

附件

外国人在琼工作指引（2025 年版）

Guidelines for Foreign Nationals
Working in Hainan (2025 Edition)

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一、申请外国人工作许可

Application for Work Permit for Foreign Nationals

(一) 分类标准 Classification Criteria

在海南工作的外国人分为外国高端人才(A类)、外国专业人才(B类)和其他外国人员(C类)三类,实行分类服务和管理。(《外国人来海南工作许可管理服务暂行办法》第五条)

Foreign nationals working in Hainan are divided into three categories: High-Level Foreign Talent (Category A), Foreign Professionals (Category B), and Other Foreign Personnel (Category C), with differentiated services offered accordingly. (Article 5 of the Interim Measures for the Administration and Services of Work Permits for Foreigners in Hainan)

1、外国高端人才(A类)是指本省经济社会发展急需的科学家、科技领军人才、国际企业家、专门特殊人才等“高精尖缺”外国人。外国高端人才(A类)年龄不受限制。主要包括:

1. High-Level Foreign Talent (Category A) refers to foreign nationals who are urgently needed in Hainan province for the development of the economy and society, such as scientists, technology leaders, international entrepreneurs, and other specialized and exceptional talent in high-tech fields. There are no age restrictions for high-level talent (Category A). This category primarily includes foreign nationals who:

(1) 符合《外国人来华工作分类标准(试行)》中外国高端人才(A类)标准的。

(2) 符合《海南省高层次人才分类标准》等有关规定的。

(3) 平均工资收入不低于本省上年度社会平均工资收入 4 倍的外国人才。

(1) meet the standards for high-level talent (Category A) in the “Classification Criteria for Foreigners Working in China (Trial)”.

(2) meet relevant regulations in the “Hainan Provincial Classification Criteria for High-Level Talent”.

(3) have an average salary not less than four times the provincial average in the previous year.

2、外国专业人才 (B 类) 是指属于本省经济社会事业发展急需, 具有学士学位或具有专业资格证书的外国人才。外国专业人才 (B 类) 年龄不受限制。主要包括:

2. Foreign professionals (Category B) refer to foreigners with a bachelor’s degree or a professional qualification certificate, who are urgently needed for the development of the local economy and society. There is no age limit for foreign professionals (Category B). This category primarily includes:

(1) 符合《外国人来华工作分类标准 (试行) 》中外国专业人才 (B 类) 标准的。

(2) 在国内或国 (境) 外知名高等院校毕业, 获得学士 (含) 以上学位, 在本省工作或创新创业的外国应届毕业生。

(3) 外国语言教学人员, 从事其母语国母语教学, 并取得大学学士及以上学位且具有 1 年以上语言教育工作经历。其中, 取得教育类、语言类或师范类学士及以上学位的, 或取得所在国教师资格证书或取得符合要求

的国际语言教学证书的，可免除工作经历要求。

(4) 平均工资不低于本地区上年度社会平均收入 3 倍的外国人才。

(1) foreigners who meet the standards of foreign professionals (Category B) in the Classification of Foreigners Working in China (Trial).

(2) foreign graduates from well-known domestic or overseas universities with a bachelor's degree or higher, who work with or start businesses in the province.

(3) foreign language teachers who teach their mother tongue and have a bachelor's degree or higher and have more than one year of language education experience. Among them, those who have obtained a bachelor's degree or higher in education, language, or teacher training, or have obtained a teaching qualification certificate in their home country or an international language teaching certificate that meets the requirements, are exempt from the work experience requirement.

(4) the average salary is not less than three times the provincial average in the previous year.

3、其他外国人员 (C 类) 是指根据国家政策规定, 结合本省自贸区 (港) 建设所需, 满足劳动力市场需求的各类技能实用型人员。年龄不超过 65 周岁。

3. (Category C) foreign personnel refers to various skilled and practical personnel who meet the labor market demand and are needed for the construction of the province's free trade zone (port) based on national policy regulations. The

age requirement for Category C is less than 65 years old.

(二) 外国人申请工作许可需以下材料:

Required Documents for Foreign Nationals Applying for a Work Permit:

1、外国人来华工作许可申请表。

1. Application Form for Foreign Nationals' Work Permit in China.

在线填写打印，申请人签字（复印或传真件）后，加盖用人单位公章或经单位授权部门公章上传至系统。

The form shall be completed and printed online, signed by the applicant (scanned or faxed copy acceptable), and stamped with the official seal of the employer or the authorized institution before being uploaded to the system.

2、工作资历证明。

2. Certificate of Work Experience.

由申请人原工作过的单位出具从事与现聘用岗位工作相关的工作经历证明，包括职位、工作时间或曾经做过的项目，需申请人原工作单位加盖公章或负责人签字，并留有证明联系人有效联系电话或电子邮件。

A certificate issued by the applicant's previous employer detailing experience in relation to the position being applied for in China, including job title, duration, and specific projects, must bear the official seal or signature of the responsible person and include valid contact information (phone number or email) for verification.

符合《外国人来华工作分类标准》外国高端人才（A类）（一）入选国内相关人才计划的；（二）符合国际公认的专业成就认定标准的，该项

采用承诺制。如申请人在专业领域知名奖项获奖，可提供相应获奖证明材料。

For high-level foreign talent (Category A) under the Classification of Foreigners Working in China, applicants who (1) are selected for recognized national talent programs or (2) meet internationally recognized standards of professional achievement may apply under the commitment system. If the applicant has received well-known awards in relevant professional fields, supporting documents may be submitted as supplementary evidence.

3、最高学位（学历）证书或相关批准文书、职业资格证明。

3. Highest Degree (Diploma) Certificate or Relevant Approval Documents, and Professional Qualification Certificate.

最高学位（学历）证书在国外获得的，应经我驻外使、领馆或由申请人获得学位（学历）所在国驻华使、领馆或我国学历认证机构认证。最高学位（学历）证书在港澳特别行政区和台湾地区获得的，应经我国学历认证机构认证或经所在地区公证机构公证。最高学位（学历）证书在中国境内获得的，仅提供学历（学位）证书原件。

For degrees obtained overseas, the certificate shall be authenticated by a Chinese embassy or consulate abroad, or by the embassy/consulate of the issuing country in China, or certified by a Chinese academic credential verification authority. For degrees obtained in the Hong Kong Special Administrative Region, Macao Special Administrative Region, or Taiwan region, the certificate shall be certified by a Chinese academic recognition institution or notarized by a local notary office. For degrees obtained in the Chinese mainland, only the original

certificate is required.

我国法律法规规定应由行业主管部门前置审批或具备我国相应准入类职业资格的，应提供行业主管部门批准文书或职业资格证明。

If Chinese laws and regulations require either prior approval by the competent industry authority or possession of the corresponding access-type professional qualification, the applicant shall submit the relevant approval documents or qualification certificates.

符合《外国人来华工作分类标准》外国高端人才（A类）：（一）入选国内相关人才计划的；（二）符合国际公认的专业成就认定标准的；（三）符合市场导向的鼓励类岗位需求的外国人才；（四）创新创业人才的，最高学位（学历）证书采用承诺制。

如有国外专业资格证明，应经我驻外使、领馆认证，或获得专业资格证明所在国的驻华使、领馆认证或公证机构对原件公证。职业资格证明在港澳特别行政区和台湾获得的，应经所在地区公证机关对原件公证。

For high-level foreign talent (Category A) under the Classification of Foreigners Working in China, including:

(1) those selected for national talent programs;

(2) those who meet internationally recognized standards of professional achievement;

(3) those filling positions encouraged by market-oriented policies;

(4) innovative and entrepreneurial talent, the highest academic degree certificate is accepted under the commitment system.

2023年11月7日,《取消外国公文书认证要求的公约》在中国生效实施。其他缔约国公文书送中国内地使用,只需办理该国附加证明书(Apostille),无需办理该国和中国驻当地使领馆的领事认证。

The Convention Abolishing the Requirement of Legalisation for Foreign Public Documents entered into force in China on Nov 7, 2023. For official documents sent to the Chinese mainland from other contracting countries, only an Apostille Certificate issued by the countries they come from is required. Consular authentication is no longer needed.

4、无犯罪记录证明。

4. Certificate of No Criminal Record.

应当由申请人国籍国或经常居住地警察、安全、法院等部门出具并经我驻外使、领馆认证或外国驻华使、领馆认证。在港澳特别行政区和台湾地区出具的无犯罪记录证明,应经所在地区公证机关公证。经常居住地指申请人离开国籍国最后连续居住一年以上的国家或地区,不包括在中国境内。无犯罪记录签发时间应在6个月内。

The certificate shall be issued by the police, security, or court authorities of the applicant's country of nationality or habitual residence, and authenticated by the Chinese embassy/consulate abroad or by the foreign embassy/consulate in China. Certificates issued in the Hong Kong Special Administrative Region, Macao Special Administrative Region, or Taiwan region shall be notarized by the appropriate local notary authorities. "Habitual residence" refers to the country or region (excluding China) where the applicant has continuously resided for more than one year after leaving their country of nationality. The

certificate must be issued within the last six months.

外国高端人才（A类）该项采用承诺制。不接收仅为本人声明无犯罪的宣誓性无犯罪记录。外交（含外国驻华使、领馆）出具的非宣誓性无犯罪记录可直接接收，不再认证。

For high-level foreign talent (Category A), a commitment system applies. Sworn statements made by the applicant alone are not accepted. Non-sworn criminal record certificates issued by foreign diplomatic or consular missions in China may be accepted directly without further authentication.

2023年11月7日，《取消外国公文书认证要求的公约》在中国生效实施。其他缔约国公文书送中国内地使用，只需办理该国附加证明书（Apostille），无需办理该国和中国驻当地使领馆的领事认证。

The Convention Abolishing the Requirement of Legalisation for Foreign Public Documents entered into force in China on Nov 7, 2023. For official documents sent to the Chinese mainland from other contracting countries, only an Apostille Certificate issued by the countries they come from is required. Consular authentication is no longer needed.

5、体检证明。

5. Medical Examination Certificate.

由中国检验检疫机构出具的境外人员体格检查记录验证证明或健康检查证明书，或经中国检验检疫机构认可的境外卫生医疗机构出具的体检证明，签发时间均在6个月内。

A medical examination record or health certificate for foreign nationals can

be issued by a Chinese inspection and quarantine authority, or an overseas medical institution recognized by the Chinese inspection and quarantine authority. All documents must be issued within the last six months.

6、聘用合同或任职证明（包括跨国公司派遣函）。

6. Employment Contract or Letter of Appointment (Including Assignment Letter from a Multinational Company).

聘用合同或任职证明（包括跨国公司派遣函）应当包括工作地点、工作内容、薪酬、来华工作时间、职位、盖章页（签字）必要内容。

The employment contract or letter of appointment (including assignment letter from a multinational company) shall include key information such as work location, job responsibilities, salary, duration of employment in China, job title, and a page bearing the official seal or signature.

任职证明适用执行政府间、国际组织间协议或协定人员、各类驻华代表处首席代表及代表及境外合同服务提供者。派遣函适用情形为跨国公司总部或地区总部从境外派遣经理等高级管理人员和专业技术人员至境内子公司或分公司任职，由跨国公司总部或地区总部出具。任职证明（包括派遣函）如缺少必要内容，需另行出具证明补充说明。跨国公司在华地区总部派遣经理等高级管理人员和专业技术人员至境内子公司或分公司任职的，提交派遣函以及与跨国公司在华地区总部签订的聘用合同。应提供中文合同，应由申请人签名并加盖单位公章，不得涂改。

The letter of appointment applies to personnel performing duties under intergovernmental or inter-organizational agreements, chief representatives and representatives of various representative offices in China, as well as overseas

contract service providers. An assignment letter is required when a multinational company's headquarters or regional headquarters dispatches senior managers or technical professionals from abroad to work at its subsidiaries or branches within China. The letter shall be issued by the company's headquarters or regional headquarters. If the letter of appointment or assignment letter lacks necessary information, a supplementary explanatory document shall be provided. For multinational companies dispatching senior managers or technical professionals from regional headquarters in China to subsidiaries or branches, both the assignment letter and the employment contract signed with the regional headquarters must be submitted. A Chinese version of the employment contract shall be provided, signed by the applicant and stamped with the employer's official seal. Alterations are not permitted.

7、申请人护照或国际旅行证件。

7. Applicant's Passport or International Travel Document.

护照有效期不得少于 6 个月。

The passport must be valid for no less than six months.

