

Obtaining Overseas Non-Criminal Record After Entering China

After entering China, foreign nationals are required to submit the certificate of non-criminal record of compliance certification when applying for work visas and permanent residence in China (five-star card). Many enterprises and foreign applicants are not familiar with the ways to handle the exemption from leaving the country and the Hague Certification rules, which leads to the rejection of materials and delays in the approval process. Kaizen hereby, in combination with the policies of the Hague Convention, briefly introduces the rules and procedures for foreign personnel to apply for a certificate of no criminal record abroad within the territory of China, for the reference of existing and potential clients.

1、 Determine the jurisdictional scope and validity period

(1) Geographical scope

A certificate of no criminal record abroad must be issued by the designated official institution of the country where the applicant's nationality is located or by the applicant's long-term residence abroad after reaching the age of 18.

After the applicant reaches the age of 18, if they have continuously resided in any foreign country or region for one year, they need to separately issue a local certificate of no criminal record.

Personal statements, self-written criminal record clearance commitments and other non-official materials will not be accepted.

(2) Validity period

The validity period is calculated from the date of issuance of the certificate and is valid for six months. Expired documents cannot be extended and a new certificate should be issued.

SHENZHEN 深圳

Rooms 1203-06, 12/F.
Di Wang Commercial Centre
5002 Shennan Road East
Luohu District, Shenzhen, China
中國深圳市羅湖區深南東路5002號
地王商業中心12樓1203-06室
T: +86 755 8268 4480

SHANGHAI 上海

Room 1201, 12/F., Tower A
Guangqi Culture Plaza
2899A Xietu Road, Xuhui District
Shanghai, China
中國上海市徐匯區斜土路2899甲號
光啓文化廣場A座12樓1201室
T: +86 21 6439 4114

BEIJING 北京

Room 303, 3/F.
Interchina Commercial Building
33 Dengshikou Street
Dongcheng District, Beijing, China
中國北京市東城區燈市口大街33號
國中商業大廈3樓303室
T: +86 10 6210 1890

TAIPEI 台北

Rooms 7F-702, 7/F., 188 Section 5
Nanjing East Road
Songshan District, Taipei
Taiwan 105411
台灣台北市松山區南京東路五段
188號7樓7F-702室
郵編: 105411
T: +886 2 2711 1324

TOKYO 東京

Rooms 502-03, 5/F.,
Lions Mansion Matsugaya
1-4-6 Matsugaya, Taito, Tokyo
Japan 111-0036
日本東京都台東區松谷1-4-6
獅子大廈5樓502-03室
郵編: 111-0036
T: +81 3 5776 2637

SINGAPORE 新加坡

138 Cecil Street, #13-02 Cecil Court
Singapore 069538
T: +65 6438 0116

KUALA LUMPUR 吉隆坡

Menara Suezcap, Tower 2
E-13A-3A, No. 2 Jalan Kerinchi
Gerbang Kerinchi Lestari
59200 Kuala Lumpur, Malaysia
T: +60 19 2177 344

NEW YORK 紐約

202 Canal Street, Suite 303, 3/F.
New York, NY 10013, USA
T: +1 646 850 5888

LONDON 倫敦

Room 5, 2/F., 39-41 High Street
New Malden, Surrey
KT3 4BY, UK
T: +44 20 3910 8392

2、 Channels for foreign nationals in China to apply for exemption from leaving the country

For foreign applicants who have already entered China and are unable to leave the country to apply for a certificate of no criminal record abroad, most countries support applying within China. There are mainly two compliant paths: on-site application at embassies and consulates in China and online application at official institutions. They can successfully apply without leaving the country.

(1) Apply on-site at the embassy or consulate in China

Applicants can submit their applications in person at the embassy or consulate of their country of nationality in China. Documents issued through the consular channel can match domestic approval standards to the greatest extent in terms of authenticity and compliance.

At present, most countries require individuals to be present for identity verification. The acceptance rules may vary from country to country. Kaizen reminds applicants to make an appointment in advance to confirm the processing requirements.

