***In order to help foreigners understand this draft version  as soon as possible, there may be some inaccurate translations. If you find any mistakes, please leave a comment or visit the official website directly.***

**Chapter I General Provisions**

**Article 1**These regulations are formulated in accordance with the Exit and Entry Administration Law of the People's Republic of China with a view to further opening up to the outside world, standardizing the administration of permanent residence of foreigners in China, and safeguarding the lawful rights and interests of foreigners who have obtained permanent residence (hereinafter referred to as the P.R. Law).

**Article 2 These regulations shall apply to the application and examination and approval of foreigners for permanent residence, as well as to the service and administration of foreigners who are permanent residents.**

**Article 3 The system of permanent residence for foreigners shall meet the needs of national security and interests and be commensurate with the country's level of economic and social development.**

**Article 4**The lawful rights and interests of foreigners who reside permanently in China shall be protected by law, and the duration of residence in China shall not be restricted.

Foreigners residing permanently in China shall abide by Chinese laws and may not endanger China's national security, harm public interests or disrupt public order.

**Article 5**The state Immigration Administration is responsible for the administration of permanent residence of foreigners. The relevant departments under the State Council shall, within the scope of their respective functions and duties, administer the services for foreigners who reside permanently.

Local governments at various levels shall do a good job in the service and administration of foreigners who reside permanently in their respective administrative areas.

**Article 6**The National Immigration Administration Department shall, together with the relevant competent departments of the state, establish a coordination mechanism and information sharing mechanism for the administration of permanent residence services for foreigners.

**Article 7 The State shall establish a mechanism for the regular evaluation and adjustment of foreigners' permanent residence policies. When necessary, a quota examination and approval system shall be applied to foreigners' permanent residence qualifications with the approval of the State Council.**

**Article 8 The State Immigration Management Department, in conjunction with the**Science and Technology, Human Resources and Social Security Departments**, shall formulate a point evaluation system in a timely manner.**

**Article 9**The State Immigration Management Department shall through government websites and other public means, uniformly release the necessary materials, procedures, procedures and other examination and approval policy information on the application for permanent residence of foreigners**.**

**Chapter II Application Conditions**

**Article 10**In accordance with Chinese law, foreigners with basic economic self-sufficiency and basic knowledge can live in China, and foreigners who meet the application requirements stipulated in these regulations can apply for permanent residence.

**Foreigners who stay or reside in China for diplomatic or official reasons may not apply for permanent residence.**

**Article 11 Foreigners who have made outstanding contributions to China's economic and social development may, on the recommendation of the competent authorities of the state or the people's governments of provinces, autonomous regions and municipalities directly under the central government, apply for permanent residence under any of the following circumstances:**

1. **to make outstanding contributions to China's science and technology, education, culture, health, sports and other undertakings;**
2. **to engage in public welfare activities in China and make outstanding contributions to the development of public welfare undertakings in China;**
3. **to make outstanding contributions to promoting friendly exchanges and cooperation between China and other countries, safeguarding world peace and promoting common development;**

**(4) other circumstances in which China has made outstanding contributions to its economic and social development.**

**Article 12 Foreigners who have made internationally recognized outstanding achievements in the fields of economy, science and technology, education, culture, health and sports may directly apply for permanent residence.**

**Article 13**Foreigners who need to be brought in because of the country's economic and social development may apply for permanent residence under any of the following circumstances:

**(1)**Urgently needed talent introduced into key industries and regions of the state and recommended by competent departments;

**(2) Assistant professors and academic researchers with titles of assistant researcher and above who have been introduced and recommended by universities and research institutions that are under state key construction, and professors and researchers introduced and recommended by other universities and research institutions;**

**(3) Senior management personnel, senior professional and technical personnel introduced and recommended by high-tech enterprises, innovative enterprises and well-known domestic enterprises.**

**(4) Professionals recommended by foreigners who have obtained permanent residence status in accordance with Article 12 of these regulations.**

**The recommendation unit and individual listed in the preceding paragraph shall issue a true and reliable recommendation letter, and shall be responsible for the authenticity of the reason for the introduction and the relevant qualifications of the recommendation object.**

