

Legal Update

New Immigration Bureau's Regulations On Extension of Non-Immigrant Visa, Category "B"

Recently the Immigration Bureau ("IB") issued an announcement to implement new regulations for visa extension for the expatriate, effective on and from 8 August 2007, by which copy of some supporting documents needed to be certified as true copy by four different authorities. Our English translation of such new regulations is attached herewith.

We assume that such regulations should have been approved by the Immigration Committee. As a result the applicant to file the application for visa extension with IB from 8 August 2007 will be strictly subject to such new regulations i.e. photocopies of some supporting documents must be certified by four different authorities. There is no confirmation whether IB has coordinated with such other authorities to provide services on certifying document copy or not. If not, there must be much inconvenience to expatriates seeking visa extension.

Our comments and recommendations are as follows:

Photocopy of the latest balance sheet and financial statement:

There is no problem since the auditor who audited the said balance sheet and the financial statement can certify it or the employing company can use the original.

Photocopy of the Affidavit of company or partnership and photocopy of the list of shareholders:

There is no problem since anyone can easily obtain a certified copy from the Ministry of Commerce once the official fee is paid.

Photocopy of tax returns, i.e. PND 1, PND 91, PND 50 and others, as well as tax payment receipts:

We recommend that on the date of submitting the said tax returns the employing company should produce sufficient extra copies of the said tax returns (in the same amount of numbers of expatriates) and have the Revenue Department officer certify them so that the employing company would have these certified copy in their possession.

Photocopy of monthly social security fund return:

We recommend that on the date of submitting the said social security fund return the employing company should produce sufficient extra copies of the said return (in the same amount of numbers of expatriates) and have the Social Security Office officer certify them so that the employing company would have the certified copy in their possession.

Photographs of business place and location of the employing company:

There is no problem since such required photographs can be produced and saved digitally.

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(Translation)

ANNOUNCEMENT

Re: Photocopy of supporting documents required for visa extension

1. Photocopy of supporting documents issued by government or private sector must be certified as true copy as follows:

No.	Required document	Certified as true copy by
1.	Photocopy of latest balance sheet and financial statement	<ul style="list-style-type: none"> - Auditor or - Authorized officer of the Revenue Department or - Authorized officer of the Ministry of Commerce or - Original document can be attached to the application for consideration.
2.	Photocopy of Affidavit of company or partnership and photocopy of the list of shareholders	<ul style="list-style-type: none"> - Authorized officer (the registrar) of the Ministry of Commerce.
3.	Photocopy of tax returns, i.e. PND 1, PND 91, PND 50 and others, as well as tax payment receipts	<ul style="list-style-type: none"> - Authorized officer of the Revenue Department.
4.	Photocopy of monthly social security fund return	<ul style="list-style-type: none"> - Authorized officer of the Social Security Office

2. All applications for visa extension must be supported by photographs of business place and location of the employing company as follows:

- 2.1 Photographs of interior office showing employees at work during office hours; and
- 2.2 Photographs of exterior office showing location including signboard of the employing company.

Effective from 8 August 2007 and onwards.

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