpose of application.

Article 13 Where a foreigner's application for extension, change or reissuance of a visa, or for a stay permit, meets the acceptance provisions, the exit and entry administration authority of the public security organ shall issue a receipt of acceptance valid for a period of time not exceeding

7 days, and make a decision on whether to issue the visa within the validity period of the receipt of acceptance.

Where the procedures followed or material submitted by a foreigner for extension, change, or reissuance of a visa or for issuance of a stay permit does not conform to relevant provisions, the exit and entry administration authority of the public security organ shall, in a one-off manner, notify the applicant of the procedure(s) to be followed and the material to be supplemented and corrected.

During the period of time when the applicant's passport or other international travel documents are retained for processing his or her application for a visa or permit, the applicant may stay in China legally on the strength of the receipt of acceptance.

Article 14 The decision made by the exit and entry administration authority of the public security organ to extend the duration of stay specified in a visa is only valid for the current entry and does not affect the number of entries or the validity period of the entry specified in the visa. However, the total period of extension shall not exceed the original duration of stay specified in the visa.

When the duration of stay specified in the visa is extended, a foreigner shall adhere to the purpose specified in the original visa and stay within the extended duration of stay.

Article 15 Residence permits are divided into the following types:

- (1) The residence permit for work is issued to persons who work in China;
- (2) The residence permit for study is issued to persons who pursue long-term studies in China;
- (3) The residence permit for journalists is issued to resident foreign journalists of permanent offices of foreign news agencies in China;
- (4) The residence permit for reunion is issued to family members

of Chinese citizens and family members of foreigners with permanent residence status in China who need to reside in China for family reunion, and to persons who need to reside in China for fosterage or other purposes;

(5) The residence permit for personal matters is issued to 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 long-term visit to China, as well as for persons who need to reside in China for other personal matters.

Article 16 A foreigner applying for a residence permit shall submit his or her passport or other international travel documents, qualified photos, and material relating to the purpose of application, go through the relevant formalities in person with 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 proposed places of his or her residence, and provide biometric identification information such as fingerprints thereto.

(1) To apply for a residence permit for work, the applicant shall submit such certification documents as a work permit; in the case of a person of high talent who is needed or, a specialist who is urgently needed, by the State, the applicant shall submit relevant certification documents in accordance with relevant provisions;

(2) To apply for a residence permit for study, the applicant shall, in accordance with relevant provisions, submit such certification documents as a letter indicating the duration of study provided by the admission institution;

(3) To apply for a residence permit for journalists, the applicant shall submit the letter provided and the Press Card issued by the competent department;

(4) To apply for a residence permit for reunion, the applicant shall

submit proof of family relationship and certification documents relating to the purpose of application; if the applicant needs to reside in China for fosterage or other purposes, he or she shall submit such certification documents as a power of attorney;

(5) To apply for a residence permit for personal matters, in the case of a long-term visit, the applicant shall, as required, submit such certification documents as proof of kinship and the residence permit of the foreigner to be visited; to apply for entry to deal with personal matters, the applicant shall submit the documents certifying the need to reside in China.

When applying for a residence permit valid for more than 1 year, a foreigner shall, in accordance with relevant provisions, submit his or her health certificate. A health certificate is valid for six months beginning from the date of issue.

Article 17 To apply for extension, change or reissuance of a residence permit, a foreigner shall fill out an application form and submit his or her passport or other international travel documents, qualified photos, and material relating to the purpose of application.

Article 18 Where a foreigner's application for a residence permit or for extension, change or reissuance of a residence permit meets the acceptance provisions, the exit and entry administration authority of the public security organ shall issue a receipt of acceptance valid for a period not exceeding 15 days, and make a decision on whether to issue the visa within the validity period of the receipt of acceptance.

Where the procedures followed or material submitted by a foreigner for a residence permit or for extension, change or reissuance of a residence permit does not conform to relevant provisions, the exit/entry administration authority of the public security organ shall, in a one-off manner, notify the applicant of the procedure(s) to be followed and the material to be supplemented and corrected.

During the period of time when the applicant's passport or other international travel documents are retained for processing his or her application for a residence permit, the applicant may reside in China legally on the strength of the receipt of acceptance.

Article 19 In one of the following circumstances, the inviting entity or individual, the relative of the applicant or the specialized service agency concerned may apply for extension, change or reissuance of a visa or residence permit, or apply for a stay permit on behalf of the applicant:

(1) The applicant is under the age of 16 or over the age of 60 or it would unduly inconvenience the applicant due to illness or other reasons;

(2) The applicant's current entry is not his or her first entry into China and the applicant has a good record of stay or residence in China;

(3) The inviting entity or individual has guaranteed to cover the necessary expenses of the applicant incurred in China.