(2) Online application by official police agencies

The official institutions of major countries such as the United States, Canada, Australia and the United Kingdom have now opened official online application channels. The entire process can be submitted remotely while within China, without the need to leave the country or go overseas for offline verification in person.

3、 Certification rules for criminal record certificate

After obtaining the certificate of no criminal record abroad, it does not mean that the procedures have been completed. The documents must still be notarized and officially certified abroad.

China officially joined the Convention on the Cancellation of the Requirements for the Authentication of Foreign Official Documents on November 7, 2023. The authentication method is judged based on whether the country issuing the document is a contracting party to the Hague Convention. The Hague Authentication and consular dual authentication processes are independent of each other and cannot be used interchangeably.

(1) Hague apostille

Scope of application: All contracting states of the Hague Convention, including 49 European countries such as the United States, Canada, the United Kingdom, Australia, New Zealand, Japan, South Korea, Singapore, Germany/France, Indonesia, Philippines, etc.

Application process: official certificate of no criminal record issued by the overseas official → local notarization → issuance of the Hague Additional Certificate by the authorized institution of that country

Features: After the completion of the Hague certification, it can be used throughout the country. It does not need to go through the consular certification of the foreign Ministry and the local embassies and consulates. The process is streamlined and the approval time is faster.

(2) Traditional consular dual certification

Scope of application: Countries and regions that have not joined the Hague Convention do not enjoy policy simplification, such as the United Arab Emirates (UAE), Cambodia, Laos, Myanmar, Malaysia, Maldives, Bhutan, Nepal and other countries. It is worth noting that although China and India are both members of the Hague Convention, they do not have mutual effect.

Application process: Official certificate of no criminal record issued by the overseas official → Local notarization → Certification by the Ministry of Foreign Affairs of the country or the authorized foreign affairs institution → Consular certification by the Chinese embassy or consulate in the local area

Features: This process has complicated procedures. If the processing sequence is reversed, the entire set of documents will become invalid, and all materials need to be reapplied for.

4、 Procedures for foreign nationals in China to apply for certificates of no criminal record abroad

After obtaining the certificate of no criminal record abroad, in addition to having to go through notarization and foreign-related certification, the foreign language version of the notarization/certification should also be arranged to be translated into Chinese, so as to smoothly handle subsequent matters such as work visas and residence permits. In order to

facilitate intuitive differentiation and quick comparison, Kaizen summarizes the processing process of overseas non-criminal record certificate after entry as the following table.

Steps	Processing of the project	Handling matters	
Step1	Compliance Certification	➤ Apply online through the official institution of the country of nationality; or ➤ Go to the embassy or consulate of your country of nationality in China to apply in person	
Step2	Overseas Notarization	The overseas compliance institution has completed the official notarization	
Step3	Official Certification	Parties to the Hague Convention	Apply for Hague Apostille: It is applicable to European countries such as the United States, Canada, the United Kingdom, France/Germany, Japan, Singapore, Indonesia, the Philippines and other countries.
		Not a Party to the Hague Convention	Traditional Consular Dual Certification: ➤ The Ministry of Foreign Affairs of that country or the authorized foreign affairs agency shall certify it; and ➤ Consular certification by the Chinese embassy or consulate in the local area It is applicable to countries such as the United Arab Emirates (UAE), India, Cambodia, Laos, Myanmar, Malaysia, Maldives, Bhutan, and Nepal.
Step4	Translate Files	The foreign language notarial certificate should be translated into Chinese to facilitate the subsequent processing of work visas and residence permits.	

Kaizen Visa Immigration expert team has been deeply engaged in the entry and exit compliance service for foreigners in China for many years and is proficient in the whole set of procedures. The service covers a number of multinational companies and foreign employees, ensuring the smooth entry and stable life of foreign talents in China. If you have any needs, please feel free to contact our expert team at any time.

If you wish to obtain more information or assistance, please visit the official website of Kaizen CPA Limited at www.kaizencpa.com or contact us through the following and talk to our professionals:

Email: info@kaizencpa.com

Tel: +852 2341 1444

Mobile : +852 5616 4140, +86 152 1943 4614

WhatsApp/ Line/ Wechat: +852 5616 4140

Skype: kaizencpa

KAIZEN 啓源