

# Immigration Newsletter

## June 2009

A publication by PwC International Assignment Services

In our second newsletter of 2009, we highlight two examples of how the current economic downturn is impacting immigration policies in the Asia Pacific region – Singapore has raised the assessment criteria for the S Pass and Shenzhen (a province in China) now requires employers to confirm that no equivalent local employee could fill the foreign applicant's position. There are additional changes in China as it prepares for its 60<sup>th</sup> anniversary celebrations in October and changes in Japan that may have tax and social security implications. Hong Kong and Thailand also introduces certain changes to immigration protocols.

### SINGAPORE

#### Tightening of S Pass criteria

On 25 May 2009, the Ministry of Manpower (MoM) formally announced that its assessment criteria for S Pass holders would be raised with effect from 1 June, to ensure the continuing high standard of mid-level skilled foreign employees awarded this pass. The move was widely anticipated to take place to allay concerns regarding the availability of positions for local employees in light of the economic downturn.

The S Pass is a category of Employment Pass made available to foreigners who earn a fixed monthly salary of more than SGD 1800. Applications will continue to be assessed on the existing point-based system, which attributes merit relating to salary, educational qualifications and technical skills, job title and years of relevant work experience. Despite the announced changes, the precise weighting now afforded to these factors will remain subject to the MoM's internal policy.

The existing quota or 'Dependency Ceiling' of the number of S Pass holders a company can employ remains at 25% of the total work force.

#### Long Term Pass Card updates

Following the announcement of the Long Term Pass (LTP) card initiative in July 2008, the LTP card has been introduced in stages by the Immigration & Checkpoints Authority (ICA) in relation to its Long Term Visit Passes in September 2008, and subsequently to Student Passes since 4 May 2009.

The next phase, which will capture the majority of foreign pass holders, is the planned launch on 1 July 2009 of LTP cards for all categories of MoM issued Employment Passes, Dependant Passes and Long Term Visit Passes. A pilot scheme is scheduled to take place in June ahead of the formal 1 July launch.

The roll out relates to newly approved passes and the renewal of existing passes only, therefore the complete transition of all foreign passes to the LTP card format could take approximately two to three years.

Key features of the new LTP card include photo and fingerprint identification in place of the existing green FIN card. Further information relating to the initiative is available in our July 2008 Immigration Alert and October 2008 Newsletter.

#### Launch of online PR application system

In its continued expansion of online services, the ICA is due to launch an electronic Permanent Resident (e-PR) system in July 2009, enabling foreigners to submit PR applications online. The current process requires individuals to make an advance appointment with the ICA to manually submit their application. The new e-PR system will only require personal attendance at the ICA following approval of the application to complete formalities.

## CHINA

### Adjustments of visa application processing for US citizens

In the wake of the global A(H1N1) flu pandemic alert, and effective since May 4 2009, the China visa processing times were increased to six business days for US nationals while the express service for visa applications was suspended. This measure applied to both business and tourist visa categories. Previously, US nationals could obtain visas in as little as one day.

In addition, all China visa applicants, regardless of nationality, are required to complete and submit the Declaration Form of which countries and US states they have visited in the previous two weeks.

### Visa restrictions ahead of 60<sup>th</sup> founding anniversary of People's Republic of China

In the run-up to the 60<sup>th</sup> anniversary of the founding of the People's Republic of China on October 1, visa policies for foreigners have recently been subject to increased scrutiny by approving authorities, despite no formal announcement yet being made.

Business (F) visa applications are currently being issued with expiry dates on or before September 15 – a fortnight before the National Day celebration. Processing of new applications for business visas beyond September 15 are to be put on hold, pending further government clarification. The extension of existing China visas may also require additional submission of documents.

Visa applications for tourists and students have not yet been affected, but it is anticipated that temporary measures relating to these visa categories may also be introduced.

The new requirements should not affect the issuance of work Z visas, but such applications may be subject to extended processing times.

### Shenzhen – New immigration regulations for employment of foreigners

Employers of foreign employees are now required to provide documents demonstrating that no suitable local candidate is available to fill the proposed position for work permit applications.

In relation to work permit cancellations, employers are also now required to provide documentation confirming the termination of a foreign worker's employment.

## HONG KONG

### New visa application forms

In a move to streamline the administrative process, the Hong Kong immigration authorities have introduced new forms for Employment Visa, Training and Extension of Stay applications respectively. Previously, the application forms required would vary depending on the scheme applied for within each visa category (for example the 'General Employment Policy' or 'Admission Scheme for Mainland Talent and Professionals'). With the new process, the same forms are required for applications within each visa category regardless of the scheme applied under. Additionally, accompanying dependants' information is now included in the main application.

### Immigration arrangements for Taiwan visitors

Taiwan residents who hold a valid travel permit ('Mainland Travel Permit for Taiwan Residents', commonly known as 'Tai Bao Zheng') no longer need to obtain a valid entry/exit endorsement for Mainland China for entry to and stay of up to seven days as a visitor in Hong Kong.

## JAPAN

### Revised guidelines for applications for change of status and extension of period of stay

The immigration authorities have confirmed that they are in the process of reviewing guidelines for Change of Status and Extension of Period of Stay applications. It is anticipated that more emphasis may be placed on the following factors when assessing the applications:

- 1) Japanese tax compliance;
- 2) Japanese social insurance participation;
- 3) Performance of individual's duties in relation to the Alien Registration Certificate.

As of 1 April 2010, social insurance certificates will be required to be shown when applications are submitted. Further details are targeted to be released by the authorities in the coming months.

## THAILAND

### 90 days registration

Thai immigration regulations require that any foreigner intending to stay in Thailand for 90 days or more must notify the immigration authorities. Foreigners who obtained visa approval from the One Stop Service Centre (OSSC) can make the notification at the OSSC within seven days before or after the due date. However, foreigners who obtained visa approval from the Immigration Bureau must notify the authorities via the approving immigration office within seven days before or on the due date. Notification via the OSSC therefore affords additional flexibility in completing the notification procedure of up to seven days after the due date. A foreigner who does not comply with these timelines may be liable to a fine.

### Submission of Long Term Visa applications

With effect from March 2009, all long term visa applications must be submitted at the immigration office close to where the company is located. Certain companies located in some provinces or fulfilling certain criteria may be exempt from this requirement. Previously, long-term visa applications could be submitted at any immigration office, regardless of the location of the company.

### How PwC's Global Visa Services can help you

The Global Visa Services (GVS) team of PwC's International Assignment Services is a dedicated team specialising in the provision of immigration advice and assistance with visa requirements and applications for employees. Our global network of immigration specialists based in over 95 countries globally forms one of the largest immigration service providers of its kind in the world.

Please visit our website at [www.pwcias.com](http://www.pwcias.com)

This guide is intended as a brief overview only – please contact us for further information and advice.

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