

Migration Policies in Taiwan 2017-2019

Pedroza, Luicy; Palop-García, Pau; Chang, So Young

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IMISEM

EVERY IMMIGRANT IS AN EMIGRANT
How Migration Policies Shape
the Paths to Integration

IMISEM CASE REPORT
Migration Policies in

Taiwan


2017-2019

Coordinated by:


Luicy Pedroza
Pau Palop-García
So Young Chang

January 2022

G I G A

German  Institute for Global and Area Studies
Leibniz-Institut für Globale und Regionale Studien

Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: www.imisem.info as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

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German Institute for Global and Area Studies (GIGA) / Leibniz-Institut für Globale und Regionale Studien
Neuer Jungfernstieg 21
20354 Hamburg
Phone: +49 (0)40 - 428 25-593
Fax: +49 (0)40 - 428 25-547
Email: info@giga-hamburg.de
<http://www.giga-hamburg.de>

About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” * two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *polities* that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

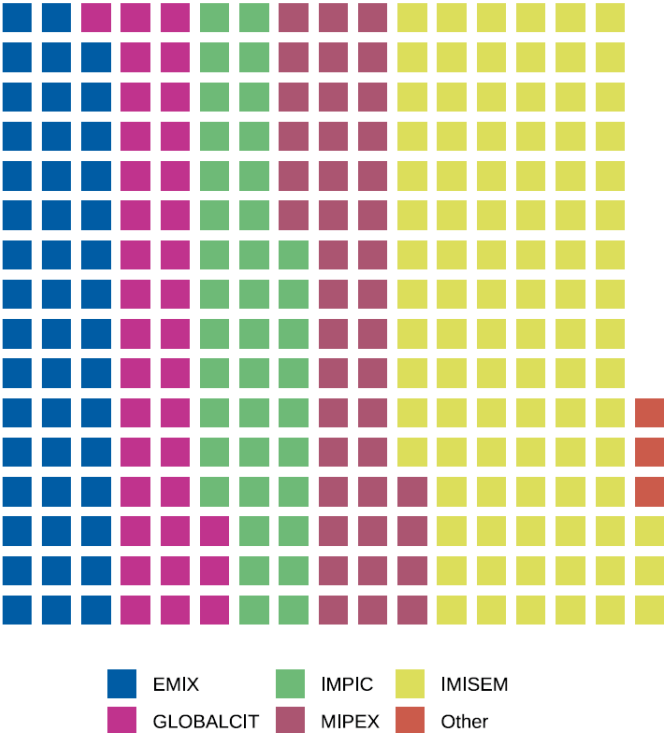
About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.

Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

Answer: this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

Code: this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

Explanation: this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

Sources: this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

Varieties of Standard English

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

Contact

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: lpedroza@colmex.mx or find us through our ORCID numbers:

Luicy Pedroza: 0000-0003-1971-4399

Pau Palop-García: 0000-0003-3458-4211

So Young Chang: 0000-0001-9632-3485

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1. Emigration policies

1.1. General

EMIGRATION_1. The attempt to leave the country is punishable by law.

Answer: No

Code: 1

Explanation: No. But for different categories of citizens, different procedures to leave the country apply. “Article 5 Nationals who reside in and are with registered permanent resident in the Taiwan Area may enter and/or exit the State without application for permission, save staff who involve in national security. The staff’s entries and exits of the State must be approved by the staff’s service authorities before the staff can exit the State. Nationals without registered permanent resident in the Taiwan Area shall apply to National Immigration Agency for permission to enter the State. National security Bureau, Ministry of the Interior, Ministry of National Defense, Ministry of Justice and Coast Guard Administration, Executive Yuan shall respectively enact regulations with respect to the scopes of the staff regulated in the exception of Paragraph 1, conditions for approval of the said staff, procedures and other matters which must be complied by the staff. [第 5 條 居住臺灣地區設有戶籍國民入出國，不須申請許可。但涉及國家安全之人員，應先經其服務機關核准，始得出國。臺灣地區無戶籍國民入國，應向入出國及移民署申請許可。第一項但書所定人員之範圍、核准條件、程序及其他應遵行事項之辦法，分別由國家安全局、內政部、國防部、法務部、行政院海岸巡防署定之。]” Note: The Chinese title of this Act means literally “Entry and Exit of the Country and Migration Act” and it incorporates the regulation of both emigration and immigration. We refer to the official English translation of this Act provided by ROC law database.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 5.

EMIGRATION_2: Exit fees.

Prospective emigrants need to pay a fee before emigrating.

Answer: No

Code: 1

Explanation: No. A payment or a deposit is not explicitly required for leaving the country of origin regardless of the intention to settle in another country.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Amount of the fee in country of origin currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the fee in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Prospective emigrants need to make a deposit before emigrating:

Answer: No

Code: 1

Explanation: No deposits stated as necessary.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Amount of the deposit in the currency of the country of origin:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the deposit in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_3: Citizens can only stay abroad for a given maximum of days.

Citizens can only stay abroad for a given maximum of days

Answer: No

Code: 1

Explanation: No maximum given.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Maximum number of days that citizens can stay abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.2. Documentation

1.2.1. Passport

EMIGRATION_4: Cost of ordinary passport.

Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 1300

Code: 1300

Explanation: For in-country application, it costs NT\$1,300 in most cases; For applications abroad, it costs US\$45. "Article 2 The fee for an ordinary e-passport is NT\$1,300 for applications made within the Republic of China (ROC). But for applicants under 14, male applicants who turned 14 and apply an e-passport before December 31 of the year they turn 15, and male applicants who apply an e-passport after January 1 of the year they turn 16, are obligated to serving in the military, and the passport validity term would be shortened due to their service in the military, the fee for an ordinary e-passport is NT\$900. For applications made abroad, the fee for an ordinary passport is stipulated as follows: E-passport: US\$45 for each e-passport. But in instances otherwise stipulated in the preceding paragraph, the fee for each application is US\$31. General passports: For applicants who lost their passports and couldn't wait for a re-issuance of an e-passport, or for the passports issued in accordance article 20 of the Passport Statutes for ROC nationals to return home from abroad, the fee for each general passport is US\$31. For applicants who cannot wait for the approval and re-issuance of e-passports, instead, obtain a general passport with one-year validity, the fee for the general passport is US\$10".

Sources: Bureau of Consular Affairs of Ministry of Foreign Affairs, Passport Application Fees Act. 2017. Art. 2.

Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 42

Code: 42

Explanation: Exchange rate on 16.07.2019.

Sources: Bureau of Consular Affairs of Ministry of Foreign Affairs, Passport Application Fees Act. 2017.

EMIGRATION_5: Maximum length of procedure to process passport.

Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):

Answer: Yes

Code: 1

Explanation: 4 days "Working schedule: For general cases of applying for new photos and reissues, they will be collected 4 working days after acceptance. (For example, it will be accepted on the morning of the 1st and will be available on the morning of the 5th) [作業時程：對於申請新照及換發之一般性案件，於受理後4個工作天後領取。（例如於1日上午受理，5日上午可領取）]".

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "國內-護照規費及加收速件處理費說明書 [Domestic Passport Fee and Additional Speed Processing Fee Specification]". Access date not available. <https://www.boca.gov.tw/cp-17-12-a76f1-1.html>.

Maximum length of procedure to process passport (in days):

Answer: 4

Code: 4

Explanation: 4 days "Working schedule: For general cases of applying for new photos and reissues, they will be collected 4 working days after acceptance. (For example, it will be accepted on the morning of the 1st and will be available on the morning of the 5th) [作業時程：對於申請新照及換發之一般性案件，於受理後4個工作天後領取。（例如於1日上午受理，5日上午可領取）]".

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "國內-護照規費及加收速件處理費說明書 [Domestic Passport Fee and Additional Speed Processing Fee Specification]". Access date not available. <https://www.boca.gov.tw/cp-17-12-a76f1-1.html>.

Maximum length of procedure to process passport (by categories):

Answer: From 0 to 2 months

Code: 1

Explanation: 4 days.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). “國內-護照規費及加收速件處理費說明書 [Domestic Passport Fee and Additional Speed Processing Fee Specification]”. Access date not available. <https://www.boca.gov.tw/cp-17-12-a76f1-1.html>.

EMIGRATION_6. Renewal of passport from abroad is possible:

Answer: Yes

Code: 1

Explanation: For applications made abroad, the fee for an ordinary passport is stipulated as follows: E-passport: US\$45 for each e-passport. But in instances otherwise stipulated in the preceding paragraph, the fee for each application is US\$31.

Sources: Bureau of Consular Affairs of Ministry of Foreign Affairs, Passport Application Fees Act. 2017.

1.2.2. Other requirements

EMIGRATION_7. Local police certificate is necessary to emigrate:

Answer: No

Code: 1

Explanation: No such provision.

Sources: 入出國及移民法 [Immigration Act]. 2015.

EMIGRATION_8. Superior/employer's permission is necessary to emigrate:

Answer: No

Code: 1

Explanation: No such provision.

Sources: 入出國及移民法 [Immigration Act]. 2015.

EMIGRATION_9. Proof of income is necessary to emigrate:

Answer: No

Code: 1

Explanation: No such provision.

Sources: 入出國及移民法 [Immigration Act]. 2015.

EMIGRATION_10. Registration abroad is mandatory.

Answer: No

Code: 1

Explanation: No such provision.

Sources: 入出國及移民法 [Immigration Act]. 2015.

1.3. Quotas and restrictions

EMIGRATION_11. Quotas to emigrate based on ethnicity.

Quotas to emigrate based on ethnicity exist in the country:

Answer: No

Code: 1

Explanation: No official records show that such ethnicity-based quota exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_12: Quotas to emigrate based on income.

Quotas to emigrate based on income exist in the country:

Answer: No

Code: 1

Explanation: No official records show that such income-based quota exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_13. Those who are liable for military conscription are allowed to emigrate:

Answer: Yes

Code: 1

Explanation: Young men in military conscription age are not completely forbidden to emigrate, but they must go through a special application procedure and their period of staying abroad is regulated.

“Article 4 The application for exit filed by a draftee shall be approved: Providing, however, that: 1. The period approved for the exit of a draftee shall not be longer than two (2) years if the draftee is a student who has applied for the exit on the grounds of studying courses with a bachelor, master or doctor degree granted under cooperation between domestic and foreign universities. The period approved for exit shall be based on each program and the returning deadline shall not exceed the deadline of deferred conscription for domestic study. 2. A draftee who receives a gold medal or first prize by representing the country as a contestant in International Mathematical Olympiad (excluding Asia physics, Asia-Pacific mathematics and international science for junior high students) or US International Science & Engineering Fair and is recommended by the Ministry of Education for study overseas may exit for the study period. The age of attending school shall not exceed thirty (30). 3. The period approved for the exit of a draftee shall not be longer than one (1) year if the draftee is a student who has applied for the exit on the grounds of taking a research project, foreign studies, performance, visit, competition event, training or field practice as assigned or recommended. In addition, the return deadline shall not exceed the deadline of deferred conscription. To apply for exit on the grounds of taking a research project or foreign studies, it will be subject to twice for each program. 4. The period approved for the exit of a draftee shall not be longer than six (6) months if the draftee, though not a student, has applied to exit on the grounds of representing the nation to give a performance or to participate in a competition as assigned or recommended. 5. Any draftee applying for studying in a foreign country is required to be admitted by a school, including of Hong Kong and Macao. 6. Any draftee applying for studying in Mainland China is required to be admitted by an accredited university and department recognized by the Ministry of Education of Taiwan. 7. The period approved for the exit of a draftee shall not be longer than four (4) months if the draftee has applied for the exit on grounds other than those described in the preceding 6 Clauses. Those exit conditions described in the preceding Clauses 1 to 4 and Clause 7 shall be also applicable to any draftee who has applied to exit to enter into the Mainland China area. However, those conditions described in Clauses 1 and 2 of the preceding Article shall only be applicable to any draftee who is now studying in the Mainland China area at a duly accredited university and department recognized by the Ministry of Education of Taiwan. Any draftee applying for studying abroad under Clause 5 in Paragraph 1 or Clause 6 in Paragraph 1, the limitations of degree and age are referred to the regulations of Clause 5 in

Paragraph 1. [第 4 條 役男申請出境應經核准，其限制如下：一、在學役男修讀國內大學與國外大學合作授予學士、碩士或博士學位之課程申請出境者，最長不得逾二年；其核准出境就學，依每一學程為之，且返國期限截止日，不得逾國內在學緩徵年限。二、代表我國參加國際數理學科（不含亞洲物理、亞太數學及國際國中生科學）奧林匹亞競賽或美國國際科技展覽獲得金牌獎或一等獎，經教育部推薦出國留學者，得依其出國留學期限之規定辦理；其就學年齡不得逾三十歲。三、在學役男因奉派或推薦出國研究、進修、表演、比賽、訪問、受訓或實習等原因申請出境者，最長不得逾一年，且返國期限截止日，不得逾國內在學緩徵年限；其以研究、進修之原因申請出境者，每一學程以二次為限。四、未在學役

男因奉派或推薦代表國家出國表演或比賽等原因申請出境者，最長不得逾六個月。五、役男申請出境至國外就學者，應取得國外學校入學許可。赴香港或澳門就學役男，準用之。六、役男申請出境至大陸地區就學者，應取得教育部所採認大陸地區大專校院正式學歷學校及科系入學許可。七、因前六款以外原因經核准出境者，每次不得逾四個月。役男申請進入大陸地區者，準用前項第一款至第四款及第七款規定辦理。但前項第一款、第二款之準用，以就讀教育部所採認之大陸地區大專校院正式學歷學校及科系者為限。役男依第一項第五款或第六款規定申請出境就學者，其就讀學歷及就學最高年齡之限制，準用第五條第一項規定辦理。】”。

Sources: 役男出境處理辦法 [Regulations for Exit of Draftees]. 2014. Art. 4.

EMIGRATION_14: Banned countries for emigration.

There are countries that are banned as destination for emigrants:

Answer: No

Code: 1

Explanation: No such list of banned destination exists.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). Access date not available. URL not available.

List of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_15. Higher education graduates must pay an education tax (or compensation) to be able to emigrate:

Answer: No

Code: 1

Explanation: No such tax or fee for graduates exists.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). Access date not available. URL not available.

EMIGRATION_16. Recipients of state scholarship are banned from emigrating:

Answer: Yes

Code: 0

Explanation: Yes. The period of in-country service should be equal to the period of received state scholarship to study abroad. "Twenty, repatriation services related regulations (1) The period of in-country service equals to the period of received state scholarship. [二十、返國服務相關規定 (一) 公費生返國服務期間同公費領取期間。]"

Sources: 教育部 107 年公費留學考試簡章 [Ministry of Education Annual Announcement for the State Scholarship Examination]. 2018.