If the applicant is a person of high talent who is needed, or a specialist who is urgently needed, by the State, or is in the circumstance prescribed by subparagraph (1) of the preceding paragraph, the inviting entity or individual, the relative of the applicant or the specialized service agency concerned may apply for a residence permit on his or her behalf.

Article 20 The exit and entry administration authority of the public security organ may verify the purpose of application through such means as interview, telephone inquiry and on-the-spot investigation, and the applicant as well as the entity or individual that has provided the letter of invitation or certification documents shall cooperate.

Article 21 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;

(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.

Article 22 Where a foreigner holding a residence permit for study intends to engage in off-campus work-study or internship, he or she shall, upon the approval of the school, apply to the exit and entry administration authority of the public security organ to have such information as the location and duration of the work-study program or internship placement specified in his or her residence permit.

A foreigner holding a residence permit for study shall not engage in any off-campus work-study or internship unless the information prescribed in the preceding paragraph is specified in his or her residence permit.

Article 23 A foreigner who does not hold a valid passport or other international travel documents due to loss, damage, destruction, theft, robbery or other reasons and cannot get the said passport or documents reissued by the relevant institution of his own country stationed in China may apply for exit formalities 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 or residence.

Article 24 A foreigner whose area of stay is specified in his exit and entry documents or a foreigner who is approved temporary entry into China with restrictions on area of stay by the exit and entry border inspection authority shall stay in the specified or restricted area.

Article 25 In one of the following circumstances, a foreigner shall be deemed to be residing in China illegally:

(1) The applicant's stay or residence exceeds the duration specified in his or her visa, stay permit or residence permit;

(2) The applicant overstays the visa-free period and fails to obtain a stay permit or residence permit;

(3) The activities of the applicant go beyond the restricted area of stay or residence;

(4) Other circumstances where foreigners reside illegally.

Article 26 Upon discovery of one of the following circumstances, the entity that employs a foreigner or admits a foreign student shall, in a timely manner, report to the exit and entry administration authority of the public security organ of the local people's government at or above the county level:

(1) A foreigner employed resigns or changes employment location;

(2) A foreign student admitted has graduated, completed his or her course(s) or study, has quit school, or has left the school ungraduated;

(3) A foreigner employed or a foreign student admitted violates the provisions on administration of exit and entry;

(4) A foreigner employed or a foreign student admitted dies, disappears or other serious circumstances arise.

Article 27 Where necessary, finance, education, medical, telecommunications or other entities may, for business purposes, apply to the exit and entry administration authority of the public security organ for verifying the information of a foreigner's identity.

Article 28 The stay or residence permits for foreigners who need to stay or reside in China for diplomatic or official purposes shall be issued and administered in accordance with the provisions of the Ministry of Foreign Affairs.

Chapter IV Investigation and Repatriation

Article 29 Public security organs may establish places for repatriation in light of actual needs.

A foreigner who is to be detained for investigation in accordance with the provisions of Article 60 of the Exit and Entry Administration Law shall be sent to a detention house or a place of repatriation within 24 hours of his or her detention.

Where, a foreigner cannot be repatriated or deported immediately due to weather, his or her health or other reasons, he or she shall be detained in a detention house or a place of repatriation with relevant legal instruments.

Article 30 Where a foreigner's scope of activities is to be restricted in accordance with the provisions of Article 61 of the Exit and Entry Administration Law, a written decision on such restriction(s) shall be issued. The foreigner subject to the restriction(s) shall report to the public security organ at the designated time and, without approval of the decision-making organ, he or she shall not change his living residence or leave the restricted area.

Article 31 Where a foreigner is to be repatriated in accordance with the provisions of Article 62 of the Exit and Entry Administration Law, the organ that makes the decision on his or her repatriation shall, in accordance with law, decide on the specific duration of time in which the said foreigner shall not be allowed to enter China.

Article 32 A foreigner who is subject to repatriation shall bear the related expenses. If he or she is not able to do so, the entity or individual that employed him or her shall bear the expenses in the case of illegal employment; in other circumstances, the entity or individual that has guaranteed to cover the expenses of the foreigner during his or her stay or

residence in China shall bear the expenses.

Repatriation of foreigners shall be carried out by the public security organs of the local people's governments at or above the county level or the exit and entry border inspection authorities.

Article 33 Where it is decided that a foreigner will exit China within a certain time limit, the decision-making authority shall, after cancelling or confiscating his or her original exit and entry documents, go through the formalities for his or her stay in China and set the time limit for his or her exit. The time limit shall not exceed 15 days.