备注及其他要求：1.非中文证明材料均需提供中文翻译件，并加盖用人单位公章，但护照或国际旅行证件除外。受理机构或决定机构对翻译件内容意思与原件严重不符的，可要求用人单位重新提供。2.所有纸质材料原件及中文翻译件均应以电子方式上传至办理系统。3.外国高端人才应根据外国人来华工作分类标准，提供符合认定条件的相关证明材料，由申请人在申请表中签字并加盖用人单位公章，同意许可决定机构根据需要进行补充调查。4.通过计点积分达到高端人才标准的，应提供相应的最高学位

(学历)证书、职业资格证明、汉语水平能力(中国汉语水平考试 HSK 证书)、来华工作年薪的收入证明以及工作资历证明等材料。5.已获得《外国人工作许可证》的申请人再次申请时,可不提交最高学位(学历)证书。申请岗位与原工作许可批准聘用岗位相同的,可不提交工作资历证明材料。6.外国高端人才申请岗位(职业)与原工作许可批准聘用岗位(职业)不同的,应提供工作资历证明。我国法律法规规定应由行业主管部门前置审批或具备我国相应准入类职业资格的,还应提供行业主管部门批准文书或职业资格证明。7.国籍变更的,应重新申请外国人来华工作许可。8.关于文书领事认证规定可查询中国领事服务网(网址 <http://www.cs.mfa.gov.cn/>),或具体联系相应的中国驻外使、领馆。9.境外合同服务提供者指在中国境内无商业存在(即法律实体)但在境外从事实质性商业活动的境外企业的员工,为履行雇主从中国境内获取的服务合同,进入中国境内提供临时性服务,期间报酬由境外雇主支付。服务提供者应当具备与所提供服务的学历和专业技术资格。服务提供者数量根据合同规定的要执行的任务大小决定。境外合同提供者申请来华工作许可,除提交上述所有材料外,还需提交在中国境内获取的服务合同(应当包括合同双方主体、工作地点、合同服务内容、申请人岗位及工作内容、在华工作期限、签字页)。

Remarks and Additional Requirements:

1. All non-Chinese supporting documents must be accompanied by a Chinese translation stamped with the employer's official seal, except for passports or international travel documents. If the content of the translation significantly differs from the original, the employer may be required to submit a corrected version.

2. All original paper documents and their Chinese translations must be

uploaded to the application system.

3. High-level foreign talent shall provide supporting materials in accordance with the Classification Standards for Foreigners Working in China, signed by the applicant and stamped with the employer's official seal in the application form. The applicant agrees that the decision-making authority may conduct further investigations as necessary.

4. Applicants who qualify as high-level talent based on the points-based system must provide relevant documents, including their highest degree certificate, professional qualification certificate, Chinese language proficiency certificate (e.g., HSK certificate), proof of annual salary in China, and work experience certificate.

5. Applicants who have already obtained a Work Permit for Foreigners are not required to resubmit their degree certificate when applying again. If the new position is the same as previously approved, the work experience certificate may also be waived.

6. If a high-level foreign talent is applying for a different position than previously approved, a work experience certificate shall be submitted. If prior approval from an industry regulator or the relevant professional qualifications are legally required, the applicant should also provide the approval documents or qualification certificate.

7. In case of nationality change, a new application for the Work Permit for Foreigners must be submitted.

8. For information on consular legalization of documents, please consult

the Chinese Consular Affairs website (<http://www.cs.mfa.gov.cn/>) or contact the relevant Chinese embassy or consulate.

9. An overseas contract service provider refers to an employee of a foreign enterprise engaged in substantial business activities abroad and having no commercial presence (no legal entity) in China. These personnel enter China temporarily to perform service contracts obtained by their employer in China, with remuneration paid by the overseas employer. These service providers must possess educational and technical qualifications matching the nature of the service, and the number of personnel shall be determined based on the scope of work to be carried out. In addition to the documents mentioned above, overseas contract service providers must also submit the service contract concluded within China, which must include details such as the contracting parties, work location, service content, the applicant's position and duties, duration of work in China, and a signed page.

(三) 办理方式及地点:

Application Procedures and Locations:

外国人来华工作许可的申报与审批统一通过国家外国专家局“外国人来华工作管理服务系统”（网址：<https://fwp.safea.gov.cn/lhgzweb/>）进行。由用人单位线上提交申请，用人单位所属行政区域外国人来华工作服务窗口办理。

Applications and approvals for the Work Permit for Foreigners in China are uniformly processed through the “Management and Service System for

Foreigners Working in China” operated by the State Administration of Foreign Experts Affairs (<https://fwp.safea.gov.cn/lhgzweb/>). Employers are required to submit applications online, which are then processed by the work service window for foreigners in the employer’s administrative region.

审批机关在线审核，审核通过后将向用人单位发放新版《外国人工作许可通知》及《准予行政许可决定书》。外国人通过手机下载电子社保卡APP，使用姓名、工作许可号码或社保号码等信息注册登录，经实名、真人核验后，领取加载工作许可信息的电子社保卡。

Upon online review and approval by the competent authority, the employer will be issued the updated “Notification Letter of Work Permit for Foreigners” and the “Administrative Permit Decision Letter.” Foreign nationals can download the Electronic Social Security Card app, register using their name, work permit number, or social security number, and after real-name and biometric verification, receive an e-Social Security Card embedded with work permit information.

(四) 工作许可注意事项：

Important Notes on Work Permit:

1、外国人在中国境内工作应当取得工作许可。许可通知在线发放后，外国人应于三个月内持《外国人来华工作许可通知》到我驻外使、领馆办理工作签证。外国人持Z字签证入境后，应于所持签证注明的有效期内，持《外国人工作许可通知》或加载工作许可信息的电子社保卡前往工作地公安出入境部门办理有关居留证件，按照标注的有效期在华工作。

1. Foreign nationals to work in China must obtain a work permit. After the

permit notification is issued online, the foreign national should go to the Chinese embassy or consulate in their home country to apply for a work visa within three months with the Notification Letter of Work Permit for Foreigners in China. After entering China with a Z visa, the foreigner must, within the period specified on the visa, go to the local Exit-Entry Administration of the Public Security Bureau to apply for the relevant residence permit with either the Notification Letter of Work Permit for Foreigners in China or the e-Social Security Card embedded with work permit information, and shall work in China within the validity period of the residence permit.

2、2024 年 12 月 1 日起，将外国人工作许可证与社会保障卡融合集成，证卡融合集成后将不再发放实体工作许可证，通过信息系统对接，将工作许可号码和工作许可信息加载到电子社保卡，实现证卡融合集成。《外国人工作许可通知》和电子社保卡均为外国人获得工作许可的证照。

2. Since Dec 1, 2024, the Work Permit for Foreigners and Social Security Card have been integrated. After integration, physical work permits are no longer issued. Through information system integration, the work permit number and related work permit information are uploaded to the e-Social Security Card. Both the Notification Letter of Work Permit for Foreigners in China and the e-Social Security Card shall serve as certification documents for foreigners to prove their acquisition of work permits.

3、属于在华工作的外国人变换用人单位的，应先行注销现有工作许可。注销原工作许可后，自注销之日起 30 日内由新单位提交新工作许可申请，申请时外国人的签证或居留许可应在有效期。

3. Foreigners working in China who change employers must first cancel their existing work permit. After canceling the original work permit, the new employer must submit a new work permit application within 30 days from the date of cancellation, and the foreigner's visa or residence permit must be valid at the time of application.

4、外国人工作许可有效期届满 30 日前，应当向用人单位所在地外国人来华工作管理部门提出延期申请。

4. Within 30 days ahead of the expiration of their work permit, foreigners shall apply for an extension to the management department for foreigners working in China where the employer is located.

5、若个人信息（姓名、护照号、职务）等事项发生变更的，应自变更事项发生之日起 10 个工作日内，向工作单位所在地外国人来华工作管理部门申请变更。

5. If there are changes to personal information (e.g., name, passport number, position), the foreigner shall apply for changes to the management department for foreigners working in China where the employer is located within 10 working days from the date of change.

6、用人单位与外国人聘用关系解除、合同终止的，用人单位应当于事项发生之日起 10 个工作日内向决定机构申请注销。

6. If the employment relationship with the foreign national is terminated, the employer must apply to the relevant authority for cancellation of the work permit within 10 working days from the date of termination.

(五) 申报系统常见问题

Notes on How to Use the Application System

“ 外国 人 来 华 工 作 管 理 服 务 系 统 ” 网 址：
<https://fwp.safea.gov.cn/lhgzweb/>

自 2024 年 6 月 3 日起，外国人来华工作许可须统一经由全国人力资源和社会保障政务服务平台登录。原已在科技部政务服务平台个人用户，请在登录前通过“忘记密码” - “重置登录密码”功能重置密码；法人用户，请在登录前通过“忘记密码”功能重置密码。若忘记用户名，请通过“忘记用户名”功能，找回用户名后重置密码。

人力资源和社会保障政务平台咨询电话:010-12333-2 转人工（登录问题）。

外国人来华工作管理服务系统技术支持电话:010-84233515。

“The Service System for Foreigners Working in China” website:
<https://fwp.safea.gov.cn/lhgzweb/>

From June 3, 2024, the Work Permit for Foreigners in China can only be applied by logging on to the National Human Resources and Social Security Government Service Platform. Existing personal users on the Ministry of Science and Technology’s government service platform should reset their passwords through the “Forgot Password” - “Reset Login Password” function before logging in. For corporate users, passwords should be reset through the “Forgot Password” function before logging in. If the username is forgotten, it can be retrieved via the “Forgot Username” function, and then the password should be reset.

Human Resources and Social Security Service Platform Consultation
Phone:86-10-12333-2 (for login issues).

Work Permit for Foreigners Management Service System Technical Support
Phone: 86-10-84233515.

1、用户信息完善

提示用户信息不全时，需要用户进行信息完善，请填写所有带星号的信息栏，确保信息正确后点击“确认”提交相关信息。

没有权限进入外国专家项目管理信息系统/外国人来华工作管理服务系统若个人用户点击服务事项，提示没有权限办理该事项，个人可联系企业法人，法人用户授权后，个人用户就可以使用相关服务了。

1. User Information Completion

When the system reminds that user information is incomplete, the user is required to complete the information. Please fill in all asterisk-marked fields (*), ensure the information is accurate, and then click “Confirm” to submit the relevant information.

If an individual user clicks on a service item and receives the notification “no permission to handle this item”, the individual may contact the corporate user. After the corporate user grants authorization, the individual user will be able to use the relevant services.

2、法人用户无法绑定经办人（个人）

法人用户绑定经办人，如果无法通过身份证号码搜索到对应个人，请

联系对应经办人，经办人在全国人社政务服务平台注册个人用户并实人认证后，法人用户即可以搜索并绑定经办人。

2. Corporate users unable to link agents (individuals)

If a corporate user is unable to search for the corresponding individual by ID number when linking an agent, they should contact the agent. The agent must register as an individual user on the National Human Resources and Social Security Service Platform and complete identity verification. After that, the corporate user can search for and link the agent.

3、经办人变更

3.Agent Change

经办人变更，个人可联系法人用户将权限重新授权给新用户即可。

For agent changes, individuals can contact the corporate user to reauthorize the new user.

4、法人变更或企业名称变更

4.Change of Corporate or Company Name

请在登录法人账号后，进入认证中心-账号安全-修改单位信息/修改法人信息下提交申请。

After logging in to the corporate account, go to the Certification Center - Account Security - Modify Organization Information/Modify Corporate Information to submit the application.

二、来华工作外国人电子社保卡使用指南

Guide for Foreigners Working in China Using Electronic Social Security Card

(一) 下载安装电子社保卡 1. Downloading and Installing the E-Social Security Card App

入境后使用手机通过手机扫描《中华人民共和国外国人工作许可通知》上的二维码下载安装。

After entering China, use your mobile phone to scan the QR code on the Notification Letter of Work Permit for Foreigners in the People's Republic of China to download and install the e-Social Security Card app.



(二) 注册领取 2. Registration and Collecting

第一步：打开电子社保卡 APP，首页点击“登录 Login”；

第二步：在登录页面点击“Login portal for foreigners holding Work Permit”；

第三步：点击 “Registration” ， 进入注册页面；

第四步：输入姓名、工作许可号码，设置 8-16 位数字、字母、符号两种及以上组合的登录密码，点击 “Sign up and Login” ， 进入人脸识别认证页面；

Step 1: Open the e-Social Security Card app and click “Login” on the homepage;

Step 2: On the login page, click “Login portal for foreigners holding Work Permit”;

Step 3: Click “Registration” to enter the registration page;

Step 4: Enter your full name, work permit number, set a login password (8-16 characters, combining at least two of the following: uppercase/lowercase letters, numbers, special symbols), then click “Sign up and Login” to enter the facial recognition page;

注：1.输入的姓名须与护照上的姓名一致。

2. 请按照《中华人民共和国外国人工作许可通知》上的工作许可号码输入。

Note:

1. The name must be the same as that in your passport.

2. Use the work permit number from your Notification Letter of Work Permit for Foreigners in the People’s Republic of China document.

第五步：人脸识别认证通过后，即可完成注册，成功领取电子社保卡；

如已拥有实体社会保障卡，需再进行实名认证，即可完成注册，成功领取电子社保卡。

Step 5: After facial recognition verification is completed, your registration is finalized, and you will successfully collect the e-Social Security Card;

If you already have a physical Social Security Card, additional real-name verification is required to complete registration and successfully collect the e-Social Security Card.