EMIGRATION_17: Ban for specific civil professional groups.

There is an emigration ban for specific professional group(s):

Answer: No

Code: 1

Explanation: No public records show that such ban exists.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). Access date not available. URL not available.

There is a ban for medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

There is a ban for other professions:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_18. The ban can be overcome by a letter signed by a supervisor:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_19. The ban can be overcome by a letter signed by an official authority.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.4. Policy incentives

EMIGRATION_20. Existence during 2017 of campaigns to encourage emigration:

Answer: No

Code: 0

Explanation: While there is no campaign to encourage emigration, there is the New Southbound Policy [新南向政策] in place since 2017. "The Executive Yuan approved the New Southbound Policy work plan, which will realign Taiwan's role in Asian development, seek new directions and momentum for the country's new stage of economic development, and create future value. According to the Executive Yuan's Office of Trade Negotiations (OTN) the work plan covers policy directions, policy objectives and a concrete work plan specifying key tasks for the relevant ministries and agencies for the year 2017, with implementation to begin on January 1. At an external economic and trade strategy meeting on August 16 convened by President Tsai Ing-wen, the New Southbound Policy was formally approved and identified as a key element of Taiwan's overall strategic approach. On September 5 the Executive Yuan proposed a New Southbound Policy promotion plan, with the OTN responsible for general planning and coordinating the relevant implementation tasks. [...] Talent exchanges: Leverage the complementary nature of human resources between Taiwan and the New Southbound Policy-target countries by cooperating to cultivate human talent under the guiding principle of "people-centered, bilateral, diversified exchanges."

Sources: Executive Yuan, Republic of China (Taiwan). "New Southbound Policy Implementation Plans". Access date not available.

<https://www.newsouthboundpolicy.tw/English/PageDetail.aspx?id=4a926ddb-4e3d-463e-998b-81ff96f284fe&pageType=SouthPolicy>.

EMIGRATION_21. Existence during 2017 of campaigns to discourage emigration:

Answer: No

Code: 0

Explanation: No public records show that such state-sponsored information campaign to discourage emigration exists.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). Access date not available. URL not available.

EMIGRATION_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):

Answer: No

Code: 0

Explanation: No license system for emigration service organization exists (in comparison to the license system for immigration service organization which is legally stipulated by Immigration Act [入出國及移民法]).

Sources: 入出國及移民法 [Immigration Act]. 2015.

EMIGRATION_23: Emigration lump sum.

State of origin pays a lump sum incentive to citizens willing to emigrate:

Answer: No

Code: 0

Explanation: No public records show that such a lump sum incentive exists in the ROC case.

Sources: Executive Yuan, Republic of China (Taiwan). "New Southbound Policy Implementation Plans". Access date not available.

<https://www.newsouthboundpolicy.tw/English/PageDetail.aspx?id=4a926ddb-4e3d-463e-998b-81ff96f284fe&pageType=SouthPolicy>.

Register the amount of the sum in country currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Register the amount of the sum in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.

Answer: No

Code: 0

Explanation: For National Pension [國民年金]: principally no; it's not possible to cash out when leaving ROC. But if a citizen has properly participated in National Pension Insurance before; he/she can still enjoy due benefits even after having emigrated. For Labor Pension [勞工退休金]: principally no; it's not possible to cash out before the age of 60. "I have lived abroad for a long time, but also need to participate in National Pension Insurance? 1. As long as you have a household registration in Taiwan and are eligible for National Pension Plus, regardless of whether you are currently living in China, you must still participate in National Pension Insurance. However, if you have already moved your household registration abroad, or if you have been moved abroad by the household administration because you have not entered your national passport for more than 2 years, then you will not be a national annuity insured during the period of delisting, and the Labor Insurance Bureau will take the initiative. You can apply for surrender. 2. If you pay the insurance premium according to the regulations during the national pension period, you can apply for the national pension related payment even if you are abroad when you have a child or a serious mental illness or death. As long as the person who has paid the national insurance premium and has the national insurance seniority, even if he has no household registration at the age of 65 or is not a national of the country, he can still apply to the Labor Insurance Bureau for monthly old-age annuity payment and receive a lifetime. [我長期居住在國外，還要參加國民年金保險嗎？ 1.您只要是在台灣設有戶籍，並且符合國民年金加保資格，不管目前是否在國內居住，依規定仍然必須參加國民年金保險。但如果您已經將戶籍主動辦理遷出國外，或者因為超過 2 年未持本國護照入境而被戶政機關將戶籍遷出國外，那麼在除籍期間就不屬於國民年金被保險人，勞保局會主動為您辦理退保。 2.您在國民年金加保期間如果依規定繳納保險費，則在生育、發生重度以上身心障礙或死亡事故時，就算人在國外，還是可以申請國民年金相關給付。而只要是曾經繳過國保保費，有國保年資的人，就算 65 歲時在國內已無戶籍，或已非屬本國國民，仍然可以向勞保局申請按月領取老年年金給付，並且領一輩子。]" (Bureau of Labor Insurance of ROC Ministry of Labor, 2011) "Is it possible to apply to withdraw labor pension when a laborer emigrates to another country and no longer plans to return? Answer: No. Even if the laborer emigrates to another country, he/she is only able to receive labor pension starting from the age of 60. [9.勞工移民國外不再返國，可否先行請領勞工退休金？ A：不可以，勞工移民國外，仍需俟 60 歲始可請領勞工退休金。]"(Application to Receive Labor Pension [請領退休金作業])

Sources: Bureau of Labor Insurance, Ministry of Labor. "請領退休金作業 [Application to Receive Labor Pension]". Accessed November 2019. https://www.bli.gov.tw/attachment_file/201311/%E9%99%B8%E3%80%81%E8%AB%8B%E9%A0%98%E9%80%80%E4%BC%91%E9%87%91%E4%BD%9C%E6%A5%AD.pdf. / 國民年金法 [National Pension Act]. 2016.

1.5. Penalties

EMIGRATION_25: Loss of private property.

Risk of losing real state in case of emigration:

Answer: No

Code: 1

Explanation: No such risk exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Risk of losing bank accounts in case of emigration:

Answer: No

Code: 1

Explanation: No such risk exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

EMIGRATION_26: Re-entry ban.

Existence of a re-entry ban after residence abroad for nationals by naturalization:

Answer: No

Code: 1

Explanation: No such ban exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

After how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals by birth:

Answer: No

Code: 1

Explanation: No such ban exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

After how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:

Answer: No

Code: 1

Explanation: No such ban exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

After how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:

Answer: No

Code: 1

Explanation: No such sanction exists.

Sources: 入出國及移民法 [Immigration Act]. 2015.

1.6. Administration

EMIGRATION_28. Existence of institution/agency with competencies for exit and/or emigration:

Existence of institution/agency with competencies for exit and/or emigration:

Answer: Yes

Code: 1

Explanation: Bureau of Consular Affairs [領事事務局].

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "Bureau of Consular Affairs". Accessed November 2019. <https://www.boca.gov.tw/cp-218-574-e3e12-2.html>.

Name of the institution with competencies for exit and/or emigration in original language:

Answer: 領事事務局

Code: 領事事務局

Explanation: Bureau of Consular Affairs [領事事務局]. The Bureau of Consular Affairs (BOCA) serves one of the core functions of the Ministry of Foreign Affairs by providing passport services, visa services, document authentication and the coordination of emergency assistance to the ROC citizens abroad. The consular services not only involve the interests and rights of the public, but also closely relate to national security, immigration policy, alien regulation, foreign labor management, military conscription administration and household registration. The BOCA also serves as MOFA's service window to the public. The BOCA has four divisions, four administrative offices, three units and one branch office.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "Bureau of Consular Affairs". Accessed November 2019. <https://www.boca.gov.tw/cp-218-574-e3e12-2.html>.

Name of the institution with competencies for exit and/or emigration in English:

Answer: Bureau of Consular Affairs

Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: Second Rank, within Ministry of FFAA

Sources: 中華民國外交部 - 全球資訊網英文網 [Ministry of Foreign Affairs, Republic of China (Taiwan)]. "Structure and Functions". Accessed November 2019. <https://3a%2f%2fwww.mofa.gov.tw%2fen%2fOrganization.aspx%3fn%3d71C67D43CEB5EF3F%26sms%3dA8F1FA2030B6089B>

2. Emigrant policies

2.1. Policies of representation

2.1.1. Electoral rights

EMIGRANT_1. Voting is mandatory for citizens residing abroad:

Answer: No

Code: 0

Explanation: Not applicable

Explanation: It is not mandatory

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018.

Does the country have presidential elections?

Answer: Yes

Code: 1

Explanation: "Article 3 For the election of President and Vice President, the electoral districts shall be the free regions of the Republic of China (ROC). Article 11 Any citizen in free region of ROC reaching 20 years of age shall have the right of suffrage, unless the declaration of guardianship has yet been revoked. Article 12 A person having the right of suffrage as referred to in the preceding Article, who meets any of the following conditions, is an elector: 1. He/she has been living in the free regions of the ROC for not less than 6 consecutive months. 2. He/she has once lived in the free regions of the ROC for not less than 6 consecutive months, and is now living in a foreign country holding the passport of the ROC, and has within the specified time limit handled the registration of elector with the government agency of household registration at the location of the original domicile when he/she migrated to the foreign country. Regulations governing registration and examination of the ROC citizens who live in a foreign country and apply for returning to execute their rights of suffrage as referred to in Subparagraph 2 of the preceding Paragraph shall be prescribed elsewhere by the Central Election Commission jointly with the Ministry of Foreign Affairs and the Overseas Chinese Affairs Commission. Article 13 An elector shall vote at the polling station at the location of domicile unless otherwise prescribed. An elector who returns from a foreign country to execute the right of suffrage shall vote at the polling station at the location of the original domicile (before) when he/she migrated to the foreign country. The staff of polling stations may vote at the polling station at the location of domicile or at the place of work. However, they may vote at the polling station at the place of work only if the location of domicile and the place of work are in a same municipality or county (city). Besides, if voting is held on the same day for both election of President and Vice President and for election other civil servants, the location of domicile and the place of work shall be within the electoral district where the elector executes the right of suffrage for the election of other civil servants. [第 3 條 總統、副總統選舉，以中華民國自由地區為選舉區。第 11 條 中華民國自由地區人民，年滿二十歲，除受監護宣告尚未撤銷者外，有選舉權。第 12 條 前條有選舉權人具下列條件之一者，為選舉人：一、現在中華民國自由地區繼續居住六個月以上者。二、曾在中華民國自由地區繼續居住六個月以上，現在國外，持有效中華民國護照，並在規定期間內向其最後遷出國外時之原戶籍地戶政機關辦理選舉人登記者。前項第二款在國外之中華民國自由地區人民申請返國行使選舉權登記查核辦法，由中央選舉委員會會同外交部、僑務委員會另定之。第 13 條 選舉人，除另有規定外，應於戶籍地投票所投票。返國行使

選舉權之選舉人，應於最後遷出國外時之原戶籍地投票所投票。投票所工作人員，得在戶籍地或工作地之投票所投票。但在工作地之投票所投票者，以戶籍地及工作地在同一直轄市、縣(市)為限。總統、副總統選舉與他種公職人員選舉同日舉行投票時，並應在該選舉人行使他種公職人員選舉權之選舉區內。】”。

Does the country have a bicameral system (e.g. composed of a lower house and an upper house, or an originating chamber and a reviewer chamber)?

Answer: No, the country only has a Lower House

Code: 2

Explanation: Unicameral

Presidential elections

EMIGRANT_2. Can non-resident citizens vote in national presidential elections from abroad?

Answer: Generally disenfranchised

Code: 0

Explanation: External voting is not possible in the Republic of China. Only in-country voting is available. “Article 3 For the election of President and Vice President, the electoral districts shall be the free regions of the Republic of China (ROC). Article 11 Any citizen in free region of ROC reaching 20 years of age shall have the right of suffrage, unless the declaration of guardianship has yet been revoked. Article 12 A person having the right of suffrage as referred to in the preceding Article, who meets any of the following conditions, is an elector: 1. He/she has been living in the free regions of the ROC for not less than 6 consecutive months. 2. He/she has once lived in the free regions of the ROC for not less than 6 consecutive months, and is now living in a foreign country holding the passport of the ROC, and has within the specified time limit handled the registration of elector with the government agency of household registration at the location of the original domicile when he/she migrated to the foreign country. Regulations governing registration and examination of the ROC citizens who live in a foreign country and apply for returning to execute their rights of suffrage as referred to in Subparagraph 2 of the preceding Paragraph shall be prescribed elsewhere by the Central Election Commission jointly with the Ministry of Foreign Affairs and the Overseas Chinese Affairs Commission. Article 13 An elector shall vote at the polling station at the location of domicile unless otherwise prescribed. An elector who returns from a foreign country to execute the right of suffrage shall vote at the polling station at the location of the original domicile (before) when he/she migrated to the foreign country. The staff of polling stations may vote at the polling station at the location of domicile or at the place of work. However, they may vote at the polling station at the place of work only if the location of domicile and the place of work are in a same municipality or county (city). Besides, if voting is held on the same day for both election of President and Vice President and for election other civil servants, the location of domicile and the place of work shall be within the electoral district where the elector executes the right of suffrage for the election of other civil servants. [第 3 條 總統、副總統選舉，以中華民國自由地區為選舉區。第 11 條 中華民國自由地區人民，年滿二十歲，除受監護宣告尚未撤銷者外，有選舉權。第 12 條 前條有選舉權人具下列條件之一者，為選舉人：一、現在中華民國自由地區繼續居住六個月以上者。二、曾在中華民國自由地區繼續居住六個月以上，現在國外，持有效中華民國護照，並在規定期間內向其最後遷出國外時之原戶籍地戶政機關辦理選舉人登記者。前項第二款在國外之中華民國自由地區人民申請返國行使選舉權登記查核辦法，由中央選舉委員會會同外交部、僑務委員會另定之。第 13 條 選舉人，除另有規定外，應於戶籍地投票所投票。返國行使

選舉權之選舉人，應於最後遷出國外時之原戶籍地投票所投票。投票所工作人員，得在戶籍地或工作地之投票所投票。但在工作地之投票所投票者，以戶籍地及工作地在同一直轄市、縣(市)為限。總統、副總統選舉與他種公職人員選舉同日舉行投票時，並應在該選舉人行使他種公職人員選舉權之選舉區內。

Sources: 總統副總統選舉罷免法 [Presidential and Vice Presidential Election and Recall Act]. 2017. Art. 12.

EMIGRANT_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?