Article 34 In one of the following circumstances, the visa, stay permit or residence permit held by a foreigner shall be declared null and void by the issuing authority:

- (1) His or her visa, stay permit or residence permit is lost, damaged, destroyed, stolen or robbed;
- (2) The time limit for his or her exit, repatriation or deportation from China has been decided, and his or her visa, stay permit or residence permit has not been confiscated or cancelled;
- (3) The original purpose of residence has been changed, but he or she fails to report to the exit and entry administration authority of the public security organ within the prescribed time limit and fails to do so even after the said organ has given a public notice thereon;
- (4) Circumstances in which a visa or residence permit shall not be issued as prescribed by the provisions of Article 21 or Article 31 of the Exit and Entry Administration Law.

Where the issuing authority is to declare a visa, stay permit or residence permit null and void in accordance with law, it may do so on the spot or through a public notice.

Article 35 In one of the following circumstances, the visa, stay permit or residence permit held by a foreigner shall be cancelled or confiscated

by a public security organ:

- (1) The issuing authority declares it null and void, or it is being used fraudulently by someone else;
- (2) It is forged, altered, or obtained by fraud or other illegal means; or
- (3) The holder has been decided on a time for exit, repatriation or deportation from China.

The authority that makes a decision on cancellation or confiscation of a visa, stay permit or residence permit shall, in a timely manner, notify the issuing authority.

Chapter V Supplementary Provisions

Article 36 Meaning of terms in these Regulations:

- (1) The number of entries specified in the visa means the number of times that the visa holder may enter China within the validity period of the entry specified in the visa;
- (2) The validity period of the entry specified in the visa means the valid period of time during which the visa holder may enter China. Unless otherwise specified by the issuing authority, a visa is valid from the date of issuance until Beijing time 24:00 on the expiring day;
- (3) The duration of stay specified in the visa means the period of time during which the visa holder is allowed to stay in China after each entry. It begins from the next day of entry;
- (4) Short-term means staying in China for a period not exceeding 180 days (including 180 days);
- (5) Long-term or resident means residing in China for a period exceeding 180 days.

The period of time for examination and approval or the validity period of the receipt of acceptance of the exit and entry administration authority of the public security organ in these Regulations is calculated in terms of

working days, excluding legal holidays.

Article 37 With the approval of the Ministry of Foreign Affairs, the visa authorities abroad may entrust local institutions with services, such as receiving of visa application material, data input and consultancy.

Article 38 The format of visas shall be prescribed by the Ministry of Foreign Affairs in conjunction with the Ministry of Public Security. The formats of stay permits and residence permits shall be prescribed by the Ministry of Public Security.

Article 39 These Regulations shall be effective as of September 1, 2013. The Rules on the Implementation of the Law of the People's Republic of China on the Entry and Exit of Aliens, approved by the State Council on December 3, 1986, promulgated by the Ministry of Public Security and the Ministry of Foreign Affairs on December 27, 1986, and revised by the State Council respectively on July 13, 1994 and April 24, 2010, shall be repealed simultaneously.

八、中华人民共和国境内外国人宗教活动管理规定

(1994年1月31日国务院令第144号发布)

第一条 为了保障中华人民共和国境内外国人的宗教信仰自由，维护社会公共利益，根据宪法，制定本规定。

第二条 中华人民共和国尊重在中国境内的外国人的宗教信仰自由，保护外国人在宗教方面同中国宗教界进行的友好往来和文化学术交流活动。

第三条 外国人可以在中国境内的寺院、宫观、清真寺、教堂等宗教活动场所参加宗教活动。经省、自治区、直辖市以上宗教团体的邀请，外国人可以在中国宗教活动场所讲经、讲道。

第四条 外国人可以在县级以上人民政府宗教事务部门认可的场所举行外国人参加的宗教活动。

第五条 外国人在中国境内，可以邀请中国宗教教职人员为其举行洗礼、婚礼、葬礼和道场法会等宗教仪式。

第六条 外国人进入中国国境，可以携带本人自用的宗教印刷品、宗教音像制品和其他宗教用品；携带超出本人自用的宗教印刷品、宗教音像制品和其他宗教用品入境，按照中国海关的有关规定办理。禁止携带有危害中国社会公共利益内容的宗教印刷品和宗教音像制品入境。

第七条 外国人在中国境内招收为培养宗教教职人员的留学人员或者到中国宗教院校留学和讲学，按照中国的有关规定办理。

第八条 外国人在中国境内进行宗教活动，应当遵守中国的法律、法规，不得在中国境内成立宗教组织、设立宗教办事机构、设立宗教活动场所或者开办宗教院校，不得在中国公民中发展教徒、委任宗教教职人员和进行其他传教活动。