**Article 14 The state immigration management department shall establish consultation mechanisms with relevant departments of the State Council, such as diplomacy, development and reform, education, science and technology, human resources and social security, commerce, culture, health and health, and sports. Consultation on the specific standards stipulated in Article 13.**

**Article 15 Foreigners who work in China in accordance with the law belong to one of the following situations and have good tax records and credit records, they can apply for permanent residency:**

**(1) Have a doctoral degree or graduate from a well-known international university, have worked in China for three years, and have accumulated an actual residence period of not less than one year;**

**(2) Having worked for three consecutive years in key industries and regions where the state has been developing, during which the accumulated actual residence time shall not be less than one year, and the annual wage income shall not be less than four times the average wage of urban employees in the region where they were in the previous year;**

**(3) Having worked in China for four consecutive years, during which the cumulative actual residence time is not less than two years, and the annual salary income is not less than six times the average salary of urban employees in the region in the previous year;**

**(5) Having worked in China for eight consecutive years, during which the actual residence accumulated during the period is not less than four years, and the annual salary income is not less than three times the average salary of urban employees in the region where they were in the previous year.**

**The salary-based annual income stipulated in items 2 to 4 of the preceding paragraph is the minimum standard. The specific standards shall be determined by the people's governments of the provinces, autonomous regions, and municipalities directly under the central government.**

**Article 16 In accordance with the provisions of the Foreign Investment Law, foreigners who invest in enterprises as natural persons or as controlling shareholders belong to one of the following situations, and if the investment situation is stable for three consecutive years, and the tax records and credit records are good, they can apply for permanent residence qualifications:**

**(1) Investment in China equivalent to more than RMB 10 million;**

**(2) in regional investments where foreign investment incentives are implemented by the state, the amount of investment, the amount of tax paid, and the number of employed Chinese citizens meet the prescribed standards;**

**(3) The establishment of high-tech enterprises and innovative enterprises in China with significant benefits and recommended by the competent authorities of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.**

**The specific criteria stipulated in the second paragraph of the preceding paragraph shall be determined by the state immigration administration department and the relevant departments of the State Council.**

**Article 17 Foreigners who need a family reunion may apply for permanent residency if they fall into one of the following circumstances:**

**(1) The spouse is a Chinese citizen or a foreigner who resides permanently in China, has lived with the spouse in China for five years after marriage, and has accumulated actual residence of not less than nine months each year, with stable living security and domicile;**

**(2) Children under the age of eighteen refer to Chinese parents residing in China or foreign parents permanently residing in China;**

**(3) Those who have reached the age of sixty and have no immediate relatives abroad. They have depended on immediate relatives of Chinese nationality living in China or foreign relatives of permanent nationality who have permanently resided in China. Accumulated no less than nine months with stable living security and residence.**

**Article 18 If a foreigner meets the conditions stipulated in Articles 11, 12, 13, 15 and 16 of these regulations and applies for permanent residence, his spouse and under 18 years of age Children can apply for permanent residency at the same time.**

**Article 19 Foreigners who need permanent residence in China for other legitimate reasons may apply for permanent residence status.**

**Chapter III Approval and Management**

**Article 20 Foreigners applying for permanent residency status shall apply to the exit-entry administration of the public security organ of the place of residence, truthfully report the application information, submit their passports or other international travel documents, meet the required photos and application materials, and accept interviews as required. , And retain human identification information such as fingerprints.**

**Those who apply for permanent residence status in accordance with Articles 12 and 13 of these regulations are not subject to the restrictions of residence, and can apply directly to the national immigration management department.**

**Article 21 The entry-exit administration of the public security organ of the local people's government at or above the county level shall, in accordance with the entrustment of the State's immigration management department, accept applications for permanent residence status for foreigners.**

**If the foreigners apply for permanent residence qualifications in accordance with the procedures and materials, the exit and entry management agency of the public security organ shall accept and issue a receipt of acceptance. If the application materials are incomplete or do not meet the required form, the exit and entry management agency of the public security organ shall inform the applicant on the spot or within one day of the entire contents of the procedures and supplementary materials and register them.**

**Those applying for permanent residence status in accordance with Articles 12 and 13 of these regulations shall be given priority.**

**Article 22 The exit-entry administration of a public security organ shall carefully check the authenticity of the application, the nationality, credit history, and work and life of the applicant within China. Relevant units and individuals should assist and cooperate.**