Answer: Only if past residence in lifetime or birth in the territory

Code: 0.75

Explanation: "Article 20 An elector who has lived in the free regions of the ROC for not less than 6 consecutive months, has set his/her domicile in the ROC for not less than 15 years, and has completed his/her fortieth year of age may apply for being registered as the candidate for President or Vice President. Anyone who restores the ROC nationality or acquires the ROC nationality by naturalization or the people in the People's Republic of China or the residents in Hong Kong and Macao who are permitted to enter Taiwan may not be registered as the candidate for President or Vice President. [第 20 條 在中華民國自由地區繼續居住六個月以上且曾設籍十五年以上之選舉人，年滿四十歲，得申請登記為總統、副總統候選人。回復中華民國國籍、因歸化取得中華民國國籍、大陸地區人民或香港、澳門居民經許可進入臺灣地區者，不得登記為總統、副總統候選人。]"

Sources: 總統副總統選舉罷免法 [Presidential and Vice Presidential Election and Recall Act]. 2017. Art. 20.

Legislative elections

Lower House (National Elections)

EMIGRANT_4. Can non-resident citizens vote in national legislative elections (Lower House) from abroad?

Answer: N/7o

Code: 0

Explanation: External voting is not possible in the Republic of China. Only in-country voting is available. Furthermore, non-resident citizen can vote on the condition that he/she has the valid household registration for more than 4 consecutive months before the end of the election registration and they shall vote at the polling station at the place of their household domicile.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Arts. 14, 15 and 17.

EMIGRANT_5. Can non-resident citizens stand as candidates in national legislative elections (Lower House) from abroad?

Answer: Generally enfranchised

Code: 1

Explanation: Article 24 [...] A citizen of the ROC living in a foreign country, who has completed his/her twenty-third year of age and has not set his/her domicile in the ROC or has migrated his/her domicile to a foreign country for 8 consecutive years, may be registered by a political party legally established as the candidate for the national integrated election and for the overseas election of central civil servants. [第 24 條 [...] 僑居國外之中華民國國民年滿二十三歲，在國內未曾設有戶籍或已將戶籍遷出國外連續八年以上者，得由依法設立之政黨登記為全國不分區及僑居國外國民立法委員選舉之僑居國外國民候選人。] (Civil Servants Election and Recall Act, 2018) “Article 4 Beginning with the Seventh Legislative Yuan, the Legislative Yuan shall have 113 members, who shall serve a term of four years, which is renewable after re-election. The election of members of the Legislative Yuan shall be completed within three months prior to the expiration of each term, in accordance with the following provisions, the restrictions in Article 64 and Article 65 of the Constitution notwithstanding: (1) Seventy-three members shall be elected from the Special Municipalities, counties, and cities in the free area. At least one member shall be elected from each county and city. (2) Three members each shall be elected from among the lowland and highland aborigines in the free area. (3) A total of thirty-four members shall be elected from the nationwide constituency and among citizens residing abroad. Members for the seats set forth in Subparagraph 1 of the preceding paragraph shall be elected in proportion to the population of each Special Municipality, county, or city, which shall be divided into electoral constituencies equal in number to the number of members to be elected. Members for the seats set forth in Subparagraph 3 shall be elected from the lists of political parties in proportion to the number of votes won by each party that obtains at least 5 percent of the total vote, and the number of elected female members on each party’s list shall not be less than one-half of the total number. [第 4 條 立法院立法委員自第七屆起一百一十三人，任期四年，連選得連任，於每屆任滿前三個月內，依左列規定選出之，不受憲法第六十四條及第六十五條之限制：一、自由地區直轄市、縣市七十三人。每縣市至少一人。二、自由地區平地原住民及山地原住民各三人。三、全國不分區及僑居國外國民共三十四人。前項第一款依各直轄市、縣市人口比例分配，並按應選名額劃分同額選舉區選出之。第三款依政黨名單投票選舉之，由獲得百分之五以上政黨選舉票之政黨依得票比率選出之，各政黨當選名單中，婦女不得低於二分之一。]” (Additional Articles of the Constitution of the Republic of China, 2005).

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Art. 24. / 中華民國憲法增修條文 [Additional Articles of the Constitution of the Republic of China]. 2005. Art. 4.

Upper House (National Elections)

EMIGRANT_6. Can non-resident citizens vote in national legislative elections (Upper House) from abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_7. Can non-resident citizens stand as candidates in national legislative elections (Upper House) from abroad?

Answer: Not applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Registration

EMIGRANT_8. Registration in the electoral roll for non-resident citizens:

Answer: Not applicable (non-resident citizens cannot vote)

Code: Not applicable

Explanation: External voting is not possible in the Republic of China. Only in-country voting is available. "Article 20 The list of electors shall be compiled by the township (city / district) government agency of household registration according to the household registration data and include such information as S/N, name, gender, date of birth and address of domicile. All those who have their household data registered by the twentieth day before the polling day and thus enjoy the qualification of elector according to relevant provisions shall be listed, and the electors who migrate after the twentieth day before the polling day shall exercise their rights of suffrage at the original location of domicile all the same. The identification of the indigenous electors in the list of indigenous electors shall conform to the household registration data; the list of indigenous electors shall be compiled by the corresponding agency of household registration in accordance with the provision of the preceding Paragraph. After being compiled, the list of electors shall only be used by the election commissions, township (city / district) offices and government agencies of household registration according to the provisions of this Act, and may not be provided to any of the external parties by transcription, copying, photography, recording or any other means. [第 20 條 選舉人名冊，由鄉（鎮、市、區）戶政機關依據戶籍登記資料編造，應載明編號、姓名、性別、出生年月日及戶籍地址；投票日前二十日已登錄戶籍登記資料，依規定有選舉人資格者，一律編入名冊；投票日前二十日以後遷出之選舉人，仍應在原選舉區行使選舉權。原住民選舉人名冊，其原住民身分之認定，以戶籍登記資料為準，由戶政機關依前項規定編造。選舉人名冊編造後，除選舉委員會、鄉（鎮、市、區）公所、戶政機關依本法規定使用外，不得以抄寫、複印、攝影、錄音或其他任何方式對外提供。]".

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Art. 20.

Remote voting

EMIGRANT_9. Voting methods from abroad:

Voting methods available to cast votes from abroad - Electronic voting:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Voting methods available to cast votes from abroad - Proxy voting:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Voting methods available to cast votes from abroad - Postal voting:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Voting methods available to cast votes from abroad - Ad hoc polling stations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Special representation

EMIGRANT_10: Emigrant special representation.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Lower House?

Answer: Yes

Code: 1

Explanation: The website of the Legislative Yuan clearly states that “34 seats shall be allotted to at-large and overseas compatriot members”, suggesting that there is special representation. This is also quite significant, since the total number of seats is 113 since 2005. On the other hand, when non-resident citizens want to vote, they have to vote in-country at the polling station at the place of domicile (registered domestic household address). Thus, there must be a way to separate the votes of the emigrants, even if they cast their votes at home. “Article 17 An elector shall vote at the polling station at the place of domicile unless otherwise prescribed. The staff of polling stations may vote at the polling station at the place of domicile or at the place of work. However, they may vote at the polling station at the place of work only if the place of domicile and the place of work are located in the same municipality or county (city). [第 17 條 選舉人，除另有規定外，應於戶籍地投票所投票。投票所工作人員，得在戶籍地或工作地之投票所投票。但在工作地之投票所投票者，以戶籍地及工作地在同一選舉區，並在同一直轄市、縣（市）為限。]”.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Art. 24. / Legislative Yuan, Republic of China (Taiwan). “立法院 [Members of the Legislative Yuan, Republic of China]”. Accessed July 16, 2019. <https://www.ly.gov.tw/EngPages/List.aspx?nodeid=340>.

Number of special seats reserved for non-resident candidates in the Lower House:

Answer: 34

Code: 34

Explanation: The website of the Legislative Yuan clearly states that “34 seats shall be allotted to at-large and overseas compatriot members”, suggesting that there is special representation. This is also quite significant, since the total number of seats is 113 since 2005. On the other hand, when non-resident citizens want to vote, they have to vote in-country at the polling station at the place of domicile (registered domestic household address). Thus, there must be a way to separate the votes of the emigrants, even if they cast their votes at home. “Article 17 An elector shall vote at the polling station at the place of domicile unless otherwise prescribed. The staff of polling stations may vote at the polling station at the place of domicile or at the place of work. However, they may vote at the polling station at the place of work only if the place of domicile and the place of work are located in the same municipality or county (city) [第 17 條 選舉人，除另有規定外，應於戶籍地投票所投票。投票所工作人員，得在戶籍地或工作地之投票所投票。但在工作地之投票所投票者，以戶籍地及工作地在同一選舉區，並在同一直轄市、縣（市）為限。]”.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Art. 24. / Legislative Yuan, Republic of China (Taiwan). “立法院 [Members of the Legislative Yuan, Republic of China]”. Accessed July 16, 2019. <https://www.ly.gov.tw/EngPages/List.aspx?nodeid=340>.

Number of special emigrant districts in the Lower House:

Answer: 1

Code: 1

Explanation: Article 4 Beginning with the Seventh Legislative Yuan, the Legislative Yuan shall have 113 members, who shall serve a term of four years, which is renewable after re-election. The election of members of the Legislative Yuan shall be completed within three months prior to the expiration of each term, in accordance with the following provisions, the restrictions in Article 64 and Article 65 of the Constitution notwithstanding: (1) Seventy-three members shall be elected from the Special Municipalities, counties, and cities in the free area. At least one member shall be elected from each county and city. (2) Three members each shall be elected from among the lowland and highland aborigines in the free area. (3) A total of thirty-four members shall be elected from the nationwide constituency and among citizens residing abroad. Members for the seats set forth in Subparagraph 1 of the preceding paragraph shall be elected in proportion to the population of each Special Municipality, county, or city, which shall be divided into electoral constituencies equal in number to the number of members to be elected. Members for the seats set forth in Subparagraph 3 shall be elected from the lists of political parties in proportion to the number of votes won by each party that obtains at least 5 percent of the total vote, and the number of elected female members on each party's list shall not be less than one-half of the total number. [第 4 條 立法院立法委員自第七屆起一百一十三人，任期四年，連選得連任，於每屆任滿前三個月內，依左列規定選出之，不受憲法第六十四條及第六十五條之限制：一、自由地區直轄市、縣市七十三人。每縣市至少一人。二、自由地區平地原住民及山地原住民各三人。三、全國不分區及僑居國外國民共三十四人。前項第一款依各直轄市、縣市人口比例分配，並按應選名額劃分同額選舉區選出之。第三款依政黨名單投票選舉之，由獲得百分之五以上政黨選舉票之政黨依得票比率選出之，各政黨當選名單中，婦女不得低於二分之一。]” (Additional Articles of the Constitution of the Republic of China, 2005).

Sources: 中華民國憲法增修條文 [Additional Articles of the Constitution of the Republic of China]. 2005. Art. 4.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Upper House?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remote voting implementation

EMIGRANT_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_12. In case external voting has not been implemented after its adoption, what are the main reasons?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.2. Regulation of political competition abroad

Party offices in the state of reception

EMIGRANT_13. Offices of political parties legally allowed abroad:

Answer: No specific regulation of offices abroad

Code: 0.5

Explanation: In the Political Parties Act (2017), external political party offices are not explicitly forbidden; the only relevant regulation is that the main offices shall be located in “free areas of the ROC” (which excludes mainland China, HK, and Macau). “Article 4 Political parties shall select free areas of the Republic of China as the seat of their organizations. Branch offices may be established. Main offices of political parties shall be located in the organizational seat as prescribed in the preceding paragraph. [第 4 條 政黨以中華民國自由地區為其組織區域，得設立分支機構。政黨之主事務所，應設於前項組織區域內。]”.

Sources: 政黨法 [Political Parties Act]. 2017. Art 4.

EMIGRANT_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:

Answer: Yes

Code: 1

Explanation: Kuomintang (KMT), one of the leading political parties in ROC, has an Overseas Department under the Organizational Development Committee of KMT Central Committee. According to an (unofficial) news article in 2017, "At present, there are 115 overseas party departments, with a total of 18,000 party members, and 13,000 party-fee-paying members who are eligible to vote." (CRNTT, 2017). DDP, one of the leading political parties in ROC, established 10 overseas chapters according to their Regulations of Overseas Party Department Establishment (2015). In 2018, according to news posted in the official website, 7 overseas party departments have elected chief members.

Sources: 中評電訊 [CRNTT]. "組織圖(中央委員會) [Kuomintang Party Organization (Central Committee)]". Accessed November 2018. <http://hk.crntt.com/doc/1046/5/7/9/104657928.html?coluid=7&kindid=0&docid=104657928>. / Democratic Progressive Party. 2015. 海外黨部設立辦法 [Regulations of Overseas Party Department Establishment]. / Democratic Progressive Party. "年各縣市、勞工暨海外黨部主任委員當選名單 [List of Elected Members of the County, City, Labor and Overseas Party Departments]". Accessed November 2018. <https://www.dpp.org.tw/media/contents/8309>.

EMIGRANT_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).

Answer: DDP: Thailand, New Zealand, Canada, USA, South Africa KMT: USA, Canada, Costa Rica, Brazil, Argentina, Belize, France, Germany, Belgium, Holland, UK, Spain, South Africa, Mauritius, South Korea, Japan, Philippine, Thailand, HK SAR, Macau SAR, Myanmar, Malaysia, Singapore, Vietnam, Cambodia, Australia, New Zealand. The New Power Party: no overseas party departments as of 2018.

Code: DDP: Thailand, New Zealand, Canada, USA, South Africa KMT: USA, Canada, Costa Rica, Brazil, Argentina, Belize, France, Germany, Belgium, Holland, UK, Spain, South Africa, Mauritius, South Korea, Japan, Philippine, Thailand, HK SAR, Macau SAR, Myanmar, Malaysia, Singapore, Vietnam, Cambodia, Australia, New Zealand. The New Power Party: no overseas party departments as of 2018.

