Procedures and Documents for the registration for change of wholly foreign-owned enterprises

1. Registration for change of the name of the organization

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

Required documents:

(1) Application form for Change (Filing) of Foreign Invested Companies

(2) Legal resolution or decision (original)

The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.

(3) Amendment of company article-of-association or revised version signed by the legal representative (original)

(4) The Notification of the Pre-approval of the Enterprise Name

(5) The business license (both the original and duplicated), IC card (Electronic business license)

(6) Other required documents and materials

Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

□ Change of the organization code with Shanghai Quality and Technical Supervision Bureau:

After the application of code registration of the organization, any change in the name, address, legal representative, type or economic nature of the enterprise should be applied for change to the related department in 30 days after the approval of the change.

Required documents include:

(1) Valid proving documents of the approval of the change

(2) Code certificate (both original and duplicated one), IC card of the code certificate

□ Change of the seal with Shanghai Public Security Bureau:

Required documents:

The enterprise seal engraved with the “Three Ventures” (WFOE, Chinese-Foreign contractual equity joint venture, and Chinese-Foreign Equity Joint Venture), seal of the Shanghai representative office, the authorization letter signed by legal representative, copy of the valid identification of the legal representative, business license (both original and duplicate) or Industrial and Commerce Registration and its copy together with the valid identification of the handling person and its copy. On occasions that the license is handled by any agent entrusted, the valid identification of the agent should be submitted.
□ Change of Foreign Exchange Registration from Shanghai Branch of State Foreign Exchange Administration:

Change or de-registration of foreign exchange registration should be applied to the Foreign Exchange Administration when the name, share or equity structure of the enterprise is changed and the company is cancelled. The required documents include:

(1) Name, address, business scope of the enterprise, the copy of the approval of de-registration
(2) Foreign Exchange Registration
(3) IC card of the bank account of foreign exchange
(4) Copy of the approval of the foreign exchange capital account both reserved by the enterprise and the bank (only required for enterprises applying for the de-registration of foreign exchange registration)
(5) Enterprise Seal

□ Change of the Tax Registration Certificate with Shanghai Administration of Taxation

If the content of the tax registration certificate is involved in the change to be registered, taxpayers should, within 30 days after the registration of change or the approval or announcement of relevant organization, go to the original tax offices for tax registration of change with the following documents:

(1) Business license or other approvals for business
(2) Resolution of the change of registration and relevant proving documents
(3) Tax Registration Certificate (both original and duplicated one) released by tax department
(4) Other identification, certificates and materials required by the competent tax organ
(5) Application form of change of tax registration

If the content of the tax registration certificate is not involved in the change to be registered, taxpayers should, within 30 days after the registration of change or the approval or announcement of relevant organization, go to the original tax offices for tax registration of change with the following documents:

(1) Business license or other approvals for business
(2) Resolution of the change of registration and relevant proving documents
(3) Other identification, certificates and materials required by the competent tax organ
(4) Application form of change of tax registration

2. Registration for change of the business location
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

Required documents:
(1) Application form for Change (Filing) of Foreign Invested Companies

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(2) Legal resolution or decision (original)

The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.

(3) The certificates for the address

For self-owned house, the copy of the certificate of house ownership shall be submitted and the original certificate shall be showed for verification; for rented houses, the original house-leasing agreement and the copy of the certificate of ownership of the lessor shall be submitted (if the copy of the certificate of ownership cannot be submitted, other proving materials of the ownership of the house are acceptable); if the lessor is a hotel or restaurant, the copy of the business license of the hotel or restaurant shall be additionally submitted.

(4) Amendment of company article-of-association or revised version signed by the legal representative (original)

(5) Registration Certificate and IC card

(6) Other required materials and documents

For companies moving out of the region of the registration department, they should apply for registration of change to the original registration department; if they are moving to a region of different approve department from the original place, the approval from the new approve department should be submitted to the original approve department. After getting the move certificate from the original registration department (and approval of the original approve department if the company is moving out to a place of different approve department), the company shall apply for registration of change to the new registration department and get the business license.

□ Change of the organization code with Shanghai Quality and Technical Supervision Bureau:

After the application of code registration of the organization, any change in the name, address, legal representative, type or economic nature of the enterprise should be applied for change to the related department in 30 days after the approval of the change.

