



Circular

Guideline for granting permission to foreign commercial offices, recommending visas for foreign workers, and issuing work permits to foreign workers, 2023

The Government of the People's Republic of Bangladesh has established an investment-friendly environment and enacted relevant regulations with a view to attracting foreign investment into Bangladesh. However, in order to facilitate investment development, it is imperative to formulate and update rules and regulations governing the establishment of commercial enterprises in the private sector, foreign organizations engaged in the development of the country's infrastructure sector, and branch offices, liaison offices, and representative offices of foreign companies.

Opportunities have been created to appoint foreign experts, technologists, and skilled workers in the private industrial, commercial and educational sector of Bangladesh for transforming the workforce of Bangladesh to a skilled workforce by transferring the latest technology, knowledge, experience and skill invented in and used by developed countries. Consequently, it is necessary to bring foreign workers employed without authorization within an institutional or formal framework, encompassing the recommendation of applicable categories of visas and issuance of work permits, as well as the rationalization and determination of salaries and allowances for foreign workers in the country. To this end, it is imperative to establish a guideline for the purpose of ensuring coordination among law enforcement agencies and relevant government offices, revenue collection, and national security through the centralized storage and management of data pertaining to foreign workers. If work permits are issued in accordance with the prescribed guideline, it will also be easier to coordinate matters such as the prevention of unauthorized employment of foreign workers in Bangladesh and the determination of their numbers. Furthermore, it is necessary to introduce a guideline to ensure that the employment opportunities of local workers are not curtailed as a result of the employment of foreign workers.

The responsibility for granting permission to foreign companies for the establishment of Branch Offices, Liaison Offices, and Representative Offices in Bangladesh, as well as for issuing work permits to foreign nationals employed in such establishments, including government and private industrial, commercial, and educational institutions, was entrusted to an Inter-Ministerial Committee (IMC) formed under the chairmanship of the Executive Chairman of the Bangladesh Investment Development Authority (formerly the Board of Investment) (Reference: Notification No. 53.42.01.00.00.31/2003-395, dated 27 October 2003, issued by the Prime Minister's Office). With the approval of the Honorable Prime Minister, a revised notification amending the composition of the said Committee was issued on 06 January 2011. In accordance with the revised notification (Reference: Notification No. 03.068.018.03.00.036.2010-15(17), dated 06 January 2011, issued by the Prime Minister's Office), the Executive Chairman or the Executive Member of the Bangladesh Investment Development Authority (formerly the Board of Investment) shall serve as the Chairperson of the Committee.



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The revised notification further stipulates that all administrative orders pertaining to the Committee shall be issued by the Bangladesh Investment Development Authority (formerly the Board of Investment), and that the decisions of the Authority shall be deemed as the final decisions of the Government. In accordance with the terms of reference of the said Committee, a guideline titled "Guidelines 2011 for Granting Permission for Establishing/Opening of Branch, Liaison & Representative Office of Foreign Companies in Bangladesh and Issuing Work Permit of Foreign National(s)" was formulated and permission to set up branch offices, liaison offices, and representative offices and award of work permits to foreign workers working in a branch, liaison, representative offices, public and private industries, and commercial and educational institutions in Bangladesh were given following the guideline.

The scope and number of commercial office permits and foreign workers' work permits have increased at a significant rate due to the economic development of Bangladesh, implementation of the mega projects for infrastructural development, development of the manufacturing and service industries, and spreading and diversification of the nature of commercial offices. In addition, the complication arises in granting permission for opening project offices for the development projects as nothing is mentioned about these offices in the "Guideline 2011". As a consequence, permission is being granted to project offices alternatively in the form of branch offices. In view of the changes in the scope, nature, and diversification of investment and commercial activities on a global scale, the necessity has arisen to consider project offices and permissions for similar categories of commercial offices, along with related matters, in a coordinated manner with the international arena, with a view to facilitating investment development.

The existing Guideline was enacted 12 years back; hence it is essential to revise and update the guideline to incorporate current changes in salary and allowances, visa policy, nature of commercial offices, etc. It is further noteworthy that, in light of the economic realities arising from Bangladesh's graduation from the status of a Least Developed Country to the category of a Developing Country after 2026, the necessity has also arisen to make the Guidelines contemporaneously relevant for the Bangladesh Investment Development Authority, established in 2016 under the Bangladesh Investment Development Authority Act, 2016.

For this reason, this guideline has been formulated with a view to harmonizing the existing procedure for the recommendation of visas and issuance of work permits for foreign workers, and to rendering the said services more simplified, timely, transparent, and inclusive of new services, in accordance with the Bangladesh Investment Development Authority Act, 2016 (Act No. 36 of 2016), the Foreign Exchange Regulation Act, 1947, the Foreign Exchange Regulation (Amendment) Act, 2015, the Guidelines for Foreign Exchange Transactions, 2018, and all other applicable laws, rules, regulations, and administrative orders, as well as the visa policy issued by the Security Services Division, the latest administrative orders issued with respect to security verification, and other applicable rules and regulations governing the grant of permission for the establishment of branch offices, liaison offices, representative offices, and project offices established for the implementation of development programmes of foreign companies in Bangladesh.

2. Shortened title and Introduction:

This Guideline shall be called the "Guideline for granting permission for establishment of foreign commercial offices in Bangladesh, providing visa recommendations to foreign workers and issuing work permits to foreign workers in Bangladesh, 2023". It shall come into force from the date of issue.

3. This procedure will be applicable in the following areas:

- 3.1 Disposal of matters related to companies incorporated/registered in foreign countries establishing branch office, liaison office, representative office, project office, office of joint venture/consortium/association (JVCA) [formed under Rule 54 of Public Procurement Rules, 2008 or any existing law or rule] in Bangladesh.
- 3.2 Disposal of matters related to the recommendation of visas and work permits to foreign workers appointed by the branch, liaison, representative, project office, office of joint



venture/consortium/ association office (JVCA) [formed under Rule 54 of Public Procurement Rules, 2008 or any existing law or rule], commercial office, educational institute, sports institute, cultural organization/institute, government office, contractor/subcontractor, service providing offices;

3.3 Disposal of matters related to recommending visas and issuing work permits to foreign workers appointed by the private industrial enterprises incorporated in Bangladesh;

3.4 This Guideline shall apply to all jurisdictions except the jurisdiction of any authority or agency established by a separate law.

4. **Definition:** Unless there is anything repugnant in the subject or context, –

4.1 'Act' shall mean the Bangladesh Investment Development Authority Act, 2016 (Act no. 36 of 2016);

4.2 'Inter-Ministerial Committee' shall mean the Committee referred to in clause/article no. 5 of this Guideline;

4.3 'Authority' shall mean the Bangladesh Investment Development Authority (including Board of Investment if applicable);

4.4 'Guideline' shall mean the "Guideline for granting permission for establishment of foreign commercial offices in Bangladesh, providing visa recommendations to foreign workers) and issuing work permits to foreign workers, 2023";

4.5 'Foreign Company/Organization' shall mean company/organization incorporated and/or registered/incorporated under foreign laws and also firms, individuals, and associations authorized by the appropriate authorities;

4.6. 'Branch Office' shall mean an office approved by the Inter-Ministerial Committee of the Bangladesh Investment Development Authority (including the Board of Investment if applicable) for conducting commercial/business activities on a limited scale except engaging in the direct process of production of goods or services of a company registered abroad;

4.7. 'Liaison or representative office' shall mean an office established by a foreign registered company/ organization to establish contact with various companies/organizations in Bangladesh for exchanging information with the local buyers or consumers about the foreign company's products or services., local business or investment, and the commercial environment of Bangladesh. The liaison or representative office must not have any local source of income;

4.8. 'Project office' shall mean the office of a company/organization representing foreign company/companies for implementing development projects of government, foreign development partners, or publicly/privately funded development projects or parts thereof in Bangladesh. In this case, the office of the foreign contractor and sub-contractor appointed by the appropriate organization shall also mean a project office;

4.9. 'Foreign Contractor/Sub-Contractor' shall mean a foreign contractor/sub-contractor engaged in development projects implemented in Bangladesh;

4.10. 'Joint Venture, Consortium, and Association (JVCA)' means a joint venture/consortium/association (JVCA) formed by more than one domestic/foreign organization to implement a development project under Rule 54 of the Public Procurement Rules, 2008 or any existing law or rule;

4.11. 'Foreign worker' means any foreign person selected or employed in any commercial establishment, branch office, liaison office, representative office, project office, educational institution, sports institution, public and private bank, joint/consortium/association, contractor/sub-contractor office, government or private hospital or private medical educational institution, cultural institution/organization, government development project, and public and private institution. A private investor is also a foreign worker;



4.12. 'Commercial office' means the branch office, liaison office, representative office, project office, foreign contractor/sub-contractor company engaged in the development project implemented in Bangladesh, joint venture/consortium/association (JVCA) consisting of more than one domestic/foreign entity formed under Rule 54 of Public Procurement Rules, 2008 or any existing law or rule for the implementation of the development project, and any organization incorporated in Bangladesh for only purchasing and sale of goods and services.

5. Inter-Ministerial Committee: The Inter-Ministerial Committee shall be responsible for settling the issues related to the approval of offices and the granting of work permits to foreign workers as described in **clauses/articles** 3.1 and 3.2;

5.1. Composition of Inter-Ministerial Committee:

1	Executive Member, International Investment Promotion, Bangladesh Investment Development Authority	:	Chairperson
2	Director General, International Investment Promotion, Bangladesh Investment Development Authority	:	Member
3	Joint Secretary, Security Services Division, or nominated representative	:	Member
4	Joint Secretary, Ministry of Industries, or nominated representative	:	Member
5	Director-General (International Trade, Investment and Technology), Ministry of Foreign Affairs or nominated representative	:	Member
6	First Secretary (Tax Policy), National Board of Revenue	:	Member
7	Member (IP), Bangladesh Export Processing Zone Authority or nominated representative	:	Member
8	Manager (OSS & Coordination), Bangladesh Economic Zone Authority or nominated representative	:	Member
9	Director (FEID), Bangladesh Bank or nominated representative	:	Member
10	Representative of the Office of the Registrar of Joint Stock Companies and Firms	:	Member
11	Director, Registration and Incentives - Foreign Commercial, Bangladesh Investment Development Authority	:	Member-Secretary

5.2. Terms of Reference of the Inter-Ministerial Committee:

5.2.1. Take decision on matters related to establishment of branch office, liaison office, representative office, project office, joint venture/consortium/association (JVCA) office in Bangladesh of companies incorporated/registered outside Bangladesh, extension of permission, and amendment and cancellation of permission;

5.2.2. Decide on matters related to providing a recommendation for visas to foreign workers, work permit to foreign workers selected or employed in any commercial establishment, branch office, liaison office, representative office, project office, educational institution, sports institution, public and private bank, joint/consortium/association, contractor/sub-contractor office, government or private hospital or private medical educational institution, cultural institution/organization, government development project, and public and private institution, and matters related to work permit;

5.2.3. Take decisions regarding the revision, modification, addition, and cancellation of the Guideline or its clauses/articles if necessary;

5.2.4. The Committee shall convene required number of meetings every month. The Committee may hold virtual and in-person meetings if needed;

5.2.5. The Committee shall issue decisions as soon as possible after the meeting;

5.2.6. In special cases, the Chairperson of the Inter-Ministerial Committee may take decisions on any matter within the purview of the Committee, including approval and extension of the Branch, Liaison, Representative, Project Office, and Joint Venture/Consortium/Association (JVCA) office, and permission and extension of the work permit. However, the decision shall be placed at the next meeting of the Committee for retrospective approval;



5.2.7. If the committee deems it necessary, may include any ministry/department/organization/ representative in the committee as a member by following all formalities;

5.2.8. The Committee may at any time for reasonable cause cancel, temporarily suspend, partially or wholly modify any permission or impose new condition to or relax any condition of any permission;

5.2.9. The Committee shall take necessary decisions on all policy-making matters directly and indirectly related to its scope of work and send recommendations to the Government if necessary.

5.3. All administrative orders related to the Inter-Ministerial Committee shall be issued from Bangladesh Investment Development Authority and the decision of the Inter-Ministerial Committee shall be considered as the final decision of the Government.

6. Matters to be considered in permitting to set up and operating branch offices, liaison offices, representative offices, project offices and joint venture/consortium/association (JVCA) offices of foreign companies/organizations in Bangladesh:

6.1. The economic development of the country, job creation, sector-wise development and opportunities to attract foreign direct investment in the future must be actively considered in granting permission to set up commercial offices in Bangladesh;

6.2. Branch Office: The following points must be considered while granting permission to set up branch offices of foreign companies/organizations in Bangladesh:

6.2.1. The foreign company/organization must meet the following conditions in the country where it is incorporated-

(a) The said company/entity should have documentary evidence of continuous profit-making for the previous three financial years and should have minimum net assets of USD 1.00 (one) lakh or equivalent; or

(b) The said company/organization must have accumulated profits even if the said company/organization is making losses, and the company/organization must have minimum net assets of 1.00 (one) million US dollars or equivalent when applying.

6.2.2. (a) If the applicant foreign company/organization is not financially solvent itself, then the associated company (sister concern if any)/subsidiary company (if applicable)/holding company (where applicable) of the said company/organization will submit letter of undertaking on financial solvency to the amount of minimum 10.00 (ten) million US dollars or its equivalent on behalf of the applicant company. In such case, if necessary, the concerned company/organization will provide the letter of undertaking on financial assistance as per Annexure No-1. However, for this clause/article, the financial solvency of the concerned company/organization shall mean the consolidated net worth determined according to International Accounting Standards. Provided that if a foreign bank company and any financial institution decide to set up a branch office in Bangladesh, the principal bank and financial institution must have sufficient capital according to the applicable Basel standards and obtain a license from Bangladesh Bank (Central Bank of Bangladesh) for conducting banking activities, and to comply with the conditions mentioned in the license;

(b) The application will not be considered if the applicant foreign company/organization is unable to comply with the conditions mentioned in **clauses/articles** no. 6.2.1 and 6.2.2(a);

6.2.3. Authorized Branch Offices in Bangladesh can carry out the following activities:

6.2.3.1. Work as buying and selling representative of parent company in Bangladesh. Besides perform commercial activities on behalf of foreign commercial banks in Bangladesh;

6.2.3.2. Provide technical or financial support to Bangladeshi company on behalf of the parent company or any foreign company;



- 6.2.3.3. Provide professional or consultancy services or act as a contractor/sub-contractor within the scope of the parent company's scope of work;
- 6.2.3.5. Provide sales and after sales services for the proper marketing/distribution of products and/or services provided by the parent company;
- 6.2.3.6. Represent foreign airlines and shipping companies;
- 6.2.3.7. Engage in import and export business subject to proper approval;
- 6.2.3.8. Engage in other commercial activities with the approval of the Authority/Inter-Ministerial Committee;

Provided that, the Branch Office shall not engage in any other activities in addition to the above-mentioned activities without the approval of the Authority/Inter-Ministerial Committee;

6.2.4. The branch office concerned with the production of goods or services shall set up an industry in Bangladesh within 10 (ten) years of obtaining the permission of the office. Renewal of branch office permission shall not be considered after 10 (ten) years.