Explanation: Three biggest political party (as of the legislative election in 2016): (1)DDP, (2) KMT, and (3)The New Power Party [時代力量] (established in 2015). DDP: Thailand, New Zealand, Canada, USA, South Africa (東南亞黨部-主委何素珍:104/11-12 , SOI. KHUMSAPNAKHON , PHUTTHAMONTHON SAI 3 ROAD, SALATHAMMASOP , THAWIWATTHANA , BANGKOK 10170 THAILAND. 大洋洲黨部-主委陳文龍: 84 Lady Ruby Drive,East Tamaki,Auckland,New Zealand 加拿大黨部-主委胡頌二:1262 Gryphon Mews Mississauga,Ontario L4W 3E5 Canada 美西黨部-主委許維鈞: 3001 Walaut Grove Ave,#6 Rosemead, CA 91770 U.S.A. 美東黨部-主委賴弘典: 13744 Northen Blvd., Flushing, NY 11373. U.S.A. 美南黨部-主委楊朝諭: 4102 Levonshire,Houston,TX 77025 非洲黨部-主委陳量成: 6 Highwood Sovereign Park,27 Smith St Kensington,Cauteng 2194 South Africa) KMT: USA, Canada, Costa Rica, Brazil, Argentina, Belize, France, Germany, Belgium, Holland, UK, Spain, South Africa, Mauritius, South Korea, Japan, Philippine, Thailand, HK SAR, Macau SAR, Myanmar, Malaysia, Singapore, Vietnam, Cambodia, Australia, New Zealand. (美總西三藩市分部/美總西屋崙分部/美總西聖荷西分部/美總西屋崙分部/美總西羅省分部/美總西聖馬刁分部(青年保障)/駐美總支部三藩市

分部/美總中芝加哥分部/美總南達拉斯分部/美總南休士頓分部/美總東波士頓分部/美總東巴爾迪摩分部/美總東東京分部/美總東紐約分部/美總東紐約長島分部/美總東紐約皇后分部/美東華府直屬學人學生分部/美東華府直屬中山分部/美國亞特蘭大直屬分部/美中直屬伊利諾分部/美中直屬密西根分部/美西北直屬直一分部(舊金山)/美西北直屬西雅圖分部(西雅圖)/美西北直屬矽谷分部/美西南直屬支部-學人分部/美西南直屬支部-羅蘭分部/美西南直屬支部-洛青分部/美西南直屬支部-哈崗分部/美西南直屬支部-阿凱迪亞分部/美西南聖地牙哥直屬分部/美西南亞利桑那支部 加拿大總支部雲高華分部/加拿大總支部點問頓分部/加東直屬支部-約克郡分部/大多倫多直屬支部-萬錦分部 哥斯大黎加直屬支部 巴西直屬支部 阿根廷直屬分部 貝里斯直屬分部 法國總支部 德國直屬支部 比盧直屬分部 荷蘭直屬分部 英國直屬支部 西班牙直屬分部 非洲地區-開普敦分部/非洲地區-德班分部/非洲地區-約堡分部 非洲地區-模里西斯分部 韓國直屬支部/韓國支部 東京直屬支部/橫濱直屬支部/大阪直屬支部/神戶直屬支部 菲律賓總支部 泰國總支部 港澳總支部 澳門青年分部 緬甸總支部 馬來西亞工作委員會 新加坡工作委員會 越南工作小組 柬埔寨工作小組 澳洲總支部-雪梨支部/澳洲總支部-域多利支部/澳洲總支部-布里斯本支部 紐西蘭奧克蘭分部/紐西蘭基督城分部) The New Power Party: no overseas party departments as of 2018.

Sources: Democratic Progressive Party. “黨部通訊 [Contacts of Party Departments]”. Access date not available. <https://www.dpp.org.tw/contact>. / Kuomintang. “中國國民黨第二十次全國代表大會代表名冊 [List of representatives of the 20th National Congress of the Chinese Kuomintang]”. Access date not available. <http://www1.kmt.org.tw/page.aspx?mid=153>.

EMIGRANT_16. Could external party offices receive public funding from state of origin?

Answer: No specific regulation

Code: 0.5

Explanation: No specific regulation

Sources: 政黨法 [Political Parties Act]. 2017.

Political campaigns

EMIGRANT_17. Electoral campaigns abroad for home elections are legally regulated:

Answer: No specific regulation of campaigns abroad

Code: 0.5

Explanation: No specific regulation

Sources: 政黨法 [Political Parties Act]. 2017.

EMIGRANT_18. Actual existence of campaigns abroad for home elections:

Answer: Yes

Code: 1

Explanation: It exists for both DDP and KMT. “The DPP’s US West Party Department 2018 Party Celebration Fundraising Dinner was a complete success [民進黨美西黨部 2018 黨慶募款演講餐會圓滿成功]” (DDP US West Chapter, 2018) “Fighting for KMT in the nine-in-one election, New York

Overseas Chinese Community Support Association [九合一選舉挺國民黨 紐約僑界組後援會]” (KMT of China Headquarters in America [中國國民黨駐美國總支部], 2018).

Sources: Democratic Progressive Party US West Chapter. Access date not available.
<http://www.dppusw.net/>. / 中國國民黨駐美國總支部 [Kuomintang of China Headquarters in America]. “九合一選舉挺國民黨 紐約僑界組後援會 [Fighting for Kuomintang in the Nine-in-one Election, New York Overseas Chinese Community Support Association]”. Accessed November 2018.
<http://www.kmtus.org/20180924-c1kpl>.

EMIGRANT_19. Existence of public funding for electoral campaigns in state of residence:

Answer: No mention to public funding for campaigns abroad in main electoral regulations

Code: 0.5

Explanation: There is no mention to public funding for campaigns abroad in these regulations. “Article 19 The sources of funding and income for political parties shall be as follows: 1. Political party membership dues, 2. Political donations accepted in compliance with relevant laws and regulations, 3. Political party subsidies, 4. Sales from publications and promotional materials created by political parties to publicize their philosophies or engage in promotional activities as well as income generated from the granting or conceding of rights, 5. Other income collected in compliance with this Act, 6. Interest generated from funds or income described in the preceding five paragraphs [第 19 條 政黨之經費及收入，其來源如下：一、黨費。二、依法收受之政治獻金。三、政黨補助金。四、政黨為宣揚理念或從事活動宣傳所為之出版品、宣傳品銷售或其權利授與、讓與所得之收入。五、其他依本法規定所得之收入。六、由前五款經費及收入所生之孳息。]” (Political Parties Act, 2017) “Article 43 Except for the national integrated election and the overseas election of central civil servants, if there is only one electee and the vote gained by the electee reaches not less than 1/3 of the vote for being elected in the electoral district, or if there are two or more electees and one of them gains a vote of not less than 1/2 of the vote for being elected, the campaign expenses paid by the electee shall be subsidized by a rate of NT\$30 per vote. However, the maximum subsidy may not exceed the maximum campaign fund of the candidates in this electoral district. [第 43 條 候選人除全國不分區及僑居國外國民立法委員選舉外，當選人在一人，得票數達各該選舉區當選票數三分之一以上者，當選人在二人以上，得票數達各該選舉區當選票數二分之一以上者，應補貼其競選費用，每票補貼新臺幣三十元。但其最高額，不得超過各該選舉區候選人競選經費最高金額]” (Civil Servants Election and Recall Act, 2018).

Sources: 政黨法 [Political Parties Act]. 2017. Art. 19. / 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Art. 43.

Membership in political parties

EMIGRANT_20. Emigrant membership to home country political parties:

Answer: Legally allowed AND same status for emigrants as for residents

Code: 1

Explanation: Yes, for the most important contemporary parties in ROC: DDP and KMT.

Sources: 中國國民黨黨章 [Chinese Kuomintang Party Constitution]. 2017. / Democratic Progressive Party. 海外黨部設立辦法 [Regulations of Overseas Party Department Establishment]. 2000.

2.1.3. Consultative bodies

2.1.4. Consultative bodies at the national level

EMIGRANT_21. Existence of a consultative body on emigrant issues:

Answer: No

Code: 0

Explanation: No. A possible suspect is ROC Overseas Community Affairs Council [僑務委員會]. But it is organized under the ROC Executive Yuan [行政院], thus is more of a governmental administrative organ. "Article 1 The Executive Yuan shall establish Overseas Community Affairs Council, ROC (Taiwan) (hereinafter referred to as "OCAC") to administer all affairs related to overseas Chinese. [第 1 條 行政院為辦理僑務行政及輔導華僑事業事務，特設僑務委員會（以下簡稱本會）。]" "Article 6 If necessary, OCAC may dispatch its staff members and those of its subordinate agencies based on the Organization Act of Diplomatic Missions of the Republic of China (Taiwan). [第 6 條 本會為應業務需要，得報請行政院核准，派員駐境外辦事，並依駐外機構組織通則規定辦理。]"

Sources: 僑務委員會組織法 [Organization Act of Overseas Community Affairs Council, Republic of China]. 2011. Art. 6.

EMIGRANT_22. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_23. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_24. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_27. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Consultative bodies at the consular level

EMIGRANT_28. Existence of a consultative body of emigrants at the consular level.

Answer: No

Code: 0

Explanation: No law or regulation shows such consultative bodies exist at consular level.

Sources: Not applicable

EMIGRANT_29. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_30. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_31. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_34. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.5. Funding of emigrant associations

EMIGRANT_35. Existence of consular support (in kind or financial) to independent emigrant associations

Answer: Yes

Code: 1

Explanation: Yes. The Overseas Community Affairs Council of ROC provides funding to independent emigrant associations which is covered by the administrative regulation Key Points for Overseas Community Funding Support (2018) [海外僑民團體經費補助要點 (2018)].

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). “海外僑民團體經費補助要點 [Key Points for Overseas Community Funding Support]”. Access date not available. URL not Available.

2.2. Economic Policies

2.2.1. Remittances

EMIGRANT_36. Government program/strategy to attract remittances from emigrants.

Existence of a government program to attract remittances from emigrants:

Answer: No

Code: 0

Explanation: No relevant programs found in OCAC (Overseas Community Affairs Council).

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). “Business & Trade”. Access date not available.

<https://www.ocac.gov.tw/OCAC/Eng/Pages/VDetail.aspx?nodeid=319&pid=12289>.

Measures to improve banking channels for remittances:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of fee controls for remittances:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.2.2. Investment

EMIGRANT_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):

Answer: Yes

Code: 1

Explanation: Yes. The investment programs are carried out by OCAC. "The OCAC provides the assistance for overseas compatriot economic affairs, including conducting training programs for overseas compatriot businesses, promoting industrial exchanges between domestic industries and overseas compatriot businesses, encouraging overseas compatriot entrepreneurs to invest in Taiwan, offering counseling services for enterprises and organizations established by overseas compatriots, and gathering and researching information on overseas compatriot economic activities. By constructing a networking platform for overseas compatriot business organizations, the OCAC can boost the management capabilities of overseas compatriot businesses, increase their trade and economic strength, and help them integrate with the industrial might of Taiwan. This will create mutual benefits for overseas compatriot businesses, their countries of residence, and Taiwan."

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). "Business & Trade". Access date not available.
<https://www.ocac.gov.tw/OCAC/Eng/Pages/VDetail.aspx?nodeid=319&pid=12289>.

2.2.3. Brain circulation networks

EMIGRANT_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?

Answer: No

Code: 0

Explanation: No relevant networks dedicated specifically to knowledge-sharing/scientific activities carried out by OCAC. A possible suspect would be the Contact-Taiwan policy [全球競才方案] since 2015. But this policy is not targeting overseas ROC emigrants in particular but rather foreign talents [外國專業人才].

Sources: Contact Taiwan. "Situated at the heart of Asia, Taiwan". Accessed November 2018.
www.contacttaiwan.tw/.

2.2.4. Return policies

EMIGRANT_39. Recognition of academic and professional qualifications acquired in the state of residence:

Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:

Answer: No

Code: 0

Explanation: There is no compulsory requirement for such recognition to take place. "The recognition of foreign academic qualifications is determined by each employer or examination institution: According to Article 12 of the " Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education ", those who use foreign academic qualifications or examination institutions in ROC shall be referred to the provisions of these Measures by the competent authorities, so the foreign scholars who have gone abroad for further study abroad The purpose of the academic qualification should be confirmed first, and the relevant employer or the examination institution should be identified by the academic qualification. [國外學歷之採認係由各用人或考試機構自行認定: 依據「大學辦理國外學歷採認辦法」第 12 條, 國內各用人或考試機構採認國外學歷者, 由各該主管機關參照本辦法規定辦理, 故民眾赴國外進修取得之國外學歷應先確認其學歷用途, 並由該學歷採認相關用人或考試機構據以認定。]" (Explanation of the Ministry of Education on the recognition of the foreign academic qualifications, 2015) "Article 12 The competent authority of any domestic employment or examination agency which assesses and recognizes foreign academic credentials may consult the provisions of these Regulations for reference [第 12 條 國內各用人或考試機構採認國外學歷者, 得由各該主管機關參照本辦法規定辦理]".

Sources: Ministry of Education. "教育部就民眾國外學歷採認之回應說明 [Explanation of the Ministry of Education on the recognition of the foreign academic qualifications]". Accessed November 2018. https://depart.moe.edu.tw/ed2200/News_Content.aspx?n=90774906111B0527&sms=F0EAFEB716DE7FFA&s=70047CAAC3672622. / Ministry of Education. "大學辦理國外學歷採認辦法 [Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education]". Accessed November 2018. https://depart.moe.edu.tw/ed2200/News_Content.aspx?n=90774906111B0527&sms=F0EAFEB716DE7FFA&s=70047CAAC3672622.

Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the lengthier timeframe:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_40. Communication campaigns aiming to convince emigrants to return to home country:

Answer: No

Code: 0

Explanation: No recent public mass-scale return campaigns targeted at emigrants. Nonetheless, OCAC does arrange short-term visits for overseas ROC businessmen to return to Taiwan to boom investments.

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). “年度僑臺商返臺參訪活動一覽表 [List of visits by Taiwanese businessmen returning to Taiwan]”. Access date not available. URL not Available.

EMIGRANT_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:

Answer: No

Code: 0

Explanation: There is Contact-Taiwan policy [全球競才方案] since 2015. But this policy is not targeting the overseas ROC emigrants per se in particular but rather the foreign talents [外國專業人才].

Sources: Contact Taiwan. “Situated at the heart of Asia, Taiwan”. Accessed November 2018. www.contacttaiwan.tw/.

EMIGRANT_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:

Answer: No

Code: 0

Explanation: There are no specific welfare provisions, but return migrants in ROC can apply to be recognized as Overseas Compatriot [華僑] which is a legal identity tied to certain rights and interests (but not necessarily welfare) upon his return to Taiwan. “What are the principal purposes of an Overseas Compatriot Identity Certificate [華僑身分證明]? An overseas Compatriot principally uses an Overseas Compatriot Identity Certificate as a basis for exercise of various rights and interests upon his return to Taiwan. The OCAC issues Overseas Compatriot Identity Certificates primarily to facilitate overseas Compatriot in regard to investments, business registrations, disposals of real estate, inheritances, opening of bank accounts, taxation, examinations, residence in Taiwan, and passport procedures at foreign representative Office”.

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). “Application for Overseas Compatriot Identity Certificate”. Access date not available. <https://www.ocac.gov.tw/OCAC/Eng/FAQ/List.aspx?nodeid=455#>.

