

Memorandum

Confidential and privileged

Date: 12 September 2024

To: Speakers/Guests for 2024 IPBA Arbitration Day in Shenzhen, China

Re: **Visa Information for 2024 IPBA Arbitration Day in Shenzhen, China**

Dear Speakers/Guests,

As we approach the 2024 IPBA Arbitration Day in Shenzhen, China from October 24 to 26, we would like to provide you with important information on visa options for your visit.

I. Executive Summary

1. Based on your nationality and travel plans, there are several visa options available (as of 12 Sep).
 - i. **Speakers and guests with passports of the following countries** can benefit from visa-free options (including Mutual Visa Exemption or Unilateral Visa-Free Entry) allowing stays of up to 15 days:
 1. **Mutual Visa Exemption Countries:** United Arab Emirates, Qatar, Armenia, Maldives, Kazakhstan, Singapore, Thailand, Georgia, San Marino, Serbia, Belarus, Bosnia and Herzegovina, Albania, Bahamas, Grenada, Barbados, Dominica, Antigua and Barbuda, Ecuador, Suriname, Seychelles, Mauritius, Fiji, Tonga;
 2. **Unilateral Visa-Free Countries:** France, Germany, Italy, the Netherlands, Spain, Malaysia, Brunei, Switzerland, Ireland, Hungary, Austria, Belgium, Luxembourg, Australia, New Zealand, Poland.
 - ii. **Speakers and guests from Japan, South Korea, and United States** can use the 144-hour visa-free transit policy if you will **transit from Shenzhen to a third country / region** with a confirmed ticket. This also includes transit from Shenzhen to Hong Kong with a high-speed train ticket.
 - iii. **Speakers and guests holding an APEC Travel Card from 16 APEC member countries including Japan, South Korea, Indonesia and India** can also enter China without applying for a visa.
 - iv. **Speakers and guests from Vietnam, Indonesia, and India without APEC travel card, will need to apply for a visa in advance.** This typically involves obtaining an L visa (tourist visa) or an M visa (business visa) from a Chinese consulate, where you must submit relevant documents such as a passport,

application form, and travel itinerary. Tourist visa is recommended, but if you need to apply for a business visa, please contact our Chinese contacts (hu.ke@jingtian.com; feining@huizhonglaw.com).

II. Mutual Visa Exemption or Unilateral Visa-Free Entry

2. Mutual visa exemption allows citizens of certain countries to enter China without a visa for a specified period. If you are a citizen of any of the following countries, you can enter China visa-free for a short stay:
 - i. **Mutual Visa Exemption Countries:** United Arab Emirates, Qatar, Armenia, Maldives, Kazakhstan, Singapore, Thailand, Georgia, San Marino, Serbia, Belarus, Bosnia and Herzegovina, Albania, Bahamas, Grenada, Barbados, Dominica, Antigua and Barbuda, Ecuador, Suriname, Seychelles, Mauritius, Fiji, Tonga;
 - ii. **Unilateral Visa-Free Countries:** France, Germany, Italy, the Netherlands, Spain, Malaysia, Brunei, Switzerland, Ireland, Hungary, Austria, Belgium, Luxembourg, Australia, New Zealand, Poland.
3. In accordance with the relevant regulations, guests from these countries can enter China without a visa for up to 15 days. Visitors entering China via the above two visa-free methods may do so for purposes such as business, tourism, visiting family and friends, transiting, attending conferences, short-term training, and research. **Eligible individuals under the visa-free policy do not need to declare their status to authorities in advance. After inspection and approval, visa-free entry will be granted.** Furthermore, individuals who qualify for visa-free entry to China can depart from any country or region outside of China. Upon arrival, the border inspection officers may conduct inquiries regarding the purpose of your visit, and may request supporting documents such as invitation letters, flight tickets, hotel bookings, or contact your local hosts for verification.
4. Additionally, upon arrival in China, you will be required to complete a *Foreigner Entry Card*. This card mainly requires personal and travel information, including whether you are entering China under the visa-free policy, your primary purpose of visit, a detailed address (specific hotel) in China, your travel plans, including your departure details, the inviting organization or person in China, and the countries or regions you have visited in the past two years. You may fill out the card at the card filling desk before the border inspection.