6.3. The following matters must be considered in granting permission to Liaison and Representative Offices:

6.3.1. Companies incorporated/registered abroad may establish liaison and representative offices in Bangladesh subject to the following conditions:

6.3.1.1. Liaison and representative offices shall not engage in any activities other than those described in the letter of office permission;

6.3.1.2. Liaison and representative offices shall not earn any income from local sources;

6.3.1.3. Establishment of liaison and representative offices, operating expenses, salaries and allowances of local/foreign human resources, and all other types of expenditures should be met with the inward remittance obtained from the foreign parent office through the banking channel;

6.3.1.4. Liaison and representative offices shall not repatriate any money other than the residual amount of foreign exchange brought from abroad;

6.3.2. Authorized liaison and representative offices in Bangladesh may carry out the following activities:

6.3.2.1. Coordinate/liase on business matters between foreign head offices and local agents, suppliers/exporters/ importers in Bangladesh through correspondence, personal and electronic communications;

6.3.2.2. Collect, compile, analyze and disseminate information within the scope of work approved by the Authority/Inter-Ministerial Committee;

6.3.2.3. Perform other functions with the approval of the Authority/Inter-Ministerial Committee. Provided that:

(a) the functions of any representative and liaison office of a foreign bank shall be limited to the functions prescribed by Bangladesh Bank (Central Bank of Bangladesh);

(b) Liaison and Representative Offices shall not engage in any other activities in addition to the above-mentioned activities without the approval of the Authority/Inter-Ministerial Committee.

6.3.2.4. The liaison and representative office shall not be directly involved in the sale and purchase of any goods or services within Bangladesh under its name for profit. Also, these offices cannot participate in any value-addition activities. For this purpose, the committee can define the value-addition activities.

6.4. Project Office: One or more foreign organizations and joint ventures/consortiums/associations (JVCAs), contractors/sub-contractors selected for the implementation of public and privately funded projects in the infrastructure and other



development sectors of Bangladesh may set up project offices in the form of branch offices under the following conditions:

6.4.1. Project offices should be registered with the Authority. However, project offices cannot be registered without the recommendation of the ministry/division/organization/department implementing the project;

6.4.2. The project office registered with the Authority shall not set up any office and conduct any activity in any other place without the approval of the Authority/Inter-Ministerial Committee;

6.4.3. If any office is established under a joint venture/consortium/association (JVCA) agreement according to Article 54 of Chapter 10 of Public Procurement Rules, 2008 for implementing any development project in the public and private sector in Bangladesh, that JVCA office will act as project office to facilitate the management of human resources and financial functions of the project. Provided that the activities of the joint venture, consortium, and association formed in such manner shall be limited to project-related activities only, and the liabilities arising out of the project shall be borne individually and collectively by the contracting parties/ companies formed under the joint venture/consortium/association agreement;

6.4.4. Project office may apply to the Inter-Ministerial Committee for a decision on matters not mentioned in the Guideline but considered essential for implementing the project on the recommendation of the Project Manager/Director of the organization procuring goods, works, and services;

6.4.5. A joint venture/consortium/association formed for the implementation of a project can only receive the income related to that project. The income received may be shared/transferred in proportion to the investment/participation mentioned in the project document among the organizations participating in the joint venture/consortium/association. The joint venture/consortium/association implementing the project cannot directly repatriate fund. However, the parties of the joint venture/consortium/association agreement, individually or from their joint account or through their authorized branch office as applicable can repatriate the surplus money following the existing procedures in the foreign exchange transaction system subject to payment of all types of liabilities and taxes;

6.4.6. Provisions of Rule 54 of Chapter 10 of PPR, 2008 shall be applicable for joint venture/consortium/association. Provided that, all foreign contractors/sub-contractors and organizations under the joint venture/consortium/association agreement shall separately obtain approval from the Inter-Ministerial Committee for establishment of branch/project office for receiving specific services for their organization;

6.4.7. Permission to set up office shall not be valid if the work for which the joint venture/consortium/association was formed is completed or if the joint venture/consortium/association becomes inoperative for any other reason. In such cases a formal process of cancellation of project office approval must be followed.

6.5. Obligatory Matters to be observed in obtaining permission for establishment of branch office, liaison office, representative office and project office:

6.5.1. In case of the establishment of a branch/liaison/representative office of any company registered abroad and project office in Bangladesh for the implementation of development projects, permission should be obtained from Inter-Ministerial Committee;

6.5.2. The Inter-Ministerial Committee shall review the application and the documents submitted and subject to the satisfaction of the Committee, grant permission to set up the said office subject to the following conditions:

6.5.2.1. Branch offices, liaison offices, representative offices, and project offices of foreign companies shall limit their functions within the business/commercial



- 6.5.2.1. The offices mentioned in the permission letter. The branch and the project office may repatriate income earned from the business/commercial sector approved by the Authority/Inter-Ministerial Committee subject to existing foreign exchange transaction regulations and if applicable with the special permission of Bangladesh Bank;
- 6.5.2.2. The offices must notify Bangladesh Bank about the permission through AD Bank as per Section 18(b) of the Foreign Exchange Regulation Act, 1947 within 30 (thirty) days of approval;
- 6.5.2.3. The offices must bring in Bangladesh a minimum of USD 50,000.00 (fifty thousand) or equivalent in foreign currency from foreign sources through a banking channel within 2 (two) months of obtaining permission for working capital, initial establishment, and operating expenses. In case of delaying in bringing the inward remittance, additional foreign currency at the rate of 5% per month of USD 50,000.00 (fifty thousand) or equivalent foreign currency shall be brought.
- 6.5.3. The offices that obtained permission must submit all the necessary particulars, including the Memorandum of Association, Article of Association, and the Certificate of Incorporation of their parent company to the Office of the Registrar of Joint Stock Companies and Firms as per the provisions of the Companies Act, 1994 of Bangladesh for registering their office and notify the Authority within 7 (seven) days of this filing;
- 6.5.4. It is mandatory to take permission from the Inter-Ministerial Committee to appoint foreign workers in the authorized offices ensuring ensure all types of statutory deductions including income tax, and tax at source as per the rules. All transactions including actual salary, allowances, monetary and non-monetary benefits payable in favor of the foreign worker shall be made through the bank account of the foreign worker in Bangladesh or, as applicable, abroad following existing rules and regulations of the foreign exchange transaction system;
- 6.5.5. The offices granted permission shall open accounts in the scheduled bank of Bangladesh following the laws, regulations, and guidelines related to foreign exchange transaction acts and rules and make all types of financial transactions, including inward and outward remittance through the said bank account;
- 6.5.6. Quarterly statements of foreign currency income and expenditure brought in through inward repatriation must be regularly submitted to Bangladesh Bank, National Board of Revenue, and Bangladesh Investment Development Authority in the prescribed form;
- 6.5.7. Prior permission of the Authority/Inter-Ministerial Committee must be taken for correction/alteration of any information and conditions mentioned in the permission letter of branch/liaison/representative/project office;
- 6.5.8. Where applicable, the offices granted permission shall obtain clearance/license from other relevant ministries/divisions/organizations/departments/authorities of the country under existing laws and regulations;
- 6.5.9. Permission of the authority/inter-ministerial committee must be obtained separately for any activity not mentioned in the letter issued granting permission for opening offices;
- 6.5.10. The offices implementing projects must submit an appropriate certificate/recommendation letter from the contracting agency with the application submitted for permission to set up the project office;
- 6.5.11. The offices granted permission shall pay the government duty/tax/revenue in due time as per the existing laws of Bangladesh. All applicable taxes and MUSAK (value-added tax-VAT) should be deducted at source while paying office/house rent, salary, supply of



various goods and services, and contract work bills, and the deducted source tax and MUSAK should be deposited in the respective accounts as per the existing applicable laws of Bangladesh. Where applicable, the offices must obtain Proof of Submission of Return (PSR) and TIN/BIN from the National Board of Revenue for the income tax and MUSAK deducted at source;

6.5.12. The Authority/Inter-Ministerial Committee may cancel, temporarily suspend, partially or fully modify any permission letter of commercial offices or impose new conditions and take any legal action Suo moto without showing any cause. However, the Authority/Inter-Ministerial Committee may allow the organization to give a hearing on the matter;

6.5.13. No proprietorship company can establish a branch office, liaison office, representative office, or project office in Bangladesh;

6.5.14. Separate permission from the Authority/Inter-Ministerial Committee should be obtained to set up each new office of authorized branch office, liaison office, representative office, and project in Bangladesh. In such cases, all documents such as audit reports, bank accounts, income tax certificates, etc. must be maintained separately. Financial statements must be prepared on Accrual Basis Accounting following International Financial Reporting Standards (IFRS). The approved organizations are considered as a single entity and take actions accordingly for preparing the financial statements, paying income tax, sending profits to the head office. The financial statements must be audited by CA firm of Bangladesh as per CA Order, 1973. In the case of profit distribution by the commercial offices, it must be done based on the audited financial statements verified by the Document Verification System (DVS) by The Institute of Chartered Accountants of Bangladesh (ICAB);

6.5.15. Liaison and representative offices may deposit sale proceeds of their old unused assets, advance refunds paid to house owners and other service providers, or any unexpected income to their bank account subject to the permission of the Authority/Inter-Ministerial Committee;

6.5.16. The financial/non-financial liabilities created in Bangladesh by the approved branch, liaison, representative, and project office and by the foreign principal companies, holding companies, or subsidiary companies through the previously mentioned offices must be separately or collectively borne out by these offices;

6.5.17. Branches, liaisons, representatives, and project offices approved by the Authority/Inter-Ministerial Committee shall be bound to comply with all applicable laws, rules, regulations, and orders in force in Bangladesh;

6.5.18. Branch/Liaison/ Representative/Project Office shall ensure compliance of **Income Tax Ordinance, 1984** or existing Income Tax Act.

6.6. Permission and extension of time for establishment of branch, liaison, representative, and project offices:

6.6.1. Initially, permission will be granted to branch, liaison, representative and project Offices for 3 years;

6.6.2. Later, if the previous activities of the offices are considered satisfactory, the period can be extended by a maximum of 2 years each time based on the application submitted in this regard.

6.7. Matters to be observed mandatorily for remitting the profit of branch offices of foreign companies established in Bangladesh, repayment of loan taken from head office by branch office/liaison office/representative office/project office, and residual amount after closing the offices:

6.7.1. Advertisement must be published in at least 02 (two) widely circulated newspapers (one of which is an English daily) irrespective of whether there are outstanding liabilities



in the latest audit report of the office. Relevant information including all liabilities and information on collecting all dues within two (2) months from the date of publication of the advertisement from the registered office must be mentioned in the published advertisement;

6.7.2. If the creditors do not contact within 2 months or fail to receive the outstanding money, that outstanding money of the creditors will be kept separately in the custody of a designated scheduled bank. The address of the said branch of the bank and bank account information must be mentioned in the advertisement published in the newspaper;

6.7.3. If a creditor contacts the branch manager of the bank even after the closure of the branch/liaison/representative/project office, the branch of the bank will release the money to the creditors subject to the consent of the authorized person of the parent company/institution of the closed office;

6.7.4. If the amount of any creditor remains unpaid within three (3) years from the date of closure of the branch/liaison/representative/project office, the claim of the said debt shall become barred, and the said amount shall be credited to the government exchequer as per the Limitation Act, 1908 (Act No. IX of 1908);

6.7.5. Existing foreign exchange transaction regulations will be applicable for repatriation of profit of branch office of the foreign company after paying the money of the creditors from the realizable value of the total asset of the branch/liaison/representative/project office, for payment of loans taken by the branch/liaison/representative/project office from the head office, and for remitting the residual amount due to closing the offices. Adequate balance should be remained in the retained earnings account according to the audited financial statements of the branch office for remitting profit. Prior permission of Bangladesh Bank must be taken for remitting any amount not generally authorized by the Foreign Exchange Regulation Act, 1947, the Guidelines for Foreign Exchange Transactions, 2018 enacted under this act by Bangladesh Bank and circulars or circular letters issued from time to time.

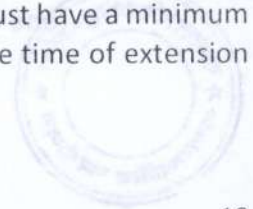
7. Matters to be followed in issuing visa recommendation in favor of foreign workers:

7.1. Recommendations for applicable visas (such as- E-, E-1, PI, etc.) will be given following the existing visa policy in favour of foreign workers who will come to Bangladesh to be employed in any private industry, commercial office, branch office, liaison office, representative office, project office of foreign company, educational institute, sports institute, cultural institute/organization, government or private bank, government or private medical institution or medical educational institution, government development project, all government and private organizations including joint venture/consortium/association and contractor/sub-contractor office not located in the jurisdiction of the authorities created by separate law;

7.2. The Authority may issue visa recommendations in accordance with the existing visa policies and other relevant laws and regulations;

7.3. In the case of a commercial organization, the Authority can recommend a PI visa if this organization has invested (foreign equity) a minimum of USD 1,00,000.00 in Bangladesh and if the foreign investor seeking the PI visa has invested USD 40,000.00 individually;

7.4. In the case of private industrial enterprises, the Authority can recommend a PI visa if the company has invested (foreign equity) a minimum of USD 1,00,000.00 (one hundred thousand) in Bangladesh in the first stage and if the foreign investor seeking the PI visa has invested USD 40,000.00 (forty thousand) individually. However, the industrial enterprise must have a minimum investment of USD 2,00,000.00 (two hundred thousand) in Bangladesh at the time of extension of the work permit received from the Authority for the foreign investor;



7.5. Encashment certificate/evidence of USD 50,000.00 (fifty thousand) as capital should be submitted in case of employment of foreign workers in commercial/private industrial establishments established with joint/foreign investment incorporated in Bangladesh;

7.6. In case of recruitment of foreign workers in any organization in Bangladesh, after completing the recruitment process, an application should be submitted to the Authority for a recommendation of the appropriate class of visa for the foreign worker to be employed;

7.7. The permission of the authority should be taken for changing any information and conditions of the visa recommendation letter.