第九条 外国人违反本规定进行宗教活动的，县级以上人民政府

宗教事务部门和其他有关部门应当予以劝阻、制止；构成违反外国人入境出境管理行为或者治安管理行为的，由公安机关依法进行处罚；构成犯罪的，由司法机关依法追究刑事责任。

第十条 外国组织在中华人民共和国境内的宗教活动适用本规定。

第十一条 侨居国外的中国公民在中国境内，台湾居民在大陆、香港、澳门居民在内地进行宗教活动，参照本规定执行。

第十二条 本规定由国务院宗教事务部门负责解释。

第十三条 本规定自发布之日起施行。

Provisions on the Administration of Religious Activities of foreigners within the Territory of the People's Republic of China

(Promulgated by decree No. 144 of the state council of the People's Republic Of China on January 31, 1994)

Article 1 These provisions are formulated in accordance with the constitution in order to ensure the freedom of religious belief of aliens within the territory of the people's republic of china and to maintain the public interests of the society.

Article 2 The people's republic of china respects the freedom of religious belief of aliens within Chinese territory and protects friendly contacts and cultural and academic exchanges of aliens with Chinese religious circles in respect of religion.

Article 3 Aliens may participate in religious activities at buddhist monasteries, taoist temples, mosques, churches and other sites for religious activities within Chinese territory. Aliens may preach and expound the scripture at Chinese sites for religious activities at the invitation of Chinese religious bodies at or above the level of province, autonomous region and municipality directly under the central government.

Article 4 Aliens may hold religious activities attended by aliens at the sites for religious activities approved by the department of religious affairs of the people's government at or above the county level.

Article 5 Aliens within Chinese territory may invite Chinese religious personnel to conduct such religious ceremonies as baptism, weddings, funerals, taoist and buddhist rites.

Article 6 Aliens entering Chinese territory may carry religious printed

matter, religious audio-visual products and other religious articles for personal use; if the amount of such religious printed matters, religious audio-visual products and other religious articles is greater than for personal use, it shall be dealt with in accordance with the provisions of the Chinese customs.

Religious printed matter or religious audio-visual products whose contents are detrimental to the public interests of Chinese society are forbidden to bring into Chinese territory.

Article 7 Aliens within Chinese territory shall recruit the persons to study abroad to be trained as religious personnel, or come to study or teach at Chinese religious institutions in accordance with the relevant provisions of china.

Article 8 Aliens who conduct religious activities within Chinese territory shall abide by Chinese laws and regulations, shall not establish religious organizations, set up religious offices, sites for religious activities or run religious institutions within Chinese territory, not may they develop followers, appoint religious personnel or engage in other missionary activities.

Article 9 Where aliens conduct religious activities that violate these provisions, he departments of religious affairs and other related departments of the people's government at or above the county level shall dissuade or stop them; where those activities violate the control of the entry and exit of aliens or administration of public security the public security organs shall punish them in accordance with the law; where a crime is constituted, they shall be investigated for their criminal responsibility by the judicial organs.

Article 10 These provisions are applicable to religious activities of foreign bodies within Chinese territory.

Article 11 Chinese citizens residing abroad within Chinese territory,

Taiwan residents on the mainland, the residents of Hong Kong and Macao in the inland shall conduct religious activities with reference to these provisions.

Article 12 The Department of religious affairs of the state council shall be responsible for the interpretation of these provisions.

Article 13 These provisions shall enter into force as of the date of promulgation.

九、中华人民共和国境内外国人宗教活动管理规定实施细则

第一条 根据《中华人民共和国境内外国人宗教活动管理规定》，制定本实施细则。

第二条 中华人民共和国境内外国人（以下简称“境内外国人”）是指依照《中华人民共和国国籍法》的规定，在中国境内不具有中国国籍的人，包括在华常住人员和短期来华人员。

第三条 境内外国人宗教活动是指外国人在中国境内按照各自的宗教信仰习惯举行和参与的各种宗教仪式，与中国宗教社会团体、宗教活动场所和宗教教职人员所发生的宗教事务方面的联系，及其有关的各种活动。

第四条 中华人民共和国尊重在中国境内的外国人的宗教信仰自由，依法保护和管理境内外国人的宗教活动。中华人民共和国依法保护境内外国人在宗教方面同中国宗教界进行的友好往来和文化学术交流活动。