**Article 23 The maximum period for examining and approving aliens' status of permanent residence is 120 days, counting from the date of acceptance by the immigration administration of the public security organ.**

**Waiting for quota is not included in the approval period.**

**Article 24 For qualified foreigners, the state's immigration management department shall approve the permanent residency status and issue a permanent residence permit for foreigners.**

**A foreigner's permanent residence ID is proof of identity of a foreigner who resides permanently in China. A foreigner who is permanently resident may engage in related activities based on his or her identity certificate, and the relevant unit and its staff shall not refuse.**

**Article 25 The items for registration of a foreigner's permanent residence ID include: name, gender, date of birth, nationality, photo of himself, permanent residence identification number, issuing authority, valid period of the certificate, etc.**

**The format of the foreigner's permanent residence identity card shall be prescribed by the national immigration management department.**

**Article 26 If a foreigner has any of the following circumstances, the state immigration management department shall make a decision not to approve the permanent residence:**

**(1) failing to meet the application conditions or failing to provide application materials in accordance with regulations;**

**(2) Suffering from serious mental disorders, infectious tuberculosis or other infectious diseases that may cause major harm to public health;**

**(3) It may endanger China's national security and interests and disrupt public order;**

**(4) making frauds during the application process;**

**(5) The expenses necessary for living in China cannot be guaranteed;**

**(6) Other circumstances unsuitable for permanent residence in China.**

**Article 27. The permanent residence of a foreigner in China shall not be less than three months per year. Permanent residence foreigners who do have legitimate reasons for failing to meet the residence time limit requirements of the preceding paragraph may be appropriately reduced after being approved by the exit-entry administration of the public security organ of the provincial people's government and reported to the national immigration administration.**

**Article 28 If the validity of a foreigner's permanent residence identity card expires or there are changes in the registration items, the holder of the certificate shall issue it to the public security organ of the place of residence within 30 days before the expiration of the validity period of the certificate or within 30 days from the date of the change in the registration items Immigration authorities apply for a reissue.**

**If a foreigner's permanent residence identity card is damaged, lost or stolen, he shall apply to the exit and entry administration of the public security organ in the place of residence for a replacement.**

**Article 29 If the application for the renewal and reissuance of an alien's permanent residence ID card meets the acceptance requirements, the exit and entry administration of the public security organ shall accept and issue an acceptance receipt with a validity period of not more than 30 days, and whether to grant approval within the validity period of the acceptance receipt Decisions on replacement and replacement.**

**During the period of reissuing and reissuing the foreigner's permanent residence ID card, the foreigner of permanent residence shall legally stay in China with the acceptance receipt.**

**Article 30 If the entry-exit administration of a public security organ verifies the actual residence time, place of residence, change of nationality, and work and life in China of a foreigner who is a permanent resident in China according to work needs, relevant units and individuals shall assist and cooperate.**

**Article 31 If a foreigner who has permanent residence has one of the following circumstances, the state immigration management department shall cancel its permanent residence status and declare the permanent residence ID held by him invalid.**

1. **causing harm to China's national security and interests;**

**(2) Being deported;**

**(3) fraudulently obtaining the permanent residence status in China;**

**(4) The residence in China has not reached the prescribed time limit;**

**(5) Other circumstances unsuitable for permanent residence in China.**

**Article 32 Under any of the following circumstances, the immigration management agency of the public security organ shall collect the foreigner's permanent residence ID card:**

**(1) Being approved to join or restore Chinese nationality;**

**(2) The foreigner with permanent residence status dies;**

**(3) The alien's permanent residence permit has been declared invalid.**

**Article 33. If a foreigner is disqualified from permanent residence, he shall not submit another application within five years.**

**Article 34. State personnel shall keep confidential the personal information of foreigners who have resided permanently in the process of performing their duties.**

**Chapter IV Services and Benefits**

**Article 35 Local people's governments at all levels shall include permanent residents in the permanent population service management system, and provide general language training, national knowledge, and legal policies for permanent residents in accordance with the level of economic and social development in the region and actual needs. Consulting services such as social integration.**

**Local people's governments at all levels should actively guide and regulate the social forces such as the units, communities, relevant intermediary agencies, and legal service agencies of permanent residence foreigners to participate in providing social integration services for foreign residents.**