2.3. Social Policies

2.3.1. Retirement benefits

EMIGRANT_43. Retirement benefits after emigration (i.e. pensions):

Answer: Yes

Code: 1

Explanation: For National Pension [國民年金]: yes. It's possible to maintain retirement benefits after having emigrated as long as the citizen has properly participated in National Pension Insurance before ("has paid the national insurance premium and has the national insurance seniority"). For Labor Pension [勞工退休金]: yes. It's possible to maintain retirement benefits regardless of the migration status after the age of 60. "I have lived abroad for a long time, but also need to participate in National Pension Insurance? 1. As long as you have a household registration in Taiwan and are eligible for National Pension Plus, regardless of whether you are currently living in China, you must still participate in National Pension Insurance. However, if you have already moved your household registration abroad, or if you have been moved abroad by the household administration because you have not entered your national passport for more than 2 years, then you will not be a national annuity insured during the period of delisting, and the Labor Insurance Bureau will take the initiative. You can apply for surrender. 2. If you pay the insurance premium according to the regulations during the national pension period, you can apply for the national pension related payment even if you are abroad when you have a child or a serious mental illness or death. As long as the person who has paid the national insurance premium and has the national insurance seniority, even if he has no household registration at the age of 65 or is not a national of the country, he can still apply to the Labor Insurance Bureau for monthly old-age annuity payment and receive a lifetime. [我長期居住在國外，還要參加國民年金保險嗎？1.您只要是在台灣設有戶籍，並且符合國民年金加保資格，不管目前是否國內居住，依規定仍然必須參加國民年金保險。但如果您已經將戶籍主動辦理遷出國外，或者因為超過2年未持本國護照入境而被戶政機關將戶籍遷出國外，那麼在除籍期間就不屬於國民年金被保險人，勞保局會主動為您辦理退保。2.您在國民年金加保期間如果依規定繳納保險費，則在生育、發生重度以上身心障礙或死亡事故時，就算人在國外，還是可以申請國民年金相關給付。而只要是曾經繳過國保保費，有國保年資的人，就算65歲時在國內已無戶籍，或已非屬本國國民，仍然可以向勞保局申請按月領取老年年金給付，並且領一輩子。]" (Bureau of Labor Insurance of ROC Ministry of Labor, 2011) "Is it possible to apply to withdraw labor pension when a laborer emigrates to another country and no longer plans to return? Answer: No. Even if the laborer emigrates to another country, he/she is only able to receive labor pension starting from the age of 60. [9.勞工移民國外不再返國，可否先行請領勞工退休金？A：不可以，勞工移民國外，仍需俟60歲始可請領勞工退休金。]" (Application to Receive Labor Pension [請領退休金作業]) References: Application to Receive Labor Pension [請領退休金作業] https://www.bli.gov.tw/attachment_file/201311/%E9%99%B8%E3%80%81%E8%AB%... Bureau of Labor Insurance of ROC Ministry of Labor (2011) "If I am the subject of compulsory insurance, can I give up the National Pension Insurance?" [如果我是強制加保的對象，可不可以放棄參加國民年金保險？] National Pension Act (2016) [國民年金法(2016)].

Sources: Bureau of Labor Insurance, Ministry of Labor. "請領退休金作業 [Application to Receive Labor Pension]". Access date not available. https://www.bli.gov.tw/attachment_file/201311/%E9%99%B8%E3%80%81%E8%AB%8B%E9%A0%98%E9%80%80%E4%BC%91%E9%87%91%E4%BD%9C%E6%A5%AD.pdf. / 國民年金法 [National Pension Act]. 2016.

2.3.2. Health care benefits

EMIGRANT_44. Health care benefits.

Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):

Answer: No

Code: 0

Explanation: Health Insurance Card can be only used in state of origin, principally, and in foreign territories only in exceptional cases (“unforeseen illnesses or emergency childbirth”). “Article 55 The following may apply for reimbursement of self-advanced medical expenses from the Insurer: 1.Those within the Taiwan area who avail of medical visit from non-contracted medical institutions due to emergency or childbirth; 2.Those outside of the Taiwan area who are afflicted with special illness as determined by the Insurer and requiring local medical care due to unforeseen illnesses or emergency childbirth. The reimbursement amount should not be higher than the maximum amount set by the Competent Authority; [第 55 條 保險對象有下列情形之一者，得向保險人申請核退自墊醫療費用：一、於臺灣地區內，因緊急傷病或分娩，須在非保險醫事服務機構立即就醫。二、於臺灣地區外，因罹患保險人公告之特殊傷病、發生不可預期之緊急傷病或緊急分娩，須在當地醫事服務機構立即就醫；其核退之金額，不得高於主管機關規定之上限。]” (National Health Insurance Act, 2017) “Some people have repeatedly shared the original health insurance card to “all over the world” through the Internet! Remember to stamp the “this unit”... 80% of people still don't know! The online video, the Health Insurance Department clarified the following: 1. Health insurance cards can only be used in health insurance special medical service organizations in Taiwan, Penghu, Jinmen and Mazu regions. Health insurance cards are not allowed in foreign countries. 2. Unexpected emergency injuries occur during the period of going abroad, and need immediate medical treatment, such as acute allergies and respiratory distress, persistent convulsions, chest pain and systolic blood pressure ≥ 220 mmHg, etc., with acute and serious symptoms, can return to the country for medical treatment after the medical treatment Retirement, as for general colds, diarrhea and plans to go abroad for production, etc., does not meet the definition of unforeseen emergency injury and the scope of nuclear withdrawal. 3. Health insurance pays for medical treatment from overseas medical expenses. After the review, the “verification” payment is made and there is an upper limit. The public should consider the situation of the national medical charges and the needs of the individual, and plan to purchase the relevant overseas sudden illness before the trip. Medical insurance for better protection. 4. The Health Insurance Department reminds that foreign medical standards are different. When you go abroad for an emergency, you should carefully select a hospital that is legal and capable of providing medical treatment to ensure medical quality. [部分民眾透過網路，一再分享「原來健保卡到「世界各地」竟然都可使用！記得向「這個單位」蓋章...目前 80%的人都還不知道！！] 的網路影片，健保署澄清說明如下：一、健保卡只有在台、澎、金、馬地區的健保特約醫事服務機構才可使用，在國外尚不得使用健保卡。二、出國期間發生不可預期的緊急傷病，需要立即就醫處置，如急性過敏且呼吸窘迫、持續抽搐、胸痛且收縮壓 ≥ 220 mmHg 等具有急性及嚴重性症狀，可就醫後回國辦理自墊醫療費用核退，至於一般感冒、拉肚子與計畫赴國外生產等則不符合不可預期緊急傷病定義及核退範圍。三、健保給付境外就醫自墊醫療費用核退，採審查後「核實」支付並設有上限，民眾宜考量前往國家醫療收費情形，以及個人之需要，行前另行規劃購買相關之海外突發疾病醫療保險，以獲得更完善的保障。四、健保署提醒，國外醫療水準不一，出國遇緊急傷病時慎選當地合法且有能力可真正提供治療的醫院，以保障醫療品質。” (Anti-Rumor Area, 2018).

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 55.

Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:

Answer: Yes

Code: 1

Explanation: Emigrants keep health coverage in state of origin and can access health care services if they visit the state of origin. Health Insurance Card can be only used in state of origin, principally, and in foreign territories only in exceptional cases (“unforeseen illnesses or emergency childbirth”). “Article 55 The following may apply for reimbursement of self-advanced medical expenses from the Insurer: 1.Those within the Taiwan area who avail of medical visit from non-contracted medical institutions due to emergency or childbirth; 2.Those outside of the Taiwan area who are afflicted with special illness as determined by the Insurer and requiring local medical care due to unforeseen illnesses or emergency childbirth. The reimbursement amount should not be higher than the maximum amount set by the Competent Authority; [第 55 條 保險對象有下列情形之一者，得向保險人申請核退自墊醫療費用：一、於臺灣地區內，因緊急傷病或分娩，須在非保險醫事服務機構立即就醫。二、於臺灣地區外，因罹患保險人公告之特殊傷病、發生不可預期之緊急傷病或緊急分娩，須在當地醫事服務機構立即就醫；其核退之金額，不得高於主管機關規定之上限。]” (National Health Insurance Act, 2017).

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 55.

Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:

Answer: No

Code: 0

Explanation: No such provision

Sources: 全民健康保險法 [National Health Insurance Act]. 2017.

2.3.3. Education

EMIGRANT_45. Education programs for emigrants.

Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:

Answer: No, but special scholarships for emigrants

Code: 0.5

Explanation: When it comes to scholarships, overseas compatriot students can enjoy certain preferential treatments compared to resident citizens. Universities: a. Students applying for admission by examination shall have their examination results increased by 25%. Those with scores below the minimum required for admission to a particular department may enroll in the NTNU Division of Preparatory Programs for Overseas Compatriot Students. The admission standards shall be stipulated by the NTNU Division of Preparatory Programs for Overseas Compatriot Students. b. Each university shall exercise its own discretion regarding preferential treatment for overseas compatriot students who apply for admission through avenues other than taking an examination and then being assigned there. Overseas compatriot students can only receive the preferential treatment referred to in Paragraph 1 once when they are entering the next level of their education and in their graduation year. They will not be given preferential treatment for examinations into any subsequent study program.”

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). “Preferential Treatment for Overseas Compatriot Students”. Accessed 2018. URL not available.

State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):

Answer: Yes

Code: 1

Explanation: "Overseas Compatriot Education is the foundation of overseas community affairs. The significance of Overseas Compatriot Education work is not merely promoting language and passing on culture, but also serving as an integral part of the overall OCAC's policy. The ROC government has been dedicated to Overseas Compatriot Education for many years and its measures have kept up with the times. OCAC's work includes subsidizing overseas compatriot schools to promote Taiwan's excellent teaching brand and its diverse culture to achieve coherence with overseas expatriates, to cultivate the potential of the younger generation and to increase Taiwan's international participation. Many overseas communities have established local schools to disseminate the culture of their homeland. As of the beginning of 2018, there are 2,318 overseas compatriot schools affiliated with the ROC (73.7% of them are in Asia, 18.7% in North America and less than 3% in other continents). Among them, over 700 maintain close contacts with the OCAC. Worldwide, there are around 50 associations of overseas compatriot schools affiliated with Taiwan. These overseas compatriot schools and their associations have become the best access to promote Taiwan's Chinese language learning industry, to display Taiwan's distinctive teaching methodologies, to propagate the diversity of Taiwanese culture, and eventually, to help win a larger share of the mainstream education market. Based on the existing foundation and the global trend of language learning, the OCAC will continue to consolidate overseas compatriot school affairs as well as to train language and folk culture teachers. It will also recruit young volunteers and subsidize college students in Taiwan to provide teaching support to overseas compatriot schools as well as incorporate other practical measures to strengthen overseas compatriot school development".

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). "Introduction to Overseas Compatriot Education". Access date not available. URL not available.

State of origin offers language courses to emigrants to learn the language of the state of reception:

Answer: Yes

Code: 1

Explanation: "Many overseas communities have established local schools to disseminate the culture of their homeland. As of the beginning of 2018, there are 2,318 overseas compatriot schools affiliated with the ROC (73.7% of them are in Asia, 18.7% in North America and less than 3% in other continents). Among them, over 700 maintain close contacts with the OCAC. Worldwide, there are around 50 associations of overseas compatriot schools affiliated with Taiwan. These overseas compatriot schools and their associations have become the best access to promote Taiwan's Chinese language learning industry, to display Taiwan's distinctive teaching methodologies, to propagate the diversity of Taiwanese culture, and eventually, to help win a larger share of the mainstream education market. Based on the existing foundation and the global trend of language learning, the OCAC will continue to consolidate overseas compatriot school affairs as well as to train language and folk culture teachers. It will also recruit young volunteers and subsidize college students in Taiwan to provide teaching support to overseas compatriot schools as well as incorporate other practical measures to strengthen overseas compatriot school development".

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). Introduction to Overseas Compatriot Education. Access date not available. URL not available.

2.4. Cultural policies

2.4.1. Visits to country of origin

EMIGRANT_46. State of origin organizes visits to the origin country for emigrants on a regular basis:

Answer: Yes

Code: 1

Explanation: Yes, for example, the 2018 Short-term Experience Pilot Program for Overseas Compatriot Children or Teenagers [107 學年度海外僑民兒童或少年至校短期體驗試辦計畫] organized by OCAC. "In order to enable overseas Compatriots who are returning to ROC to visit relatives or work in the short term, they can safely bring their children aged 6-15 back to Taiwan, increase their children's understanding of Taiwanese culture and customs, and make a decision to "love Taiwan and bring children to school." Parents' Hometown—The short-term experience pilot program for overseas Compatriot children or adolescents in the 107th academic year (hereinafter referred to as the "plan"), to increase the willingness of overseas Compatriot to bring their children back to ROC, and to assist overseas Compatriot children or young people to borrow The opportunity to learn together with children or teenagers of the same age in ROC, to appreciate the beauty of Taiwan's customs and human feelings, and then to recognize Taiwanese culture and link its feelings towards Taiwan. [為使短期返國探親或辦事之海外僑民，能安心將其 6-15 歲之子女帶回臺灣，增加其子女對臺灣文化與習俗的認識，爰訂定「戀念臺灣，帶孩子回家學爸媽的家鄉話—107 學年度海外僑民兒童或少年至校短期體驗試辦計畫(以下簡稱本計畫)」，以提高海外僑民帶子女回國之意願，協助海外僑民兒童或少年，藉與國內同年齡兒童或少年共同學習的機會，領略臺灣風土及人情之美，進而認同臺灣文化，鏈結其對臺灣的情感。]".

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). "海外僑民兒童或少年至校短期體驗 [Short-term Experience Pilot Program for Overseas Compatriot Children or Teenagers]". Access date not available. URL not Available.

2.4.2. Language courses for emigrants

EMIGRANT_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):

Answer: Yes

Code: 1

Explanation: Yes. Such education programs are administered by Overseas Community Affairs Council [僑務委員會] under the name of Overseas Compatriot Education.

Sources: Overseas Community Affairs Council of the Republic of China (Taiwan). Introduction to Overseas Compatriot Education. Access date not available. URL not available.