第五条 外国人在中国境内可以根据自己的宗教信仰在依法登记的寺院、宫观、清真寺、教堂参加宗教活动。

第六条 以宗教教职人员身份来访的外国人，经省、自治区、直辖市以上宗教社会团体邀请，可以在依法登记的宗教活动场所讲经、讲道。

以其他身份入境的外国宗教教职人员，经省、自治区、直辖市以上宗教社会团体邀请，并经省级以上人民政府宗教事务部门同意，可以在依法登记的宗教活动场所讲经、讲道。

应邀在依法登记的宗教活动场所讲经、讲道的外国宗教教职人员，应该遵守该场所的管理规章，尊重该场所人员的信仰习惯。

第七条 境内外国人集体进行宗教活动要在由县级以上人民政府宗教事务部门认可的经依法登记的寺院、宫观、清真寺、教堂，或在由省、自治区、直辖市人民政府宗教事务部门指定的临时地点举行。

境内外国人在临时地点集体进行宗教活动时，应由县级以上人民政府宗教事务部门负责管理。

第八条 外国人同中国宗教界的友好往来和文化学术交流活动，应通过省、自治区、直辖市以上宗教社会团体进行。

第九条 凡在中国境内没有相应的合法的中国宗教组织的外国宗教组织及其成员，以宗教组织或宗教教职人员身份与中国政府有关部门或宗教界进行交往活动的，须经省级政府宗教事务部门同意后，报国家宗教事务局批准。

第十条 经中国的宗教社会团体同意，境内外国人可以邀请中国宗教教职人员按各教习惯为其举行洗礼、婚礼、葬礼和道场、法会等宗教仪式。其中，举行婚礼的外国人必须是已经依法缔结婚姻关系的男女双方。中国宗教教职人员是指由依法登记的宗教社会团体认定、备案的各种宗教教职人员。

第十一条 经有关全国性宗教社会团体或省、自治区、直辖市有关宗教社会团体同意，并经当地省级以上人民政府宗教事务部门批准认可，外国人可以根据有关宗教文化学术交流的项目或协议，携带用于宗教文化学术交流的宗教用品入境。符合上款规定和海关有关规定的宗教用品入境，海关凭省、自治区、直辖市人民政府宗教事务部门或国家宗教事务局的证明予以放行。

第十二条 下列宗教印刷品、宗教音像制品和其他宗教用品不得进境：

- （一）超出个人自用合理数量，且不属于第十一条规定范围的；
- （二）有危害中国国家安全和社会公共利益内容的。

发现有违反上款规定的宗教印刷品、宗教音像制品和其他宗教用品，由海关依法进行处理。

违反第一款规定已经携带入境或通过其他手段运入境内的宗教印刷品、宗教音像制品和其他宗教用品，一经发现，由县级以上人民政府宗教事务部门或其他有关部门依法进行处理。

第十三条 外国组织或个人向中国提供的以培养宗教教职人员为

目的的出国留学人员名额或资金，由中国全国性宗教社会团体根据需要接受并统筹选派出国留学人员。

外国组织或个人不得在中国境内擅自招收以培养宗教教职人员为目的的出国留学人员。

第十四条 外国人到中国宗教院校留学，须符合《高等学校接受外国留学生管理规定》的有关规定，并经全国性宗教社会团体同意。

第十五条 外国人到中国宗教院校讲学，须根据《宗教院校聘用外籍专业人员办法》的规定办理。

第十六条 外国人在中国境内进行宗教活动，应当遵守中国的法律、法规。

外国人不得干涉中国宗教社会团体、宗教活动场所的设立和变更，不得干涉中国宗教社会团体对宗教教职人员的选任和变更，不得干涉和支配中国宗教社会团体的其他内部事务。

外国人在中国境内不得以任何名义或形式成立宗教组织、设立宗教办事机构、设立宗教活动场所或者开办宗教院校、举办宗教培训班。

第十七条 外国人不得在中国境内进行下列传教活动：

- （一）在中国公民中委任宗教教职人员；
- （二）在中国公民中发展宗教教徒；
- （三）擅自在宗教活动场所讲经、讲道；
- （四）未经批准在依法登记的宗教活动场所以外的处所讲经、讲道，进行宗教聚会活动；
- （五）在宗教活动临时地点举行有中国公民参加的宗教活动，被邀请主持宗教活动的中国宗教教职人员除外；
- （六）制作或销售宗教书刊、宗教音像制品、宗教电子出版物等宗教用品；
- （七）散发宗教宣传品；
- （八）其他形式的传教活动。