III. 144-Hour Visa-Free Transit

5. Citizens from the following 53 countries can enjoy a visa-free stay in China for up to 144 hours (6 days) when transiting through China to a third country:
 - i. Europe (40 countries): Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Monaco, Russia, United Kingdom, Ireland, Cyprus, Bulgaria, Romania, Ukraine, Serbia, Croatia, Bosnia and Herzegovina, Montenegro, North Macedonia, Albania, Belarus, Norway;

- ii. Americas (6 countries): United States, Canada, Brazil, Mexico, Argentina, Chile;
 - iii. Oceania (2 countries): Australia, New Zealand;
 - iv. Asia (6 countries): South Korea, Japan, Singapore, Brunei, United Arab Emirates, Qatar.
6. Since 2013, with the approval of the State Council, Shenzhen Bao'an Airport has implemented a visa-free transit policy for citizens of 53 countries who hold valid international travel documents and have a confirmed onward flight ticket to a third country (or region) within 144 hours.
7. **The required materials for entry include:**
- i. A valid international travel document (with at least 3 months validity remaining) from one of the 53 eligible countries;
 - ii. A confirmed onward flight ticket to a third country (or region) with a departure within 144 hours;
 - iii. A completed temporary entry and exit card for foreigners (as mentioned in the sections on mutual and unilateral visa exemptions);
8. It is important to note that **the destination must be a third country or region**, and it cannot be the same as the country or region of origin. For example, a foreign traveler from South Korea transiting through Shenzhen and applying for the 144-hour visa-free transit cannot have their next flight return to South Korea; it must be to a country or region other than South Korea.
9. **Foreigners who meet the following criteria will not be granted a temporary entry permit:**
- i. Those holding a passport or other international travel document with less than 3 months of validity;
 - ii. Those with a rejection stamp from a Chinese visa office, or with records of illegal entry, stay, or employment in the past five years;
 - iii. Those who have violated accommodation registration rules within the past two years and the violation was serious;
10. In practice, like the mutual visa exemption and unilateral visa-free policies mentioned above, **the 144-hour visa-free transit does not require any pre-application procedures**. Travelers simply need to fill out the foreigner entry card upon arrival at the port of entry, then proceed to the designated processing area, submit the required documents, undergo questioning, and will be granted entry.
- IV. Visa-Free Entry for Foreigners Traveling in Tour Groups from Hong Kong or Macau**

11. Foreign nationals who are in Hong Kong or Macau can enter Guangdong Province without a visa if they join a tour group organized by legally registered travel agencies in Hong Kong or Macau. This visa-free stay allows up to 144 hours and applies to the several cities including Shenzhen.
12. This entry method requires foreign nationals to make prior arrangements with a qualified travel agency in Hong Kong or Macau to ensure that all travel plans and entry procedures are properly handled. However, as this visa-free policy has been newly introduced and involves stringent requirements regarding travel activities and the role of the travel agency, **it may not be an optimal choice for foreign attendees who only wish to enter China for the purpose of attending a conference** and do not intend to tour Guangdong Province.
13. In addition, here are some further information regarding **how foreign nationals purchase train tickets** (from Hong Kong or Macau to Shenzhen) if necessary.
14. According to recent updates, foreign nationals can purchase train tickets through the 12306 website and 12306 APP with valid identification documents including Foreign Permanent Resident ID Card, Passport, Foreigner's exit-entry permit, Passport loss report certificate.
15. For identity verification, you should log in to the 12306 website or APP to fill in your name, nationality, ID number, and other information following the instructions. The system will automatically complete identity verification. Or, you can upload a photo of the passport information page for manual verification. After the identity verification, foreign travelers can purchase tickets.
16. You can purchase tickets online through the 12306 website or APP and pay with Alipay, WeChat, or UnionPay bank cards. You can also change your tickets or cancel your tickets at the 12306 website and APP.
17. Finally, you can enter and exit the railway station through automatic or manual ticket check gates with the original valid identification documents used when buying tickets, and cooperate to complete ticket verification on the way.