8. Matters to be followed in granting work permit in favor of foreign workers:

8.1. A work permit is mandatory if a foreign worker is employed in Bangladesh or a foreign investor stays and work in Bangladesh;

8.2. A work permit mandatorily has to be taken from the Authority/Inter-Ministerial Committee for all foreign workers and investors for working in all government or private offices including commercial office, branch office, liaison office, representative office, project office of a foreign company set up in Bangladesh, educational institution, sports institution, cultural institution/organization, government or private bank, joint venture/consortium/association, contractor/sub-contractor office government or private medical institution or medical educational institution, and government development project;

8.3. Granting of work permit and any matter related to work permit of the private industrial establishments located anywhere in Bangladesh except in the jurisdiction of any authority formed by separate act shall not be placed before the Inter-Ministerial Committee for ensuring timely commencement of production and smooth operation of the production process of private industrial establishments. The Authority will issue and settle all matters related to the work permit mentioned above following all provisions of this Guideline;

8.4. The appropriate class of visa must be obtained from the relevant Bangladesh mission on the recommendation of the Bangladesh Investment Development Authority before applying for a work permit;

8.5. National security must be considered in granting work permits in favor of foreign nationals;

8.6. No foreigner shall be appointed to any post which does not require any special degree, specialized knowledge, specialized skills, training, and experience;

8.7. Specialized knowledge and skills shall mean specialized degrees, knowledge, skills, training, and experience in a matter. The following (but not limited to) foreign workers are considered as experts in granting work permits:

8.7.1. Specialists/consultants/high-ranking executives/technicians/managers/senior officers engaged in various professions and trades;

8.7.2. Engineers/Technicians/Designers;

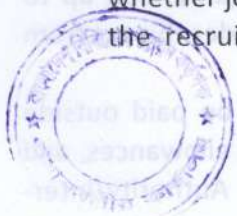
8.7.3. Quality Controller/Quality Inspector/Production Inspector/Production Supervisor etc.;

8.7.4. Experts considered by the Inter-Ministerial Committee.

8.8. It is to be confirmed that the recruitment process of foreign workers has been completed following the duly approved recruitment rule enacted by the concerned appointing organization and mentioning all matters related to the recruitment of local and foreign workers (name of post, age, educational qualification, skill, training, experience, salary and allowances, etc.);

8.9. Bangladeshi nationals should be given preference for employing human resources in local and foreign/joint venture industrial/commercial establishments;

8.10. Industries/commercial establishments which require high technology and skills can recruit foreign workers if the required expertise/manpower is not available in Bangladesh. In such cases, whether jobs are performed by the local workers in similar companies under the same sector like the recruiting company is to be verified as a primary condition. In the case of commercial



establishments, foreign workers cannot be appointed to the positions of junior engineers, technicians, and similar positions (positions where manpower with less than 05 years of experience is employed). Issues of recruitment of local/foreign staff should be clearly mentioned in the project document for recruitment in foreign company's project office established in Bangladesh. In this case, if necessary, the written opinion of the project manager can be taken;

8.11. (a) A recruitment advertisement must be published mentioning the name and number of vacant posts, qualification (clearly mentioning the educational qualification and experience matching to the post), actual salary and allowances payable, all financial and perquisites payable (the basic salary and other salary and allowances must be mentioned separately in monetary value) in two (2) widely circulated national daily newspapers and job-related websites of Bangladesh before starting the recruitment process of foreign workers to ensure availability of suitable local workers for any post. Copies of online versions of widely circulated daily newspapers in Bangladesh and standard job searching websites can be considered in this regard.

(b) In special cases, the Authority/Inter-Ministerial Committee may consider the appointment by transfer of any top-level officer of a foreign company to any organization of that company in Bangladesh. It is not required to follow the formalities mentioned in Clause/Article no. 8.11 (a) in such a case;

8.12. A report on the procedures followed based on the recruitment advertisement must be submitted with the work permit application. A list of job applicants and applicants interviewed must be provided in the report. Besides, resumes including educational qualification, experience, mobile number, email, nationality of all applicants must be submitted with the report;

8.13. At least 15 days should be given for submission of the application after the publication of the advertisement for the recruitment of manpower;

8.14. The employer must apply online for a work permit for the appointed foreign worker along with a visa of appropriate class and passport with an arrival stamp within 15 days after the arrival of the foreign worker in Bangladesh;

8.15. Bangladesh Investment Development Authority, National Board of Revenue and Security Services Division make provisions for imposition of appropriate fines and other charges and if necessary, will black-list any foreign worker for staying without a work permit;

8.16. A request letter of the controlling ministry/agency for recruiting in any project (if applicable) and the project implementing agency in case of a project should be submitted;

8.17. Applications for work permits must be submitted with "No Objection Certificate (NOC)" of the Ministry of Health/Bangladesh Medical and Dental Council (BMDC) and Bangladesh Nursing Council (BNC) to appoint foreign doctors and nurses in private hospitals. Recruitment of foreign doctors and nurses from the least developed and developing countries that do not recognize MBBS and nursing degrees of Bangladesh will be discouraged, but this condition will be relaxed for the doctors and nurses of international recognition of the least developed and developing countries;

8.18. No-objection letter from the Ministry of Culture should be submitted with the application for a work permit in the case of employment of foreign workers/performers for organizing entertainment events (dance, music, instrumental music, physical exercise, circus, magic, and others) by hotels, restaurants or cultural institutions/organizations;

8.19. The amount and manner of outward remittance of salary, allowances, perquisites, savings, and financial benefits of the appointed foreign workers may be determined by the Inter-Ministerial Committee following the Foreign Exchange Regulation Act, 1947 (amended up to September 2015) and the guidelines and circulars issued by Bangladesh Bank under this act from time to time;

8.20. No salary, allowances and financial benefits of foreign nationals shall be paid outside Bangladesh. Legal action will be taken against the institution if it pays salaries, allowances, and financial benefits outside Bangladesh without the prior approval of the Authority/Inter-

Ministerial Committee. However, payment of salary, allowances, and financial benefits will be allowed outside Bangladesh according to the project contract executed with the Government of Bangladesh. In other cases, the Authority/Inter-Ministerial Committee shall decide to allow payments of salary and allowances abroad considering the merits of the proposals following the Foreign Exchange Regulation Act, 1947 and its amendments and existing Income Tax Acts/Ordinances;

8.21. No service shall be provided by the Authority/Inter-Ministerial Committee until the rules and regulations for recruitment of foreign workers are fully observed by and confirmed of the conditions of the appointing agency;

8.22. Work permits cannot be granted in favor of nationals of countries that do not have diplomatic or commercial relations with Bangladesh;

8.23. The appointing organization shall submit an appropriate action plan along with application of the work permit for the transfer of the technical and specialized knowledge within 5 years of the recruited foreign workers to the local workers, and if the action plan is not implemented, no further extension of the work permit of the organization shall be considered. The Authority may, if necessary, physically verify the implementation of the action plan for improving the technical skills of the local workers;

8.24. If local workers are available, the technical, administrative, accounting and financial management, sales and product marketing managerial level posts should be reserved for them. Foreign workers can be appointed to the top positions in the above-mentioned posts. But in that case the availability of local staff should be checked first. The ratio of recruitment of foreign workers to local workers should be ensured as per paragraph 8.25 of the Guidelines;

8.25. The ratio of local workers to foreign workers employed in industrial establishments is 10:1 during project implementation and 20:1 during regular production. However, in the case of technical and managerial posts in institutions other than industrial entities and educational institutions, this ratio will be 5:1 before the commencement of commercial activity and 10:1 during the commercial activities. While determining this ratio, the work tier of the organization will be considered instead of the total number of employees of the organization. However, the manpower engaged through outsourcing cannot be considered as the organization's own manpower in calculating the ratio of foreign and local worker. Note that investors will not fall under this ratio.

8.25.1. The Ministry/Inter-Ministerial Committee may, if necessary, relax the ratio of local worker to foreign worker for the following posts in institutions other than industrial entities and educational institutions considering the practical situation:

- a. Technical posts with high-level experience and specialized skills
- b. Senior and especially experienced managerial posts

8.25.2. However, relaxation of the ratio of local to foreign worker will not be considered for following posts:

- a. Unskilled, semi-skilled and non-technical posts
- b. Non-managerial and general posts.

8.26. Foreign workers seeking work permits should have a passport of legal validity of the respective country and a visa of an appropriate category (E, PI visa, etc.) issued by the concerned Bangladesh Mission / Security Service Department as per existing visa policy. In special cases, a work permit may be granted in favor of foreign nationals who have obtained Landing Permit/Visa on Arrival, E-1, J, or A3 visas;

8.27. Foreign investors/entrepreneurs or their representatives coming for a short period to know the investment potential and opportunities in Bangladesh with a short-term 'Business' class visa can be granted a work permit if they establish a company locally and obtain the appropriate visa;



8.28. The Department of Immigration and Passports will change the 'Landing Permit/Visa on Arrival' to 'E' or 'PI' visa on recommendation of the Authority for the foreign workers who are granted work permit based on Landing Permit/Visa on Arrival';

8.29. The employment of a foreigner in another local organization will be discouraged before the expiry of the existing work permit issued against a local organization. In order to take up employment at another local organization during/before the expiration of the existing work permit issued against the previous/current organization, all dues, liabilities, and taxes must be paid against salaries, allowances, and fringe benefits received from the previous/current employer. After duly canceling the existing work permit, the foreign worker must leave Bangladesh and arrive in Bangladesh with a new visa of the appropriate category;

8.30. If a foreigner accepts a job in another local organization without properly canceling the work permit issued in favor of the foreign worker for a local organization in Bangladesh and without properly obtaining a new visa, and the matter comes to the attention of the Authority, the work permit of the foreign worker will be canceled and appropriate legal action will be taken against the foreign worker and the employing organization;

8.31. Any statutory institution in Bangladesh can appoint a second institution in Bangladesh to hire foreign workers for the previous institution. In this case, an agreement must be executed between the two organizations specifying all aspects of the employment of foreign workers. The second organization selects the foreign workers according to this Guideline and employs them in the first organization. However, no foreign workers selected/appointed by the first two institutions shall be employed in any third organization;

8.32. The foreign worker's total income (salary and allowances) and financial/non-financial benefits must be clearly mentioned in the application for the work permit. The house rent and other allowances to be paid at reasonable rates/figures must be mentioned with the basic salary. No financial/non-financial benefits in addition to the salary and allowances mentioned in the work permit shall be paid in Bangladesh and outside Bangladesh. The work permit shall be canceled if it comes to the notice of the Authority that additional salary and allowances are being paid violating the amounts mentioned in the work permit and appropriate legal action will be taken against the employing organization and the foreign worker;

8.33. The work permit shall be canceled as soon as it comes to the notice of the Authority in case of violation of any conditions of the work permit, and appropriate legal action will be taken against the employing organization and the foreign worker;

8.34. The salary of the foreign worker should be increased every year in line with the rate of inflation. This rule will be applicable to local workers of same category and status of the employing organization;

8.35. No discrimination shall be made between local workers and foreign workers of same rank and status in any organization;

8.36. If any foreign worker/investor engaged in any local organization obtaining work permit from the Authority/Inter-Ministerial Committee leaves the job during or at the end of the term of the work permit, the tax payment certificate must be submitted mandatorily to the Authority by the employer organization as per the existing income tax act of Bangladesh before any foreign worker leaves job or before foreign worker leaves Bangladesh;

8.37. The Income Tax Clearance Certificate/ the acknowledgment receipt of submission of the income tax return as per the existing income tax act must be submitted to the Authority of the foreign worker working/employed in any commercial organization, branch office, liaison office, representative office, project office of a foreign company, educational institute, sports organization, cultural organization/institute, government and private bank, joint/consortium/association office, contractor/sub-contractor office, government and private medical office or medical education institute, government project and government and private organization established in any place in Bangladesh;

8.38. No foreign worker shall be given a work permit to work in a local Proprietorship organization.

9. Extension of work permit:

9.1. Normally work permit will be granted initially for one year in favor of foreign workers. In case of a need to extend the period of employment of a foreign worker employed in the country, the employer organization will apply to the Authority/Inter-Ministerial Committee showing proper justification. While considering whether to extend the work permit of a foreign worker, the Authority/Inter-Ministerial Committee shall take into consideration the contribution of the foreign worker to the skill development of his superiors and subordinates. The duration of the work permit can be extended for a maximum of 2 (two) years each time subject to the fulfillment of the conditions mentioned in the work permit and the issuance of the security clearance by the Security Services Division according to the application of the organization;

9.2. Employment of foreign workers for a period of more than 5 (five) years will be discouraged. However, based on the merits of the proposal and considering the foreign worker's skills, performance results, contribution to the development of the country, and information regarding the type of commercial enterprise/industry, the extension of the work permit will be considered subject to the submission of the following documents:

9.2.1. Justified reasons with supporting documents for the extension of work permit;

9.2.2. Plan to replace the foreign worker by a local worker with supporting documents;

9.2.3. A plan with supporting documentation on how the foreign worker will train and up-skill the local worker as successor.

9.2.4. Copy of a duly approved training manual including training evaluation procedures for local workers;

9.2.5. Supporting documents proving that proper procedures and formalities have been followed in the recruitment of foreign workers;

9.2.6. Any other information or evidence required by the Authority/Inter-Ministerial Committee;

9.3. Application for extension of work permit should be made at least 2 months before the expiry of the existing term of the work permit. Otherwise, the application for an extension of the work permit will not be considered;

9.4. If the permission of the foreign company's branch office, liaison office, representative office and project office expires, the work permit of the foreign workers employed in these organizations will not be valid. If any foreign worker of any employing organization leaves the country without paying income tax, then the concerned organization must pay the income tax.