2.5. Obligations

2.5.1. Military service

EMIGRANT_48. Emigrants have the obligation to comply with military service:

Answer: Military service mandatory for residents and nonresidents

Code: 1

Explanation: Principally, yes. All male citizens of ROC are obliged to take military service (regardless of migration status). In practice: on the one hand, any draftee who is a naturalized alien, overseas Chinese, or coming from the Mainland China area, Hong Kong, or Macao is not yet required to be subject to the conscription process. On the other hand, male citizens from Taiwan region are regulated upon their emigration (if an ROC emigrant is a "Recruiting Age Male" [役男], he must come back to ROC within certain period for his military obligation). "Article 1 In accordance with the Law, the male citizens of the Republic of China are obligated to take military service. [第 1 條 中華民國男子依法皆有服兵役之義務。]" (Act Of Military Service System, 2017) "Article 48 The exit of Recruiting Age Male have not performed the obligation of military service shall be approved and meet the requirements as follows: Subparagraph 1-The period approved for the exit of a draftee shall not be longer than two years if the draftee is a student who has applied for the exit on the grounds of studying courses with a bachelor, master or doctor degree granted under cooperation between domestic and foreign universities. Subparagraph 2-A draftee who receives a gold medal or first prize by representing the country as a contestant in International Mathematical Olympiad (excluding Asia physics, Asia-Pacific mathematics and international science for junior high students) or US International Science & Engineering Fair and is recommended by the Ministry of Education for study overseas may exit for the study period. The age of attending school shall not exceed thirty . Subparagraph 3-The period approved for the exit of a draftee shall not be longer than one year if the draftee is a student who has applied for the exit on the grounds of taking a research project, foreign studies, performance, visit, competition event, training or field practice as assigned or recommended. Subparagraph 4-The period approved for the exit of a draftee shall not be longer than six (6) months if the draftee, though not a student, has applied to exit on the grounds of representing the nation to give a performance or to participate in a competition as assigned or recommended. Subparagraph 5-A draftee who has applied for exit on the grounds of studying abroad shall obtain the admission issued by a foreign school. Subparagraph 6-A draftee who has applied for exit on the grounds of studying in Mainland China area shall obtain the admission issued by a duly accredited university and department recognized by the Ministry of Education. Subparagraph 7-The period approved for the exit of a draftee shall not be longer than four months if the draftee has applied for the exit on grounds other than those described in the preceding 6 Subparagraphs. For any draftee who has departed from Taiwan area before reaching his conscription age or approved for the exit in Subparagraph 5 of the preceding Paragraph and has been studying abroad after the first day of January of the year he has reached the age of conscription, shall meet the following requirements, and said draftee may file an application for a re-exit, submitted together with a duly notarized certificate of study; each stay shall not be longer than three (3) months: Subparagraph 1-The draftee studying abroad is taking high school degree in an academic institute duly accredited by the regulating authorities of education in that country. Subparagraph 2-The ceiling age for overseas studies is twenty-four years old in case of taking university degree in an academic institute; twenty-seven for a master's degree; and thirty for a doctor's degree; for the purposes hereunder, the ceiling age is accountable until the thirty-first day of December in that current year of reaching the ceiling age: Provided, however, that the ceiling age may be extended for one year accordingly if the college the draftee is taking his bachelor's degree at maintains a system longer than four years; the ceiling age may be extended accordingly if the draftee continues to take his master's and/or doctor's degrees upon being conferred with the bachelor's degree; in no case may the extension for taking his doctor's degree exceed thirty-three years old. Those exit conditions described in the preceding Paragraph shall also be applicable to any draftee who departed from Taiwan area

before reaching his conscription age or approved for the exit in Subparagraph 6 of Paragraph 1, has been studying in Mainland China area after the first day of January of the year reached his conscription age, and taking a bachelor's, master's or doctor's degree at a duly accredited school and department recognized by the Ministry of Education. Provided, however, that the preceding Paragraph shall be applicable for the entrance or exit of any draftee who is a child of Taiwanese business persons approved to invest in Mainland China area or its employees, arrived in Mainland China area before reaching his conscription age or after the first day of January of the year reaching his conscription age, and has taken his bachelor's, master's or doctor's degree at a duly accredited school by the authorities of education in Mainland China area, after reaching his conscription age. Upon filing the application, a service certificate from either of his parents shall be submitted together. The documents submitted by a draftee studying in Mainland China area shall be authenticated by the institution set up or designated, or by the private organization entrusted by the Executive Yuan. Regulations for Exit of Draftees including approving of exit, limits and condition of postponement in accordance with preceding three paragraphs shall be prescribed by the Ministry of the Interior and reported to the Executive Yuan for approval. If and when by the national defense and military purposes, the Executive Yuan may suspend stop processing all or any part of the applications for exit filed by draftees. Recruiting Age Male could not be recruited due to his failing to return to Taiwan before the expiry of the term specified for the exit without reasons shall be penalized according to Punishment Act for Violation to Military Service System. The Investigation regulations of exit of so-called Man of Approaching Service Age shall be prescribed by the Ministry of the Interior. [第 48 條 役齡男子尚未履行兵役義務者之出境應經核准；其申請出境之限制如下：一、在學役男修讀國內大學與國外大學合作授予學位之課程申請出境者，最長不得逾二年。二、代表我國參加國際競賽獲得金牌獎或一等獎，經教育部推薦出國留學者，得依其出國留學期限之規定辦理；其就學年齡不得逾三十歲。三、在學役男因奉派或推薦出國研究、進修、表演、比賽、訪問、受訓或實習等原因申請出境者，最長不得逾一年。四、未在學役男因奉派或推薦代表國家出國表演、比賽等原因申請出境者，最長不得逾六個月。五、役男申請出境至國外就學者，應取得國外學校入學許可。六、役男申請出境至大陸地區就學者，應取得教育部所採認之大陸地區大學校院正式學歷學校及科系入學許可。七、因前六款以外原因經核准出境者，每次不得逾四個月。役齡前出境，或前項第五款人員，於徵兵及齡之年一月一日以後在國外就學之役齡男子，應符合下列各款之規定，並得檢附經驗證之在學證明，申請再出境，其在國內停留期間，每次不得逾三個月：一、在國外就讀當地國教育主管機關立案之高中以上學歷學校。二、就學最高年齡，大學以下學歷者至二十四歲，研究所碩士班至二十七歲，博士班至三十歲。但大學學制超過四年者，每增加一年，得延長就學最高年齡一年，其畢業後接續就讀碩士班、博士班者，均得順延就學最高年齡，其博士班就讀最高年齡以三十三歲為限。以上均計算至當年十二月三十一日止。役齡前出境，或第一項第六款人員，於徵兵及齡之年一月一日以後在大陸地區就學之役齡男子，並就讀教育部所採認之大陸正式學歷學校及科系，而修習學士、碩士或博士學位者，準用前項規定。但經核准赴大陸地區投資之臺商及其員工之子，於役齡前或徵兵及齡之年一月一日以後赴大陸地區，並就讀當地教育主管機關立案之正式學歷學校，而修習學士、碩士或博士學位者，於屆役齡後之入出境，除應另檢附父或母任職證明外，準用前項規定。在大陸地區就學之役齡男子，其應檢附之文件，須經行政院設立或指定之機構，或委託之民間團體驗證。依前三項規定申請出境，其出境准許與限制事由及延期條件審核程序，由內政部擬訂處理辦法，報請行政院核定之。基於國防軍事需要，行政院得停止辦理一部或全部役男出境。役齡男子申請出境後，屆期無故未歸或逾期返國，致未能接受徵兵處理者，依妨害兵役治罪條例之有關規定處罰。](The Enforcement Act of Act of Military Service System, 2014) "Article 14 Any draftee having maintained his household registration in Taiwan area, and at the same time having the status of double nationalities, should enter into and depart from Taiwan area by presenting his ROC passport; any draftee entering into Taiwan by presenting a foreign passport and is duly subject to conscription shall be restricted from departing from Taiwan are until completion of his conscription obligation. [第 14 條 在臺原有戶籍兼有雙重國籍之役男，應持中華民國護照入出境；其持外國護照入境，依法仍應徵兵處理者，應限制其出境至履行兵役義務時止。]"(Regulations for Exit of Draftees, 2014) "Article 16 These Regulations are Not applicable to the application for entrance or exit filed by any draftee who is duly exempted from or restricted from taking military service, or who is a national guard already completing or pending the training, or a replacement. Any draftee who is a naturalized alien, overseas Chinese, or coming from the Mainland China area, Hong Kong, or Macao and not yet required to be

subject to the conscription process according to the law applying for exit shall submit support documents to file for the approval with the Entrance & Exit Administration. [第 16 條 依法免役、禁役之役男，或待訓之國民兵、已訓之國民兵、補充兵辦理入出境手續，不受本辦法限制。歸化我國國籍者、僑民、大陸地區、香港、澳門來臺役男，依法尚不須辦理徵兵處理者，應憑相關證明，向移民署申請出境核准。]” (Regulations for Exit of Draftees, 2014).

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1. / 兵役法施行法 [The Enforcement Act of Act of Military Service System]. 2014. Art. 48. / 役男出境處理辦法 [Regulations for Exit of Draftees]. 2014. Art. 14 and 16.

2.5.2. Social service

EMIGRANT_49. Emigrants have the obligation to comply with social service:

Answer: Social service mandatory for residents and nonresidents

Code: 1

Explanation: Substitute Service is available and required from draftees who for any reason cannot serve military service. In ROC legal system, a functional equivalent of social service is the so-called Substitute Service [替代役] which “is served by those suitable for serving Active Standing Soldiers but not serve due to family factors or being selected to be members of national teams by the Ministry of Education or the Ministry of Labor, or by those with physical status of serving Substitute Services but not serve Substitute Services”. That said, there is no regulation on how emigrants should comply with Substitute Service. “Article 2 The Military Services in this Act refers to: Military Officer Service, Non Commission Officer Service, Enlisted Man, Substitute Service. [第 2 條 本法所稱兵役，為軍官役、士官役、士兵役、替代役。]” “Article 17 Replacement Service is served by those suitable for serving Active Standing Soldiers but not serve due to family factors or being selected to be members of national teams by the Ministry of Education or the Ministry of Labor, or by those with physical status of serving Substitute Services but not serve Substitute Services. Those who serve Replacement Service after passing military training for no more than two months will be enlisted for control and usage by the Ministry of National Defense according to military needs. [第 17 條 補充兵役以適合服常備兵現役，因家庭因素，或經教育部、勞動部核定之國家代表隊者，或替代役體位未服替代役者服之，由國防部依軍事需要，施以二個月以內之軍事訓練，合格後列管、運用。]” “Article 24 The Substitute Service can be enforced when the National Defense Military is not Obstructed, and under the conditions when the replacement of soldiers is not affected, the quality of the soldiers is not deteriorated, and does not against the fairness of military service. Personnel with special skills should be the first priority to satisfy the National Defense demand, The Executive Yuan can stop processing a part or all the Substitute Service recruitments basing on the military requirements of the National Defense. [第 24 條 在國防軍事無妨礙時，以不影響兵員補充、不降低兵員素質、不違背兵役公平前提下，得實施替代役。各種專長人員，應優先滿足國防需求，基於國防軍事需要，行政院得停止辦理一部或全部替代役徵集]”.

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 2, 17 and 24.

2.5.3. Taxes

EMIGRANT_50. Obligation to pay taxes in state of origin

Emigrant must pay income taxes in state of origin:

Answer: No

Code: 0

Explanation: There are no specific taxes for emigrants. Emigrants have to pay income tax if they have derived income from sources in the Republic of China (including mainland China but excluding HK and Macau). “Article 2 For any individual having income from sources in the Republic of China, consolidated income tax shall be levied in accordance with this Act on his income derived from sources in the Republic of China. Unless otherwise provided in this Act, in the case of an individual who is a nonresident in the Republic of China but who has derived income from sources in the Republic of China, income tax payable by him on all such income shall be withheld and paid at the respective sources. [第 2 條 凡有中華民國來源所得之個人，應就其中華民國來源之所得，依本法規定，課徵綜合所得稅。非中華民國境內居住之個人，而有中華民國來源所得者，除本法另有規定外，其應納稅額，分別就源扣繳。]” “Article 14-4 Income or losses derived from transactions of house and land incurred by an individual provided in Article 4-4, where the house and land were originally acquired at a price, the amount of the income shall be the transaction price after deduction of the original cost and all expenses necessary for acquisition, improvement, and ownership transfer of that house and land; where the house and land were acquired through inheritance or gift, the amount of the income shall be the transaction price after deduction of the current value of the house and the assessed present value of land at time of inheritance or gift (which shall be duly adjusted with the price index announced by the government) and all expenses necessary for acquisition, improvement, and ownership transfer of that house and land . However, the land value increment tax paid in accordance with the Land Tax Act shall be excluded from the expenses. The amount of losses from transactions of house and land incurred by an individual is deductible from the income derived from transactions of house and land within three years from the day of transaction. Income derived from transactions of house and land incurred by an individual calculated in accordance with the previous two Paragraphs, after deduction of the total amount of land value increment calculated in accordance with the Land Tax Act shall not be added to the gross consolidated income. The tax payable shall be computed separately in accordance with the following tax rate: 1.An individual residing in the territory of the Republic of China: (1)The transferred house and land that have been held for a period of no more than 1 year, shall be taxed at 45%. (2)The transferred house and land that have been held for a period of more than 1 year but no more than 2 years, shall be taxed at 35%. (3)The transferred house and land that have been held for a period of more than 2 years but no more than 10 years, shall be taxed at 20%. (4)The transferred house and land that have been held for a period of more than 10 years, shall be taxed at 15%. (5)House and land that have been held for a period of no more than 2 years are transferred because of a job transfer, involuntary separation from employment, or any other involuntary cause announced by the Ministry of Finance, shall be taxed at 20%. (6)An individual who sells house and land where the house is built in partnership with a business entity, and the share of land associated with the unit has been held for a period of no more than 2 years, shall be taxed at 20%. (7)For income derived from transactions of Self-use house and land conforming to the provisions of Subparagraph 1, Paragraph 1, Article 4-5, if the amount of income calculated in accordance with this paragraph exceeds NT\$4 million, the income shall be taxed at 10% on the part of the income amount exceeding NT\$4 million. 2.An individual not residing in the territory of the Republic of China: (1)The transferred house and land that have been held for a period of no more than 1 year, shall be taxed at 45%. (2)The transferred house and land that have been held for a period of more than 1 year, shall be taxed at 35%. The holding periods stated in Subparagraph 1, Paragraph 1, Article 4-4 and Subparagraph 1, Paragraph 1, Article 4-5, where the house and land were acquired through inheritance or legacy, may be consolidated with the holding period of the decedent or the legator. [第 14-4 條 第四條之四規定之個人房屋、土地交易所得或損失之計算，其為出價取得者，以交易時之成交價額減除原始取得成本，與因取得、改良及移轉而支付之費用後之餘額為所得額；其為繼承或受贈取得者，以交易時之成交價額減除繼承或受贈時之房屋評定現值及公告土地現值按政府發布之消費者物價指數調整後之價值，與因取得、改良及移轉而支付之費用後之餘額為所得額。但依土地稅法規定繳納之土地增值稅，不得列為成本費用。個人房屋、土地交易損失，得自交易日以後三年內之房屋、土地交易所得減除之。個人依前二項規定計算之房屋、土地交易所得，減除當次交易依土地稅法規定計算之土地漲價總數額後之餘額，不併計綜合所得總額，按下列規定稅率計算應納稅額：一、中華民國境內居住之個人：（一）持有房屋、土地

之期間在一年以內者，稅率為百分之四十五。（二）持有房屋、土地之期間超過一年，未逾二年者，稅率為百分之三十五。（三）持有房屋、土地之期間超過二年，未逾十年者，稅率為百分之二十。（四）持有房屋、土地之期間超過十年者，稅率為百分之十五。（五）因財政部公告之調職、非自願離職或其他非自願性因素，交易持有期間在二年以下之房屋、土地者，稅率為百分之二十。（六）個人以自有土地與營利事業合作興建房屋，自土地取得之日起算二年內完成並銷售該房屋、土地者，稅率為百分之二十。（七）符合第四條之五第一項第一款規定之自住房屋、土地，按本項規定計算之餘額超過四百萬元部分，稅率為百分之十。二、非中華民國境內居住之個人：（一）持有房屋、土地之期間在一年以內者，稅率為百分之四十五。（二）持有房屋、土地之期間超過一年者，稅率為百分之三十五。第四條之四第一項第一款、第四條之五第一項第一款及前項有關期間之規定，於繼承或受遺贈取得者，得將被繼承人或遺贈人持有期間合併計算。】”

Sources: 所得稅法 [Income Tax Act]. 2018. Art. 4 and 14.