第十八条 国际性宗教组织、机构及其成员与中国宗教社会团体、宗教活动场所和宗教教职人员发生宗教事务方面的联系，及其有关

活动，须事先向省级以上人民政府宗教事务部门提出申请，经同意后方可进行。

第十九条 境内外国人违反本细则进行宗教活动的，由县级以上人民政府宗教事务部门和其他有关部门依法予以制止。

境内外国人违反本细则进行宗教活动，构成违反《中华人民共和国外国人入境出境管理法》、《中华人民共和国治安管理处罚条例》等法律法规的，由公安机关依法予以处理；构成犯罪的，由司法机关依法追究刑事责任。

第二十条 外国组织在中华人民共和国境内的宗教活动适用本细则。

第二十一条 本细则由国家宗教事务局负责解释。

第二十二条 本细则自发布之日起施行。

Rules for the Implementation of the Provisions on the Administration of Religious Activities of Aliens within the Territory of the People's Republic of China

Article 1 These Rules are formulated in accordance with the Provisions on the Administration of Religious Activities of Aliens within the Territory of the People's Republic of China.

Article 2 Aliens within the territory of the People's Republic of China are referred to as those who are within Chinese territory without Chinese nationalities pursuant to the Nationality Law of the People's Republic of China, including the long-term residing China personnel and the short-term visiting China personnel.

Article 3 Religious activities of aliens within Chinese territory are referred to as the religious ceremonies that aliens conduct or participate according to their own religious belief customs, the contacts with Chinese religious bodies, sites for religious activities and religious personnel in respect of religion, and other relevant activities.

Article 4 The People's Republic of China respects the freedom of religious belief of aliens within Chinese territory, and protects and administers the religious activities of aliens within Chinese territory in accordance with law.

The People's Republic of China protects friendly contacts and cultural and academic exchanges of aliens within Chinese territory with Chinese religious circles in respect of religion in accordance with law.

Article 5 Aliens may participate in religious activities at lawfully registered Buddhist monasteries, Taoist temples, mosques, churches within Chinese territory according to their own religious belief.

Article 6 At the invitation of Chinese religious bodies at or above the

level of province, autonomous region or municipality directly under the Central Government, aliens visiting China as religious.

Personnel may preach and expound the scripture at lawfully registered sites for religious activities. At the invitation of Chinese religious bodies at or above the level of province, autonomous region or municipality directly under the Central Government, and after the approval by the departments of religious affairs of the people's governments at or above the provincial level, aliens entering China as other status may preach and expound the scripture at lawfully registered sites for religious activities. Foreign religious personnel who are invited to preach and expound the scripture at the lawfully registered sites for religious activities shall abide by the administrative rules of these sites and respect the belief customs of the personnel of these sites.

Article 7 The collective religious activities of aliens within Chinese territory shall be conducted at the Buddhist monasteries, Taoist temples, churches recognized by the departments of religious affairs of the people's government at or above the county level, or at the temporary sites appointed by the departments of religious affairs of the people's governments of province, autonomous region or municipality directly under the Central Government.

Where aliens within Chinese territory collectively conduct religious activities at temporary sites, they shall be administrated by the departments of religious affairs of the people's governments at or above the county level.

Article 8 The friendly contacts and cultural and academic exchanges of aliens with Chinese religious circles shall be conducted via Chinese religious bodies at or above the level of province, autonomous region or municipality directly under the Central Government.

Article 9 Foreign religious organizations that have no corresponding

legitimate religious organizations within Chinese territory and their members must get the consent from the departments of religious affairs of the people's governments at provincial level and the approval from the State Administration for Religious Affairs before conducting contacts in the name of these organizations or as religious personnel with relevant departments of Chinese government or Chinese religious circles.

Article 10 Following consent by Chinese religious bodies, aliens within Chinese territory may invite Chinese religious personnel to conduct such religious ceremonies as baptism, wedding, funeral, Taoist or Buddhist rites according to each religious customs. Among these ceremonies, the aliens conducting wedding must be the male and female who have already set up marriage relationship in accordance with law.

The Chinese religious personnel are referred to those who have been recognized and recorded by lawfully registered religious bodies.

Article 11 Consented by national religious bodies or relevant religious bodies at the level of province, autonomous region or municipality directly under the Central Government, and approved by the departments of religious affairs of the local people's governments at or above the provincial level, aliens entering Chinese territory may carry religious articles used in religious cultural and academic exchanges in accordance with relevant programs and agreements of religious cultural and academic exchanges. Where the religious articles conform to the stipulations of the previous paragraph and the relevant provisions of the Chinese customs, they shall be passed by the customs based on the certificates issued by the departments of religious affairs of the people's governments of province, autonomous region and municipality directly under the Central Government or the State Administration for Religious Affairs.