10. Change of information or conditions of the work permit: No change in the information or condition of the work permit shall be made without the approval of the Authority/Inter-Ministerial Committee;

11. Cancellation of work permit:

11.1. If the foreign worker does not want to continue his job in the organization in which he is employed during or at the end of the term of the work permit, the employing organization must take steps to cancel the work permit of the foreign worker. In this case, the employing organization is responsible for ensuring that the foreign worker pays the income tax and leaves the country on time. The Authority/Inter-Ministerial Committee and the National Board of Revenue will take appropriate legal action against the employer organization for any deviations in this regard;

11.2. If there is an allegation of any anti-state or law-and-order violation or any other anti-social/immoral activities against a foreign worker who has been granted a work permit and the allegation is proved, the Authority/Inter-Ministerial Committee shall take necessary measures including canceling his work permit directly;

11.3. The Authority/Inter-Ministerial Committee may at any time suo moto cancel, temporarily suspend, modify partially or fully the work permit of any foreign worker or impose new conditions



on the work permit and take any legal action without showing any cause. However, if necessary, the Authority/Inter-Ministerial Committee may give opportunity to the organization to give a hearing on the matter.

12. Submission of Application:

12.1. The application must be submitted on the online OSS portal of the Bangladesh Investment Development Authority to receive the following services:

12.1.1. Obtaining permission for establishment, extension of term of permission, closure, and amendment of information and conditions of permission letter of branch office, liaison office, representative office, project office in Bangladesh;

12.1.2. Obtaining visa recommendations (i.e. E, E-1 and PI etc.) and amendment of information on visa recommendation letters in accordance with existing visa policies;

12.1.3. Obtaining work permit, extension of work permit, cancellation of work permit and amendment of information and conditions of work permit;

12.2. The information and documents mentioned in Annexure-2 to Annexure-10 (according to applicability) must be uploaded in the OSS portal for submitting the applications mentioned in the above paragraph;

12.3. If correct and proper information and documents are not submitted, it will be notified immediately through OSS portal/e-mail/SMS for submission of information and documents mentioning a prescribed deadline;

12.4. Application will not be approved if proper information and documents are not received within the stipulated time and will be notified through OSS portal/e-mail/SMS.

13. Application Approval Procedure:

13.1 The applications submitted for receiving various services from the Authority are disposed of by the Inter-Ministerial Committee and the respective Wing/Divisional Offices of the Authority as per the Standard Operating Procedure described in Annexure-11.

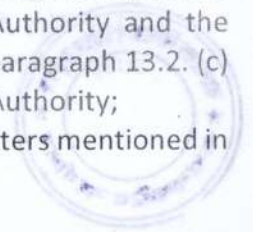
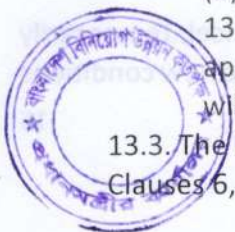
13.2. (a) The Inter-Ministerial Committee will grant permission to set up the Branch Office, Liaison Office, Representative Office, Project Office, and Office of Joint Venture/ Consortium/ Association (JVCA) in Bangladesh according to Rule 54 of Public Procurement Rules, 2008 or any existing act or rule of Bangladesh and dispose of matters related to these permissions. No application for commercial offices shall be settled from the Divisional Offices of the Authority;

(b) The Inter-Ministerial Committee will grant work permit to the foreign workers appointed by the Branch Office, Liaison Office, Representative Office, Project Office, and Office of Joint Venture/ Consortium/ Association (JVCA) according to Rule 54 of Public Procurement Rules, 2008 or any existing act or rule set up in Bangladesh, and by commercial offices, educational institutions, sports organization, cultural organization/institute, government organization, contractor/sub-contractor. The Inter-Ministerial Committee shall also dispose of matters related to these work permits. No application for work permits of commercial organization shall be settled from the Divisional Offices of the Authority;

(c) Issuance of work permit for the employment of foreign workers by private industrial establishments incorporated in Bangladesh and related matters shall be settled by the concerned Wing/ Divisional Offices of the Authority;

(d) The visa recommendation of foreign workers of the institutions mentioned in clause 13.2. (b) above shall be disposed of from the head office of the Authority and the application for visa recommendation of the institutions mentioned in paragraph 13.2. (c) will be disposed of from the concerned Wing/Divisional Offices of the Authority;

13.3. The Inter-Ministerial Committee shall take a decision considering the matters mentioned in Clauses 6, 8 and 9, 10, and 11 of this Guideline on:



13.3.1. Granting permission to set up a branch office, liaison office, representative office, and project office, extension of permission of office, amendment of information and conditions of permission letter, closure of office, and repatriation of the residual amount of the offices to their home country;

13.3.2. For granting work permit, extension of work permit, and amendment of information and conditions of the work permit as per Clause 8.2 of this Guideline for foreign workers employed by any private industrial organization established outside the jurisdiction of separate authorities formed by any act;

13.4. The concerned wing/divisional office of the Authority will process through online OSS portal the issuance, extension, amendment, and cancellation of the work permit of the foreign workers appointed by the private industrial organization established outside the jurisdiction of the authority formed by separate act considering the matters mentioned in Sections 8, 9, and 11 of the Guideline. If complete and accurate information and documents are submitted, applications will be disposed of within three (three) working days;

13.5. In matters mentioned in Clause 13.3 and 13.4, the application will be accepted on the online OSS portal of the Authority and after proper verification, if there is any deficiency in the application, the applicant will be notified online to rectify the deficiency. If there is no deficiency or if the deficiency is made up, the application will be disposed of by the concerned Wing of the Authority or will be placed before the Inter-Ministerial Committee meeting for decision. Approval and rejection of the application will be notified to the applicant through the OSS portal;

13.6. If the application is approved by the Authority/Inter-Ministerial Committee, the applicant will be notified to deposit through the online OSS portal the applicable fee mentioned in Annexure-12. The approval letter will be issued after submission of the applicable fee and VAT by the applicant;

13.7. Application for relaxation of conditions mentioned in the permission letter for the establishment of a branch office, liaison office, representative office, and project office shall be submitted in the prescribed manner defined by the Authority;

13.8. If the visa recommendation and the application for amendment of the visa recommendation letter are submitted through the online OSS portal, the relevant officer of the Authority will send the visa recommendation online to the concerned Bangladesh Embassy after reviewing the necessary information and attached documents;

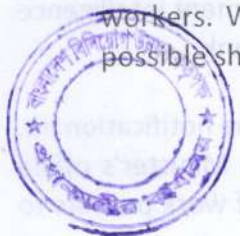
13.9. The applications submitted with all necessary information and proper documents for availing various services of the Authority will be disposed of within the time limit mentioned in Sl. No. 5 of the Schedule of the One-Stop Service (Bangladesh Investment Development Authority) Rules, 2020;

13.10. The Authority/Inter-Ministerial Committee may, if necessary, take the approval of the concerned Executive Member or the Executive Chairman for disposal of any application submitted online.

14. Minimum pay structure for granting work permit to foreign workers:

14.1. Information on honorarium of foreign investors and basic salary and other allowances/benefits payable to the employed foreign workers should be specifically mentioned in the application for work permit. In order to avoid confusion regarding pay and allowances, the minimum pay structure mentioned in **Annexure-13** should be considered as a benchmark according to the economic status of different countries, per capita income and rank of foreign workers. The structure will be modified from time to time by the Inter-Ministerial Committee as per requirement.

14.2. The salary mentioned in **Annexure-13** is the minimum indicative basic salary only. The applicant organization must follow international standards for determining the salary of foreign workers. While determining the salary and allowances, the appointing organization as far as possible shall provide information on monetary value of salary and allowances;



14.3. It must be ensured that the salaries and allowances of foreign workers employed in a branch, liaison, representative, project office, and joint venture and fully foreign private industrial organizations established in Bangladesh are similar to the salaries and allowances of similar positions in comparable countries;

14.4. The Authority/Inter-Ministerial Committee may reasonably adjust the salary and allowances decided by the appointing organization after considering the relevant factors including educational qualifications, skills, and experiences of the foreign worker;

14.5. For payment of tax in Bangladesh, the minimum salary structure shall be considered as the basis of income calculation, but shall not in any way create any other impediment to proper taxation.

15. Security Clearance:

15.1. The Inter-Ministerial Committee/Authority shall send a copy of the foreign worker's work permit to the Security Services Division for issuing security clearance online;

15.2. The Inter-Ministerial Committee may send a copy of the application of the branch office, liaison office, and representative office of the foreign company and the permission letter for opening these offices to the Security Services Division for issuing security clearance;

15.3. Security Services Division shall issue security clearance for the foreign worker as per the guidelines (Annexure-14) issued by the said Division;

15.4. After investigation by the appropriate agency, the Security Services Division shall send the Security Clearance to the Bangladesh Investment Development Authority within 21 (twenty-one) working days. If no objection related to state/social security is received within the said period, the security clearance will be deemed to have been issued. If no security clearance is issued within 21 (twenty-one) working days from the Security Services Division or no objection related to state/social security is received, then the Department of Immigration and Passports will extend the duration of visa up to the duration of the work permit of the foreigner.

15.5. The Security Services Division should not give any objection on matters not related to state/social security. In case of objections given on matters not related to state/social security, the Authority/Inter-Ministerial Committee or concerned Wing of the Authority will review the objection according to the Guidelines and take necessary decision. This decision will be considered as final, which will be followed by all concerned organizations.

15.6. The Security Services Division will inform Bangladesh Investment Development Authority if any condition of the work permit is not duly observed. If the Inter-Ministerial Committee and Bangladesh Investment Development Authority take appropriate action on objections given by the Security Services Division other than the state and social security and extend the duration of the work permit, the Department of Immigration and Passports shall extend the duration of the visa of the concerned foreign worker. In this case, the decision of the Inter-Ministerial Committee/Authority shall be considered final.

16. Data Bank:

An up-to-date Data Bank to store information of all foreign-owned industrial and commercial establishments in Bangladesh, as well as all foreign nationals who have obtained work permits from the Bangladesh Investment Development Authority, will be established at the Bangladesh Investment Development Authority. The data stored in the data bank will be reviewed and analyzed time to time by the Inter-Ministerial Committee and the data bank will be linked with the relevant organizations. Information from the data bank will be provided to other government intelligence agencies, such as 'NSI' and 'SB', in order to safeguard national/state security, and as necessary, other government intelligence agencies, such as 'NSI' and 'SB', will also provide information to the Authority's data bank.

17. Repeal and Protection:

17.1. The notification no. 53.42.01.00.00.31.2003-395 dated 27.10.2003 and the notification no. 03.068.018.03.00.036.2010-15(17) dated 6.1.2011 both issued by the Prime Minister's office regarding the formation of the Inter-Ministerial Committee for the granting of work permits to

foreign workers within the public and private sectors, as well as in commercial and educational institutions, shall be considered revoked.

17.2. Regardless of the cancellation under Sub Clause No 17.1, any action, measures, decisions, orders, approvals taken by the Inter-Ministerial Committee/Authority shall be regarded as done, adopted, executed, and continued by the Inter-Ministerial Committee.

17.3. After the promulgation of this Guideline, any action or measure, any decision/approval, any order or registration, or any notice or notification issued under the "[Guidelines 2011 for Granting Permission for Establishing/Operating Branch, Liaison and Representative Offices of Foreign Companies in Bangladesh and issuing Work Permits of Foreign Nationals]" shall be considered as done, taken, adopted, executed or continued in accordance with this Guideline.

18. The Authority may amend, revise, update, modify, and make addition to the Guideline based on the recommendation of the Inter-Ministerial Committee.

19. The Bangladesh Investment Development Authority will publish an English translation of this Guideline and take necessary measures for its wide dissemination. The Bengali text shall prevail in any confusion regarding any matter of the Guideline.

Mohsina Yasmin

Executive Member

International Investment Promotion

Phone: 44826717

E-mail: em3@bida.gov.bd



FORMAT OF THE LETTER OF FINANCIAL SOLVENCY

[Clause no 6.2.2 of the Guideline]

Director
Registration and Incentives-Foreign Commercial
Bangladesh Investment Development Authority

Sub: Undertaking for financial support to the Branch/Liaison/Representative Office in Bangladesh by the sister concern/subsidiary/group company, M/s.....

Dear Sir,

You may kindly refer to the application made by our sister concern/subsidiary/ group company, M/s..... to your office for establishing a Branch/Liaison/Representative Office in Bangladesh.

2. In this connection, we,.....(the parent company) shall provide the necessary financial support for our sister concern/subsidiary/ group company's operations as a Branch/Liaison/Representative Office in Bangladesh. Any liability that may arise due to the functioning of the Branch/Liaison/Representative Office in Bangladesh will be met by us (the parent company) in case of inability on part of the Branch/Liaison/Representative Office to do so.

3. We are also enclosing the financial background of our company in the form of our latest Audited Balance Sheet/ Account Statement certified by an appropriate Public Accountant.