注：1.如选择银行卡方式实名认证，需输入姓名、护照号码、带有银联标识的国内银行卡卡号、手机号码（办理银行卡时预留手机号码），经短信验证后，完成认证。

2. 如选择手机号码方式实名认证，需输入手机号码（国内办理 SIM 卡的手机号码），经过短信验证后，完成认证。

Note:

1. If you choose to use bank card information for real-name verification, you need to enter your name, passport number, domestic UnionPay bank card number, and mobile phone number (the phone number listed when applying for the bank card). Complete verification via SMS code.

2. If you use your phone number for real-name verification, you need to enter your phone number (the phone number used to register for a SIM card in China). Complete verification via SMS code.



(三) 登录 Login

1.使用工作许可号码登录 1.Login with Work Permit Number

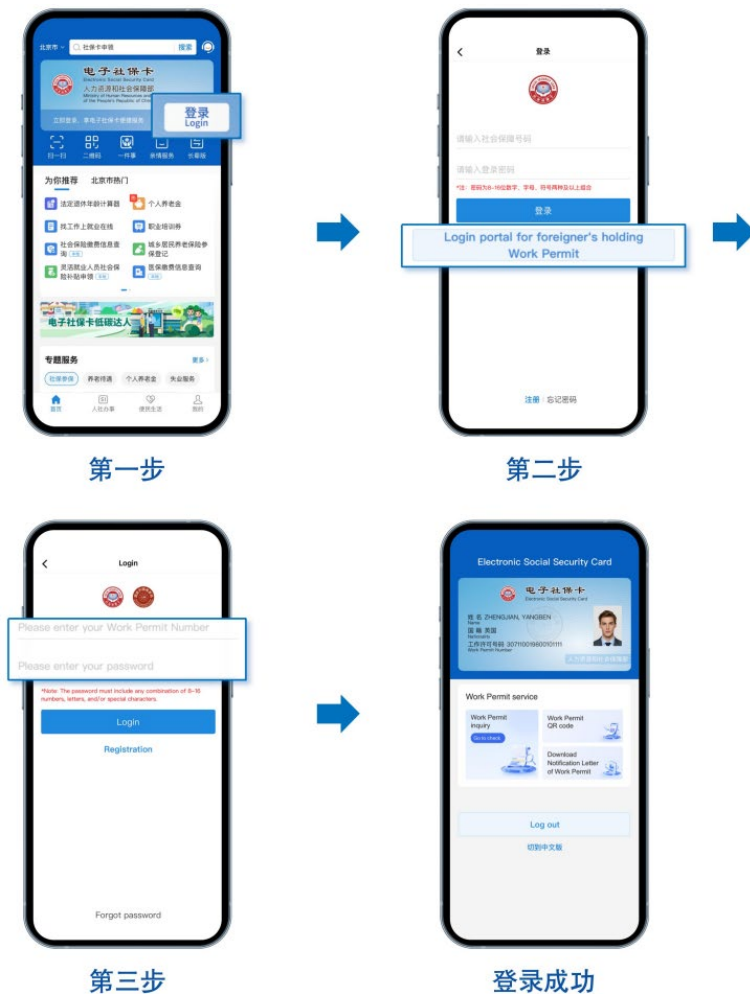
第一步：打开电子社保卡 APP，首页点击“登录 Login”；

第二步：在登录页面点击“Login portal for foreigners holding Work Permit”；

第三步：输入工作许可号码、登录密码，点击“Login”；

第四步：登录密码认证通过后，即可完成登录。

Step 1: Open the e-Social Security Card app and click “Login” on the



homepage;

Step 2: On the login page, click “Login portal for foreigner’s holding Work Permit”;

Step 3: Enter the work permit number and login password, then click “Login”;

Step 4: Once the login password is verified, login is complete.

3. 已拥有实体社会保障卡的外国人，也可使用社会保障号码登录

3. Foreigners with a physical Social Security Card can also log in using their

social security number.

第一步：打开电子社保卡 APP，首页点击“登录 Login”；



第二步：在登录页面输入社会保障号码、登录密码，点击登录；

第三步：登录密码认证通过后，即可完成登录。

Step 1: Open the e-Social Security Card app and click “Login” on the homepage;

Step 2: On the login page, enter your social security number and login password, then click “Login”;

Step 3: After the login password is verified, you will be logged in.

注：如您已注册过电子社保卡 APP，登录后点击“人社办事” - “人才

人事” - “Foreigners holding Work Permit” ，输入工作许可证号码后，即可使用工作许可服务。

Note: If you have already registered for the e-Social Security Card app, after logging in, click “Human Resources and Social Security Services” - “Talent Affairs” - “Foreigners holding Work Permits”, then enter the work permit number to access work permit services.

(四) 使用 Usage

1.工作许可信息查询、工作许可二维码

1. Work Permit Information Query and QR Code

可持加载工作许可信息的电子社保卡，前往工作地公安出入境部门办理有关居留证件。

You can use the e-Social Security Card with work permit information to go to the Exit-Entry Administration of the Public Security Bureau at your work location to process relevant residence documents.



工作许可信息查询



工作许可二维码

2.工作许可通知下载

可通过电子社保卡查看您的《中华人民共和国外国人工作许可通知》，选择“下载”或“其他应用打开”，将《中华人民共和国外国人工作许可通知》下载并存储到手机中。

2. Downloading Work Permit Notification

You can view your Notification Letter of Work Permit for Foreigners in the People’s Republic of China through the e-Social Security Card, select “Download” or “Open with another application”, and download and store the notification on your phone.



3.工作许可状态变化提醒

在来华工作许可即将到期、过期或注销后，将进行提醒。

注：来华工作许可过期或注销后，工作许可各项服务都不可访问使用。

3. Work Permit Status Change Reminder

You will receive a reminder when your work permit is about to expire, has expired, or has been canceled.

Note: After the work permit expires or is canceled, all work permit-related services will be unavailable.



注: 1.首次使用工作许可等服务时, APP 将提示设置 6 位数字密码, 该密码用于确保使用安全。

2.6 位数字密码与登录密码不同, 请区别记忆。

Note:

1. When using work permit services for the first time, the app will remind you to set a 6-digit numeric password to ensure security.

2. The 6-digit numeric password is different from the login password; please remember them separately.

常见问题:

Frequently Asked Questions:

(1) 已获得工作许可, 还未办理实体社会保障卡, 可以领取电子社保卡吗?

可以。已获得工作许可，且在有效期以内的外国人，均可以领取电子社保卡。

(1) Can I have an e-Social Security Card if I have obtained a work permit but have not yet applied for the physical social security card?

Yes. Foreigners who have obtained a work permit and that is still valid can receive an e-Social Security Card.

(2) 注册时姓名匹配失败，怎么办？

1. 请您检查输入的姓名是否与护照上的姓名完全一致，检查是否包含符号、空格等。

2. 如您输入正确，请确认申请工作许可时的姓名是否与护照姓名一致，如不一致，请联系工作许可审批部门对错情进行修改。

(2) What should I do if the name does not match during registration?

1. Please check if the name you entered is exactly the same as the one on your passport, including any symbols or spaces.

2. If you entered the name correctly, confirm whether the name used when applying for the work permit matches the passport name. If not, please contact the work permit approval department to correct the discrepancy.

(3) 人脸识别认证不通过，怎么办？

1. 请您确认已开启电子社保卡 APP 访问相机和麦克风的权限。

2. 人脸识别过程中，请您按照页面指引做出相应动作。

3. 如人脸识别认证不通过，您可尝试重试，如连续 6 次失败，则进入

银行卡认证页面，需输入您的姓名、护照号码、带有银联标识的国内银行卡卡号、手机号码（办理银行卡时预留手机号码），经短信验证后，完成认证。

(3) What should I do if facial recognition authentication fails?

1. Please make sure you have enabled the e-Social Security Card app's access to the camera and microphone on your smartphone.

2. During facial recognition, please follow the on-screen instructions and perform the required actions.

3. If facial recognition authentication fails, you can try again. If it fails six times consecutively, you will be directed to the bank card authentication page, where you will need to enter your name, passport number, domestic UnionPay bank card number, and mobile phone number (the phone number reserved when applying for the bank card). Complete verification via SMS code.

(4) 银行卡认证不通过，怎么办？

1. 请您确认是否输入中国境内办理银行卡的卡号。

2. 请您确认输入的姓名、证件号码、手机号码与您在银行办理银行卡时预留的信息完全一致。

3. 如银行卡认证不通过，您可尝试使用手机号码认证方式完成认证。

(4) What should I do if bank card authentication fails?

1. Please confirm that you have entered the number of a bank card issued in China.

2. Please ensure that the name, identification number, and phone number entered exactly match the information you provided when applying for a bank card.

3. If bank card authentication fails, you can try phone number authentication instead.

(5) 手机号码认证不通过，怎么办？

1. 请您确认是否输入中国境内办理 SIM 卡的手机号码。

2. 请您确认输入的姓名、手机号码与您在运营商办理 SIM 卡时预留的信息完全一致。

3. 如手机号码认证不通过，您可尝试使用银行卡认证方式完成认证。

(5) What should I do if the phone number authentication fails?

1. Please confirm that you have entered the phone number of a SIM card issued in China.

2. Please ensure that the name and phone number entered exactly match the information you provided when applying for the SIM card.

3. If phone number authentication fails, you can try bank card authentication instead.

(6) 忘记登录密码，怎么办？

第一步：在登录页面，点击 “Forgot password” ；

第二步：在忘记密码页面，输入您的姓名、工作许可号码，进行身份信息确认；

第三步：进行人脸识别认证；

第四步：重新设置登录密码，密码为 8-16 位数字、字母、符号两种及以上组合，点击“完成”，完成密码重置。

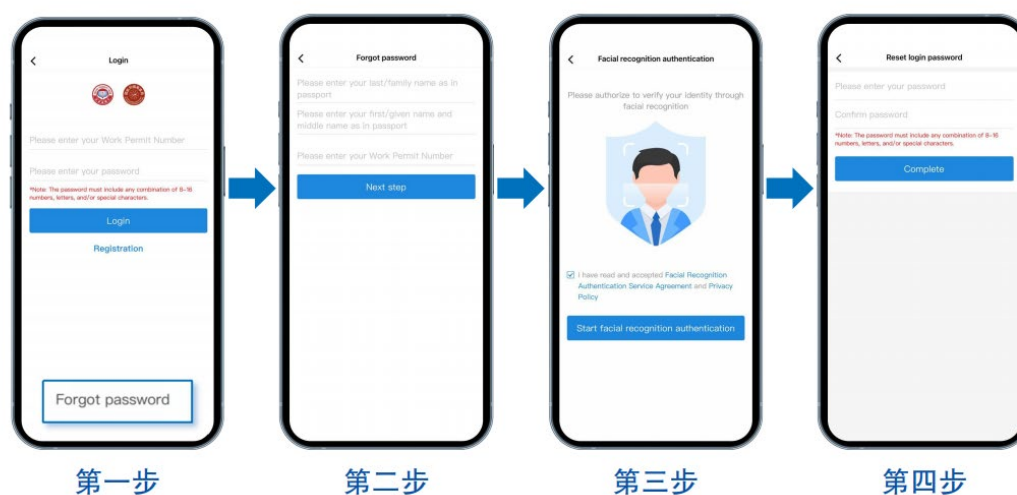
(6) What should I do if I forget my login password?

Step 1: On the login page, click “Forgot password”;

Step 2: On the password recovery page, enter your full name and work permit number for identity verification;

Step 3: Complete facial recognition authentication;

Step 4: Reset your login password (8-16 characters, combining at least two of the following: uppercase/lowercase letters, numbers, special symbols), then click “Complete” to finish resetting the password.



如果上述内容无法解决您遇到的电子社保卡 APP 下载、注册、登录、使用等相关问题，可拨打热线电话 010-12333-2 咨询（暂不提供英文服务）。如您有来华工作许可申请、变更、延期等问题，可登录全国人社政

务服务平台 (zwfw.mohrss.gov.cn) —用人单位服务/个人服务—外国人
来华工作许可—业务咨询电话, 查询受理点地址和电话进行咨询。

If the above information does not resolve your problems with downloading, registering, logging in, or using the e-Social Security Card app, you can call the hotline at 86-10-12333-2 for assistance (English service is currently unavailable). For questions about work permit applications, changes, or extensions, please log on to the National Human Resources and Social Security Government Service Platform (zwfw.mohrss.gov.cn) - go to Employer Services / Individual Services - Foreigners Working in China Work Permit - Business Consultation Hotline to check the address and phone number of the accepting office for inquiries.