Article 12 It is prohibited to bring the following religious printed matters, religious audio-visual products and other articles into Chinese

territory:

(1) if the amount exceeds that for personal rational use, and they do not belong to the category stipulated in Article 11;

(2) if the contents of these articles are detrimental to Chinese national security and public interests of Chinese society.

Where the religious printed matters, religious audio-visual products and other religious articles are found to be those mentioned in previous paragraph, the case shall be dealt with by the customs in accordance with law.

Where the religious printed matters, religious audio-visual products and other religious articles which violate the stipulations of the first paragraph have been brought into Chinese territory or transported into Chinese territory by other means, once being found, they shall be dealt with by the departments of religious affairs or other related departments of the people's governments at or above the county level in accordance with law.

Article 13 The enrollment to study abroad or capital provided to China by foreign organizations or individuals for the purpose of training religious personnel shall be accepted by Chinese national religious bodies on the basis of need, and the study abroad personnel shall be selected and dispatched by Chinese national religious bodies as a whole plan.

Foreign organizations or individuals may not recruit students within Chinese territory for their study and training abroad as religious personnel without permission.

Article 14 Aliens who intend to come to China for studying at Chinese religious institutions must conform to the stipulations set by the Provisions on the Administration of Accepting Foreign Students by Chinese Institutions of Higher Learning, get approval from Chinese national religious bodies, and keep records at the State Administration for

Religious Affairs.

Article 15 Aliens who intend to come to China for teaching at Chinese religious institutions must be subject to the Methods of Engaging Foreign Professionals by Religious Institutions.

Article 16 Aliens who conduct religious activities within Chinese territory shall abide by Chinese laws and regulations.

Aliens may not intervene in the establishment and change of Chinese religious bodies or sites for religious activities, the selecting, appointing and changing of religious personnel by Chinese religious bodies, nor may they intervene in or manipulate other internal affairs of Chinese religious bodies.

Within Chinese territory, aliens may not establish religious organizations, institute religious offices, set up sites for religious activities, run religious institutions or hold religious classes in any names or forms.

Article 17 Aliens may not engage in the following missionary activities within Chinese territory:

- (1) appointing religious personnel among Chinese citizens;
- (2) developing religious followers among Chinese citizens;
- (3) preaching and expounding the scripture at the sites for religious activities without permission;
- (4) preaching and expounding the scripture or conducting religious gathering activities at the places outside the lawfully registered sites for religious activities;
- (5) conducting religious activities with Chinese citizens at temporary sites for religious activities, except that the Chinese religious personnel are invited to preside the religious activities;
- (6) producing or selling religious books and journals, religious audio-visual products, religious electronic goods or other religious articles;

- (7) distributing religious propaganda materials;
- (8) other missionary activities.

Article 18 Where the international religious organizations, offices and their members intend to contact or conduct other related activities with Chinese religious bodies, sites for religious affairs and religious personnel, they shall make applications to the departments of religious affairs of the people's governments at or above the provincial level in advance. The contact or other related activities may be conducted only after approval by the departments of religious affairs of the people's governments at or above the provincial level.

Article 19 Where aliens within Chinese territory conduct religious activities that violate these Rules, the departments of religious affairs and other related departments of the people's governments at or above the county level shall stop them in accordance with law.

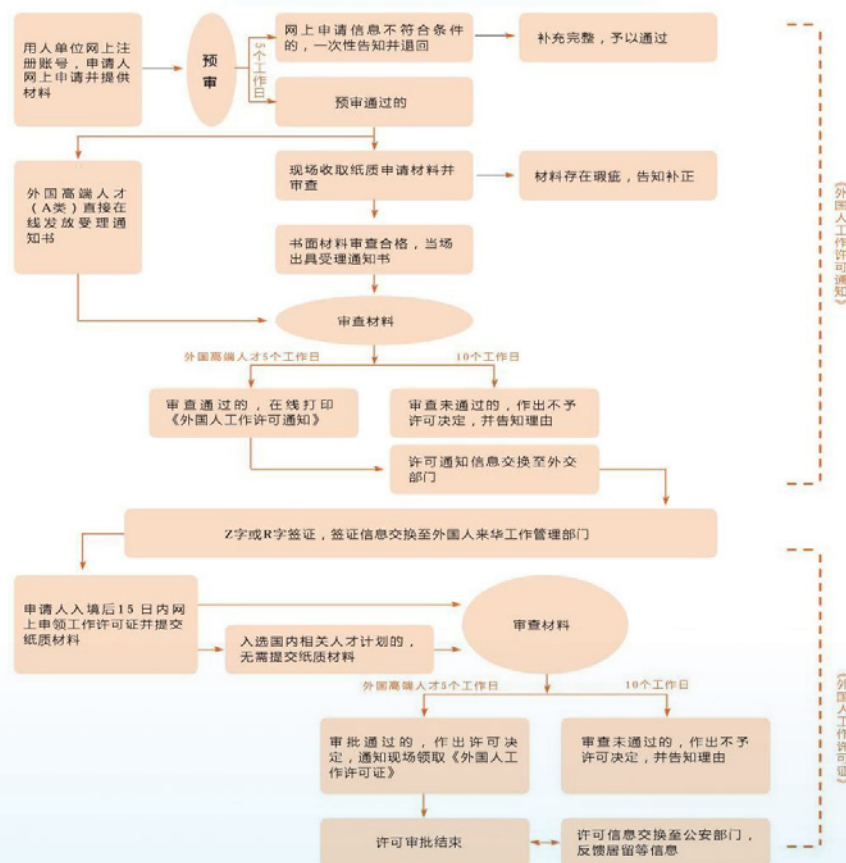
Where religious activities conducted by aliens within Chinese territory violate these Rules as well as the Law of the Control on the Entry and Exit of Aliens of the People's Republic of China and the Regulations on Administrative Penalties for Public Security, the aliens shall be dealt with by the public organs in accordance with law; where a crime is constituted, the aliens shall be investigated for their criminal liability by the judicial organs in accordance with law.