Required documents include:

(1) Valid proving document of the approval of the change
(2) Code certificate (both original and duplicated one), IC card of the code certificate
(3) ID card of the legal representative

□ Change of Foreign Exchange Registration from Shanghai Branch of State Foreign Exchange Administration:

Change or de-registration of foreign exchange registration should be applied to the Foreign Exchange Administration when the name, share or equity structure of the enterprise is changed and the company is cancelled. The required documents include:

(1) Name, address, business scope of the enterprise, the copy of the approval of de-registration

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2. Foreign Exchange Registration
3. IC card of the bank account of foreign exchange
4. Copy of the approval of the foreign exchange capital account both reserved by the enterprise and the bank (only required for enterprises applying for the de-registration of foreign exchange registration)
5. Enterprise Seal

□ Change of the Tax Registration Certificate with Shanghai Administration of Taxation

If the content of the tax registration certificate is involved in the change to be registered, taxpayers should, within 30 days after the registration of change or the approval or announcement of relevant organization, go to the original tax offices for tax registration of change with the following documents:

1. Business license or other approvals for business
2. Resolution of the change of registration and relevant proving documents
3. Tax Registration Certificate (both original and duplicated one) released by tax department
4. Other identification, certificates and materials required by the competent tax organ
5. Application form of change of tax registration

If the content of the tax registration certificate is not involved in the change to be registered, taxpayers should, within 30 days after the registration of change or the approval or announcement of relevant organization, go to the original tax offices for tax registration of change with the following documents:

1. Business license or other approvals for business
2. Resolution of the change of registration and relevant proving documents
3. Other identification, certificates and materials required by the competent tax organ
4. Application form of change of tax registration

3. Registration for change of enterprise types:

1. Application form for Change (Filing) of Foreign Invested Companies
2. The documents for approval issued by approval organs (the reply and the duplicated version of the certificate for approval ) (Original)
3. Legal resolution or decision (original)

The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.
4. Amendment of company article-of-association or revised version signed by the legal representative (original)
5. The business license(both the original and duplicated), IC card (Electronic business license)

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（6） Other required documents and materials
Note: Concerning the above required documents, if the original version is not required, the copy
with a note “Same with the original one” is acceptable.

4. Registration for the Change of the legal representative of the enterprise
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:
(1) Application form for Change (Filing) of Foreign Invested Companies
(2) Legal resolution or decision (original)
The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.
(3) The documents for disposal of the original representative and the documents for the appointment of the legal representative. (original)
The appointment of the legal representative shall comply with the regulation of the articles of association concerning the election, and appointment of legal representatives.
(4) The registration certificate of the new legal representatives (original)
(5) Registration Certificate and IC card
(6) The documents for approval issued by the approval organs (for the change of legal representative of financial, security and insurance companies)
(7) Other required documents and materials
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

5. Registration for the change of total investment and registered capital of the enterprise
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:
(1) Application form for Change (Filing) of Foreign Invested Companies
(2) The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)
(3) Legal resolution or decision (original)
The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.
(4) Amendment of company article-of-association or revised version signed by the legal representative (original)
(5) Capital verification by a legally established capital verification institution (original)

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(6) The newspaper printed the capital reduction announcements and the report on the finish of the clean up of the creditor's debts or the debt guarantee certificate
(7) The business license (both the original and duplicated), IC card (Electronic business license)
(8) Other required documents and materials

For those limited liability companies which issue new shares or those listed companies issue new shares for share-holders for the purpose of increasing capital, untitled documents from the Supervision and management organizations of securities of the State Council
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

□ Change of the organization code with Shanghai Quality and Technical Supervision Bureau:
After the application of code registration of the organization, any change in the name, address, legal representative, type or economic nature of the enterprise should be applied for change to the related department in 30 days after the approval of the change.
Required documents include:
(1) Valid proving documents of the approval of the change
(2) Code certificate (both original and duplicated one), IC card of the code certificate
(3) ID card of the legal representative

□ Change of the seal with Shanghai Public Security Bureau:
Required documents:
The enterprise seal engraved with the “Three Ventures” (WFOE, Chinese-Foreign contractual equity joint venture, and Chinese-Foreign Equity Joint Venture), seal of the Shanghai representative office, the authorization letter signed by legal representative, copy of the valid identification of the legal representative, business license (both original and duplicate) or Industrial and Commerce Registration and its copy together with the valid identification of the handling person and its copy. On occasions that the license is handled by any agent entrusted, the valid identification of the agent should be submitted.

□ Change of Foreign Exchange Registration from Shanghai Branch of State Foreign Exchange Administration:
Change or de-registration of foreign exchange registration should be applied to the Foreign Exchange Administration when the name, share or equity structure of the enterprise is changed and the company is cancelled. The required documents include:
(1) Name, address, business scope of the enterprise, the copy of the approval of de-registration
(2) Foreign Exchange Registration
(3) IC card of the bank account of foreign exchange
(4) Copy of the approval of the foreign exchange capital account both reserved by the enterprise and the bank (only required for enterprises applying for the de-registration of
foreign exchange registration)

(5) Enterprise Seal

□ Change of the Tax Registration Certificate with Shanghai Administration of Taxation

If the content of the tax registration certificate is involved in the change to be registered, taxpayers should, within 30 days after the registration of change or the approval or announcement of relevant organization, go to the original tax offices for tax registration of change with the following documents:

(1) Business license or other approvals for business
(2) Resolution of the change of registration and relevant proving documents
(3) Tax Registration Certificate (both original and duplicated one) released by tax department
(4) Other identification, certificates and materials required by the competent tax organ
(5) Application form of change of tax registration

If the content of the tax registration certificate is not involved in the change to be registered, taxpayers should, within 30 days after the registration of change or the approval or announcement of relevant organization, go to the original tax offices for tax registration of change with the following documents:

(1) Business license or other approvals for business
(2) Resolution of the change of registration and relevant proving documents
(3) Other identification, certificates and materials required by the competent tax organ
(4) Application form of change of tax registration

6. Registration for the change of paid in capital of the enterprise

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

Required documents:

(1) Application form for Change (Filing) of Foreign Invested Companies
(2) Capital verification by a legally established capital verification institution (original)
(3) The business license (both the original and duplicated), IC card (Electronic business license)
(4) Other required documents and materials

If the investment is not paid in the form of money, the proving materials for the transfer of the property shall be submitted.

Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

7. Registration for the change of paid in capital of the enterprise

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:
(1) Application form for Change (Filing) of Foreign Invested Companies
(2) The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)
(3) Legal resolution or decision (original)
The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.
(4) Amendment of company article-of-association or revised version signed by the legal representative (original)
(5) The business license (both the original and duplicated), IC card (Electronic business license)
(6) Other required documents and materials
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

8. Registration for the change of operation period
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:
(1) Application form for Change (Filing) of Foreign Invested Companies
(2) The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)
(3) Legal resolution or decision (original)
The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.
(4) Amendment of company article-of-association or revised version signed by the legal representative (original)
(5) The business license (both the original and duplicated), IC card (Electronic business license)
(6) Other required documents and materials
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

9. Registration for change of business scope
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:

The copyright and/or other intellectual property rights of China Business Engine including related text, images, charts, sound, animation, and videos, and their arrangement on the China Business Engine website, are protected by copyright and other protective laws.
（1）Application form for Change (Filing) of Foreign Invested Companies
（2）The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)
（3）Legal resolution or decision (original)
The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.
（4）Amendment of company article-of-association or revised version signed by the legal representative (original)
（5）The business license(both the original and duplicated), IC card（Electronic business license）
（6）Documents or certifications of earlier approval
The document of earlier approval or the copy of the certificate of permit or certification of permission is applicable to those foreign investment companies whose business scope covers certain project which have to be approved by relevant department according to the laws, administrative regulations and regulations of the State Council. If the business license, permit or other permission certificates of those projects have been revoked or exceed the limited valid time, those companies should apply for registration of change or deregistration in 30 days after the revocation or the last day of the valid time.
（7）Other required documents and materials
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

10. Registration for shareholding transfer
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:
（1）Application form for Change (Filing) of Foreign Invested Companies
（2）The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)
（3）Amendment of company article-of-association or revised version signed by the legal representative (original)
（4）The agreement for the shareholding transfer (original)
（5）The legal statement concerning other investors’ consent of the transfer (original)
（6）The certification of the subject qualification of the transferee.
Chinese investors shall submit the business license/ the certificate of registration of public institution/ the certificate of registration of legal person of social institutions/the certificate of non-governmental and non-enterprise unit as the certification for subject qualification. For foreign investors, their certification for subject qualification shall be notarized by the competent department of their own country and then verified by the Chinese Embassy in that country. If there
is no diplomatic ties between China and that country, the certification shall be previously verified by the embassy in that country of a third country which has diplomatic relationship with China and then verified by the Chinese Embassy in the third country. Documents issued by oversea regions of certain country shall be previously notarized by the region and then verified by the department of foreign affairs of the country and lastly verified by the Chinese Embassy in the country. For the certification of investors from Hong Kong, Macao or Taiwan shall be notarized by the regional governmental department according the regulations governing special projects.

(7) Contract of the Legal Documents Delivery (original)
The Contract of the Legal Documents Delivery is signed by the foreign investor (the authorizer) and the person that the document is delivered to (the authorized person). The contract should illustrate that the authorized person is authorized to conduct the delivery of the legal document and the exact address and contact number of the authorized person. The authorized person could be a branch set up or a company to be set up by foreign companies (among them, the company become a legal authorized person as soon as the establishment), or other units or individuals in this country.

(8) The business license (original and duplicated), IC card (electronic business license)

(9) Other required documents and materials

If the transfer is ruled by the People’s Court, the verdict of the People’s Court shall be submitted.

Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

11. Registration for the change of name of the investor

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

Required documents:

(1) Application form for Change (Filing) of Foreign Invested Companies

(2) The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)

(3) The proving materials for the change of the name of the investor

The proving document for the change of name of the investor issued by legally authorized organization for registration. For foreign investors, their certification shall be notarized by the competent department of their own country and then verified by the Chinese Embassy in that country. If there is no diplomatic ties between China and that country, the certification shall be previously verified by the embassy in that country of a third country which has diplomatic relationship with China and then verified by the Chinese Embassy in the third country. Documents issued by oversea regions of certain country shall be previously notarized by the region and then verified by the department of foreign affairs of the country and lastly verified by the Chinese Embassy in the country. For the certification of investors from Hong Kong, Macao or Taiwan shall be notarized by the regional governmental department according the regulations governing special projects.

(4) Amendment of company article-of-association or revised version signed by the legal
representative (original)
(5) The business license (original and duplicated ), IC card (electronic business license)
(6) Other required documents and materials
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

12. Registration for the change of name of the investor
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:
(1) Application form for Change (Filing) of Foreign Invested Companies
(2) The proving document for the disposal of the original board director, supervisor, or manager, the proving document for the appointment of the new board director, supervisor, or manager. The appointment of board directors, supervisors and managers shall be in line with the regulations in the articles of association concerning the election and appointment of them.
(3) The Statements of Board Directors, Supervisors and Manager
(4) The business license (original and duplicated ), IC card (electronic business license)
(5) Other required documents and materials
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

13. Filing for Pledge of the share right
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:
Required documents:
(1) Application form for Change (Filing) of Foreign Invested Companies
(2) The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)
(3) Legal resolution or decision (original)
The resolution or decision shall be made according to the Company Law of People’s Republic of China, the Law of PRC on Chinese-Foreign Equity Joint Ventures, the Law of PRC on Chinese-Foreign Contractual Joint Ventures, the Law of PRC on Wholly Foreign-Owned Enterprises, and shall be in line with the application.
(4) The contract of pledge after legal consent of other investors (original)
(5) The business license(both the original and duplicated)
Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

14. Filing for the liquidation group and the director of the group
□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

The copyright and/or other intellectual property rights of China Business Engine including related text, images, charts, sound, animation, and videos, and their arrangement on the China Business Engine website, are protected by copyright and other protective laws.
15. Filing for the amendment of the company’s article-of-association which is not required for registration

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

(1) Application form for Change (Filing) of Foreign Invested Companies

(2) The document of approval issued by the approval organs (the reply and duplicated certificate of approval) (original)

(3) Amendment of company article-of-association or revised version signed by the legal representative (original)

(4) The business license (both the original and duplicated) (stamped with the enterprise seal)

Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

16. Filing for branch company

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

(1) Application form of registration for change (file) of foreign investment companies

(2) Copy of the duplicate of the business license of the branch company

(3) Copy of the duplicate of the business license of the company

(4) other materials

The copy of the Notice of Approval of Deregistration of the branch company if the branch is to be deregistered and the copy of the Notice of Approval of Registration for Change if the branch is to change its name

Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

17. Filing for delivery of legal documents from foreign shareholders and founders

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

(1) Application form of registration for change (file) of foreign investment companies

The copyright and/or other intellectual property rights of China Business Engine including related text, images, charts, sound, animation, and videos, and their arrangement on the China Business Engine website, are protected by copyright and other protective laws.
(2) Contract of the Legal Documents Delivery (original)

The Contract of the Legal Documents Delivery is signed by the foreign investor (the authorizer) and the person that the document is delivered to (the authorized person). The contract should illustrate that the authorized person is authorized to conduct the delivery of the legal document and the exact address and contact number of the authorized person. The authorized person could be a branch set up or a company to be set up by foreign companies (among them, the company become a legal authorized person as soon as the establishment), or other units or individuals in this country. If there is any change of the authorized person, a new contract of the legal document delivery should be signed and file with the registration department of the company. If the address of the authorized person is changed, the new information should be submitted to the registration department for record.

(3) Qualification certificate of the authorized person (Stamped by the enterprise seal)

Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.

18. Filing for liaison of Industrial and commercial registration

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

(1) Application form of registration for change(file) of foreign investment companies

(2) Form of basic information of the liaison

19. Cancellation of registration for change

□ Change of the registration certificate, representative certificate and the electronic business license with Shanghai Administration of Industry and Commerce:

(1) Application form for the cancellation of registration for change (file) of foreign invested companies

(2) The verdict of the People’s Court

(3) The document for the approval of the original registration for change (original)

If the registration for change to be cancelled is not involved in the change of business license, the original approval documents shall be submitted.

(4) The business license (both original and duplicated), IC card (electronic business license)

(5) Other required documents and materials

If the registration for change to be cancelled is approved by approval organs, the new approval documents issued by the original approval organ shall be submitted.

Note: Concerning the above required documents, if the original version is not required, the copy with a note “Same with the original one” is acceptable.