三、加载工作许可信息实体社会保障卡办理指南

Guidelines for Application of Physical Social Security Cards with Embedded Work Permit Information

2024年12月1日起, 将外国人工作许可证与社会保障卡融合集成, 通过将外国人来华工作许可信息加载到社保卡, 依托实体社保卡和电子社保卡, 为外国人在华工作生活提供便利。

On Dec 1, 2024, the Work Permit for Foreigners and the Social Security Card were integrated into one system. By embedding foreigners' work permit information into social security cards, and using both physical and electronic social security cards, convenience was provided for foreigners working and living in China.

加载工作许可信息实体社会保障卡适用对象: 参加本省城镇职工社会保险的人员; 经本省人才部门认定的各类人才; 其他享有本省公共服务权

益的人员。

Eligible individuals for the physical Social Security Card with embedded work permit information:

Persons participating in urban employee social insurance in Hainan province; Various types of talent recognized by the talent department of Hainan province; Other persons entitled to public service rights and interests in Hainan province.

办理材料:申领人有效身份证件原件和标准照片 1 张。

(1) 本人办理: 提供本人有效身份证件原件、标准 1 寸近期正面白底深色衣服免冠彩色证件照片 1 张;

他人代办: 提供双方有效身份证件原件、标准 1 寸近期正面白底深色衣服免冠彩色证件照片 1 张、申领人的委托书或代理双方的关系证明。

(2) 办理加载工作许可信息实体社保卡的有效身份证件:《护照》。

(3) 社会保障卡照片标准等同于《居民身份证》制证用数字相片技术标准(GA461-2004), 要求:一寸公民本人正面免冠彩色头像,头部占照片尺寸的 2/3,不着制式服装或白色上衣,常戴眼镜的居民应配戴眼镜且无反光,白色背景无边框,人像清晰,层次丰富,神态自然,无明显畸变,照片尺寸为 32mm×26mm。

Application Materials:

The applicant shall provide the original valid identification document and a standard photo.

(1) Application in Person: Provide the applicant's original valid

identification document, and a recent 1.3-inch, front-facing, color certificate photo (with a white background, in dark-colored clothing, and without a hat).

Application by Proxy: Provide the original valid identification documents of both the applicant and the proxy, a recent 1.3-inch, front-facing, color certificate photo (with a white background, in dark-colored clothing, and without a hat), as well as the applicant's authorization letter or proof of relationship between the applicant and the proxy.

(2) Valid identification document for applying for a physical Social Security Card with embedded work permit information: Passport.

(3) Photograph Specifications:

The photo specifications for the Social Security Card are consistent with the Technical Standard for Digital Photos for Resident Identity Card Production (GA461-2004), with the following requirements:

A 1.3-inch, front-facing, color portrait of the applicant, without a hat, with the head accounting for 2/3 of the photo size;

No uniform or white top should be worn;

Residents who usually wear glasses shall wear glasses when taking the photo, but without the glass reflecting;

White background with no border;

The portrait must be clear, with a perspective sense, natural expression, and no obvious distortion;

Photo size: 32mm × 26mm.

办理方式:加载工作许可信息的实体社保卡受理和制卡服务网点 (详见附件) 。

办理时限:自受理之日起 30 个工作日。

结果送达:自受理之日起 30 个工作日后, 到服务网点办理社会保障卡领取手续。

收费依据及标准:以社会保障卡合作银行收费标准为准。

办事时间:工作日正常上班时间。

办理机构及地点:加载工作许可信息的实体社保卡受理和制卡服务网点如下:

Application Procedure: The application acceptance and card issuance services for physical Social Security Cards with embedded work permit information are available at designated service points (see attachment for details).

Handling Time: 30 working days from the date of acceptance.

Delivery of the card: After 30 working days from the date of acceptance, the applicant should go to the service point to complete the procedures for collecting the Social Security Card.

Fees and Standards: Fees are charged according to the standards set by the cooperating bank for Social Security Cards.

Office Hours: Normal business hours on work days.

Application Handling Institutions and Locations: The application handling

and card issuance service points for physical Social Security Cards with embedded work permit information are as follows:

市县	机构类别	所属网点名称	网点地址	联系电话	业务受理类型
省直	一卡通中心	海南省社会保障卡一卡通中心	海南省海口市美兰区大英西二街2号法苑里小区商铺二楼	0898-66735326 0898-66732580	新申领、跨行换卡
海口	农商银行	海南农商银行海口龙昆支行	海南省海口市龙华区金宇街道龙昆南路80号昌茂花园润德广场11-12号铺面	0898-66165378	新申领、补换卡、跨行换卡
三亚	农商银行	海南农商银行三亚解放路支行	海南省三亚市天涯区解放路1154号(海南省第三人民医院临街第B8-B13号铺面)	0898-88274918	新申领、补换卡、跨行换卡
儋州	一卡通中心	儋州市人力资源和社会保障局	儋州市那大镇中兴大街人力资源和社会保障大厦一楼	0898-23318366	新申领、跨行换卡
	农商银行	海南农商银行儋州支行	海南省儋州市那大镇文化北路东侧那大控规08街区	0898-23882005	新申领、补换卡、跨行换卡
文昌	一卡通中心	文昌市社会保障卡一卡通中心	文昌市文城镇文蔚路55号人力资源市场大楼2楼	0898-63251180	新申领、跨行换卡

	农商银 行	海南农商银行文 昌政务中心支行	海南省文昌市文城镇文蔚路 55 号就 业局一楼	0898- 63250750	新申领、 补换卡、 跨行换卡
万宁	一卡通 中心	万宁市社会保障 卡一卡通中心	万宁市万城镇纵一路人社大楼一楼	0898- 62233433	新申领、 跨行换卡
	农商银 行	海南农商银行万 宁支行营业部	海南省万宁市万城镇望海大道 36 号	0898- 62227338	新申领、 补换卡、 跨行换卡
琼海	一卡通 中心	琼海市社会保障 卡一卡通中心	琼海市加积镇爱华东路社会保险服务 中心	0898- 62930757 0898- 62939100	新申领、 跨行换卡
	农商银 行	海南农商银行琼 海支行	海南省琼海市嘉积镇金海路 210 号 1 楼	0898- 62937568	新申领、 补换卡、 跨行换卡
陵水	农商银 行	陵水社会保障卡 一卡通中心	海南省陵水县椰林镇政务中心 2 楼社 会保障卡一卡通中心	0898- 83388434	新申领、 跨行换卡
东方	一卡通 中心	东方市社会保障 卡一卡通中心	东方市八所镇北九龙路 17 号人社局 大楼一楼办事大厅	0898- 25511205	新申领、 跨行换卡

	农商银 行	海南农商银行东 方南海支行	海南省东方市八所镇解放西路 67 号	0898- 25510369	新申领、 补换卡、 跨行换卡
五指 山	一卡通 中心	五指山市社会保 障卡一卡通中心	海南省五指山市理文路一号人力资源 和社会保障局一楼	0898- 86624041	新申领、 跨行换卡
	农商银 行	海南农商银行五 指山中心市场支 行	海南省五指山市越丰路 5 号	0898- 86639699	新申领、 补换卡、 跨行换卡
屯昌	一卡通 中心	屯昌县社会保 障卡一卡通中心	屯昌县屯城镇环东一路就业和社会保 障服务中心二楼大厅	0898- 67836006	新申领、 跨行换卡
	农商银 行	海南农商银行屯 昌槟榔三路支行	海南省屯昌县屯城镇昌盛三路 47 号	0898- 67818359	新申领、 补换卡、 跨行换卡
临高	农商银 行	临高社会保障卡 一卡通中心	海南省临高县临城镇礼贯北路社会保 障卡一卡通服务中心（颐和湾商铺）	0898- 28274638	新申领、 跨行换卡
乐东	一卡通 中心	乐东黎族自治县 社会保障卡服务 管理中心	乐东黎族自治县抱由镇永明路人力资 源市场大楼 1 楼	0898- 85531370	新申领、 跨行换卡

	农商银 行	海南农商银行乐 东支行	海南省乐东县抱由镇乐安路 455 号	0898- 85523718	新申领、 补换卡、 跨行换卡
琼中	一卡通 中心	琼中黎族苗族自 治县社会保障卡 一卡通中心	琼中县国兴大道 197 号 4 楼社会保障 服务中心	0898- 86236200	新申领、 跨行换卡
	农商银 行	海南农商银行琼 中支行营业部	海南省琼中县营根路 92 号	0898- 86224606	新申领、 补换卡、 跨行换卡
定安	农商银 行	定安社会保障卡 一卡通中心	海南省定安县岳崧路 32 号定安县就 业和社会保障服务中心	0898- 63830330	新申领、 跨行换卡
澄迈	一卡通 中心	澄迈县社会保障 卡一卡通服务管 理中心	澄迈县金江镇文化北路 301 号利丰大 厦一楼（老市场对面）	0898- 67608364	新申领、 跨行换卡
	农商银 行	海南农商银行澄 迈江东支行	海南省澄迈县金江镇文化路利丰大厦	0898- 67625310	新申领、 补换卡、 跨行换卡
昌江	一卡通 中心	昌江县社会保障 卡一卡通中心	昌江县石碌镇和谐路 3 号城北社区服 务中心一楼	0898- 26633507	新申领、 跨行换卡

	农商银 行	海南农商银行昌 江支行 (营业 部)	海南省昌江县石碌镇人民北路 170 号	0898- 26651141	新申领、 补换卡、 跨行换卡
保亭	一卡通 中心	保亭黎族苗族自 治县人力资源和 社会保障局	保亭县保城镇宝亭大道芙蓉小区 20 号楼就业和社会保障服务中心三楼	0898- 83665705 0898- 83668451	新申领、 跨行换卡
	农商银 行	海南农商银行保 亭保兴支行	海南省保亭县保城镇城南居委会保兴 东路 26-22 号海南农商银行	0898- 83602979	新申领、 补换卡、 跨行换卡
白沙	农商银 行	白沙社会保障卡 一卡通中心	海南省白沙县人社局社会保障卡一卡 通中心大厅	0898- 27720707	新申领、 跨行换卡

Regions	Institution Type	Affiliated Outlet Name	Outlet Address	Contact Phone Number	Types of Services Accepted
Hainan province	One-Card Center	Hainan Provincial Social Security Card One-Card Center	2nd Floor, Commercial Shops, Fayuanli Community, No. 2, Daying West 2nd Street, Meilan District, Haikou City, Hainan Province	86-898-66735326 86-898-66732580	New Application, Inter-bank Card Replacement
Haikou	Rural Commercial Bank	Haikou Longkun Sub-branch of Hainan Rural Commercial Bank	Shops 11-12, Runde Plaza, Changmao Garden, No. 80, Longkun South Road, Jinyu Street, Longhua District, Haikou City, Hainan Province	86-898-66165378	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Sanya	Rural Commercial Bank	Sanya Jiefang Road Sub-branch of Hainan Rural Commercial Bank	Shops B8-B13, along the street of Hainan Third People's Hospital, No. 1154, Jiefang Road, Tianya District, Sanya City, Hainan Province	86-898-88274918	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Danzhou	One-Card Center	Danzhou Human Resources and	1st Floor, Human Resources and Social Security Building,	86-898-23318366	New Application, Inter-bank Card Replacement

		Social Security Bureau	Zhongxing Street, Nada Town, Danzhou City, Hainan Province		
	Rural Commercial Bank	Danzhou Sub-branch of Hainan Rural Commercial Bank	Block 08, Nada Regulatory Plan, East Side of Wenhua North Road, Nada Town, Danzhou City, Hainan Province	86-898-23882005	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Wenchang	One-Card Center	Wenchang Social Security Card One-Card Center	2nd Floor, Human Resources Market Building, No. 55, Wenwei Road, Wencheng Town, Wenchang City, Hainan Province	86-898-63251180	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Wenchang Government Affairs Center Sub-branch of Hainan Rural Commercial Bank	1st Floor, Employment Bureau, No. 55, Wenwei Road, Wencheng Town, Wenchang City, Hainan Province	86-898-63250750	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Wanning	One-Card Center	Wanning Social Security Card One-Card Center	1st Floor, Human Resources Building, Zongyi Road, Wancheng Town, Wanning City, Hainan Province	86-898-62233433	New Application, Inter-bank Card Replacement

	Rural Commercial Bank	Business Department of Wanning Sub-branch of Hainan Rural Commercial Bank	No. 36, Wanghai Avenue, Wancheng Town, Wanning City, Hainan Province	86-898-62227338	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Qionghai	One-Card Center	Qionghai Social Security Card One-Card Center	Social Insurance Service Center, Aihua East Road, Jiaji Town, Qionghai City, Hainan Province	86-898-629307570898-62939100	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Qionghai Sub-branch of Hainan Rural Commercial Bank	1st Floor, No. 210, Jinhai Road, Jiaji Town, Qionghai City, Hainan Province	86-898-62937568	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Lingshui	Rural Commercial Bank	Lingshui Social Security Card One-Card Center	2nd Floor, Government Affairs Center, Yelin Town, Lingshui County, Hainan Province	86-898-83388434	New Application, Inter-bank Card Replacement
Dongfang	One-Card Center	Dongfang Social Security Card One-Card Center	Service Hall, 1st Floor, Human Resources and Social Security Bureau Building, No. 17, North Jiulong Road, Basuo Town,	86-898-25511205	New Application, Inter-bank Card Replacement

