

## MMLC Note on Setting up of a Representative Office in China

### 外国企业代表处设立程序

#### **Step 1: Application for the special approval from industrial authority**

If a foreign enterprise, which is in the sectors of finance, insurance, accounting, law, marine transportation, air transportation and logistics industry, would like to apply for the RO set up, the applications for the special approval from industrial authority should be submitted before submitting its application in the Administration Industry and Commerce.

#### **步骤 1: 行业主管部门前置性审批**

如果该外国企业涉及金融、保险、会计、法律、海洋运输、航空运输和物流行业，则需要在工商注册登记之前向相关的行业主管部门申请前置性审批。

#### **Step 2: Application for the Registration Certificate & Representative Certificate**

- Approval authority: Administration of Industry and Commerce
- Documents required:
  - 1) Application form for the setup of a foreign company's rep office
  - 2) Authorization Letter from the Chief Representative in assigning one of our employees in applying for the Registration Certificate
  - 3) Application Letter in setting up a Representative Office
  - 4) Notarization of the Certificate of Incorporation of the Parent Company
  - 5) Creditability Letter from the bank of the Parent Company in certifying the account having descent transaction records
  - 6) Appointment Letter from the headquarter with the board of Directors resolution in assigning the Chief Representative
  - 7) Resume of the Chief Representative and other Representatives
  - 8) Copy of Title Certificate of the real estate provided by the landlord
  - 9) Copy of Business License of the landlord
- Processing time: 15-Day

#### **步骤 2: 登记证申请**

- 审批机关：工商局
- 所需材料：
  - 1) 外国企业代表处设立登记申请书
  - 2) 首席代表签字的授权委托书
  - 3) 设立代表处申请书
  - 4) 外国公司注册证明
  - 5) 外国公司开户银行出具的资信证明
  - 6) 外国公司以董事会决议形式出具的首席代表委派书
  - 7) 首席代表及其他代表的简历
  - 8) 出租方产权证明复印件
  - 9) 出租方营业执照复印件
- 办理时限：15 个工作日

#### **Step 3: Application for Official Seal**

- Approval Authority: Public Security Bureau
- Documents required:
  - 1) Seal Customization Form
  - 2) Registration Certificate
  - 3) Application Letter in making stamps
  - 4) Reference Letter signed by the Chief Representative to verify the employment of the handling person by the office
  - 5) Identification card of the handling person
- Processing time: 2-Day

**步骤 3: 申请刻制公章**

- 审批机关: 公安局
- 所需材料:
  - 1) 印章定制单
  - 2) 登记证
  - 3) 刻制印章申请书
  - 4) 法定代表人签字的介绍信 (证明经办人为该企业工作人员)
  - 5) 经办人有效身份证件
- 办理时限: 2 个工作日

**Step 4: Application for Organization Code Certificate**

- Approval Authority :Organization Code Management Center
- Documents required:
  - 1) Registration Certificate
  - 2) Passport of the Chief Representative
  - 3) Official Seal
  - 4) Identification card of the handling person
- Processing time: 10-Day

**步骤 4: 组织机构代码证书申请**

- 审批机关: 代码管理中心
- 所需材料:
  - 1) 登记证
  - 2) 首席代表护照复印件
  - 3) 公章
  - 4) 经办人有效身份证明
- 办理时限: 10 个工作日

**Step 5: Statistical Registration**

- Approval authority: Statistics Bureau
- Documents required:
  - 1) Statistical Registration Form
  - 2) Registration Certificate
  - 3) Organization Code Certificate
- Processing time: 1-Day

**步骤 5: 统计登记**

- 审批机关：统计局
- 所需材料：
  - 1) 统计登记单位基本情况表
  - 2) 登记证
  - 3) 组织机构代码证书
- 办理时限：1 个工作日

**Step 6: Tax Registration**

- Approval authority: Tax Bureau
- Documents required:
  - 1) Tax Registration Form
  - 2) Registration Certificate
  - 3) Passport of the Chief Representative
  - 4) Official Seal
  - 5) Organization Code Certificate
  - 6) Leasing Contract of the office
- Processing time: 30-Day

**步骤 6: 税务登记**

- 审批机关：税务局
- 所需材料：
  - 1) 税务登记表
  - 2) 登记证
  - 3) 首席代表护照复印件
  - 4) 公章
  - 5) 组织机构代码证书
  - 6) 租房合同
- 办理时限：30 个工作日

**Step 7: Foreign Exchange Registration & Opening Bank Account**

- Approval authority: Administration of Foreign Exchange
- Documents required:
  - 1) Registration Certificate
  - 2) Organization Code Certificate
- Processing time: 8-Day

**步骤 7: 外币登记和开立银行账户**

- 审批机关：外汇管理局
- 所需材料：
  - 1) 登记证
  - 2) 组织机构代码证书
- 办理时限：8 个工作日

**Step 8: Customs Registration**

A foreign enterprise, which appoints foreign representatives residing in China for more than one year, is required for the registration to the customs.

- Approval authority: Customs
- Documents required:
  - 1) Application Form
  - 2) Registration Certificate
  - 3) Passport and work card the chief representative
  - 4) Passport, work card, Employment Permit and Residence Permit of the representative
- Processing time: 8-Day

**步骤 8: 海关登记**

如果该外国企业有常驻中国一年以上的外籍代表，则需要向海关备案登记。

- 审批机关：海关
- 所需材料：
  - 1) 申请表
  - 2) 登记证
  - 3) 首席代表护照复印件和工作证
  - 4) 外籍代表护照复印件、工作证、就业许可和居住许可
- 办理时限：8 个工作日