There are special taxes for emigrants:

Answer: No

Code: 0

Explanation: There are no special taxes aside from income tax. “Article 14-4 Income or losses derived from transactions of house and land incurred by an individual provided in Article 4-4, where the house and land were originally acquired at a price, the amount of the income shall be the transaction price after deduction of the original cost and all expenses necessary for acquisition, improvement, and ownership transfer of that house and land; where the house and land were acquired through inheritance or gift, the amount of the income shall be the transaction price after deduction of the current value of the house and the assessed present value of land at time of inheritance or gift (which shall be duly adjusted with the price index announced by the government) and all expenses necessary for acquisition, improvement, and ownership transfer of that house and land . However, the land value increment tax paid in accordance with the Land Tax Act shall be excluded from the expenses. The amount of losses from transactions of house and land incurred by an individual is deductible from the income derived from transactions of house and land within three years from the day of transaction. Income derived from transactions of house and land incurred by an individual calculated in accordance with the previous two Paragraphs, after deduction of the total amount of land value increment calculated in accordance with the Land Tax Act shall not be added to the gross consolidated income. The tax payable shall be computed separately in accordance with the following tax rate: 1.An individual residing in the territory of the Republic of China: (1)The transferred house and land that have been held for a period of no more than 1 year, shall be taxed at 45%. (2)The transferred house and land that have been held for a period of more than 1 year but no more than 2 years, shall be taxed at 35%. (3)The transferred house and land that have been held for a period of more than 2 years but no more than 10 years, shall be taxed at 20%. (4)The transferred house and land that have been held for a period of more than 10 years, shall be taxed at 15%. (5)House and land that have been held for a period of no more than 2 years are transferred because of a job transfer, involuntary separation from employment, or any other involuntary cause announced by the Ministry of Finance, shall be taxed at 20%. (6)An individual who sells house and land where the house is built in partnership with a business entity, and the share of land associated with the unit has been held for a period of no more than 2 years, shall be taxed at 20%. (7)For income derived from transactions of Self-use house and land conforming to the provisions of Subparagraph 1, Paragraph 1, Article 4-5, if the amount of income calculated in accordance with this paragraph exceeds NT\$4 million, the income shall be taxed at 10% on the part of the income amount exceeding NT\$4 million. 2.An individual not residing in the territory of the Republic of China: (1)The transferred house and land that have been held for a period of no more than 1 year, shall be taxed at 45%. (2)The transferred house and land that have been held for a period of more than 1 year, shall be taxed at 35%. The holding periods stated in Subparagraph 1, Paragraph 1, Article 4-4 and Subparagraph 1, Paragraph 1, Article 4-5, where the house and land were acquired through inheritance or legacy, may be consolidated with the

holding period of the decedent or the legator. [第 14-4 條 第四條之四規定之個人房屋、土地交易所得或損失之計算，其為出價取得者，以交易時之成交價額減除原始取得成本，與因取得、改良及移轉而支付之費用後之餘額為所得額；其為繼承或受贈取得者，以交易時之成交價額減除繼承或受贈時之房屋評定現值及公告土地現值按政府發布之消費者物價指數調整後之價值，與因取得、改良及移轉而支付之費用後之餘額為所得額。但依土地稅法規定繳納之土地增值稅，不得列為成本費用。個人房屋、土地交易損失，得自交易日以後三年內之房屋、土地交易所得減除之。個人依前二項規定計算之房屋、土地交易所得，減除當次交易依土地稅法規定計算之土地漲價總數額後之餘額，不併計綜合所得總額，按下列規定稅率計算應納稅額：一、中華民國境內居住之個人：（一）持有房屋、土地之期間在一年以內者，稅率為百分之四十五。（二）持有房屋、土地之期間超過一年，未逾二年者，稅率為百分之三十五。（三）持有房屋、土地之期間超過二年，未逾十年者，稅率為百分之二十。（四）持有房屋、土地之期間超過十年者，稅率為百分之十五。（五）因財政部公告之調職、非自願離職或其他非自願性因素，交易持有期間在二年以下之房屋、土地者，稅率為百分之二十。（六）個人以自有土地與營利事業合作興建房屋，自土地取得之日起算二年內完成並銷售該房屋、土地者，稅率為百分之二十。（七）符合第四條之五第一項第一款規定之自住房屋、土地，按本項規定計算之餘額超過四百萬元部分，稅率為百分之十。二、非中華民國境內居住之個人：（一）持有房屋、土地之期間在一年以內者，稅率為百分之四十五。（二）持有房屋、土地之期間超過一年者，稅率為百分之三十五。第四條之四第一項第一款、第四條之五第一項第一款及前項有關期間之規定，於繼承或受遺贈取得者，得將被繼承人或遺贈人持有期間合併計算。]”。

Sources: 所得稅法 [Income Tax Act]. 2018. Art. 14- 4.

2.6. Administration

2.6.1. Home country administration

EMIGRANT_51. Existence of a home country administration agency/body for emigrants in state of origin.

Existence of institution/agency with competencies for emigrant policies:

Answer: Yes

Code: 1

Explanation: There are two agencies that deal with emigrant matters. The first is the Overseas Community Affairs Council [僑務委員會] under Executive Yuan of Republic of China the task of which is to administer all affairs related to overseas Chinese, and the second is the Bureau of Consular Affairs [領事事務局] under the Ministry of Foreign Affairs under the ROC Executive Yuan, with concrete tasks such as: "(Art. 2)... shall be in charge of the following matters: 1. Planning and handling of overseas Chinese educational development and economic activities; assistance and contact with overseas Chinese groups. 2. Handling all projects related to overseas Chinese groups and overseas Chinese youth; provide counseling and liaison services. 3. Certification services and protection of rights for overseas Chinese. 4. Collecting and reporting information related to overseas Chinese affairs. 5. Handling of all cases related to overseas Chinese. [第 1 條 行政院為辦理僑務行政及輔導華僑事業事務，特設僑務委員會（以下簡稱本會）；第 2 條 本會掌理下列事項：一、僑民教育與經濟事務之規劃、辦理、輔導及聯繫。二、僑團、僑社、僑生與海外華裔青年事務之規劃、辦理、輔導

及聯繫。三、僑民權益之維護及身分證明之核發。四、僑務資訊之蒐集及僑情之報導。五、其他有關僑務工作事項。】”

The Bureau of Consular Affairs (BOCA) also serves one of the core functions of the Ministry of Foreign Affairs by providing passport services, visa services, document authentication and the coordination of emergency assistance to the ROC citizens abroad. The consular services not only involve the interests and rights of the public, but also closely relate to national security, immigration policy, alien regulation, foreign labor management, military conscription administration and household registration. The BOCA also serves as MOFA's service window to the public.

Sources: 僑務委員會組織法 [Organization Act of Overseas Community Affairs Council]. 2011. Arts. 1 and 2. / Overseas Community Affairs Council, Republic of China (Taiwan). “Overseas Community Affairs Council History”. Accessed November 2018. <https://www.ocac.gov.tw/OCAC/Eng/Pages/Detail.aspx?nodeid=418&pid=2355>. / Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). Accessed November 2018. <https://www.boca.gov.tw/cp-218-574-e3e12-2.html>.

Name of the institution with competencies for emigrant policies in original language:

Answer: 僑務委員會

Code: 僑務委員會

Explanation: Not applicable

Sources: 僑務委員會組織法 [Organization Act of Overseas Community Affairs Council, Republic of China]. 2011.

Name of the institution with competencies for emigrant policies in English:

Answer: Overseas Community Affairs Council

EMIGRANT_52. Place in the administrative hierarchy:

Answer: 1st Rank in the public administration (e.g. Ministry)

Code: 1

Explanation: It is a cabinet-level institution, thus I place it in the first rank. As to the Bureau of Consular Affairs, it is directly under MOFA (Ministry of Foreign Affairs, thus a Second Rank).

Sources: Wikipedia. “Overseas Community Affairs Council”. Accessed July 23, 2019. https://en.wikipedia.org/wiki/Overseas_Community_Affairs_Council.

2.6.2. Consular network

EMIGRANT_53: Number of consulates.

Number of consular missions deployed by the state of origin (including consular sections in embassies and excluding honorary consulates):

Answer: 110

Code: 110

Explanation: As of 2018.10.09: 74 countries and 110 missions (including 17 embassies) Canada: 3, USA: 12, Belgium: 1, Poland: 1, Denmark: 1, Germany: 4, Austria: 1, France: 1, Finland: 1, Ireland: 1, Netherlands: 1, Holy See: 1 (Embassy), Czech Republic: 1, Latvia: 1, Portugal: 1, Sweden: 1, Switzerland: 3, Slovakia: 1, Greece:1, Spain: 1, Hungary: 1, Italy: 1, UK: 2, Saudi Arabia: 1, Oman: 1, Australia: 4, Republic of Kiribati:1 (Embassy), State of Kuwait: 1, Malaysia: 1, Republic of the Marshall Islands: 1 (Embassy), Bahrain: 1, Papua New Guinea: 1, UAE: 1, Russia: 1, Republic of Fiji: 1, South Korea: 2, Philippines: 1, Republic of Palau: 1(Embassy), New Zealand: 2, Japan: 6, Mongolia: 1, Republic of Nauru: 1(Embassy), Solomon Islands: 1(Embassy), Thailand: 1, Turkey: 1, Tuvalu: 1(Embassy), Brunei Darussalam: 1, Singapore: 1, India: 2, Israel: 1, Jordan: 1, Vietnam: 2, Lao: 1, Indonesia: 2, Myanmar: 1, Argentina: 1, Republic of Paraguay: 2 (1 Embassy), Brazil: 2, Belize: 1 (Embassy), Mexico: 1, Ecuador: 1, Colombia: 1, Guatemala: 1 (Embassy), Haiti: 1 (Embassy), Chile: 1, St. Christopher and Nevis: 1 (Embassy), St. Lucia: 1 (Embassy), St. Vincent and the Grenadines: 1 (Embassy), Honduras: 2 (1 Embassy), Nicaragua: 1 (Embassy), Peru: 1, Nigeria: 1, Kingdom of Eswatini: 1 (Embassy), South Africa: 2. (ROC Embassies and Missions Abroad) Except for the 17 embassies, most consulates are under the name of Taipei Economic and Cultural Office [台北經濟文化辦事處] or Taipei Mission. The number of embassies (as well as that of countries ROC have diplomatic relations with) are dropping in recent years. For example, see statements on the termination of diplomatic relations with El Salvador (2018.08.21) and Burkina Faso (2018.05.24) and Dominican Republic (2018).

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

Number of countries in which the state of origin has a consular mission (including consular sections in embassies and excluding honorary consulates):

Answer: 74

Code: 74

Explanation: Canada: 3, USA: 12, Belgium: 1, Poland: 1, Denmark: 1, Germany: 4, Austria: 1, France: 1, Finland: 1, Ireland: 1, Netherlands: 1, Holy See: 1 (Embassy), Czech Republic: 1, Latvia: 1, Portugal: 1, Sweden: 1, Switzerland: 3, Slovakia: 1, Greece:1, Spain: 1, Hungary: 1, Italy: 1, UK: 2, Saudi Arabia: 1, Oman: 1, Australia: 4, Republic of Kiribati:1 (Embassy), State of Kuwait: 1, Malaysia: 1, Republic of the Marshall Islands: 1 (Embassy), Bahrain: 1, Papua New Guinea: 1, UAE: 1, Russia: 1, Republic of Fiji: 1, South Korea: 2, Philippines: 1, Republic of Palau: 1(Embassy), New Zealand: 2, Japan: 6, Mongolia: 1, Republic of Nauru: 1(Embassy), Solomon Islands: 1(Embassy), Thailand: 1, Turkey: 1, Tuvalu: 1(Embassy), Brunei Darussalam: 1, Singapore: 1, India: 2, Israel: 1, Jordan: 1, Vietnam: 2, Lao: 1, Indonesia: 2, Myanmar: 1, Argentina: 1, Republic of Paraguay: 2 (1 Embassy), Brazil: 2, Belize: 1 (Embassy), Mexico: 1, Ecuador: 1, Colombia: 1, Guatemala: 1 (Embassy), Haiti: 1 (Embassy), Chile: 1, St. Christopher and Nevis: 1 (Embassy), St. Lucia: 1 (Embassy), St. Vincent and the Grenadines: 1 (Embassy), Honduras: 2 (1 Embassy), Nicaragua: 1 (Embassy), Peru: 1, Nigeria: 1, Kingdom of Eswatini: 1 (Embassy), South Africa: 2. (ROC Embassies and Missions Abroad) Except for the 17 embassies, most consulates are under the name of Taipei Economic and Cultural Office [台北經濟文化辦事處] or Taipei Mission. The number of embassies (as well as that of countries ROC have diplomatic relations with) are dropping in recent years. For example, see statements on the termination of diplomatic relations with El Salvador (2018.08.21) and Burkina Faso (2018.05.24) and Dominican Republic (2018).

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

2.6.3. New consular functions

EMIGRANT_54: Extended consular network.