Article 20 These Rules are applicable to the religious activities conducted by foreign organizations within Chinese territory.

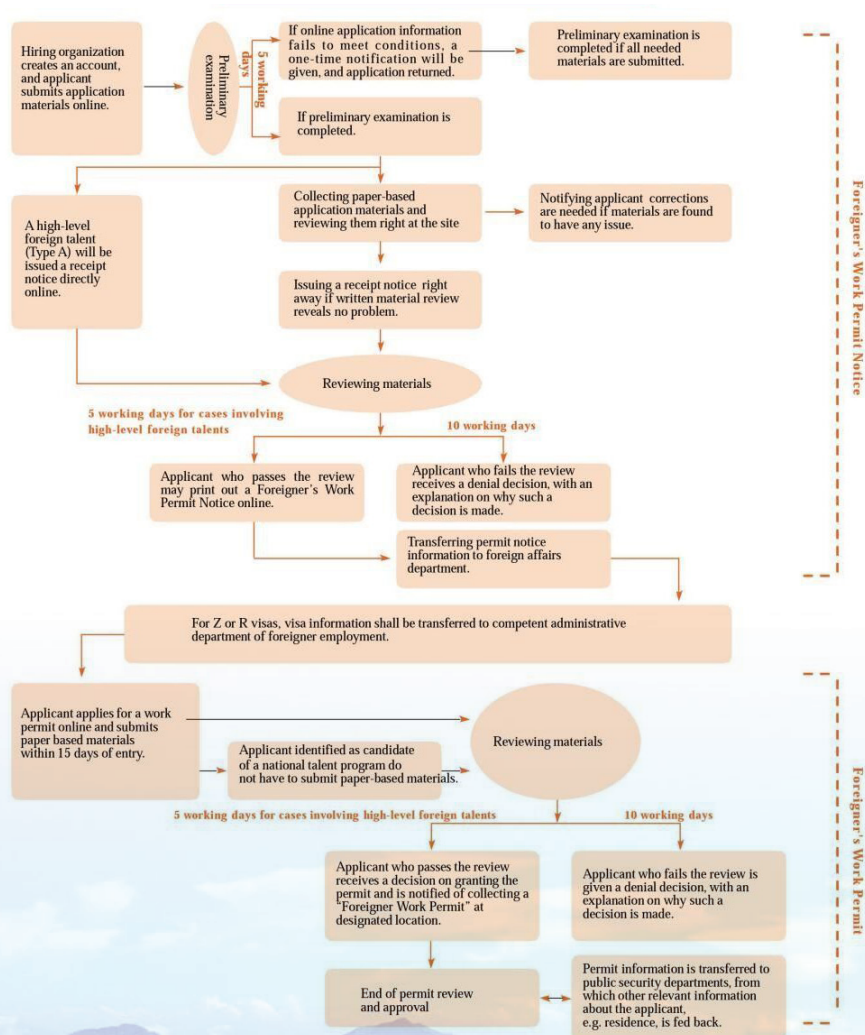
Article 21 The State Administration for Religious Affairs shall be responsible for the interpretation of these Rules.

Article 22 These Rules shall enter into force as of the date of promulgation.

十、外国人办理在华工作许可流程图示



Flowchart for Foreigners to Apply for Work Permit in China





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MARCH 2023

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