

The establishment of consulting enterprise with foreign investment

According to the Catalogue of Guidance for Foreign Invested Industries, foreign enterprises and individuals as well as other economic organizations are permitted to establish consulting companies in the form of Chinese-Foreign contractual joint venture or Chinese-Foreign equity joint venture. Foreign investors are encouraged to establish service enterprises in businesses of international economic, science & technology, environmental information consultation. Foreign-invested enterprises which apply for business concerning special consulting projects according to related regulations shall be examined and approved by the authorized approval organs.

Procedures for examination & approval for foreign-funded consulting companies:

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..

The applicants shall submit the feasible report, contract and articles of association to the foreign economic relation and trade commission of the district or county:

1. The application form for the establishment of consultation enterprise
2. Feasibility study report
3. Certification of registration (copy) of all the 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. Contract and articles of association of the enterprise to be established (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 investors
7. Approval notification of the name of the enterprise to be established
8. The certification of the registration place and the usage of the place of the enterprise to be established
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.

The foreign economic relation and trade commission of the district or county shall approve or submit the application to organization of higher level according to their authority. The Certificate of Approval for the Establishment of Enterprise with Foreign Investment shall be issued to approved enterprises. The applicant should go the formalities of industrial and commercial registration and get the business license within 30 days after the issuance of the certificate.

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