Yours faithfully

Authorized Representative of the parent company



**Documents to be submitted along with the application for establishment of
Branch/Liaison/Representative/Project Office**

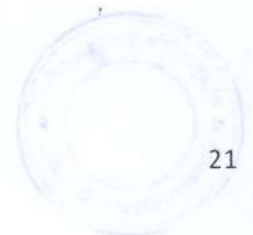
(Through Online OSS Portal)

[Clause no 12.2 of the Guideline]

1. Copy of board resolution of foreign parent company/entity regarding the establishment of an office in Bangladesh;
2. Attested copy of the part of the project document containing the information regarding the establishment of the project office and the appointment of foreign workers in the said office and payment of their salaries and allowances;
3. Copy of the Engineering, Procurement, and Construction (EPC)/ appropriate agreement executed between the concerned parties in case of contracting office ;
4. Copy of sub-contractor agreement attested by the office of the Project Director in case of sub-contractor office;
5. Up-to-date audited statement of accounts of the parent company/entity;
6. The organizational structure of the proposed office regarding the positions of local staff and foreign staff;
7. Description of activities carried out by the parent company/ organization ;
8. Details of activities to be carried out in Bangladesh through the proposed office;
9. Name and nationality of directors/ investors of the parent company/ entity;
10. Copy of Memorandum of Association and Articles of Association of the parent company;
11. Copy of Incorporation Certificate;
12. Power of attorney issued by the Managing Director of the parent company/organization for applying;
13. In the case of a branch office, a copy of the time-bound action plan certified by the board of the foreign parent company/entity regarding the transformation of the said office into a future industry;
14. If applying as a Joint/Consortium/Association (JVCA) project office, the following documents should be submitted:
 - (a) Copy of Joint/Consortium/Association (JVCA) Agreement;
 - (b) Copy of work order issued by procuring entity;
 - (c) Copy of approval (if any) taken as a branch office of the institutions included in the joint/consortium/association (JVCA);
 - (d) Copy of Memorandum of Association and Articles of Association of the organizations included in the joint/consortium/association (JVCA);
15. The documents submitted along with the application for setting up the office should be signed/attested by the company's Head of Institution/Managing Director and certified by the Bangladesh Mission located in the concerned country or the mission of the concerned country located in Bangladesh or the apex local industry and merchant association of the concerned country/state/district.

Nota Bene:

- (1) Documents submitted in any language other than English must be translated and notarized by a recognized institution;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above.



**Documents to be submitted along with the application form for extension of
permission of Branch/Liaison/Representative/Project Office**

(Through Online OSS Portal)

[Clause no 12.2 of the Guideline]

1. Copy of latest office approval of branch office, liaison office, representative office, and project office issued by the Authority;
2. Copy of notification to Bangladesh Bank under Section 18(b) of the Foreign Currency Exchange Regulation Act, 1947;
3. Income tax payment certificate of the concerned tax circle of the National Board of Revenue of the previous year;
4. Copy of decision or board resolution of the board of directors of parent company/organization regarding extension of permission ;
5. The audit report of the branch/liaison/representative/project office for the previous financial year [if applicable audit report with DVC code will be acceptable];
6. Audit report/audited financial statement of the parent company for the previous fiscal year;
7. Full list of local staff and foreign staff (if any) including rank, nationality, pay scale, functions, and date of joining;
8. Updated inward remittance certificates issued by the nominee bank;
9. Evidence of registration of foreign commercial establishment documents with the Registrar of Joint Stock Companies and Firms (RJSC&F) as per Section 379 of the Companies Act, 1994;
10. In the case of a branch office related to the production of goods or services, a copy of the time-bound work plan certified by the board of the foreign parent company/organization and the progress of its implementation regarding the transformation of the said office into an industry in the future;
11. The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
12. Activities that are undertaken during the previous financial year by the parent company and branch/liaison/representative/project office.

Nota Bene:

- (1) Documents submitted in any language other than English must be translated and notarized by a recognized institution;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above.



**Documents to be submitted along with application form for closure of
Branch/Liaison/Representative/Project Office**

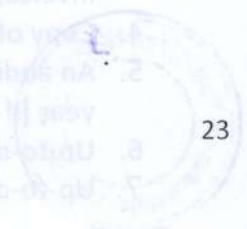
(Through Online OSS Portal)

[Clause no 12.2 of the Guideline]

1. Copy of public notice ((notice must be published in print media)) must be published in 2(two) widely circulated national daily newspapers (one of which is an English daily) at least 03 (three) months prior to the date on which the branch office, liaison office, representative office, and project office are planned to be closed by mentioning the information specified in Clauses 6.7.1 and 6.7.2 of this Guideline;
2. Copy of the latest office approval received from the Authority;
3. Copy of decision of Board or Board Resolution of parent company/organization regarding the closure of office;
4. The audit report of the branch/liasion/representative/project office for the previous financial year [if applicable audit report with DVC code will be acceptable];
5. Copy of the latest income tax certificate of branch/liasion/representative/project office;
6. Copy of income tax certificate received under section 89 of the Income Tax Ordinance, 1984 up to the date of closure of the branch/liasion/representative/project office;
7. Updated account statement of the applicant provided a scheduled bank;
8. Certificate of payment of all debts to all third parties in Bangladesh by an audit firm recognized by ICAB;
9. No objection certificate from the landlord if the office is located in a rented premise;
10. Copy of cancellation of work permit of all foreign workers;
11. A declaration issued by parent company/organization regarding payment of all future financial liabilities including income tax of branch office/liasion office/representative office/project office and related persons.

Nota Bene:

- (1) Documents submitted in any language other than English must be translated and notarized by a recognized institution;
- (2) The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
- (3) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above.



Documents to be submitted along with the application form for correction of any information and conditions mentioned in the permission letter of Branch / Liaison / Representative / Project Office
(Through Online OSS Portal)
[Clause no 12.2 of the Guideline]

(a) **In case of change of office address:**

1. Copy of the latest office permission letter ;
2. Copy of the rental agreement letter;
3. Copy of Board's decision for change of office address;
4. Copy of up-to-date income tax certificate of the office;
5. If the office is located in a rented place, no objection certificate given by the previous house owner
6. Other applicable information and documents (if any).

(b) **In case of change of company name:**

1. 1 Copy of the latest office permission letter;
2. Copy of the decision of the board of the parent company and the approval of the concerned authority regarding the change of company name;
3. Proof of global name change of parent company/organization certified by the Bangladesh Embassy of the concerned country i.e. copy of amended Memorandum of Association and Articles of Association and Incorporation Certificate of the parent company/organization;
8. Copy of the updated income tax payment certificate of the office.

(c) **In case of relaxation of ratio of local worker and foreign worker:**

1. Copy of the latest office permission letter;
2. Copy of parent company board's decision regarding relaxation of ratio of local worker and foreign worker
3. Justification for relaxation with supporting evidence;
4. Audit report of the branch/liaison/representative/project office for the previous financial year [if applicable audit report with DVC code will be acceptable];
5. Copy of the up-to-date income tax certificate of the office;
6. Recommendation letter of the concerned Ministry/Department/Organization/Department regarding relaxation of manpower in applicable cases;
7. Copy of the previous permission given by the Authority on relaxation of ratio of local worker and foreign worker.

(d) **Exemption in respect of local income/sending remittances abroad**

1. Copy of the latest office permission letter;
2. Copy of the parent company/organization board's decision regarding local income/outward remittance;
3. Proof of local income (for example copy of the contract with Bangladesh company, copy of invoice/bill/cheque, etc. as proof of income);
4. Copy of the previous permission regarding local income/ outward remittance;
5. An audit report of the branch/liaison/representative/project office for the previous financial year [If applicable audit report with DVC code will be acceptable];
6. Up-to-date income tax certificate of the office;
7. Up-to-date statement of accounts of the institution provided by a scheduled Bank.

(e) In case of change of type of office / scope of work

1. Copy of the latest office permission letter
2. Copy of the board decision of the parent company/organization's regarding change of type of office/scope of work;
3. Copy of the up-to-date income tax certificate of the office;
4. Justification with supporting documents for change in type of office/ scope of work.

Nota Bene:

- (1) The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above;
- (3) Documents submitted in any language other than English must be translated and notarized by a recognized institution;



Documents to be submitted along with visa recommendation application

(Through Online OSS Portal)

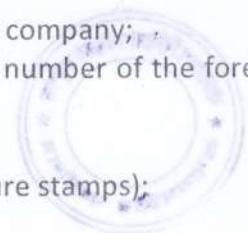
[Clause no 12.2 of the Guideline]

(a) In case of E-Visa recommendation (as per existing visa policy):

1. Permission letter for Branch / Liaison / Representative / Project Office or Articles of Association and Memorandum of Association of the parent company (in case of local registered organizations);
2. Copy of Board Resolution/Decision of appropriate authority mentioning name, nationality, and passport number of foreign worker;
3. Photos of foreign professionals;
4. Copy of all pages of the passport of the foreign worker (including all arrival and departure stamps);
5. Letter of appointment/contract of employment specifying the actual salary, allowances, and all financial and non-financial benefits payable to the foreign worker/investor.
6. Copy of foreign worker's educational qualification and professional experience certificate;
7. Copy of the published advertisement of employment circular mentioning the name of the post (including number), qualification (educational qualification and experience suitable with the post), allowances, financial and non-financial benefits (basic salary and other allowances shall be mentioned separately in monetary value) in at least 2 (two) widely circulated Bangladeshi national dailies and job-related Bangladeshi websites;
8. The evaluation report on the selection of applications received as per the recruitment circular including the name, mobile number, and email of all the candidates;
9. Detail activities of branch office/liaison office/representative office/project office/applicant office/institution/industry;
10. An up-to-date list of local workers and foreign workers working in the applicant organization (including rank, nationality, salary, main functions, and date of joining);
11. A copy of the inward repatriation certificate of USD 50,000.00 as establishment cost of branch/liaison/representative office/project office and foreign/jointly owned offices (in case of companies);
12. A copy of the up-to-date income tax certificate of the organization;
13. A plan of substituting local workers by giving training by the foreign worker for whom e-visa recommendation have been sought;
14. Copy of registration issued by BIDA for taking visa recommendation for foreign workers by local, joint and foreign industrial organizations;
15. Audit report of previous financial year in case of commercial office [If applicable audit report with DVC code will be acceptable].

(b) In case of issuance of PI visa recommendation (as per existing visa policy)

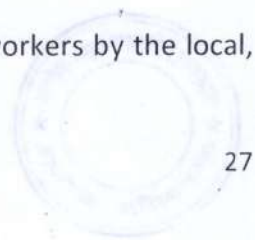
1. Copy of Articles of Association and Memorandum of Association of the parent company;
2. Copy of the Board Resolution specifying the name, nationality, and passport number of the foreign investor;
3. Photo of the foreign investor;
4. A copy of the passport of the foreign investor (including all arrival and departure stamps);



5. Copy of the appointment letter/contract specifying the actual salary, allowances, and all financial and non-financial benefits payable to the foreign investor;
6. Statement of activities of the applicant organization.
7. Updated list (including rank, nationality, salary, main functions, and date of joining) of local staff and foreign staff working in the applicant organization;
8. Copy of Form-XII endorsed by RJSC&F of directors of commercial/industrial organizations registered in Bangladesh;
9. (a) **In case of Commercial Organizations:** A copy of the inward remittance certificate issued by the bank of a minimum of USD 1.00 (one) lakh as a foreign investment (foreign equity) in the applicant organization and for individual investors USD 40.00 (forty) thousand by the foreign investor seeking PI visa.
(b) **In the case of private industrial enterprises:** A copy of the inward remittance certificate issued by a bank showing that the applicant company has a minimum of USD 1.00 (one) lakh as a foreign investment (foreign equity) in Bangladesh in the first stage and USD 40.00 (forty) thousand for the foreign investor seeking PI visa individually. However, at the time of extension of the work permit received from the Bangladesh Investment Development Authority, the industrial organization must have a minimum of USD 2.00 (two) lakh investment in Bangladesh;
10. Copy of the up-to-date income tax certificate of the organization in case of issuing visa recommendations for foreign workers in a commercial organization (if applicable);
11. Audit report of previous financial year [if applicable audited account statement with DVC code will be acceptable];
12. Copy of industrial registration in case of taking PI visa recommendation by local, joint, and foreign industrial organizations.

(c) In case of issuance of E1 visa recommendation (as per existing visa policy):

1. Permission letter for Branch / Liaison / Representative / Project Office or Articles of Association and Memorandum of Association of the parent company (in case of local registered organizations);
2. Copy of Board Resolution/Decision of appropriate authority mentioning name, nationality and passport number of foreign worker;
3. Photo of the foreign worker;
4. A copy of the full passport of the foreign worker (including pages with all arrival and departure stamps);
5. A copy of the contract executed between the service receiver (in this case applicant organization) and supplier organization to supply/install/maintain/supervise equipment/software or project inspection, and/or related services of any institution in Bangladesh;
6. A copy of letter of credit (copy of LC)/bill of lading/bill of entry (regarding installation of equipment/supply and maintenance of software) by the applicant company;
7. Nomination letter issued by the supplying organization mentioning the name, designation, nationality of the foreign worker;
8. Copies of all educational certificates and professional experience certificates of the foreign worker;
9. Details of the work to be performed by the foreign worker in Bangladesh in light of the submitted contract/LC;
10. A statement of detailed activities of the Branch/ Liaison/ Representative/ Project/ Applicant Office /Industrial Establishment;
11. A copy of industrial registration for availing visa recommendation for foreign workers by the local, joint, and foreign industrial organizations;



12. Audit report of the previous financial year of the commercial establishments not registered with the authority [if applicable the audit report would have DVC code];

ANNEXURE 6 (Continued)

13. An encashment certificate/document of a minimum of USD 50,000.00 as capital for foreign/joint investment companies.

(d) In case of recommendation of on-arrival visa (as per existing visa policy);

1. Permission letter for Branch / Liaison / Representative / Project Office or Articles of Association and Memorandum of Association of the parent company (in case of local registered organizations);
2. A copy of the confirmed air ticket for arrival and departure;
3. Letter sent by the authorized person of the applicant organization to the authority stating the following;
 - a. the name, nationality, and passport number of the designated foreign national;
 - b. the reason for the designated foreign national's arrival in Bangladesh;
 - c. an undertaking that the nominated foreign national will leave Bangladesh within the validity of the visa;
4. A photograph of the nominated foreign national;
5. A copy of the full passport of the nominated foreign national (including pages with all arrival and departure stamps);
6. Audit report of the previous financial year of applicant company [if applicable the audit report would have DVC code];

Nota Bene:

- (1) The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above.
- (3) Documents submitted in any language other than English must be translated and notarized by a recognized institution;



**Documents to be submitted along with the application for the new work permit of
foreign worker**

(Through Online OSS Portal)

[Clause no 12.2 of the Guideline]

(a) In case of a work permit for E, E1, and A3 visas (as per existing visa policy):