			Dongfang City, Hainan Province		
	Rural Commercial Bank	Dongfang Nanhai Sub-branch of Hainan Rural Commercial Bank	No. 67, Jiefang West Road, Basuo Town, Dongfang City, Hainan Province	86-898-25510369	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Wuzhishan	One-Card Center	Wuzhishan Social Security Card One-Card Center	1st Floor, Human Resources and Social Security Bureau, No. 1, Liwen Road, Wuzhishan City, Hainan Province	86-898-86624041	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Wuzhishan Central Market Sub-branch of Hainan Rural Commercial Bank	No. 5, Yuefeng Road, Wuzhishan City, Hainan Province	86-898-86639699	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Tunchang	One-Card Center	Tunchang Social Security Card One-Card Center	2nd Floor Hall, Employment and Social Security Service Center, Huandong 1st Road, Tuncheng Town, Tunchang County, Hainan Province	86-898-67836006	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Tunchang Binglang 3rd Road Sub-branch of Hainan	No. 47, Changsheng 3rd Road, Tuncheng Town, Tunchang County, Hainan Province	86-898-67818359	New Application, Card Replacement

		Rural Commercial Bank			(Lost/Damaged), Inter-bank Card Replacement
Lingao	Rural Commercial Bank	Lingao Social Security Card One-Card Center	Social Security Card One-Card Service Center, Liguang North Road, Lincheng Town, Lingao County, Hainan Province (Yihe Bay Commercial Shops)	86-898-28274638	New Application, Inter-bank Card Replacement
Ledong	One-Card Center	Social Security Card Service Management Center of Ledong Li Autonomous County	1st Floor, Human Resources Market Building, Yongming Road, Baoyou Town, Ledong Li Autonomous County, Hainan Province	86-898-85531370	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Ledong Sub-branch of Hainan Rural Commercial Bank	No. 455, Le'an Road, Baoyou Town, Ledong Li Autonomous County, Hainan Province	86-898-85523718	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Qiongzhong	One-Card Center	Social Security Card One-Card Center of Qiongzong Li and	4th Floor, Social Security Service Center, No. 197, Guoxing Avenue, Qiongzong Li and Miao Autonomous County, Hainan Province	86-898-86236200	New Application, Inter-bank Card Replacement

		Miao Autonomous County			
	Rural Commercial Bank	Business Department of Qiongzong Sub-branch of Hainan Rural Commercial Bank	No. 92, Yinggen Road, Qiongzong Li and Miao Autonomous County, Hainan Province	86-898-86224606	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Ding'an	Rural Commercial Bank	Ding'an Social Security Card One-Card Center	Ding'an Employment and Social Security Service Center, No. 32, Yuesong Road, Ding'an County, Hainan Province	86-898-63830330	New Application, Inter-bank Card Replacement
Chengmai	One-Card Center	Chengmai County Social Security Card One-Card Service Management Center	1st Floor, Lifeng Building, No. 301, Wenhua North Road, Jinjiang Town, Chengmai County, Hainan Province (Opposite the Old Market)	86-898-67608364	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Chengmai Jiangdong Sub-branch of Hainan	Lifeng Building, Wenhua Road, Jinjiang Town,	86-898-67625310	New Application, Card Replacement

		Rural Commercial Bank	Chengmai County, Hainan Province		(Lost/Damaged), Inter-bank Card Replacement
Changjiang	One-Card Center	Changjiang County Social Security Card One-Card Center	1st Floor, Chengbei Community Service Center, No. 3, Hexie Road, Shilu Town, Changjiang County, Hainan Province	86-898-26633507	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Changjiang Sub-branch (Business Department) of Hainan Rural Commercial Bank	No. 170, Renmin North Road, Shilu Town, Changjiang County, Hainan Province	86-898-26651141	New Application, Card Replacement (Lost/Damaged), Inter-bank Card Replacement
Baoting	One-Card Center	Human Resources and Social Security Bureau of Baoting Li and Miao Autonomous County	3rd Floor, Employment and Social Security Service Center, Building 20, Furong Community, Baoting Avenue, Baocheng Town, Baoting Li and Miao Autonomous County, Hainan Province	86-898-83665705 0898-83668451	New Application, Inter-bank Card Replacement
	Rural Commercial Bank	Baoting Baoxing Sub-branch of	Hainan Rural Commercial Bank, No. 26-22, Baoxing East Road, Chengnan	86-898-83602979	New Application, Card Replacement

		Hainan Rural Commercial Bank	Neighborhood Committee, Baocheng Town, Baoting Li and Miao Autonomous County, Hainan Province		(Lost/Damaged), Inter-bank Card Replacement
Baisha	Rural Commercial Bank	Baisha Social Security Card One-Card Center	Hall of Social Security Card One-Card Center, Human Resources and Social Security Bureau of Baisha County, Hainan Province	86-898-27720707	New Application, Inter-bank Card Replacement

四、办理工作类居留许可

Application for Work-Type Residence Permit

(一) 住宿登记

1. Residence Registration

根据《中华人民共和国出境入境管理法》，外国人抵琼后，应当在入住后二十四小时内办理住宿登记（包含新入住或者更换住宿地址）。外国人若入住旅馆，向旅馆工作人员出示本人的有效护照或其他国际旅行证件，由旅馆负责登记办理。外国人若在旅馆以外的其他住所居住或住宿的，本人或留宿人可扫描二维码（见下图）在网上进行登记，也可携带有效护照或其他国际旅行证件到居住地派出所办理。

根据《中华人民共和国出境入境管理法》第三十九条规定，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。

According to the Exit and Entry Administration Law of the People's Republic of China, foreigners, after arriving in Hainan, shall go through residence registration formalities within 24 hours of stay (including staying in new residence or change of residential address). Where foreigners stay in hotels, they shall present their valid passports or other international travel documents to hotel staff, and the hotels shall be responsible for handling the registration. For foreigners who reside or stay in domiciles other than hotels, the foreigners themselves or the persons who accommodate them may scan the QR code (see the figure below) to register online, or may carry their valid passports or other

international travel documents to go through the formalities at the police station in the place of residence.



According to Article 39 of the Exit and Entry Administration Law of the People's Republic of China, where foreigners stay in hotels in China, the hotels shall register their stay in accordance with the regulations on the public security administration of the hotel industry, and submit foreigners' residence 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.

(二) 工作类居留许可 2. Work-Type Residence Permit

申请材料:

1. 申请人的有效护照原件及复印件;
2. 聘用单位出具的邀请函原件;
3. 外国专家部门出具的《中华人民共和国工作许可通知》或电子化工作许可信息;

4.健康体检证明原件及复印件(申请有效期 1 年以上的居留证件提交);

5.公司营业执照或民办非企业单位登记证书副本复印件(需加盖公章,首次办理时提交);

6.聘用合同或任职证明原件及复印件。

申请地址:

外国人可就近向以下任一外国人签证证件受理窗口提交申请。

序号	受理单位	地址	咨询电话
1	海南省人民政府政务服务中心 公安出入境窗口	海口市美兰区五指山南路 3 号一楼	0898- 1236 7
2	海口市人民政府政务服务中心 公安出入境窗口	海口市龙华区世纪公园路 1 号	
3	海口市江东办证大厅	海口市美兰区江东大道 202 号江东发展大厦 A 区 1 层	
4	三亚市公安局出入境管理支队 外国人办证大厅三	三亚市吉阳区海润路诚越新能 源汽车产业园 1 号馆	
5	三亚市人民政府政务服务中心	三亚市吉阳区新风街 259 号 二楼	
6	儋州市人民政府政务服务中心	海南省儋州市迎宾大道怡心花	

	公安行政审批专区出入境窗口	园商铺 D18 栋
7	洋浦经济开发区政务服务中心 公安出入境窗口	海南省洋浦经济开发区盐田路 8 号
8	琼海市人民政府政务服务公安 分中心一楼外国人签证窗口	琼海市嘉积镇富海路 36 号
9	文昌市人民政府政务服务中心 公安出入境窗口	文昌市文城镇文东路 123 号
10	澄迈县人民政府政务服务公安 分中心出入境窗口	澄迈县金江镇金马大道天擎棕 榈水城旁
11	澄迈海南生态软件园出入境窗 口	海南生态软件园孵化楼 1 楼
12	万宁市人民政府政务服务中心 公安分中心出入境窗口	万宁市万城镇光明南路 153 号
13	陵水县人民政府政务服务中心 公安分中心出入境窗口	陵水县椰林镇新丰路 2 号公 安 出入境管理大队 2 楼

Application Materials:

1. The original and a photocopy of the applicant's valid passport;

2. The original invitation letter issued by the employing entity;
3. The Notification Letter of Work Permit for Foreigners in the People’s Republic of China or electronic work permit information issued by the foreign expert department;
4. The original and a photocopy of the health check certificate (to be submitted for residence permits with a validity period of over one year);
5. A photocopy of the employing entity’s business license or the duplicate of the registration certificate of a private non-corporate entity (must be stamped with the official seal and submitted for the first-time application);
6. The original and a photocopy of the employment contract or proof of appointment.

Application Address:

Foreign nationals may submit their application at any of the nearest residence permit service windows listed below.

Serial Number	Service Window	Address	Inquiry Phone Number
1	Public Security Exit-Entry Window of Hainan Provincial People’s Government Affairs Service Center	1st Floor, No. 3, Wuzhishan South Road, Meilan District, Haikou City, Hainan Province	86-898-12367

2	Public Security Exit-Entry Window of Haikou Municipal People's Government Affairs Service Center	No. 1, Century Park Road, Longhua District, Haikou City, Hainan Province	
3	Haikou Jiangdong Certificate Processing Hall	1st Floor, Area A, Jiangdong Development Building, No. 202, Jiangdong Avenue, Meilan District, Haikou City, Hainan Province	
4	Foreigners' Certificate Processing Hall 3 of Exit-Entry Administration Division, Sanya Public Security Bureau	Hall 1, Chengyue New Energy Vehicle Industrial Park, Hairun Road, Jiyang District, Sanya City, Hainan Province	
5	Sanya Municipal People's Government Affairs Service Center	2nd Floor, No. 259, Xinfeng Street, Jiyang District, Sanya City, Hainan Province	
6	Exit-Entry Window of the Public Security Administrative Approval Section, Danzhou Municipal People's	Building D18, Yixin Garden Commercial Shops, Yingbin Avenue, Danzhou City, Hainan Province	

	Government Affairs Service Center		
7	Public Security Exit-Entry Window of Yangpu Economic Development Zone Government Affairs Service Center	No. 8, Yantian Road, Yangpu Economic Development Zone, Hainan Province	
8	Foreigners' Visa Window, 1st Floor, Public Security Sub-center of Qionghai Municipal People's Government Affairs Service	No. 36, Fuhai Road, Jiaji Town, Qionghai City, Hainan Province	
9	Public Security Exit-Entry Window of Wenchang Municipal People's Government Affairs Service Center	No. 123, Wendong Road, Wencheng Town, Wenchang City, Hainan Province	
10	Exit-Entry Window of the Public Security Sub-center of Chengmai County People's Government Affairs Service	Next to Tianqing Palm Water City, Jinma Avenue, Jinjiang Town, Chengmai County, Hainan Province	

11	Exit-Entry Window of Hainan Ecological Software Park, Chengmai	1st Floor, Incubation Building, Hainan Ecological Software Park, Chengmai County, Hainan Province	
12	Exit-Entry Window of the Public Security Sub-center of Wanning Municipal People's Government Affairs Service Center	No. 153, Guangming South Road, Wancheng Town, Wanning City, Hainan Province	
13	Exit-Entry Window of the Public Security Sub-center of Lingshui County People's Government Affairs Service Center	2nd Floor, Public Security Exit-Entry Administration Brigade, No. 2, Xinfeng Road, Yelin Town, Lingshui County, Hainan Province	

五、办理社会保险 Social Insurance Procedures

外国人在华工作，应按照《中华人民共和国社会保险法》和《在中国境内就业的外国人参加社会保险暂行办法》有关规定，参加社会保险。

Foreign nationals working in China shall participate in social insurance in accordance with the Social Insurance Law of the People's Republic of China and the Interim Measures for the Participation in Social Insurance of Foreigners

Employed in China.

(一) 参保对象

1、合法工作依法获得《外国人工作许可证》和外国人居留证件，以及持有外国人永久居留身份证的外国人。

2、与中国境内工作单位签订劳动合同并且由工作单位发放工资的；或者与国外公司签订合同被派遣来华工作，并由中国境内工作单位发放工资的。

3、未达到法定退休年龄。

Insured Persons

1. Foreign nationals who work legally in China and have obtained the Work Permit for Foreigners and Residence Permit for Foreigners, as well as those holding the Permanent Residence Identity Card for Foreigners.