**Article 36 Relevant departments of the State Council and local people's governments at all levels shall gradually promote the socialization of permanent residence ID cards in accordance with the actual conditions of their departments and regions, and apply for permanent residence aliens in China with foreigner permanent residence ID cards Finance, foreign exchange, education, medical treatment, transportation, telecommunications, social insurance, accommodation registration, property registration, motor vehicle driver's license application and other matters are provided to facilitate.**

**Article 37 The entry and settlement items of foreigners who are permanent residents shall be handled in accordance with the relevant regulations of the customs on settled passengers. Permanent residents who have stayed for less than two years from the date of entry and have settled out of the country shall be re-exported with duty-free goods and shall be re-exported to the Customs for customs duties. The customs clearance of other inbound and outbound goods and articles for permanent residents shall be handled with reference to the regulations for residents and passengers.**

**Permanent residence foreigners can pass through the special passage for Chinese citizens when entering or leaving the country.**

**Article 38 Permanent foreigners working in China are exempt from the work permit of foreigners and can participate in the evaluation of professional titles, vocational qualification examinations, and the selection of natural science and technology innovation awards established by the government in accordance with relevant regulations.**

**Article 39 Foreign residents of permanent residence shall fulfill the corresponding tax obligations in accordance with Chinese tax laws and regulations and relevant international tax treaties and agreements concluded by China.**

**Foreign residents of permanent residence shall pay taxes in accordance with the law and issue tax certificates or tax payment vouchers with the tax authorities in accordance with the regulations, or they may exchange foreign exchange for remittances in accordance with regulations after filing for tax filing of external payments.**

**Article 40 Foreigners of permanent residence may purchase self-use and self-occupation commodity housing in China in accordance with relevant regulations.**

**Permanent residence foreigners can deposit and use the housing provident fund in accordance with the relevant provisions of the housing provident fund management, and when leaving the deposit place, they can go through the procedures for the withdrawal or transfer of the housing provident fund in accordance with the regulations.**

**Article 41 If a foreigner of permanent residence works in China, he shall participate in various social insurances in accordance with the provisions of social insurance laws and regulations. Those who stay in China but do not work may participate in the basic medical insurance for urban and rural residents and the basic endowment insurance for urban and rural residents in accordance with the relevant regulations of the place of residence, and enjoy social insurance benefits.**

**Article 42 Foreigners of appropriate age who are permanent residents of residence or minors who are relocated may receive compulsory education in China without charging fees other than those prescribed by the state.**

**Article 43 The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall formulate and improve supporting measures in accordance with the actual conditions of the region to ensure that foreign residents who are permanent residents in the region participate in social insurance, purchase their own homes for self-use, and minors who have moved with them Children's legal rights to receive compulsory education.**

**Article 44. Other treatment matters for foreigners of permanent residence are not stipulated in these Regulations. If there are laws and regulations and relevant departments of the State Council, the provisions shall prevail.**

**Chapter V Legal Liability**

**Article 45 The administrative penalties provided for in this chapter shall be determined by the public security organs of the local people ’s governments at or above the county level, unless otherwise provided in this chapter; among them, warnings or fines of less than 5,000 yuan may be entered and exited by the public security organs of the local people ’s governments at or above the county level The governing body decides.**

**Article 46 Staff members who perform the duties of management of permanent residence of foreigners shall be punished according to law in any of the following circumstances:**

**(1) Violating laws and administrative regulations and failing to accept an application for permanent residence status that should be accepted;**

**(2) Issuing a permanent residence permit for foreigners who do not meet the prescribed conditions in violation of laws and administrative regulations;**

**(3) leaking the personal information of foreigners who have resided permanently in the process of performing their duties, infringing on the lawful rights and interests of the parties;**

**(4) Other acts of abusing their powers, neglecting their duties, engaging in malpractices for personal gain, and failing to perform their legal duties in accordance with the law.**

**Article 47 The relevant units and individuals shall be warned and ordered to make corrections in any of the following circumstances; if they refuse to make corrections or the circumstances are serious, they shall be fined between 1,000 and 5,000 yuan:**