V. APEC Business Travel Card

18. Starting from August 24, 2022, foreign nationals holding a valid APEC Business Travel Card (ABTC) for business activities in China are not required to apply for a new visa to enter China and can enter China using the travel card.
19. This policy includes 16 APEC member countries: Japan (JPN), South Korea (KOR), Malaysia (MYS), Indonesia (IDN), Brunei (BRN), Philippines (PHL), Singapore (SGP), Mexico (MEX), Thailand (THA), Vietnam (VNM), Australia (AUS), New Zealand (NZL), Papua New Guinea (PNG), Chile (CHL), Peru (PER), and Russia (RUS).
20. Please note that foreign nationals holding an APEC Business Travel Card can enter China visa-free multiple times during the card's validity period, provided the card bears "CHN" on the back and is accompanied by a valid passport. If

"CHN" is not indicated on the back of the card, a Chinese visa must be obtained prior to entry, except for those who meet visa exemption requirements. The APEC Business Travel Card allows for a minimum visa-free stay of 60 days, calculated from the day after entry.

21. For specific information on applying for and using the APEC Business Travel Card, please visit the following website:
https://asiabc.co/services/business-centre-services/china-visa-apecc-business-travel-card/?gad_source=1&gclid=EAIaIQobChMI9fGM64K_iAMV_eoWBR2oYTnOEAMYAiAAEgIC_PD_BwE

VI. Regular Visa Application

22. For visitors who do not qualify for visa exemptions or visa-free transit, a Chinese visa must be applied for in advance. For general purposes such as attending conferences or tourism, an L-type tourist visa is most appropriate.
23. **To apply, you will need the following documents:**
 - i. Passport: The original passport with at least six months of validity, a blank visa page, and one photocopy of the passport's photo page;
 - ii. Visa Application Form and Photo: One completed People's Republic of China Visa Application Form and one recent passport-sized, color photo (front-facing, no headwear, light-colored background) attached to the form;
 - iii. Proof of Legal Stay or Residence (for applicants not applying in their country of nationality): If you are not applying for the visa in your country of nationality, you need to provide the original and photocopy of valid proof of legal stay, residence, work, or study in the current country where you are applying;
 - iv. Original Chinese Passport or Previous Chinese Visa (for former Chinese nationals now holding foreign citizenship): If you are applying for a Chinese visa for the first time, you must provide your original Chinese passport and a photocopy of its photo page. If you have previously been issued a Chinese visa and are now applying with a newly issued foreign passport, you must provide a photocopy of the original foreign passport's photo page and the Chinese visa. If your name on the new passport differs from the name on your original passport, you must also provide official documentation showing the name change.
24. You can fill out the visa application form at
https://cova.mfa.gov.cn/qzCoCommonController.do?show&pageId=index&locale=en_US
25. For the L visa, you will need to provide a round-trip flight booking and hotel reservation or an invitation letter from a unit or individual in China. **The invitation letter must include the following details:**

- i. Personal Information of the Invitee: Name, gender, date of birth, etc.;
 - ii. Details of the Invitee's Trip: Dates of arrival and departure, places to be visited, etc.;
 - iii. Information of the Inviting Unit or Individual: Name of the inviting organization or individual, contact details, address, official seal of the inviting unit, and the signature of the legal representative or individual inviting you.
26. Please note that the invitation letter can be a fax, photocopy, or printed document, but consular officers may request the original. Consular officers may also require additional documents or materials or ask for an interview based on individual circumstances. The decision to issue the visa, as well as its validity, duration of stay, and number of entries, will be determined by the consular officer based on the applicant's situation.

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27. The summary of the above is included in Para. 1 of this memo.
28. For all guests, upon arrival in China, you must complete an entry card and may be subject to checks by border control.

We hope you find the above information helpful. Please feel free to contact our student volunteer Ms. Sun Yayun (sun.yayun@jingtian.com) if you have any questions or need further assistance.

We look forward to welcoming you to Shenzhen for the 2024 IPBA Arbitration Day.

Yours sincerely,

Fei Ning / Hu Ke