

Can a WFOE appoint a corporate director?

Q: Can a foreign company be appointed as a director of a WFOE? (外资独资企业的董事资格有没有限制性? 除自然人外, 境外法人公司可不可以被任命为董事?)

A: A corporation cannot be appointed as the director of an FIE including the WFOE in China. However, there is an exception. In the case of a Sino-foreign cooperative joint venture enterprise (CJV), the parties to the CJV can appoint a third party to management all the business activities of the CJV, subject to the approval of the board of directors and the approval authority.

By China Tax & Investment Consultants Limited
www.china-tax.net