**(1) Refusing to cooperate with information verification or providing false information;**

**(2) Refusing to recognize the validity of a permanent residence foreign identity document without justified reasons.**

**Article 48 If the relevant units and individuals have any of the following circumstances, they shall be punished in accordance with the relevant provisions of the "Exit and Entry Administration Law of the People's Republic of China":**

**(1) issuing recommendation letters or other application materials for foreigners in violation of regulations;**

**(2) fraudulently obtaining identity cards for permanent residence;**

**(3) The permanent residence alien's place of residence has not been registered according to law;**

**(4) Other circumstances that violate the laws and regulations of exit and entry.**

**If a recommendation letter is issued for a foreigner in violation of the regulations, the recommendation qualification will be cancelled at the same time.**

**Article 49 Anyone who violates the provisions of these regulations and constitutes a crime shall be investigated for criminal responsibility according to law.**

**Chapter VI Supplementary Provisions**

**Article 50 The place of residence referred to in these Regulations refers to the place where the applicant's introduction unit or work unit, the place of investment, and the permanent residence of the person or his spouse, dependant, or supporter are directly related to the reason for the application of permanent residence by foreigners To wait.**

**Article 51 The time limit for examination and approval prescribed in these Regulations shall be calculated in working days, excluding statutory holidays.**

**Article 52 For the application for permanent residence in China and the issuance, replacement and replacement of permanent residence permits for foreigners, the relevant fees and standards shall be implemented in accordance with the provisions of the State Council's department of finance and prices.**

