

The Establishment of Computer Software and Related Service Enterprise with Foreign Investment

According to the Policy Provisions on Encouraging the Development of Software Industry and Integrated Circuit Industry of Shanghai Municipality, foreign investors are permitted to establish computer software and related service enterprise in the form of wholly foreign-owned enterprises, Chinese-Foreign contractual joint venture and Chinese-Foreign equity joint venture.

Procedures for establishment of computer software and related service enterprises with foreign investment are as follows:

Chinese investors or authorized representatives of the foreign investor should apply to industrial and commercial administrations for the registration of pre-approval of enterprise name and get the pre-approval notification.

Then the applier should submit the following documents to Shanghai Foreign Investment Committee and its authorized approval organs for the application for the establishment of the enterprise:

1. Application form for the establishment of computer software and related service enterprise with foreign investment signed by investors;
2. Feasibility study report;
3. Certification of registration (copy) of both Chinese and foreign investors, bank certificates of credibility, and certificates of legal representatives (copy);
4. (If the Chinese joint venture is investing the project with state-owned asset) the confirmation of the evaluation report of the planned investment issued by the state-owned asset administrative organizations
5. The contract and articles of association signed by legal representative of the investors (Enterprises with 100% foreign investment only have to submit the articles of association)
6. The list of the board members of the enterprise to be established and the letters of appointment of the board members by all the joint ventures
7. Approval notification of the name of the company to be established (copy);
8. The certificate of the place of registration and the business location
9. Other related documents

The original documents should be submitted unless there is a note showing the requirement for copies. If the documents are not signed by legal representatives, the power of attorney of legal representative should be submitted.

Shanghai foreign commission and its authorized approval organs shall examine and approve the feasible report, contract, article of association and other related materials. For projects with total investment of more than 100 million dollars, Shanghai Foreign Investment Commission shall submit the relevant materials for recording to the Ministry of Commerce after approval. For those approved projects or projects after filing, the authorized approval organs should issue the Certificate of Approval for the Establishment of Enterprise with Foreign Investment. The applier

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.

should go the formalities of industrial and commercial registration and get the business license within 30 days after the issuance of the certificate.



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