2. Foreign nationals who have signed labor contracts with employers in China and receive salaries from such entities; or those who have signed contracts with foreign companies, are dispatched to work in China, and receive salaries from entities in China that they work with.

3. Foreign nationals who have not reached the statutory retirement age.

(二) 参保缴费 Insurance Participation and Payment

1、新参保人员在中国境内工作的，从在中国境内就业开始之月起参保缴费；

2、外国人士参保险种的缴费基数、缴费比例按缴存地中国籍参保人员标准执行。

1. Newly arrived foreigners working in China shall participate in social insurance and make payments from the month they begin employment in China;

2. The contribution base and proportion for foreign nationals participating in social insurance shall follow the standards applicable to Chinese insured persons in the place of contribution.

(三) 互免规定 Mutual Exemption Provisions

根据人力资源社会保障部网站信息，中国与德国、韩国、丹麦、加拿大、芬兰、瑞士、荷兰、法国、西班牙、日本、塞尔维亚、卢森堡、吉尔吉斯斯坦等国家签署有社会保障协定。

According to information on the website of the Ministry of Human Resources and Social Security, China has signed social security agreements with Germany, South Korea, Denmark, Canada, Finland, Switzerland, the Netherlands, France, Spain, Japan, Serbia, Luxembourg and Kyrgyzstan.

(四) 办理地点 Application Location

工作所在地政务服务大厅或人社局服务大厅。

人力资源社会保障部网站网址：<http://www.mohrss.gov.cn>

Local government service halls or human resources and social security service halls in the work location.

Website of the Ministry of Human Resources and Social Security:
<http://www.mohrss.gov.cn>

六、外国人来华工作职称评审 Professional Title Assessment for Foreign Nationals Working in China

(一) 受理条件: 持有外国人永久居留证或各地颁发的海外高层次人才居住证的外籍专业技术人员, 可按规定参加职称评审。

(二) 申报网址: <http://202.100.247.254:8001/jxjy/homepage>

(三) 申报材料:

- 1、海南省专业技术资格评审表
- 2、个人综述材料
- 3、论文、著作网络检索页

(1) Eligibility Conditions: Foreign professionals and technical personnel who hold a Permanent Residence Permit for Foreigners or a Residence Permit for Overseas High-level Talent issued by local authorities are eligible to participate in professional title assessment in accordance with relevant regulations.

(2) Application Website:

<http://202.100.247.254:8001/jxjy/homepage>

(3) Application Materials:

1. Hainan Province Professional and Technical Qualification Assessment Form
2. Personal statement materials

3. Online search results pages of theses and monographs

七、境外职业资格认可 Recognition of Overseas Professional Qualifications

(一) 受理条件：以境外职业资格名义直接为海南自由贸易港内企业和居民提供相关专业服务的境外人员。

(1) Eligibility Conditions: Overseas personnel who directly provide relevant professional services to enterprises and residents in the Hainan Free Trade Port under the name of their overseas professional qualifications.

(二) 申报方式：申请人登录海南政务服务网，选择相关业务，并在网上填写表格提出申请，按材料清单要求上传清晰的材料扫描件（照片）或者线下到实际办理地点办理。咨询电话：0898-65910971。

(2) Application Method: Applicants shall log on to the Hainan Government Service Portal, select the relevant scope of business, fill in the form online to submit the application, and upload clearly scanned copies (photos) of the materials as specified in the document list; or handle the application offline at service locations. Inquiry hotline: 86-898-65910971.

(三) 申报材料：

- 1、聘用协议或劳动合同
- 2、境外职业资格证书
- 3、聘用单位对其境外职业资格真实性、有效性的承诺书

(3) Application Materials:

1. Employment agreement or labor contract

2. Overseas professional qualification certificate

3. A commitment letter from the employing entity on the authenticity and validity of their overseas professional qualifications

八、企业开办流程 Process for Starting a Business

第一步实名注册

打开 “海南省市场监督管理局” 官方网站 (<https://amr.hainan.gov.cn/>), 点击页面下方 “海南 e 登记” 图标, 按照页面指引进行实名注册。

Step 1: Real-name Registration

Visit the official website of the Hainan Market Supervision Administration (<https://amr.hainan.gov.cn/>), click the “Hainan e-Registration” icon at the bottom of the page, and complete real-name registration following the instructions on the page.

第二步自主填报

通过指定代表/委托代理人账户登录 “海南 e 登记” 网页, 在 “设立专区” 模块自主填报。

填报信息包括:设立登记信息、公积金信息、社保登记信息、税务发票申领信息、公安刻制印章信息、银行预开户信息。

Step 2: Self-filing

Log on to the “Hainan e-Registration” website using the account of the designated representative/entrusted agent. Fill out the required information in the “Business Establishment Zone” module.

The information to be filled out includes: business establishment registration details, housing provident fund information, social insurance registration details, tax invoice application information, seal engraving information offered by public security organs, and bank pre-account opening information.

第三步实名认证和电子签名

企业开办信息填完后，下列相关人员应当通过“海南 e 登记”完成实名认证和电子签名：

(一) 法定代表人、执行事务合伙人、负责人；

(二) 有限责任公司股东，股份有限公司发起人，公司董事、监事及高级管理人员；

(三) 个人独资企业投资人、合伙企业合伙人、农民专业合作社（联合社）成员、个体工商户经营者；

(四) 市场主体登记联络员、外商投资企业法律文件送达接受人；

(五) 指定的代表人或者委托代理人。

签名人员点击“立即签名”通过智能手机（微信、支付宝等多种方式）扫描弹出的二维码，或点击“签名通知”填写手机号码发送短信链接并按照页面提示完成签名。

Step 3: Real-name Verification and Electronic Signature

After completing the business start-up information, the following relevant personnel shall complete real-name verification and electronic signature via “Hainan e-Registration”:

- (1) Legal representative, managing partner, or person in charge;
- (2) Shareholders of limited liability companies, promoters of joint-stock companies, company directors, supervisors, and senior management;
- (3) Investors of solely invested companies, partners in partnerships, members of farmer professional cooperatives (unions), and individual business operators;
- (4) Market entity registration liaison officer, recipient of legal documents for foreign-invested enterprises;
- (5) Designated representative or entrusted agent.

Signatories can click “Sign Now” to scan the pop-up QR code via their smartphone (WeChat, Alipay, etc.), or click “Sign Notification” to fill in their mobile number and receive an SMS link, then follow the on-page prompts to complete the signature.

第四步提交申请

签名成功后，点击“提交”企业开办业务申请。

“海南 e 登记”将信息推业务办理完成后，送至相关部门，申请人即可领取营业执照、印章、发票。

Step 4: Submit the Application

After successful signature, click “Submit” to file the business start-up application.

Once the information is processed by the relevant departments via Hainan

e-Registration, the applicant can collect the business license, seal and invoices.

九、法律咨询 Legal Consultation

自 2001 年递交《中国加入世贸组织议定书》以来，中国加入世界贸易组织已有 20 年。遵循世界贸易组织透明度原则，中国的国家立法均在互联网公开，方便检索。中国全国人大常委会提供的“国家法律法规数据库”提供了包括中国宪法、法律、行政法规、监察法规、司法解释和地方性法规的一站式检索服务，其官方网站是：
<https://flk.npc.gov.cn/imdev.html>。

Since the submission of the Protocol on China's Accession to the World Trade Organization in 2001, China has been a member of the WTO for 20 years. In accordance with the WTO's transparency principles, China's national legislation information is made publicly available on the internet for easy access and search. The National Laws and Regulations Database provided by the Standing Committee of the National People's Congress offers one-stop search services for China's Constitution, laws, administrative regulations, supervisory regulations, judicial interpretations, and local regulations. Its official website is:

<https://flk.npc.gov.cn/imdev.html>.

签订合同之前，建议外籍人士从多方渠道了解中国单位的相关情况，兼听则明，增进了解有助于消除误解和偏见。

我国现行法律援助条例中对于外国人法律援助没有明确规定。但依据最高人民法院、司法部的相关解释及我国同许多国家签订的民事和刑事司法协助或者民商事司法协助条约，对外籍人员也可以施以法律援助。另外，

外籍人士遇到法律纠纷可以咨询国内的涉外律所，由精通外语的中国律师事务所执业的律师提供服务。

Before signing a contract, it is recommended that foreign nationals gather relevant information about Chinese entities from multiple channels. Listening to diverse opinions helps foster understanding and can eliminate misunderstandings and biases.

Currently, the Legal Aid Regulations of China do not explicitly cover legal aid for foreign nationals. However, based on relevant explanations from the Supreme People's Court and the Ministry of Justice, as well as civil and criminal judicial assistance agreements or civil-commercial judicial cooperation treaties signed by China with many countries, legal aid can also be extended to foreign nationals. Additionally, foreign nationals facing legal disputes can consult domestic law firms specializing in foreign-related matters, where they will receive services from lawyers proficient in foreign languages.

十、外籍人士在海南自由贸易港就业及劳动争议相关法律问题提示 Legal Issues and Tips Regarding Employment and Labor Disputes for Foreign Nationals in Hainan Free Trade Port

第一部分：【外籍人士就业常见法律问题解答】

Part I: Answers to Frequently Asked Questions on Legal Issues Regarding Foreign Nationals' Employment

问题 1：什么样的情形属于“外国人在中国就业”？

根据《劳动部办公厅关于贯彻实施〈外国人在中国就业管理规定〉有关问题的通知》第一条，“外国人在中国就业”包含两种情形：

1、在中国工作的外国人，若其劳动合同是和中国境内的用人单位（驻地法人）直接签订的，无论其在中国就业的时间长短，一律视为在中国就业；

2、若在中国工作的外国人的劳动合同是和境外法人签订，劳动报酬来源于境外，在中国境内工作三个月以上的（不包括执行技术转让协议的外籍工程技术人员和专业人员），视为在中国就业。

Question 1: How to define “foreign nationals employed in China”?

According to Article 1 of the Notice of the General Office of the Ministry of Labor on Issues Concerning the Implementation of the Rules for the Administration of Employment of Foreigners in China, “foreign nationals employed in China” fall in two categories:

1. Foreign nationals working in China who have directly signed a labor contract with a domestic employer (a resident legal entity in China) are deemed to be employed in China, regardless of the duration of their employment;

2. Foreign nationals working in China who have signed a labor contract with a foreign legal entity, whose remuneration is sourced from abroad, and who work in China for more than three months (excluding foreign engineering and technical personnel and professionals executing technology transfer agreements) are also deemed to be employed in China.

问题 2：外国人在中国就业有哪些劳动权利？

外国人在中国就业同样受中国的最低工资标准保护，休息休假和劳动保护方面按照中国的相关规章制度执行。

Question 2: What labor-related rights do foreign nationals have when working in China?

Foreign nationals working in China are also protected by China's minimum wage standards. With regard to rest, leave, and labor protection, the relevant Chinese rules and regulations apply.

问题 3：外国人在中国就业必须持有哪些合法证件？

外国人在中国就业必须办理职业签证、就业证和居留证。

根据《中华人民共和国出境入境管理法》第四十一条的规定，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外国人工作许可和工作类居留证件的外国人。

Question 3: What legal documents must foreign nationals hold to work in China?

Foreign nationals working in China must obtain a work visa, a work permit, and a residence permit.

According to Article 41 of the Exit and Entry Administration Law of the People's Republic of China, 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.

根据《外国人在中国就业管理规定》第八条第一款的规定，在中国就

业的外国人应持 Z 字签证入境（有互免签证协议的，按协议办理），入境后取得外国人来华工作许可（已与社会保障卡融合集成）和外国人居留证件，方可在中国境内就业。第十六条规定，已办理就业证的外国人，应在入境后 30 日内，持就业证到公安机关申请办理居留证。居留证件的有效期限可根据就业证的有效期确定。根据《外国人在中国就业管理规定》第十四条的规定，获准来中国工作的外国人，应凭许可证书及本国有效护照或能代替护照的证件，到中国驻外使、领馆处申请 Z 字签证。

According to Section 1, Article 8 of the Rules for the Administration of Employment of Foreigners in China, foreign nationals seeking work in China shall hold Z visa for the entry (In case of agreement for mutual exemption of visas, the agreement shall prevail), they may work within Chinese territory after they obtain a Work Permit for Foreign Nationals (integrated with the social security card) and a foreign national residence permit. According to Article 16 of the Rules for the Administration of Employment of Foreigners in China, foreigners who received their Work Permit should, within thirty days after their entry, apply for the residence certificate with the public security organs bringing with them their Work Permit. The term of validity of the residence certificate may be determined in accordance with the term of validity of the Work Permit. According to Article 14 of the Rules for the Administration of Employment of Foreigners in China, foreigners with permission to work in China should apply for Z Visas at Chinese embassies, consulates and visa offices, bringing with them an employment license, letter or telex of visa notification provided by the authorized unit and valid passport or travel documents.