**第一章 总则**

**第一条**  为了进一步扩大对外开放，规范外国人在中国境内永久居留管理，保障取得永久居留资格外国人（以下称永久居留外国人）的合法权益，依据《中华人民共和国出境入境管理法》，制定本条例。

**第二条**  外国人永久居留资格的申请和审批，以及对永久居留外国人的服务和管理，适用本条例。

**第三条**  外国人永久居留制度应当符合国家安全和利益需要，与国家经济社会发展水平相适应。

**第四条**  永久居留外国人在中国境内的合法权益受法律保护，在中国境内居留的期限不受限制。

在中国境内的永久居留外国人应当遵守中国法律，不得危害中国国家安全、损害社会公共利益、破坏社会公共秩序。

**第五条**  国家移民管理部门负责外国人永久居留管理工作。国务院有关部门在各自职责范围内做好永久居留外国人有关的服务管理工作。

地方各级人民政府做好本行政区域内永久居留外国人的服务管理工作。

**第六条**  国家移民管理部门会同国家有关主管部门建立外国人永久居留服务管理工作协调机制、信息共享机制。

**第七条**  国家建立外国人永久居留政策定期评估调整机制。必要时，经国务院批准，对外国人永久居留资格实行定额审批制度。

**第八条**  国家移民管理部门会同科技、人力资源社会保障部门适时制定积分评估制度。

**第九条**  国家移民管理部门应当通过政府网站等公开方式，统一发布外国人永久居留资格申请所需材料、手续以及办理流程等审批政策信息。

**第二章 申请条件**

**第十条**  外国人遵守中国法律，具备在中国生活的基本经济保障，并且符合本条例规定申请条件的，可以申请永久居留资格。

外国人因外交、公务事由在中国境内停留居留期间，不得申请永久居留资格。

**第十一条**  外国人为中国经济社会发展作出突出贡献，属于下列情形之一的，经国家有关主管部门或者省、自治区、直辖市人民政府推荐，可以申请永久居留资格：

（一）为中国科技、教育、文化、卫生、体育等事业作出突出贡献；

（二）在中国境内从事公益活动，为中国公益事业发展作出突出贡献；

（三）为推进中外友好交流合作、维护世界和平、促进共同发展作出突出贡献；

（四）为中国经济社会发展作出突出贡献的其他情形。

**第十二条**  在经济、科技、教育、文化、卫生、体育等领域取得国际公认杰出成就的外国人，可以直接申请永久居留资格。

**第十三条**  因国家经济社会发展需要引进的外国人，属于下列情形之一的，可以申请永久居留资格：

（一）国家重点发展的行业、区域引进并经主管部门推荐的急需紧缺人才；

（二）国家重点建设的高等学校、科研机构引进并推荐的助理教授、助理研究员以上职称的学术科研人员，以及其他高等学校、科研机构引进并推荐的教授、研究员；

（三）高新技术企业、创新型企业以及国内知名企业引进并推荐的高级经营管理人员、高级专业技术人员。

（四）根据本条例第十二条规定取得永久居留资格的外国人推荐的专业人才。

前款所列推荐单位和个人应当出具真实、可靠的推荐函件，对引进事由及推荐对象相关资质的真实性负责。

**第十四条**  国家移民管理部门应当与外交、发展改革、教育、科技、人力资源社会保障、商务、文化、卫生健康、体育等国务院有关部门建立会商机制，就本条例第十二条和第十三条规定的具体标准等进行会商。

**第十五条**  外国人依法在中国境内工作，属于下列情形之一，且纳税记录和信用记录良好的，可以申请永久居留资格：

（一）具有博士研究生学历或者从国际知名高校毕业，在中国境内工作满三年，其间实际居留累计不少于一年；

（二）在国家重点发展的行业、区域连续工作满三年，其间实际居留累计不少于一年，工资性年收入不低于上一年度所在地区城镇在岗职工平均工资的四倍；

（三）在中国境内连续工作满四年，其间实际居留累计不少于二年，工资性年收入不低于上一年度所在地区城镇在岗职工平均工资的六倍；

（四）在中国境内连续工作满八年，其间实际居留累计不少于四年，工资性年收入不低于上一年度所在地区城镇在岗职工平均工资的三倍。

前款第二项至第四项规定的工资性年收入为最低标准，具体标准由国家移民管理部门商省、自治区、直辖市人民政府确定。

**第十六条**  外国人按照外商投资法律的规定，以自然人身份或者作为控股股东的企业投资，属于下列情形之一，且连续三年投资情况稳定，纳税记录和信用记录良好的，可以申请永久居留资格：

（一）在中国境内投资折合人民币一千万以上；

（二）在国家实行外商投资鼓励措施的区域投资，投资数额、纳税金额和聘雇中国公民人数达到规定标准的；

（三）在中国境内设立高新技术企业、创新型企业，效益显著并经省、自治区、直辖市人民政府主管部门推荐的。

前款第二项规定的具体标准由国家移民管理部门商国务院有关部门确定。

**第十七条**  外国人有家庭团聚需要，属于下列情形之一的，可以申请永久居留资格：

（一）配偶为居住在中国境内的中国公民或者永久居留外国人，婚后已在中国境内与配偶共同生活五年，且每年实际居留累计不少于九个月，有稳定生活保障和住所；

（二）未满十八周岁的子女投靠居住在中国境内的中国籍父母或者在中国境内永久居留的外国籍父母；

（三）年满六十周岁，在境外无直系亲属，投靠居住在中国境内的中国籍直系亲属或者在中国境内永久居留的外国籍直系亲属，已在中国境内连续居留五年，且每年实际居留累计不少于九个月，有稳定生活保障和住所。

**第十八条**  外国人符合本条例第十一条、第十二条、第十三条、第十五条、第十六条规定条件，申请永久居留资格的，其配偶和未满十八周岁的子女可以同时申请永久居留资格。

**第十九条**  外国人因其他正当理由需要在中国境内永久居留的，可以申请永久居留资格。

**第三章 审批和管理**

**第二十条**  外国人申请永久居留资格，应当向居留地公安机关出入境管理机构提出申请，如实填报申请信息，提交本人护照或者其他国际旅行证件、符合规定的照片和申请材料，按规定接受面谈，并留存指纹等人体识别信息。

依据本条例第十二条和第十三条规定申请永久居留资格的，不受居留地限制，并可以直接向国家移民管理部门提出申请。

**第二十一条**  县级以上地方人民政府公安机关出入境管理机构按照国家移民管理部门的委托，受理外国人永久居留资格的申请。

外国人申请永久居留资格的手续和材料符合规定的，公安机关出入境管理机构应当受理并出具受理回执。申请材料不齐全或者不符合规定形式的，公安机关出入境管理机构应当当场或者在五日内一次性告知申请人需要履行手续和补正材料的全部内容，并进行登记。