1. Permission letter for Branch / Liaison / Representative / Project Office or Articles of Association and Memorandum of Association of the parent company (in case of local registered organizations);
2. A copy of the Board Resolution/Decision of appropriate authority mentioning the name, nationality, and passport number of the foreign worker;
3. A Photograph of the foreign worker;
4. A copy of E/E1/A3 visa recommendation;
5. A copy of the full passport of the foreign worker (including pages with E/E1/A3 visa and all arrival and departure stamps);
6. A copy of the appointment letter/contract of employment specifying the actual salary, allowances and all financial and non-financial benefits payable to the foreign worker/investor;
7. Copies of all educational certificates and professional experience certificates of the foreign worker;
8. A statement of detailed activities of the Branch/ Liaison/ Representative/ Project/ Applicant Office /Organization;
9. An up-to-date list of local staff and foreign staff working in the applicant organization (including rank, nationality, salary, main functions, and date of joining);
10. A copy of the updated income tax certificate of a commercial organization;
11. A copy of the industrial registration letter issued by BIDA;
12. An encashment certificate/document of a minimum of USD 50,000.00 as capital for foreign/joint investment companies;
13. In special cases, for receiving a work permit with A3, J, and P visa, the documents mentioned in sl. nos. 1 to 12 above must be submitted;
14. A copy of work permit / copy of cancellation of work permit and copy of income tax certificate must be submitted if previously working in any other organization in Bangladesh;
15. Copies of CV, educational certificates, and experience certificates of the foreign worker;
16. A declaration mentioning that no financial and non-financial benefits will be provided in Bangladesh and outside Bangladesh in addition to the salary and allowances mentioned in the work permit;
17. Report on activities undertaken under the recruitment advertisement;
18. An appropriate action plan of the recruiting organization for transferring the technical and specialized knowledge of the hired foreign worker to the local worker within five (5) years;

(b) In case of a work permit under a PI visa (as per existing visa policy):

1. A copy of the Articles of Association and Memorandum of Association of the parent company;
2. Copy of the Board Resolution specifying the name, nationality, and passport number of the foreign investor;
3. A photograph of the foreign investor;
4. A copy of the PI visa recommendation letter;
5. A copy of the full passport of the foreign worker (including pages with PI visa and all arrival and departure stamps);



Documents to be submitted along with the application for the new work permit of

foreign worker

(Through Online OSS Portal)
[Clause no 12.3 of the Guidelines]**ANNEXURE 7**

6. A copy of the appointment letter/contract specifying the actual salary and allowances and all financial and non-financial benefits payable to the foreign investor.
7. Description of the activities of the applicant organization;
8. An up-to-date list of local staff and foreign staff working in the applicant organization (including rank, nationality, salary, main functions, and date of joining);
9. (a) **In the case of Commercial Organization:** An inward remittance certificate issued by a bank mentioning that an amount minimum of USD 100,000.00 was invested by the applicant company and an amount of USD 40,000.00 was individually invested by the foreign investor seeking a PI visa ;
- (b) **In the case of private industrial Organization:** An inward remittance certificate issued by a bank mentioning that at primary stage an amount minimum of USD 100,000.00 was invested by the applicant company and an amount of USD 40,000.00 was individually invested by the foreign investor seeking a PI visa. However, the industrial organization must have a minimum investment of USD 200,000.00 in Bangladesh at the time of extension of the work permit for the foreign worker received from the authority;
10. Updated Income Tax Certificate of commercial organization (if applicable)
11. Audit report of the previous financial year [if applicable the audit report would have DVC code];
12. If applicable the copy of the registration letter issued by BIDA;
13. A copy of the encashment certificate (in case of investor seeking employment permit).
14. A declaration mentioning that no financial and non-financial benefits will be provided in Bangladesh and outside Bangladesh in addition to the salary and allowances mentioned in the work permit;

Nota Bene:

- (1) The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above.
- (3) Documents submitted in any language other than English must be translated and notarized by a recognized institution;



Documents to be submitted with the application for extension of the work permit

(Through Online OSS Portal)

[Clause no 12.2 of the Guideline]

1. Permission letter for Branch / Liaison / Representative / Project Office or Articles of Association and Memorandum of Association of the parent company (in case of local registered organizations);
2. A copy of the Board Resolution/Decision of appropriate authority mentioning the name, nationality, and passport number of the foreign worker/investor on the extension of a work permit;
3. A Photograph of the foreign worker/investor;
4. A copy of the full passport of the foreign worker/investor (including pages with E/E1/A3 visa and all arrival and departure stamps);
5. A copy of the appointment letter/contract of employment specifying the actual salary, allowances, and all financial and non-financial benefits payable to the foreign worker/investor;
6. Details of local manpower trained by foreign workers working on E, E1, A3, J, and P visas and a plan to replace a local worker with a foreign worker and information with evidence on progress of implementing the plan
7. The bank statement of the latest year of the foreign worker/investor;
8. A copy of the updated income tax certificate of the foreign worker/investor;
9. A copy of the up-to-date income tax certificate of the organization;
10. A copy of first work permit;
11. A copy of the latest work permit;
12. An amended copy of the latest work permit (if any);
13. If applicable a copy of the industrial registration letter issued by BIDA;
14. A declaration mentioning that no financial and non-financial benefits will be provided in Bangladesh and outside Bangladesh in addition to the salary and allowances mentioned in the work permit.

Nota Bene:

- (1) The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above;
- (3) Documents submitted in any language other than English must be translated and notarized by a recognized institution.



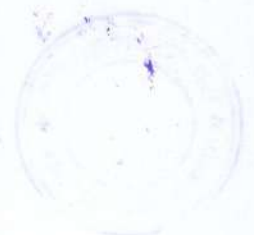
Documents to be submitted along with the application for amendment of information and conditions of work permit

(Through Online OSS Portal)
[Clause no 12.2 of the Guideline]

1. A copy of the latest work permit;
2. A request letter sent by the head of the organization to the Authority stating the reasonable explanations for revision of information/conditions with supporting documents;
3. A copy of the Board Resolution/Decision of the appropriate authority in favor of the amendment of information/conditions of the work permit.

Nota Bene:

- (1) The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit more information and documents in addition to the documents mentioned above;
- (3) Documents submitted in any language other than English must be translated and notarized by a recognized institution.



Documents to be submitted along with the application for cancellation of work permit

(Through Online OSS Portal)

[Clause no 12.2 of the Guideline]

1. Copies of the first and the last work permit;
2. A copy of the board resolution/decision of appropriate authority for cancellation of the work permit;
3. The up-to-date income tax payment certificate of the foreign worker as per Section no 91 of the Income Tax Ordinance, 1984 or the existing Income Tax Act
4. The income tax payment certificate for the last two years of the foreign worker (if applicable);
5. Resignation letter given by the foreign worker/foreign investor (where applicable);
6. Release/Termination letter/no objection letter issued by the employer in favor of foreign worker/foreign investor;
7. A copy of the full passport of the foreign worker/investor (including pages with E/E1/A3 visa and all arrival and departure stamps);
8. If the visa is valid under the existing work permit, it is mandatory to submit the page of the passport having the exit stamp.

Nota Bene:

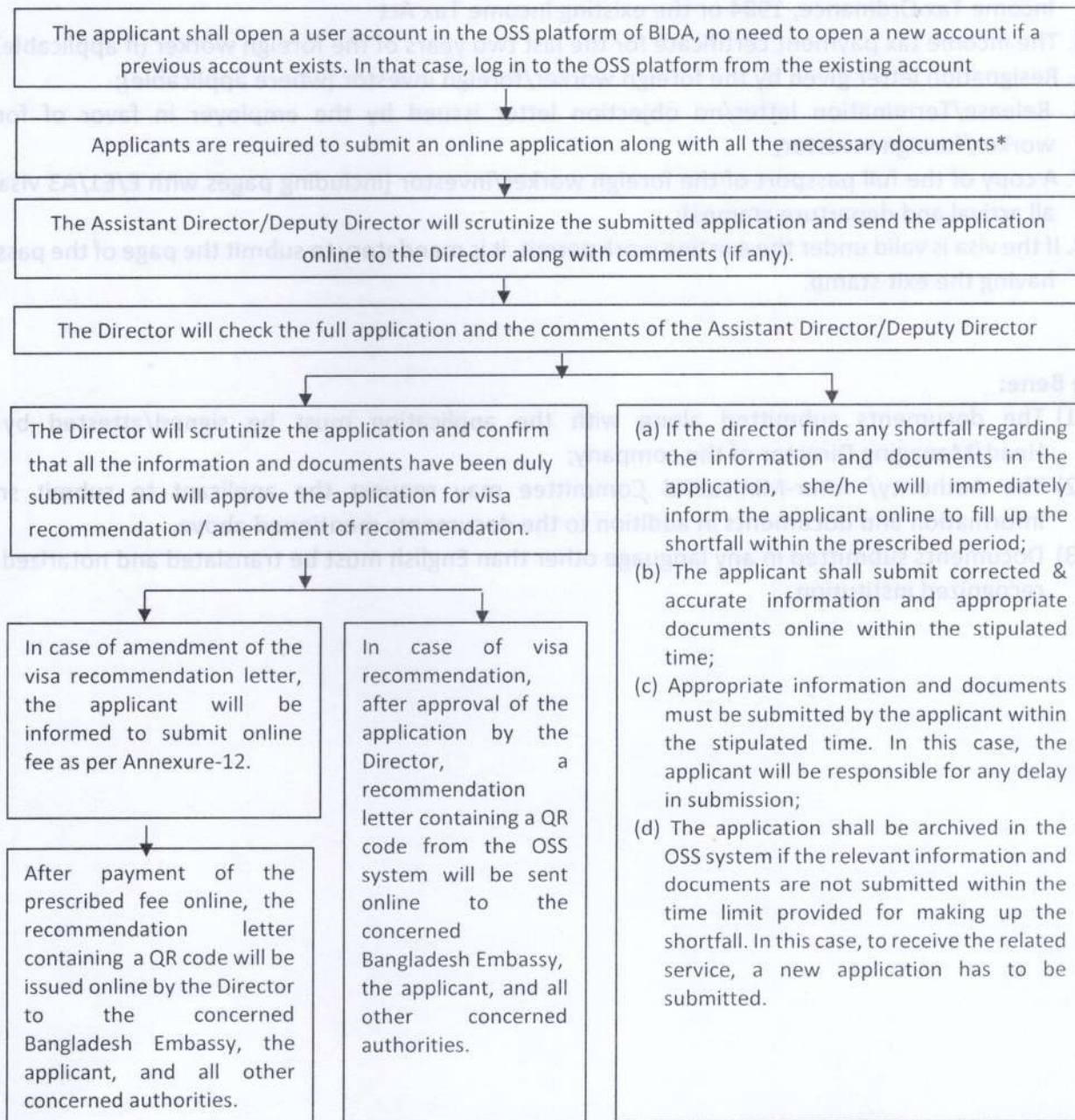
- (1) The documents submitted along with the application must be signed/attested by the Head/Managing Director of the company;
- (2) The Authority/ Inter-Ministerial Committee may request the applicant to submit smore information and documents in addition to the documents mentioned above.
- (3) Documents submitted in any language other than English must be translated and notarized by a recognized institution.



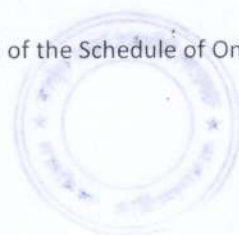
Annexure-11 (Continued)**Standard Operating Procedure for Issuance of Visa Recommendation/
Amendment of Visa Recommendation Letter**

(Standard Operating Procedure)

[Clause/article No. 13.1 of the Guideline]

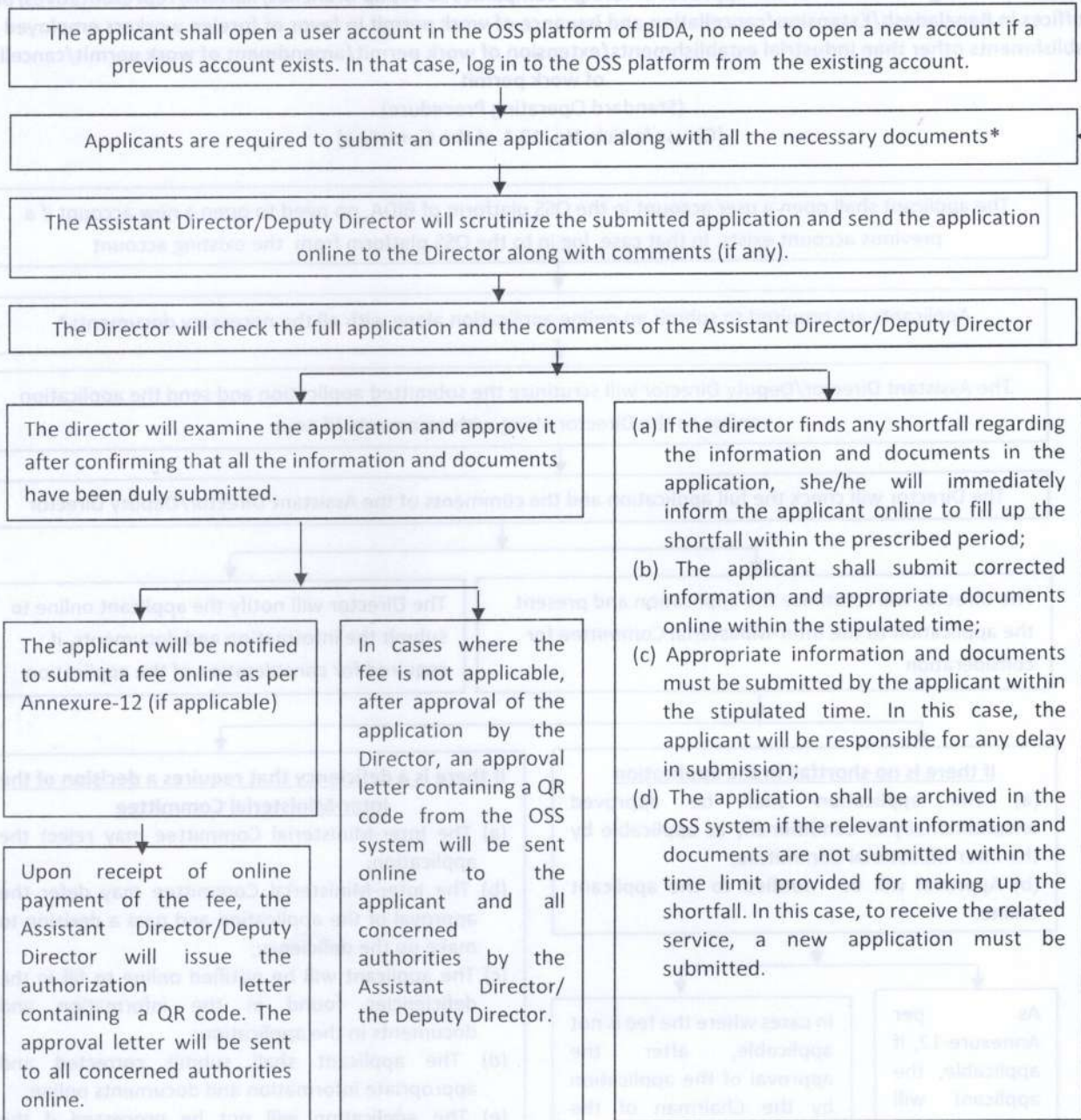
**Nota bene:**

* The applications will be disposed of within the time limits mentioned in Sl. No. 5 (c) and 5 (d) of the Schedule of One-Stop Service (Bangladesh Investment Development Authority) Rules, 2020.