根据《中华人民共和国外国人入境出境管理条例》第十六条第二款的

规定，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。

According to Section 2, Article 16 of the Regulations of the People's Republic of China on Administration of the Entry and Exit for Foreigners, when applying for a residence permit valid for more than one 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.

问题 4：企业与未获工作许可证的外国人签订的劳动合同是否有效？
无效。

根据《最高人民法院关于审理劳动争议案件适用法律问题的解释(一)》第三十三条第一款，外国人、无国籍人未依法取得就业证件即与中华人民共和国境内的用人单位签订劳动合同，当事人请求确认与用人单位存在劳动关系的，人民法院不予支持。

Question 4: Is the labor contract signed between an enterprise and a foreign national who has not obtained a work permit valid?

Invalid.

According to Section 1, Article 33 of the Interpretation (I) of the Supreme People's Court on Issues Concerning the Application of Law in the Trial of Labor Dispute Cases, if a foreign national or stateless person signs a labor contract with an employer within the People's Republic of China without legally obtaining employment documents, the people's court will not support the party's request to confirm the existence of an employment relationship with the employer.

问题 5: 外国人未办理就业证的, 能否主张用人单位支付经济补偿金?

一般不能。根据《外国人在中国就业管理规定》第五条规定: “用人单位聘用外国人须为该外国人申请就业许可, 经获准并取得《中华人民共和国外国人就业许可证书》(以下简称许可证书) 后方可聘用”。

外国人, 在中国提供劳动活动, 虽然公司没有为其购买社会保险, 但由于其没有办理就业证, 属于违法就业, 依法主张经济补偿金是得不到支持的。

Question 5: Can a foreign national who has not obtained a work permit claim economic compensation from the employer?

Generally, no.

According to Article 5 of the Rules for the Administration of Employment of Foreigners in China, the employer shall apply for the employment permission if it intends to employ foreigners and may do so after obtaining approval and the People's Republic of China Employment License for Foreigners (hereinafter referred to as the “Employment License”).

If a foreign national provides labor services in China and the company has not paid social insurance for them, his/her employment is unlawful because he/she has not obtained a work permit. Therefore, claims for economic compensation under such circumstances will not be supported by law.

问题 6: 外国人在中国就业免办就业许可和就业证的情形?

根据《外国人在中国就业管理规定》第九条的规定, 凡符合下列条件之一的外国人可免办就业许可和就业证:

由我国政府直接出资聘请的外籍专业技术和管理人员，或由国家机关和事业单位出资聘请，具有本国或国际权威技术管理部门或行业协会确认的高级技术职称或特殊技能资格证书的外籍专业技术和管理人员，并持有外国专家局签发的《外国专家证》的外国人；

(二) 持有《外国人在中华人民共和国从事海上石油作业工作准证》从事海上石油作业、不需登陆、有特殊技能的外籍劳务人员；

(三) 经文化部批准持《临时营业演出许可证》进行营业性文艺演出的外国人。

Question 6: What circumstances allow foreign nationals to be exempt from obtaining employment permission and a work permit for working in China?

According to Article 9 of the Rules for the Administration of Employment of Foreigners in China, foreigners may be exempted from the Employment License and Work Permit when they meet any of the following conditions:

(1) Foreign professional technical and managerial personnel employed directly by the Chinese government organs and institutions, those with senior technical titles or credentials of special skills recognized by their home countries or international technical authorities or professional associations, or foreigners holding Foreign Expert Certificate issued by China's Bureau of Foreign Expert Affairs;

(2) Foreign workers with special skills who work in offshore petroleum operations without the need to go ashore for employment and hold "Work Permit for Foreign Personnel Engaged in the Offshore Petroleum Operations in the People's Republic of China";

(3) Foreigners who conduct commercial entertaining performance with the approval of the Ministry of Culture and Tourism and hold “Permit for Temporary Commercialized Performance”.

问题 7：外国人在中国就业需要具备哪些条件？

根据《外国人在中国就业管理规定》第七条的规定，外国人在中国就业须具备下列条件：

- 1、年满 18 周岁，身体健康；
- 2、具有从事其工作所必须的专业技能和相应的工作经历；
- 3、无犯罪记录；
- 4、有确定的聘用单位；
- 5、持有有效护照或能代替护照的其他国际旅行证件（以下简称代替护照的证件）。

Question 7: What conditions must foreign nationals meet to work in China?

According to Article 7 of the Rules for the Administration of Employment of Foreigners in China, any foreigners seeking employment in China shall meet the following conditions:

1. must be 18 years of age or older and in good health;
2. have professional skills and job experience required for the work of intended employment;
3. have no criminal record;
4. have a clearly defined employer;

5. have a valid passport or other international travel document in lieu of the passport (hereinafter referred to as the “Travel Document”).

问题 8：外籍员工劳动合同约定最长劳动期限是多久？

劳动合同的期限最长不得超过五年。被聘用的外国人与用人单位签订的劳动合同期满时，其就业证即行失效。如需续订，该用人单位应在原合同期满前 30 日内，向劳动行政部门提出延长聘用时间的申请，经批准并办理就业证延期手续。

Question 8: What is the maximum term of a labor contract for foreign employees?

The maximum term of a labor contract shall not exceed five years. When the labor contract between the employed foreign national and the employer expires, their work permit shall automatically become invalid. If a renewal is required, the employer shall submit an application for extending the employment period to the labor administrative organ 30 days before the expiration of the original contract. Upon approval, the formalities for extending the work permit shall be completed.

问题 9：用人单位是否应当为外籍员工缴纳社会保险？

根据《中华人民共和国社会保险法》第九十七条的规定，外国人在中国境内就业的，参照本法规定参加社会保险。

根据《在中国境内就业的外国人参加社会保险暂行办法》第四条的规定，用人单位招用外国人的，应当自办理就业证件之日起 30 日内为其办理社会保险登记。

受境外雇主派遣到境内工作单位工作的外国人，应当由境内工作单位按照前款规定为其办理社会保险登记。

Question 9: Must employers pay social insurance for foreign employees?

According to Article 97 of the Social Insurance Law of the People's Republic of China, foreign nationals who are employed in the Chinese territory shall enroll in the social insurance system in accordance with this law.

According to Article 4 of the Interim Measures for the Participation in Social Insurance of Foreigners Employed in China, where a foreigner is employed, the employer shall, within 30 days from the date on which the employment certificate is granted, handle the social insurance registration for the foreigner.

For a foreigner who is dispatched by an overseas employer to a domestic entity, the domestic entity shall handle the social insurance registration for the foreigner according to the provision of the preceding paragraph.

问题 10：外籍员工缴纳社保的“双边互免”政策是什么？

根据《在中国境内就业的外国人参加社会保险暂行办法》第九条的规定，具有与中国签订社会保险双边或者多边协议国家国籍的人员在中国境内就业的，其参加社会保险的办法按照协议规定办理。

目前，中国与德国、韩国、丹麦、加拿大、芬兰、瑞士、荷兰、西班牙、卢森堡、日本、塞尔维亚、吉尔吉斯斯坦等国家签署了社会保障协定，用人单位如有符合豁免条件的外籍员工，可向有关部门提出豁免申请。

Question 10: What is the “bilateral mutual exemption” policy for foreign

employees' social insurance contributions?

According to Article 9 of the Interim Measures for the Participation in Social Insurance of Foreigners Employed in China, when a person of the nationality of a country which has signed a bilateral or multilateral agreement on social insurance with China is employed in China, his or her participation in social insurance shall be governed by the agreement.

Currently, China has signed social security agreements with Germany, South Korea, Denmark, Canada, Finland, Switzerland, the Netherlands, Spain, Luxembourg, Japan, Serbia and Kyrgyzstan. If an employer has foreign employees who meet the exemption criteria, it may apply for exemption to the relevant authorities.

问题 11：用人单位招用外籍实习生是否需办理审批手续？

根据《中华人民共和国外国人入境出境管理条例》第二十二条的规定，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。

注：用人单位能招用的外籍实习生仅限于在中国境内高校就读的外籍学生，不包括在境外高校在读的外籍学生。

Question 11: Does the employer need to obtain approval when hiring foreign interns?

According to Article 22 of the Regulations of the People's Republic of China on Administration of the Entry and Exit of Foreigners, when 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 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.

Note: Employers can only hire foreign interns who are enrolled in universities in China; foreign students studying at overseas universities are not eligible.

问题 12: 外籍员工从用人单位离职应当办理哪些相关手续?

外籍员工的就业证只在发证机关规定的区域内有效。因此, 外籍员工在未办理变更手续的情况下, 不得跨地区兼职、就业。

根据《外国人在中国就业管理规定》第二十三条第二款和第三款的规定, 外国人在发证机关规定的区域内变更用人单位但仍从事原职业的, 须经原发证机关批准, 并办理就业证变更手续。

外国人离开发证机关规定的区域就业或在原规定的区域内变更用人单位且从事不同职业的, 须重新办理就业许可手续。

根据《外国人在中国就业管理规定》第十九条的规定, 外国人被批准

延长在中国就业期限或变更就业区域、单位后，应在 10 日内到当地公安机关办理居留证件延期或变更手续。

Question 12: What procedures should a foreign employee follow when leaving their employer?

A foreign employee's work permit is only valid within the area specified by the issuing authority. Therefore, foreign employees are not allowed to take part-time jobs or work across regions without completing the necessary modification procedures.

According to Sections 2 and 3, Article 23 of the Rules for the Administration of Employment of Foreigners in China, when the foreigner changes employers within the area designated by the Certificate Office but stays in a job of the same nature, the change must be approved by the original Certificate Office and recorded in his/her Work Permit.

If the foreigner is to be employed outside the area designated by the Certificate Office or change employer within original designated area while taking up a job of a different nature, he/she must go through formalities for a new Employment License.

According to Article 19 of the Rules for the Administration of Employment of Foreigners in China, the foreign employee should, within 10 days after obtaining the approval for extension of his/her term of employment in China or the change of his/her employment location or his/her employer, go through formalities for the extension or change of his/her residence certificate at a local public security organ.

问题 13：哪些情形属于外国人“非法就业”？

根据《中华人民共和国出境入境管理法》第四十三条的规定，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。

根据《外国人在中国就业管理规定》第八条第二款的规定，未取得居留证件的外国人（即持 F、L、C、G 字签证者）、在中国留学、实习的外国人及持职业签证外国人的随行家属不得在中国就业。

Question 13: How to define “unlawful employment” for foreign nationals?

According to Article 43 of the Exit and Entry Administration Law of the People’s Republic of China, any of the following behaviors of foreigners shall be deemed unlawful employment:

- (1) Working in China without obtaining work permits or work-type residence permits in accordance with relevant regulations;
- (2) Working in China beyond the scope prescribed in the work permits;
- (3) Foreign students working in violation of the regulations on the administration of foreign students to support their study in China and working beyond the prescribed scope of jobs or prescribed time limit.

According to Section 2, Article 8 of the Rules for the Administration of

Employment of Foreigners in China, foreigners who have not been issued residence certificate (i.e. holders of F, L, C or G-types visas), and those who are under study or interim programs in China, and other family members of the holders of Employment Visas shall not work in China.

第二部分：【外籍人士劳动争议处理相关问题解答】

Part II: Answers to Frequently Asked Questions on the Handling of Labor Disputes Involving Foreign Nationals

用人单位与被聘用的外国人发生劳动争议，应按照《中华人民共和国劳动法》和《中华人民共和国劳动争议调解仲裁法》（以下简称《劳动争议调解仲裁法》）处理。

Labor disputes between employers and foreign employees should be handled in accordance with the Labor Law of the People's Republic of China and the Law of the People's Republic of China on Labor-Dispute Mediation and Arbitration (hereinafter referred to as the Labor Dispute Mediation and Arbitration Law).

问题 1：哪些劳动争议适用《劳动争议调解仲裁法》？

根据《劳动争议调解仲裁法》第二条规定，中华人民共和国境内的用人单位与劳动者发生的下列劳动争议，适用《劳动争议调解仲裁法》：

- （一）因确认劳动关系发生的争议；
- （二）因订立、履行、变更、解除和终止劳动合同发生的争议；
- （三）因除名、辞退和辞职、离职发生的争议；
- （四）因工作时间、休息休假、社会保险、福利、培训以及劳动保护

发生的争议；

(五) 因劳动报酬、工伤医疗费、经济补偿或者赔偿金等发生的争议；

(六) 法律、法规规定的其他劳动争议。

Question 1: What kinds of labor dispute are governed by the Labor Dispute Mediation and Arbitration Law?