对依据本条例第十二条、第十三条规定申请永久居留资格的，优先受理。

**第二十二条**  公安机关出入境管理机构应当认真核查申请事由的真实性以及申请人的国籍、信用记录和在中国境内工作、生活等情况。有关单位和个人应当予以协助配合。

**第二十三条**  外国人永久居留资格的审批期限最长为一百二十日，自公安机关出入境管理机构受理之日起计算。

等待配额的时间不计入审批期限。

**第二十四条**  对符合条件的外国人，由国家移民管理部门批准永久居留资格，并签发外国人永久居留身份证。

外国人永久居留身份证是永久居留外国人在中国境内的身份证明。永久居留外国人可以凭该证证明身份从事相关活动，有关单位及其工作人员不得拒绝。

**第二十五条**  外国人永久居留身份证登记的项目包括：姓名、性别、出生日期、国籍、本人照片、永久居留身份号码、发证机关、证件有效期等。

外国人永久居留身份证的式样，由国家移民管理部门规定。

**第二十六条**  外国人有下列情形之一的，国家移民管理部门应当作出不予批准永久居留的决定：

（一）不符合申请条件或者未按照规定提供申请材料；

（二）患有严重精神障碍、传染性肺结核病或者可能对公共卫生造成重大危害的其他传染病；

（三）可能危害中国国家安全和利益、破坏社会公共秩序；

（四）在申请过程中弄虚作假；

（五）不能保障在中国境内生活所需费用；

（六）不适宜在中国境内永久居留的其他情形。

**第二十七条**  永久居留外国人每年在中国境内实际居留时间不得少于三个月。

确有正当理由不能满足前款居留时限要求的永久居留外国人，经省级人民政府公安机关出入境管理机构批准，并报国家移民管理部门备案后，可以适当降低居留时限要求。

**第二十八条**  外国人永久居留身份证有效期满或者登记事项有变更的，持证件人应当在证件有效期届满前三十日内或者自登记事项发生变更之日起三十日内向居留地公安机关出入境管理机构申请换发。

外国人永久居留身份证损毁、遗失、被盗抢的，应当及时向居留地公安机关出入境管理机构申请补发。

**第二十九条**  外国人永久居留身份证换发、补发申请符合受理规定的，公安机关出入境管理机构应当受理并出具有效期不超过三十日的受理回执，在受理回执有效期内作出是否批准换发、补发的决定。

在外国人永久居留身份证换发、补发期间，永久居留外国人凭受理回执在中国境内合法居留。

**第三十条**  公安机关出入境管理机构根据工作需要核查永久居留外国人在中国的实际居留时间、居留地、国籍变更以及在中国工作、生活等信息的，有关单位和个人应当予以协助配合。

**第三十一条**  永久居留外国人具有下列情形之一的，国家移民管理部门应当取消其永久居留资格，宣布其持有的永久居留身份证作废：

（一）对中国国家安全和利益造成危害的；

（二）被处驱逐出境的；

（三）弄虚作假骗取在中国境内永久居留资格的；

（四）在中国境内居留未达到规定时限的；

（五）不适宜在中国境内永久居留的其他情形。

**第三十二条**  有下列情形之一的，由公安机关出入境管理机构收缴外国人永久居留身份证：

（一）被批准加入或恢复中国国籍的；

（二）永久居留资格外国人死亡的；

（三）外国人永久居留证被宣布作废的。

**第三十三条** 外国人被取消永久居留资格的，五年内不得再次提出申请。

**第三十四条**  国家工作人员对于履行职责过程中知悉的永久居留外国人的个人信息，应当依法予以保密。

**第四章 服务和待遇**

**第三十五条**  地方各级人民政府应当将永久居留外国人纳入常住人口服务管理体系，根据本地区经济社会发展水平和实际需要，为永久居留外国人提供通用语言文字培训、国情常识、法律政策咨询等社会融入服务。

地方各级人民政府应当积极引导和规范永久居留外国人所在单位、社区和相关中介机构、法律服务机构等社会力量参与为永久居留外国人提供社会融入服务。

**第三十六条**  国务院有关部门和地方各级人民政府应当根据本部门、本地区实际情况，逐步推进永久居留身份证社会化应用，为永久居留外国人凭外国人永久居留身份证在中国境内办理金融、外汇、教育、医疗、交通、电信、社会保险、住宿登记、财产登记、机动车驾驶证申领等事务提供便利。