Standard Operating Procedure for Issuance of Work Permit/Extension of Work Permit/Amendment of Work Permit/Cancellation of Work Permit in favor of Foreign Worker Employed in Industrial Establishments

(Standard Operating Procedure)
[Clause/article No. 13.1 of the Guideline]



Nota bene:

* The applications will be disposed of within the time limits mentioned in Sl. No. 5 (e) and 5 (f) of the Schedule of One-Stop Service (Bangladesh Investment Development Authority) Rules, 2020.

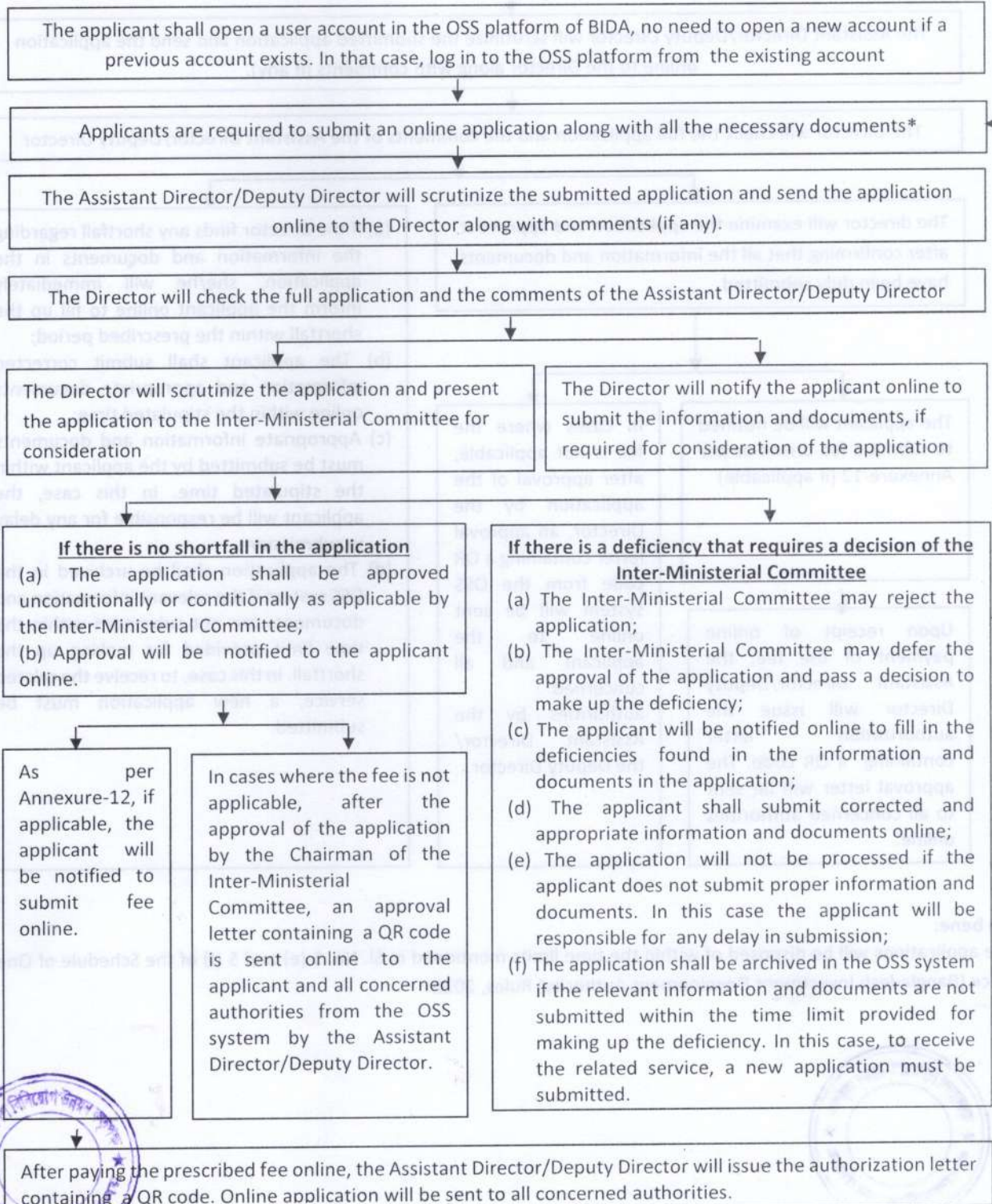


Annexure-11 (Continued)

Standard Operating Procedure for the approval of foreign companies to set up branches/liasons/representatives/project offices in Bangladesh/Extension/cancellation and issuance of work permit in favor of foreign workers employed in establishments other than industrial establishments/extension of work permit/amendment of work permit/cancellation of work permit

(Standard Operating Procedure)

[Clause/article No. 13.1 of the Guideline]



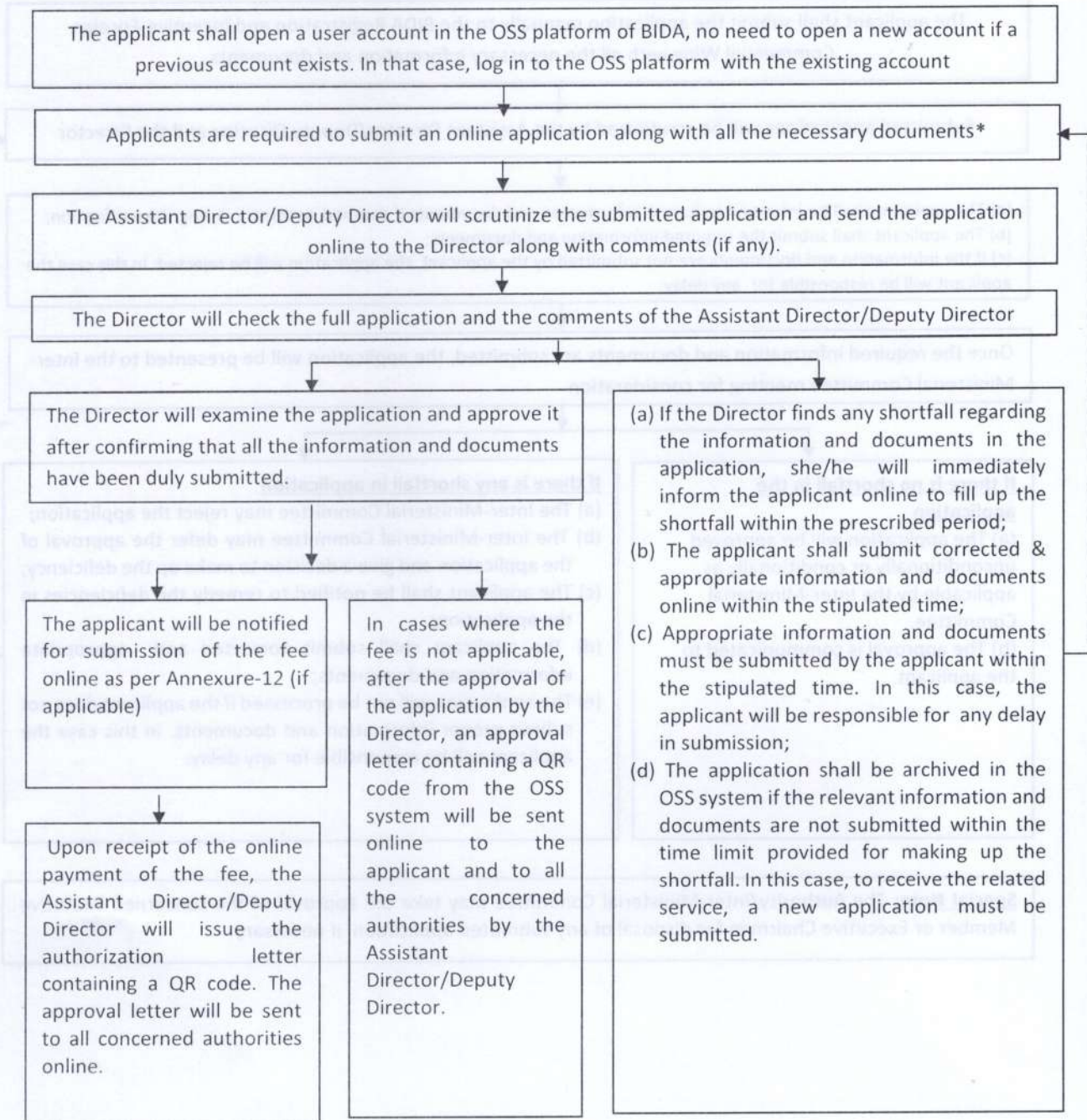
Nota bene:

* Application for issuance of commercial office permit, grant of new work permit and extension of work permit period within the time limits specified in Sl. No. 5 (b), 5 (f), and 5 (h) of the Schedule of One Stop Service (Bangladesh Investment Development Authority) Rules, 2020 will be settled.

Annexure-11 (Continued)

Standard operating procedure for amendment of authorization letter of branch/liaison/representative/project office of foreign company established in Bangladesh and amendment/cancellation of work permit issued in favor of foreign worker employed in establishments other than industrial establishments.

(Standard Operating Procedure)
[Clause/article No. 13.1 of the Guideline]

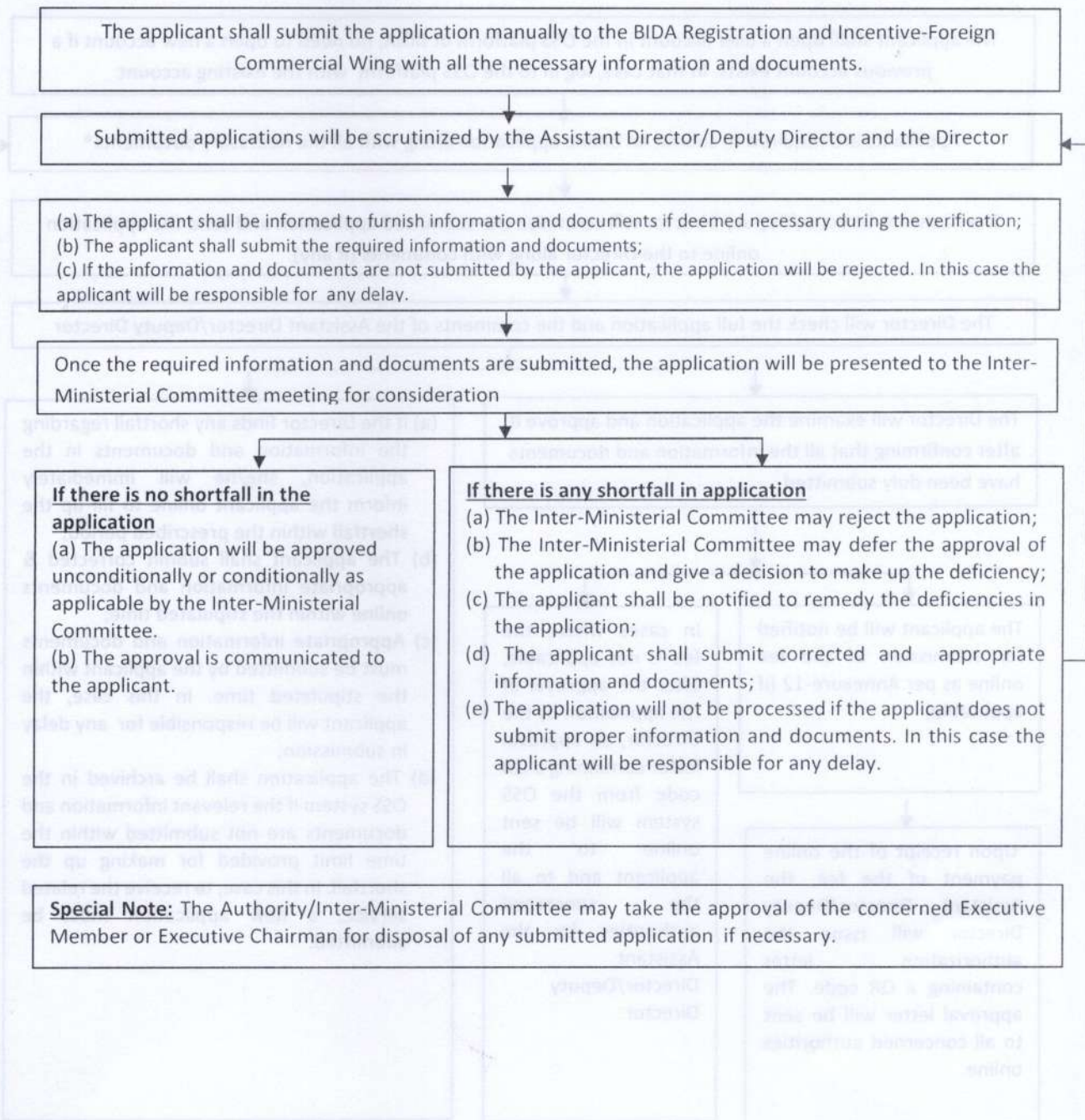


Nota bene:

* The application will be disposed of within 10 (ten) working days for correction of office approval letters, 10 (ten) working days for correction of work permit issued in favor of foreign workers employed in organizations other than industrial establishments and 15 (fifteen) working days for cancellation of work permit.



