



The BVI Extends Visa Exemption to PRC Nationals

Authors:

Robert J.D. Briant, Partner, Head of BVI Corporate

Christopher W.H. Bickley, Partner, Head of Hong Kong Office

The British Virgin Islands ("BVI") Government has enacted a measure which exempts nationals of the People's Republic of China from the need to apply for a visa to visit the BVI for up to six months for business or tourism purposes. The Order dated 5 July 2018 (the "Visa Exemption Order") made under Section 37(4) of the *Immigration and Passport Act (Cap 130)* (the "Act") exempts from the requirement of a visa under Section 37(1) of the Act, Chinese nationals who will enter and remain in the BVI for such period and purpose.

When coupled with the exemption previously introduced in 2017 by the *Labour Code (Work Permit Exemption) Order, 2017* (the "Work Permit Exemption Order") exempting various categories of persons from the need to obtain work permits, this latest measure allows Chinese nationals to visit and take part in business activities in the BVI with just an invitation letter from the relevant BVI entity being visited and payment of applicable fees. The Work Permit Exemption Order exempts certain persons, including directors and other officers of companies (whether incorporated in the BVI or elsewhere) visiting the BVI for board meetings, persons visiting BVI business persons for business deals and negotiations (other than foreign lawyers not admitted to practise in or holding a valid practising certificate in the BVI) and persons attending business-related events (such as meetings and conferences) put on by BVI entities, from the need to obtain work permits for an initial seven (7) days, which may be extended on request. Persons conducting, participating in (whether as legal counsel or representative of a party or as a witness or expert witness) or providing support services for the conduct of arbitration or mediation are exempted for an initial 60 days, which also may be extended on request.

Before the Visa Exemption Order, despite the Work Permit Exemption Order, a Chinese national wishing to attend board meetings, visit BVI business persons or attend business-related events in the BVI would still have required a visa to enter the BVI. The visa exemption is a significant development which will facilitate business transactions involving Chinese companies and investors/ directors, supporting the BVI's position as the leading offshore jurisdiction for corporate domicile and structuring international transactions. The BVI are home to more than 460,000 active business companies of which a significant number are used as vehicles for structuring investments from or to mainland China and Hong Kong. As a responsive cost-effective jurisdiction, the BVI continues to attract clients from China and the rest of Asia for new incorporations, partnerships, funds and trusts.

The Visa Exemption Order came into force on 5 July 2018.

Please do not hesitate to contact Robert Briant in our BVI office or Christopher Bickley in our Hong Kong office if you would like any further information in relation to any of the above.

AUTHORS:

ROBERT J.D. BRIANT
PARTNER
HEAD OF BVI CORPORATE
robert.briant@conyersdill.com
+1 284 852 1100

CHRISTOPHER W.H. BICKLEY
PARTNER
HEAD OF HONG KONG OFFICE
christopher.bickley@conyersdill.com
+852 2842 9556

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For further information please contact: media@conyersdill.com