**第三十七条** 永久居留外国人的入境安家物品按照海关对定居旅客有关规定办理。永居外国人自入境之日起，居留时间不满两年，又出境定居的，其免税携运入境的安家物品应复运出境或者向海关补税。永久居留外国人的其他入出境货物、物品通关事宜，参照居民旅客规定办理。

永久居留外国人出入境时，可以从中国公民专用通道通行。

**第三十八条**  永久居留外国人在中国境内工作免办外国人工作许可，并可按照有关规定参加职称评审、职业资格考试和政府设立的自然科学、技术创新类奖励的评选。

**第三十九条**  永久居留外国人按照中国税收法律法规以及中国对外缔结的有关税收的国际条约、协定的有关规定，履行相应的纳税义务。

永久居留外国人对在中国境内取得的收入，依法纳税并按照规定在税务部门开具税收证明或完税凭证，或者办理对外支付税务备案后，可以按照规定兑换外汇汇往境外。

**第四十条**  永久居留外国人可以按照有关规定在中国境内购买自用、自住商品住房。

永久居留外国人可以按照住房公积金管理有关规定缴存和使用住房公积金，离开缴存地时，可以按照规定办理住房公积金的提取或转移手续。

**第四十一条**  永久居留外国人在中国境内工作的，按照社会保险法律法规的规定参加各项社会保险。在中国境内居留但未工作的，可以按照居留地相关规定参加城乡居民基本医疗保险和城乡居民基本养老保险，享受社会保险待遇。

**第四十二条**  适龄永久居留外国人或随迁的未成年子女可以在中国接受义务教育，不收取国家规定以外的费用。

**第四十三条**  省、自治区、直辖市人民政府应当根据本地区实际情况，制定完善配套措施，保障本地区内永久居留外国人在参加社会保险、购买自住自用房以及本人或随迁的未成年子女接受义务教育等方面的合法权益。

**第四十四条**  永久居留外国人的其他待遇事项本条例未规定，法律法规和国务院有关部门有规定的，从其规定。

**第五章  法律责任**

**第四十五条**  本章规定的行政处罚，除本章另有规定外，由县级以上地方人民政府公安机关决定；其中警告或者五千元以下罚款，可以由县级以上地方人民政府公安机关出入境管理机构决定。

**第四十六条**  履行外国人永久居留管理职责的工作人员，有下列情形之一的，依法给予处分：

（一）违反法律、行政法规，对应当受理的永久居留资格申请未予受理的；

（二）违反法律、行政法规，为不符合规定条件的外国人签发外国人永久居留身份证件的；

（三）泄露在履行职责过程中知悉的永久居留外国人个人信息，侵害当事人合法权益的；

（四）滥用职权、玩忽职守、徇私舞弊，不依法履行法定职责的其他行为。

**第四十七条**  有关单位和个人有下列情形之一的，给予警告，责令改正；拒不改正或情节严重的，处一千元以上五千元以下罚款：

（一）拒不配合信息核查工作或提供虚假信息的；

（二）无正当理由拒绝承认永久居留外国身份证件效力的。

**第四十八条**  有关单位和个人有下列情形之一的，依据《中华人民共和国出境入境管理法》有关规定予以处罚：

（一）违反规定为外国人出具推荐函件或其他申请材料的；

（二）弄虚作假骗取永久居留身份证件的；

（三）永久居留外国人居留地发生变更未依法办理登记的；

（四）有其他违反出境入境法律规定情形的。

违反规定为外国人出具推荐函件的，同时取消推荐资格。

**第四十九条**  违反本条例规定，构成犯罪的，依法追究刑事责任。

**第六章 附则**

**第五十条**  本条例所称居留地是指与外国人申请永久居留事由直接相关的，申请人的引进单位或工作单位所在地、投资地，以及本人或其配偶、投靠人或赡养人的经常居住地等。

**第五十一条**  本条例规定的审批期限以工作日计算，不含法定节假日。

**第五十二条**  申请在中国永久居留以及签发、换发、补发外国人永久居留身份证，有关收费项目和标准按照国务院财政和价格主管部门的规定执行。

**第五十三条**  本条例自 年 月 日起施行。