According to Article 2 of the Labor Dispute Mediation and Arbitration Law, this Law is applicable to the following labor disputes arising between employing units and workers within the territory of the People's Republic of China:

(1) disputes arising from the confirmation of labor relations;

(2) disputes arising from the conclusion, performance, alteration, cancellation or termination of labor contracts;

(3) disputes arising from removal, termination, resignation or separation from employment;

(4) disputes arising from working hours, the period of leave and vacation, social insurance, welfare benefits, training and occupational protection;

(5) disputes arising from labor remuneration, medical expenses for job-related injury, economic compensation, etc.;

(6) other labor disputes prescribed by laws and regulations.

问题 2：处理劳动争议有哪几种方式？

根据《劳动争议调解仲裁法》规定，我国处理劳动争议的方式包括：协商、调解、仲裁、诉讼。

Question 2: What are the methods for handling labor disputes?

According to the Labor Dispute Mediation and Arbitration Law, the methods for handling labor disputes in China include: negotiation, mediation, arbitration, and litigation.

问题 3: 什么是协商?

协商是指劳动关系双方采取自治的方法解决纠纷, 根据劳动争议当事人的合议或团体协议, 双方相互协商, 最后通过协商解决争议。协商解决是以双方当事人自愿为基础的, 不愿协商、协商不成或者达成和解协议后不履行的, 当事人可以选择其他方式。

Question 3: What is negotiation?

Negotiation refers to the method by which both parties in a labor relationship resolve disputes by their own. Based on mutual agreements or collective agreements between the parties, they engage in negotiation to reach a resolution. Negotiation is based on the voluntary participation of both parties. Where one party refuses to negotiate, negotiations fail, or if a settlement agreement is reached but not fulfilled, the parties may choose another method.

问题 4: 什么是调解?

劳动争议调解, 是基于劳动争议当事人的申请, 由法定调解组织居中, 通过灵活多样的方法和耐心细致的说服疏导工作, 帮助当事人自愿达成调解协议。

Question 4: What is mediation?

Labor dispute mediation is when a legal mediation organization assists the

parties in a labor dispute, based on their request, to reach a voluntary mediation agreement. This is achieved through flexible and diverse methods, as well as patient and detailed persuasion and guidance.

问题 5：什么是劳动争议仲裁？

劳动争议仲裁是指劳动争议一方当事人自愿把劳动争议提交劳动人事争议仲裁委员会处理，由其就劳动争议的事实与责任作出对双方当事人具有约束力的判断和裁决。

Question 5: What is labor dispute arbitration?

Labor dispute arbitration refers to a situation where one party voluntarily submits the labor dispute to the labor-dispute arbitration commission, which makes binding judgments and decisions on the facts and responsibilities of the labor dispute, which are enforceable on both parties.

问题 6：发生劳动争议，如何进行协商？

根据《劳动争议调解仲裁法》第四条规定，发生劳动争议，劳动者可以与用人单位协商，也可以请工会或者第三方共同与用人单位协商，达成和解协议。

Question 6: How should negotiation be conducted in case of a labor dispute?

According to Article 4 of the Labor Dispute Mediation and Arbitration Law, when a labor dispute arises, the employee concerned may have negotiation with the employing unit or invite the trade union or a third party to join in the negotiation with the employing unit, in order to reach a settlement agreement.

问题 7：什么情形下可以向调解组织申请调解？

根据《劳动争议调解仲裁法》第五条规定，发生劳动争议，当事人不愿协商、协商不成或者达成和解协议后不履行的，可以向调解组织申请调解。

Question 7: In what situations can mediation organizations be approached for mediation?

According to Article 5 of the Labor Dispute Mediation and Arbitration Law, where a labor dispute arises and the parties are not willing to have negotiation, or the negotiation fails, or the settlement agreement reached is not performed, they may apply to a mediation institution for mediation.

问题 8：发生劳动争议，当事人可以到哪些调解组织申请调解？

根据《劳动争议调解仲裁法》第十条规定，发生劳动争议，当事人可以到下列调解组织申请调解：

- (一) 企业劳动争议调解委员会；
- (二) 依法设立的基层人民调解组织；
- (三) 在乡镇、街道设立的具有劳动争议调解职能的组织。

Question 8: Where can the parties involved in a labor dispute apply for mediation?

According to Article 10 of the Labor Dispute Mediation and Arbitration Law, where a labor dispute arises, the parties may apply for mediation to the following mediation institutions:

- (1) Labor-dispute mediation commissions;

(2) People's mediation institutions at the grass-roots level established in accordance with law;

(3) Organizations with the function of labor-dispute mediation established in townships or neighborhoods.

问题 9：如何在网上申请劳动争议调解？

为更好服务广大劳动者和用人单位，人力资源社会保障部开发了“互联网+调解”服务平台，可以为当事人提供劳动人事争议调解网上申请、案件处理进展查询和法律法规政策查询等服务。有了“互联网+调解”服务平台后，当事人无需再到现场送交调解申请书，可以直接网上送交申请。当事人可以输入网址 <http://tiaojie.12333.gov.cn/portal>，进入“互联网+调解”服务平台首页，也可以通过国家政务服务平台、人力资源社会保障政务服务平台或电子社保卡任一渠道享受在线调解服务。

Question 9: How can one apply for labor dispute mediation online?

To better serve the vast number of employees and employers, the Ministry of Human Resources and Social Security has developed the “Internet Plus Mediation” service platform, which provides online application for labor and employment dispute mediation, case progress tracking, and access to legal regulations and policy inquiries. With the “Internet Plus Mediation” service platform, the parties no longer need to submit mediation applications in person and can directly submit applications online. Parties can visit the website

<http://tiaojie.12333.gov.cn/portal> to access the homepage of the platform, or they can use any channel such as the National Government Service Platform, the Ministry of Human Resources and Social Security's Government Service

Platform, or the electronic social security card to enjoy online mediation services.

问题 10：什么情形下可以向劳动人事争议仲裁委员会申请仲裁？

根据《劳动争议调解仲裁法》第五条规定，发生劳动争议，当事人不愿调解、调解不成或者达成调解协议后不履行的，可以向劳动人事争议仲裁委员会申请仲裁。

Question 10: Under what circumstances can one apply for arbitration with the labor dispute arbitration commission?

According to Article 5 of the Labor Dispute Mediation and Arbitration Law, where the parties are not willing to have mediation, or the mediation fails, or the mediation agreement reached is not performed, they may apply to a labor dispute arbitration commission for arbitration.

问题 11：应该去哪个劳动人事争议仲裁委员会申请仲裁？

在我省行政区域内依法就业且符合劳动争议仲裁受案范围的，根据《劳动争议调解仲裁法》第二十一条规定，应向劳动合同履行地或者用人单位所在地的劳动争议仲裁委员会申请仲裁。

根据海南省人力资源和社会保障厅等十部门《关于做好涉外劳动争议处理工作的意见》（琼人社发〔2022〕122号），在我省行政区域内发生的外国人、外派境外工作的员工或外商投资企业（特指全部由外国投资者投资的企业）为当事人的劳动争议，以及根据法律法规和司法解释等可以认定为涉外劳动争议的其他情形，可按管辖范围分别向省劳动人事争议仲裁委员会和海口市、三亚市劳动人事争议仲裁委员会申请仲裁。其中，海口市劳动人事争议仲裁机构负责本行政区域内的涉外劳动争议处理；三亚

市劳动人事争议仲裁机构负责三亚、东方、万宁、五指山、陵水、保亭、白沙、乐东等市县的涉外劳动争议处理工作;省劳动人事争议仲裁机构负责除海口市、三亚市管辖范围外的其他市县的涉外劳动争议处理和省人力资源社会保障厅指定管辖的案件。

Question 11: Which labor dispute arbitration commission in Hainan Province should be chosen for arbitration?

For foreign nationals employed within the administrative area of Hainan Province, disputes that fall within the scope of labor dispute arbitration shall be under the jurisdiction of the labor-dispute arbitration commission at the place where the labor contract concerned is performed or where the employing unit is located according to Article 21 of the Labor Dispute Mediation and Arbitration Law.

According to the Opinions on Handling Foreign-related Labor Disputes issued by the Hainan Provincial Department of Human Resources and Social Security and 9 other departments, labor disputes involving foreign nationals, employees dispatched abroad, or foreign-invested enterprises (specifically those entirely funded by foreign investors), and other cases deemed foreign-related labor disputes by laws, regulations, or judicial interpretations, should apply to the provincial labor-dispute arbitration commission and the labor-dispute arbitration commissions of Haikou and Sanya as per jurisdiction.

The Haikou Labor-Dispute Arbitration Commission handles foreign-related labor disputes within its jurisdiction;

The Sanya Labor-Dispute Arbitration Commission handles foreign-related

labor disputes in Sanya, Dongfang, Wanning, Wuzhishan, Lingshui, Baoting, Baisha, and Ledong;

The provincial labor-dispute arbitration commission handles foreign-related labor disputes in other cities and counties outside Haikou and Sanya's jurisdiction, as well as cases designated by the Provincial Department of Human Resources and Social Security.

问题 12: 劳动争议仲裁收费吗?

根据《劳动争议调解仲裁法》第五十三条规定, 劳动争议仲裁不收费。劳动人事争议仲裁委员会的经费由财政予以保障。

Question 12: Is there a fee charged for labor dispute arbitration?

According to Article 53 of the Labor Dispute Mediation and Arbitration Law, arbitration of labor disputes is free of charge. Funding for labor-dispute arbitration commissions shall be guaranteed by the government.

问题 13: 劳动争议申请仲裁的时效期间是多少?

根据《劳动争议调解仲裁法》第二十七条规定, 劳动争议申请仲裁的时效期间为一年。仲裁时效期间从当事人知道或者应当知道其权利被侵害之日起计算。劳动关系存续期间因拖欠劳动报酬发生争议的, 劳动者申请仲裁不受一年的仲裁时效期间的限制; 但是, 劳动关系终止的, 应当自劳动关系终止之日起一年内提出。

Question 13: What is the statute of limitation for applying for arbitration in a labor dispute?

According to Article 27 of the Labor Dispute Mediation and Arbitration

Law, the statute of limitation for application for arbitration of a labor dispute is one year, which shall be calculated from the date a party comes to know of or is expected to know of the infringement of his/her rights. Where, during the existence of labor relation, a dispute arises over the default in payment of labor remuneration, application for arbitration by the employee concerned shall not be restricted by the limitation period for arbitration prescribed in the first paragraph of this Article. However, where the labor relation is terminated, such application for arbitration shall be submitted within one year from the date the labor relation is terminated.

问题 14: 劳动人事争议仲裁委员会收到仲裁申请后, 应当在多长时间内作出受理或不受理的决定?

根据《劳动争议调解仲裁法》第二十九条规定, 劳动人事争议仲裁委员会收到仲裁申请之日起 5 日内, 认为符合受理条件的, 应当受理, 并通知申请人; 认为不符合受理条件的, 应当书面通知申请人不予受理, 并说明理由。

Question 14: How long does the labor-dispute arbitration commission have to decide whether to accept or reject an arbitration application?

According to Article 29 of the Labor Dispute Mediation and Arbitration Law, the labor-dispute arbitration commission shall, within five days from the date it receives the arbitration application, accept the application and notify the applicant of its acceptance, if it considers that the application meets the conditions for acceptance; otherwise, it shall notify the applicant in writing that it shall not accept the application and state the reasons.

问题 15: 仲裁庭裁决劳动争议案件的时限是多长?

根据《劳动争议调解仲裁法》第四十三条规定, 仲裁庭裁决劳动争议案件, 应当自劳动人事争议仲裁委员会受理仲裁申请之日起 45 日内结束。案情复杂需要延期的, 经劳动人事争议仲裁委员会主任批准, 可以延期并书面通知当事人, 但是延长期限不得超过 15 日。

Question 15: What is the time limit for the arbitral tribunal to make a decision in a labor dispute case?

According to Article 43 of the Labor Dispute Mediation and Arbitration Law, where the arbitral tribunal is to make an award of a labor dispute case, it shall finish making the award within 45 days from the date the labor-dispute arbitration commission accepts the arbitration application. If an extension is needed due to the complexity of the case, such extension shall be subject to approval by the director of the labor-dispute arbitration commission, and the parties shall be notified of the extension in writing; however, the period of extension may not exceed 15 days.

问题 16: 仲裁庭逾期未作出仲裁裁决的, 当事人可以提起诉讼吗?

根据《劳动争议调解仲裁法》第四十三条规定, 仲裁庭逾期未作出仲裁裁决的, 当事人可以就该劳动争议事项向人民法院提起诉讼。

Question 16: If the arbitral tribunal fails to make a decision within the specified time, can the parties file a lawsuit?

According to Article 43 of the Labor Dispute Mediation and Arbitration Law, if no arbitral award is made at the expiration of the time limit, the parties

may initiate a litigation to a people's court with respect to the labor dispute.

*In case of any discrepancies, please follow the Chinese version of policies issued by the relevant authorities.