

Documents required for the registration of establishment of wholly foreign-owned enterprises

- (1) The application form for the registration of establishment of foreign invested companies signed by the legal representative of the enterprise to be established
- (2) The approval documents issued by the approval organs (reply and the duplicated certificate for approval) (original)

The applier shall go the formalities of registration in registration organs within 90 days from receiving the certificate for approval; for companies to be established in the form of Chinese-Foreign contractual joint venture, Chinese-Foreign equity joint venture or wholly foreign owned enterprises, the applier shall go the formalities of registration in registration organs within 30 days from receiving the certificate for approval; for those limited liability companies established through capital raise and issue shares, proving documents from the Supervision and management organizations of securities of the State Council.

- (3) Articles of association of the company (original)

The articles of association shall be signed by the legal representatives or their authorized persons of all the investors. If the investor is a natural person, the articles of association shall be signed by the investor him/herself. The articles of association shall be in consistence with the version approved by approval organs

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

The notification shall be valid and the content of it shall be in consistence with the application of the company to be established.

- (5) The certification for the subject qualification of the investor or the ID certification of the natural person

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.

- (6) The documents for the appointment of board directors, supervisors and manager as well as the ID certification (copy) for them.
- (7) The documents for the appointment of the legal representative as well as the ID certification (copy) for him/her
- (8) Capital verification by a legally established capital verification institution (original)

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.

Applicable to those companies limited by shares and financial, security, insurance and fund management companies which require whole payment of registered capital upon establishment and other types of limited companies which require for whole or partly payment of registered capital upon establishment.

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

(10) The certificates for the usage of the place

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.

(11) The meeting minutes of the Establishment Meeting

Only required for company limited by shares and established by stock flotation

(12) Documents for earlier approval and related certification

Applicable to foreign invested companies which need approval before the application for registration according to relevant laws, regulations and the State Council

(13) The Contract of the Legal Documents Delivery

It shall be 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.

(14) Other required documents

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.

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.

China Business Engine

Tel +86 21 52289730

Fax +86 21 5228-9730

Website

China site: www.cbize.com

Globe site: www.cbize.net