Standard operating procedures for disposal of applications related to the matters mentioned in the procedure that cannot be processed online
(Standard Operating Procedure)
[Clause/article No. 13.1 of the Guideline]



Description of fees applicable to services provided under this Guideline

(To be paid through Online OSS Portal)

[Clause No. 13.6 of the Guideline]

Sl.	Description	Amount of fee (in BDT)
A	Commercial office approval	
1	For new permission (for maximum 3 years)	25,000.00 (twenty five thousand)
2	For extension of office permission (for maximum 2 years)	10,000.00 (ten thousand)
3	For amendment of any information in the permission letter	3,000.00 (three thousand)
4	For cancellation of the permission	No fees
B	Visa recommendation	
1	For new visa recommendation	No fees
2	For amendment of visa recommendation	3,000.00 (three thousand)
C	Work permit	
1	For new work permit (for each year)	10,000.00 (ten thousand)
2	For extension of work permit (for each year)	10,000.00 (ten thousand)
3	For amendment of information in the work permit	3,000.00 (three thousand)
4	For cancellation of work permit	No fees

Nota Bene:

- The Authority/Inter-Ministerial Committee may revise the fees mentioned in the above table at any time if necessary;
- VAT as determined by the Government shall be payable on the above fees.



Minimum Salary Structure for Foreign Workers for Work Permit Approval

[Clause/article No. 14.1 of the Guideline]

Serial	Classification of Professions of foreign Workers	Minimum Basic Salary of the foreign Nationals based on their Nationality		
		Group A	Group B	Group C
		South Asian countries, Myanmar, Indonesia, African Countries (except South Africa), and other 3 rd World Countries	Malaysia, China, Thailand, Hong Kong, South Korea, South Africa and countries having similar Economic conditions	United States, United Kingdom, Japan, Australia, Singapore, United Arab Emirates, Saudi Arabia, Countries of European Union, New Zealand and other developed Countries
1	Technician/Medical Technologist/Pathologist and Equivalent posts	USD 1200	USD 1400	USD 1500
2	Senior Technician/Supervisor/ Junior Quality Controller/Chefs of Hotels & Restaurants and Equivalent posts	USD 1400	USD 1500	USD 1600
3	Teacher/Lecturer/Junior Doctor/Junior Assistant Manager/Junior Engineer/Junior Chemist/ IT & Software Programmer/ Quality Controller and Equivalent posts	USD 1500	USD 1600	USD 1700
4	Assistant Professor/Senior Doctor/Engineer/Deputy Manager and Equivalent posts	USD 1600	USD 1700	USD 1800
5	Associate Professor/Consultant/Senior Manager/Technical Advisor/Senior Engineer/Senior Chemist/Coaches of different Clubs & Sports organizations and Equivalent posts	USD 1700	USD 1800	USD 1900
6	Professor/Consultant Physician/General Manager/Head of Operations/Equivalent & Similar Positions	USD 2000	USD 2200	USD 2300
7	Vice Chancellor/Director/Advisor/Chief Operating Officer/Chief Financial Officer/Chief Technical Officer/Executive Director/Pilot/Aeronautical Maintenance Engineer and Equivalent posts	USD 2300	USD 2400	USD 2500
8	Chief Executive Officer/Country Manager/Managing Director/Chairman/President/Foreign Investor/ Equivalent & Similar Positions	USD 2500	USD 2800	USD 3000

Nota Bene:

1. For Multinational Company (MNC)/ Transnational Corporations (TNC), Air Transport & Maritime Transport companies, the above-mentioned minimum Salary Structure will not be applicable. Salary Structure of Foreign Nationals employed in these organizations will be considered in accordance with the international standards.
2. With the enforcement of this guideline, the above-mentioned minimum salary structure will be applicable for both the issuance and renewal of work permits.
3. The Authority/Inter Ministerial Committee may update the annexure if necessary.

of
Security Services Division

The Committee, constituted by the memorandum no. 191 dated 19 February 2023 of the Security Services Division, formulated the following guidelines for providing security clearance to the foreign workers working in Bangladesh receiving a work permit from Bangladesh Investment Development Authority (BIDA) in the fastest time and for proper coordination among all the concerned authorities/agencies/offices:

1) The employing organization shall apply to the Executive Chairman, Bangladesh Investment Development Authority (BIDA) for a work permit in the prescribed form.

2) Scan copy of all documents including work permit will be forwarded to the Security Services Division by BIDA for security clearance of the concerned foreigner. Following documents should be attached with the proposal:

- a) Copies of all used pages of the passport of the person concerned;
- b) Copy of work permit (with copy of work permit/cancellation of work permit and TIN if previously employed in any other organization in Bangladesh);
- c) Letter of appointment;
- d) Curriculum vitae, copies of educational qualification and experience certificates;
- e) Copy of encashment certificate (in case of investor);
- f) House rent agreement of the person concerned;
- g) Copy of trade license of the concerned institution;
- h) TIN (Taxpayer Identification Number) of the concerned institution;
- i) Activities of the institution/ type of institution;
- j) List of domestic and foreign workers.

Investigation:
(3) The Security Services Division will forward the proposal (with attachments obtained from BIDA) to National Security Intelligence Department (NSI) and Special Branch (SB) within 3 (three) working days of receiving the proposal from BIDA through the Online Security Clearance System for investigation.

(4) The NSI/SB shall forward the report to the Security Services Division within 21 (twenty-one) working days. The report will mainly consider 03 (three) issues, namely: State Security, Social Security and other issues (Income Tax Certificate, Salary, etc.).

(5) The NSI/SB shall make specific recommendations/opinions based on the information received on matters of State Security and Social Security during the investigation. However, the NSI/SB will give observation on other issues (income tax certificate, salary & allowance, etc.).

(6) The inquiry report shall not contain any conclusive remarks.

(7) State security, social affairs and other matters must be ensured in issuing security clearance to foreigners working in Bangladesh. However, it must be ensured that there are no undue delays in the issuance of security clearance by the Government. The Government should create an ongoing extensive development activities and no negative effect is created on the ongoing extensive development activities regarding the issuance of security clearance.

(8) Strict enforcement of conditions of visa should be ensured so that the foreigners working in Bangladesh do not violate the provisions of their choice/profession violating the visa policy or arbitrarily change the appointing organization violation of the existing legal provisions.



The Guideline on Issuance of Security Clearance of Security Services Division

The Committee, constituted by the memorandum no. 191 dated 19 February 2023 of the Security Services Division, formulated the following guidelines for providing security clearance to the foreign workers working in Bangladesh receiving a work permit from Bangladesh Investment Development Authority (BIDA) in the fastest time and for proper coordination among all the concerned authorities/ agencies/ offices:

Sending the requisition letter:

(1) The employing organization shall apply to the Executive Chairman, Bangladesh Investment Development Authority (BIDA) for a work permit in the prescribed form.

(2) Scan copy of all documents including work permit will be forwarded to the Security Services Division by BIDA for security clearance of the concerned foreigner. Following documents should be attached with the proposal:

- a) Copies of all used pages of the passport of the person concerned;
- b) Copy of work permit (with copy of work permit/cancellation of work permit and TIN if previously employed in any other organization in Bangladesh);
- c) Letter of appointment;
- d) Curriculum vitae, copies of educational qualification and experience certificates;
- e) Copy of encashment certificate (in case of investor);
- f) House rent agreement of the person concerned;
- g) Copy of trade license of the concerned institution;
- h) TIN (Taxpayer Identification Number) of the concerned institution;
- i) Activities of the institution/ type of institution;
- j) List of domestic and foreign workers.

Investigation:

(3) The Security Services Division will forward the proposal (with attachments obtained from BIDA) to National Security Intelligence Department (NSI) and Special Branch (SB) within 3 (three) working days of receiving the proposal from BIDA through the Online Security Clearance System for investigation.

(4) The NSI/SB shall forward the report to the Security Services Division within 21 (twenty-one) working days. The report will mainly consider 03 (three) issues, namely: State Security, Social Security and other issues (Income Tax Certificate, Salary, etc.).

(5) The NSI/SB shall make specific recommendations/opinions based on the information received on matters of State Security and Social Security during the investigation. However, the NSI/SB will give observation on other issues (income tax certificate, salary & allowance, etc.).

(6) The inquiry report shall not contain any conclusive remarks.

(7) State security, social affairs and other matters must be ensured in issuing security clearance to the foreigners working in Bangladesh. However, it must be ensured that there are no undue delays or unnecessary complications and no negative effect is created on the ongoing extensive development activities of the government in the country in the decision-making process regarding the issuance of security clearances.

Compliance of Visa Policy:

(8) Strict enforcement of conditions of visa should be ensured so that the foreigners working in the country cannot engage in any work of their choice/profession violating the visa policy or arbitrarily change the appointing organization in violation of the existing legal provisions.

No: 03.219.344.00.00.1142.2019

Date: 29/05/2023

Distribution (Not in order of seniority):

1. Governor, Bangladesh Bank, Motijheel C/A, Dhaka.
2. Cabinet Secretary, Cabinet Division, Bangladesh Secretariat, Dhaka.
3. Principal Secretary to the Prime Minister, Prime Minister's Office, Tejgaon, Dhaka.
4. Chairman, National Board of Revenue, Rajashwa Bhaban, Sher-e-Bangla Nagar, Agargaon, Dhaka.
5. Senior Secretary, Finance Division, Ministry of Finance, Bangladesh Secretariat, Dhaka.
6. Senior Secretary, Ministry of Commerce, Bangladesh Secretariat, Dhaka.
7. Senior Secretary, Ministry of Science and Technology, Bangladesh Secretariat, Dhaka.
8. Executive Chairman (Senior Secretary), Bangladesh Economic Zones Authority (BEZA), Biniyog Bhaban, Sher-e-Bangla Nagar, Agargaon, Dhaka.
9. Foreign Secretary (Senior Secretary), Ministry of Foreign Affairs, Segunbagicha, Dhaka.
10. Secretary, Financial Institutions Division, Bangladesh Secretariat, Dhaka.
11. Secretary, Ministry of Industries, Shilpa Bhaban, Dilkusha C/A, Dhaka.
12. Secretary, Security Services Division, Ministry of Home Affairs, Bangladesh Secretariat, Dhaka.
13. Secretary, Energy and Mineral Resources Division, Ministry of Power, Energy and Mineral Resources, Bangladesh Secretariat.
14. Secretary, Power Division, Ministry of Power, Energy and Mineral Resources, Bangladesh Secretariat.
15. Secretary, Local Government Division, Ministry of Local Government, Rural Development and Co-operatives, Bangladesh Secretariat, Dhaka.
16. Secretary, Bridges Division, Ministry of Road Transport and Bridges, Setu Bhaban, New Airport Road, Banani, Dhaka-1212.
17. Secretary, Road Transport and Highways Division, Ministry of Road Transport and Bridges, Bangladesh Secretariat, Dhaka.
18. Secretary, Ministry of Civil Aviation and Tourism, Bangladesh Secretariat, Dhaka.
19. Secretary, Ministry of Agriculture, Bangladesh Secretariat, Dhaka.
20. Secretary, Prime Minister's Office, Tejgaon, Dhaka.
21. Secretary, Ministry of Railways, 16 Abdul Gani Road, Rail Bhaban, Dhaka-1000.
22. Secretary, Ministry of Youth and Sports, Bangladesh Secretariat, Dhaka.
23. Secretary, Economic Relations Division, Sher-e-Bangla Nagar, Agargaon, Dhaka.
24. Secretary, Ministry of Planning, Sher-e-Bangla Nagar, Agargaon, Dhaka.
25. Managing Director, Bangladesh Hi-Tech Park Authority, ICT Tower (9th Floor), E-14/X, Agargaon, Sher-e-Bangla Nagar, Dhaka-1207.
26. Chief Executive Officer, Bangladesh Public-Private Partnership Authority, Plot E-13/B, Agargaon, Sher-e-Bangla Nagar, Dhaka.
27. Executive Chairman, Bangladesh Export Processing Zones Authority (BEPZA), BEPZA Complex, House 19/D, Road 6, Dhanmondi R/A, Dhaka.
28. Secretary, Bangladesh Investment Development Authority (BIDA), Agargaon, Dhaka (With a request to publish the operating procedure on the BIDA website).
29. Director General, Central Procurement Technical Unit (CPTU), IMED, CPTU Bhaban, Ministry of Planning, Agargaon, Sher-e-Bangla Nagar, Dhaka.
30. Registrar, Department of Patents, Designs and Trademarks, 91 Motijheel C/A, Dhaka-1000.
31. Director General, Bangladesh Financial Intelligence Unit, Bangladesh Bank, Dhaka.
32. Deputy Director, Bangladesh Government Press (BG Press), Tejgaon, Dhaka. (With a request to publish the circular in the Bangladesh Gazette and supply 100 copies of the published Gazette).
33. President, ICAB, 100, Kazi Nazrul Islam Avenue, Kawran Bazar, Dhaka-1215.
34. Head of Delegation, European Union to Bangladesh, House 7, Road 84, Gulshan 2, Dhaka.
35. Chief Representative, JICA Bangladesh, 3rd Floor, Bay's Galleria, CWS-A19, 57 Gulshan Avenue, Dhaka-1212.
36. Country Representative, JETRO, I K Tower, 3rd Floor, Plot No. CEN(A)-2, North Avenue, Gulshan 2, Dhaka-1212.
37. Chairman, Association of Banks, Jabbar Tower, 16th Floor, Road 135, 42 Gulshan Avenue, Dhaka-1212.
38. President, FBCCI, 60 Motijheel C/A, Dhaka.
39. President, BGMEA, Road 7/7A, Sector 17, Block H-1, Uttara, Dhaka-1230.

40. President, MCCI, 65-66 Motijheel C/A, Dhaka.
41. President, DCCI, 65-66 Motijheel C/A, Dhaka.
42. President, FICCI, Shyama Homes, Apartment C-3, House 59, Road 1, Block I, Banani, Dhaka-1213.
43. President, BWCCI, Plot 2, Road 23/C, Gulshan 1, Dhaka-1212.
44. President, CCC (Chittagong Chamber of Commerce), WTC Building, 102-103 Agrabad C/A, Chattogram.
45. Managing Director, _____ Bank, _____
46. President/Chief Executive, _____ Chamber _____
47. Master File.

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