Existence of mobile consulates:

Answer: No

Code: 0

Explanation: No such new services abroad have been introduced

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

Consulates open on weekends on a regular basis (e.g. once monthly):

Answer: No

Code: 0

Explanation: No such new services abroad have been introduced

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

Consulates offer some services online:

Answer: No

Code: 0

Explanation: No such new services abroad have been introduced

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

EMIGRANT_55: Adoption of new consular functions.

Consulates offer financial consultancy:

Answer: No

Code: 0

Explanation: No such service offered.

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

Consulates offer psychological consultancy:

Answer: No

Code: 0

Explanation: No such service offered.

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

Consulates offer health services:

Answer: No

Code: 0

Explanation: No such service offered.

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

2.6.4. Special offices

EMIGRANT_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):

Answer: No

Code: 0

Explanation: No such new special migrant offices abroad have been introduced.

Sources: Republic of China Embassies and Missions Abroad. Accessed September 2018. URL not Available.

3. Emigrant citizenship and nationality policies

CITNAT: Does the country make a distinction between citizenship and nationality?

Answer: Yes

Code: 1

Explanation: There is no explicit distinction between citizenship and nationality based on the Nationality Act of ROC. However, in practice, Household Registration can qualify as a definition of citizenship that is distinct from nationality. Nationals without registration as permanent residents in the Taiwan area have several citizen rights restricted. “Nationals without registered permanent residence in the Taiwan Area: Nationals who have the nationality of the State and are residing abroad currently, or nationals who have acquired or restored the nationality of the State but have never registered their permanent residence at any household registry in the Taiwan Area. [臺灣地區無戶籍國民：指未曾在臺灣地區設有戶籍之僑居國外國民及取得、回復我國國籍尚未在臺灣地區設有戶籍國民。]” (Immigration Act, 2015). Article 17 Where a national without registered permanent residence is at the age of 14 or up and enters the Taiwan Area for a visit or residence, he/she shall take with him/her the passport, the permit of visit in the Taiwan Area, the entry permit or other identification documents at any time. [第十七條 十四歲以上之臺灣地區無戶籍國民，進入臺灣地區停留或居留，應隨身攜帶護照、臺灣地區居留證、入國許可證件或其他身分證明文件。]

Sources: 國籍法 [Nationality Act]. 2015. Art. 17. / 入出國及移民法 [Immigration Act]. 2015.

3.1. Emigrant nationality

3.1.1. Dual nationality for emigrants

EMINAT_1. Deprivation of nationality for having acquired a foreign nationality.

Loss of nationality for acquisition of foreign citizenship (nationals by birth):

Answer: No provision

Code: 1

Explanation: No such provision

Sources: 國籍法 [Nationality Act]. 2015. Art. 11.

Nationality can be withdrawn only if person resides abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person was born abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Loss of nationality can be prevented:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.2. Dual nationality only for some countries of residence

EMINAT_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.

Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:

Answer: No

Code: 1

Explanation: It is applicable in other circumstances as well.

Sources: Not applicable

Which countries:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.3. Loss of nationality after residence abroad

EMINAT_3: Loss of nationality after residence abroad.

Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: No. Residence abroad does not lead to loss of nationality. (It is not explicitly prohibited in the Nationality Act).

Sources: 國籍法 [Nationality Act]. 2015.

Nationality can be withdrawn only if person resides abroad for 20 years or more:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person has another citizenship:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:

Answer: No provision = 1

Code: 1

Explanation: No, residence abroad for immigrants who naturalized does not lead to loss of nationality. (It is not explicitly prohibited in the Nationality Act).

Sources: 國籍法 [Nationality Act]. 2015.

3.1.4. Jus sanguinis for emigrants

EMINAT_4: Transfer of nationality to children born abroad.

Country of origin permit parents to confer their nationality on their children who are born abroad:

Answer: Yes

Code: 1

Explanation: As long as one of the parents was a ROC national, the child shall have ROC nationality regardless of the birthplace. "Article 2 A person shall have the nationality of the ROC under any of the conditions provided by the following Subparagraphs: 1. His/her father or mother was a national of the ROC when he/she was born. 2. He/she was born after the death of his/her father or mother, and his/her father or mother was a national of the ROC at the time of death. [第 2 條 有下列各款情形之一者，屬中華民國國籍：一、出生時父或母為中華民國國民。二、出生於父或母死亡後，其父或母死亡時為中華民國國民]".

Sources: 國籍法 [Nationality Act]. 2015. Art. 2.

Transfer of nationality is applicable to:

Answer: Only first generation

Code: 0.5

Explanation: "Article 2 A person shall have the nationality of the ROC under any of the conditions provided by the following Subparagraphs: 1. His/her father or mother was a national of the ROC when he/she was born. 2. He/she was born after the death of his/her father or mother, and his/her father or mother was a national of the ROC at the time of death. [第 2 條 有下列各款情形之一者，屬中華民國國籍：一、出生時父或母為中華民國國民。二、出生於父或母死亡後，其父或母死亡時為中華民國國民]".

Sources: 國籍法 [Nationality Act]. 2015. Art. 2.

3.1.5. Jus sanguinis across generations

EMINAT_5: Transfer of nationality to children born abroad from former citizens.

Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens

Answer: No

Code: 0

Explanation: No. Such scenarios are not included in the Nationality Act.

Sources: 國籍法 [Nationality Act]. 2015.

Transfer of nationality is applicable to:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.6. Renunciation of nationality is possible

EMINAT_6: Voluntary renunciation of nationality abroad is possible.

Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:

Answer: Renunciation is possible

Code: 1

Explanation: Yes. In cases of (1) legally incompetent persons under the guardianship of foreigners relocated to foreign countries, (2) marriage to a foreigner, and (3) acquisition of a foreign nationality. But the application to lose nationality will not be permitted under certain circumstances: (1) military service unfulfilled, (2) still in active military service, (3) government officials, (4) unfinished court judgement. "Article 11 ROC nationals shall lose their ROC nationality, subject to approval by the Ministry of the Interior, if any of the following circumstances apply: 1. They are legally incompetent persons or persons with limited legal competence whose rights and obligations are exercised by, or who are under the guardianship of, their (adoptive) father or (adoptive) mother of foreign nationality, and who seek to acquire the nationality of their foreign (adoptive) father or (adoptive) mother and relocate with him or her to a location outside the territory of the ROC. 2. They are married to a foreign national. 3. They are competent under ROC law and voluntarily acquire the nationality of another country. Persons under assistantship must obtain approval from their assistant. Unmarried minor children of persons who lose their ROC nationality pursuant to the preceding paragraph shall also lose their ROC nationality subject to approval by the Ministry of the Interior. [第 11 條 中華民國國民有下列各款情形之一者，經內政部許可，喪失中華民國國籍：一、由外國籍父、母、養父或養母行使負擔權利義務或監護之無行為能力人或限制行為能力人，為取得同一國籍且隨同至中華民國領域外生活。二、為外國人之配偶。三、依中華民國法律有行為能力，自願取得外國國籍。但受輔助宣告者，應得其輔助人之同意。依前項規定喪失中華民國國籍者，其未婚未成年子女，經內政部許可，隨同喪失中華民國國籍

。]” “Article 12 For a person who applies to lose his/her nationality according to the preceding Paragraph, under any of the following conditions, the MOI shall not permit the loss of nationality: 1. A male from January 1 of the next year after he was 15 years old, who is not exempted from military service and has not fulfilled his military service. But nationals, who reside overseas and were born overseas, and have no household registration in the ROC or moved overseas before December 31 of the year they were 15 years old, shall be excluded. 2. He/she is in active military service. 3. He/she now holds a government official of the ROC. Article 13 Under any of the following conditions, a national who meets the provisions of Article 11 shall not lose his/her nationality: 1. He/she is a criminal defendant under investigation or trial. 2. He/she was sentenced to fixed-term imprisonment and the sentence has not been completely served. 3. He/she is a civil defendant. 4. He/she is the subject of a court judgment or administrative order and the judgment or order has not been fully executed yet. 5. He/she was pronounced bankrupt and his/her rights were not restored. He/she is obligated to pay overdue tax or arrears of tax penalty. [第 12 條 依前條規定申請喪失國籍者，有下列各款情形之一，內政部不得為喪失國籍之許可：一、男子年滿十五歲之翌年一月一日起，未免除服兵役義務，尚未服兵役者。但僑居國外國民，在國外出生且於國內無戶籍者或在年滿十五歲當年十二月三十一日以前遷出國外者，不在此限。二、現役軍人。三、現任中華民國公職者。第 13 條 有下列各款情形之一者，雖合於第十一條之規定，仍不喪失國籍：一、為偵查或審判中之刑事被告。二、受有期徒刑以上刑之宣告，尚未執行完畢者。三、為民事被告。四、受強制執行，未終結者。五、受破產之宣告，未復權者。六、有滯納租稅或受租稅處分罰鍰未繳清者。]”。

Sources: 國籍法 [Nationality Act]. 2015. Art. 11-13.

Renunciation abroad is only possible if person has another nationality:

Answer: No, person renouncing does not have to show proof of another nationality

Code: 0

Explanation: having another nationality is one of the THREE different reasons for which a person can voluntarily renounce her ROC nationality, not the ONLY one (others being limited legal competence whose rights and obligations are exercised by, or who are under the guardianship of, their (adoptive) father or (adoptive) mother of foreign nationality, and who seek to acquire the nationality of their foreign (adoptive) father or (adoptive) mother and relocate with him or her to a location outside the territory of the ROC, or being married to a foreign national).

Sources: 國籍法 [Nationality Act]. 2015. Art. 11.

Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:

Answer: No

Code: 0

Explanation: There are several scenarios that allow for renunciation.

Sources: 國籍法 [Nationality Act]. 2015.

3.1.7. Reacquisition of nationality

EMINAT_7. Country of origin provides for reacquisition of nationality for former nationals:

Answer: Yes

Code: 1

Explanation: Reacquisition of nationality is possible for former ROC nationals by birth (excluding former ROC nationals by naturalization) who (1) has a domicile in ROC territory, (2) has no criminal records, and (3) enough assets and skills for self-sustainability. “Article 15 For a person who loses the nationality of the ROC according to Article 11, if he/she now has a domicile in the territory of the ROC and meets the requisites provided in Subparagraph 3 and Subparagraph 4 of Paragraph 1 of Article 3, he/she may apply for restoring his/her nationality of the ROC. The preceding Subparagraph shall not apply to naturalized persons and their children naturalized concurrently who lost the nationality of the ROC. Article 16 Minor children of a person who has restored his/her nationality of the ROC may apply for concurrently restoring their nationality of the ROC. Article 17 A person who applies for restoring his/her of the nationality of the ROC according to Article 15 to Article 16 shall file the application with the MOI and shall have his/her nationality of the ROC restored from the date of permission. [第 15 條 依第十一條規定喪失中華民國國籍者，現於中華民國領域內有住所，並具備第三條第一項第三款、第四款要件，得申請回復中華民國國籍。歸化人及隨同歸化之子女喪失國籍者，不適用前項規定。第 16 條 回復中華民國國籍者之未成年子女，得申請隨同回復中華民國國籍。第 17 條 依第十五條及第十六條申請回復中華民國國籍者，應向內政部為之，並自許可之日起回復中華民國國籍。]” “Article 3 [...] 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves and lead a stable life; [第 3 條 [...] 三、無不良素行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。]”.

Sources: 國籍法 [Nationality Act]. 2015. Art. 15-17.

3.2. Emigrant citizenship

3.2.1. Citizenship restrictions for dual nationals

EMICIT_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):

Answer: Restrictions if less than 5 years living abroad

Code: 0

Explanation: Yes, they have no right to hold government offices of the ROC. “Article 20 A national of the ROC who acquires the nationality of another country has no right to hold government offices of the ROC. If he/she has held a government office, the relevant authority shall discharge his/her government office; a legislator shall be discharged by the Legislative Yuan, government service personnel elected by the people of a municipality, county(city), township(city) shall be discharged by the Executive Yuan, the MOI, or a county government respectively, a village chief shall be discharged by the township(city, district) office, but the following Subparagraphs shall not be subject to this restriction if provided by the competent authorities: 1. Presidents of public universities, teachers who concurrently serve as administrative governors of public school of all levels, principals, vice principals or researchers (including researchers who concurrently serve as governors of academic research) of research organizations (bodies) and principals, vice principals and contracted professionals (including

part-time governors) of social education or culture bodies established with the approval of the competent administrative authority of education or culture authorities. 2. Personnel in public-operated utilities other than the persons who take primary decision-making responsibility for the operational policy. 3. Non-governor positions focusing on technology research and design regularly engaged through contract by various authorities. 4. Commissioners without position engaged through selection for consultation only according to the organizational law by the competent authority of overseas Compatriot affairs. 5. Otherwise provided by other acts. Persons in Subparagraph 1 to Subparagraph 3 of the preceding Paragraph shall be limited to talents who have expertise or special skills difficult to find in our country and occupy positions not involving state secrets. Government services of Subparagraph 1 don't include teachers, lecturers and research personnel, professional technical personnel who do not concurrently serve as administrative governors at all levels of public schools. If a national of the ROC who concurrently has the nationality of another country wants to hold a government office limited by nationality as determined by this Article, he/she shall handle the waiver of the other country's nationality before taking office, and complete the loss of that country's nationality and the acquisition of certification documents within 1 year from the date of taking office, but if otherwise provided by another act, the provisions of that act shall prevail. [第 20 條 中華民國國民取得外國國籍者，不得擔任中華民國公職；其已擔任者，除立法委員由立法院；直轄市、縣(市)、鄉(鎮、市)民選公職人員，分別由行政院、內政部、縣政府；村(里)長由鄉(鎮、市、區)公所解除其公職外，由各該機關免除其公職。但下列各款經該管主管機關核准者，不在此限：一、公立大學校長、公立各級學校教師兼任行政主管人員與研究機關(構)首長、副首長、研究人員(含兼任學術研究主管人員)及經各級主管教育行政或文化機關核准設立之社會教育或文化機構首長、副首長、聘任之專業人員(含兼任主管人員)。二、公營事業中對經營政策負有主要決策責任以外之人員。三、各機關專司技術研究設計工作而以契約定期聘用之非主管職務。四、僑務主管機關依組織法遴聘僅供諮詢之無給職委員。五、其他法律另有規定者。前項第一款至第三款人員，以具有專長或特殊技能而在我國不易覓得之人才且不涉及國家機密之職務者為限。第一項之公職，不包括公立各級學校未兼任行政主管之教師、講座、研究人員、專業技術人員。中華民國國民兼具外國國籍者，擬任本條所定應受國籍限制之公職時，應於就(到)職前辦理放棄外國國籍，並於就(到)職之日起一年內，完成喪失該國國籍及取得證明文件。但其他法律另有規定者，從其規定。] These are general rules, unless the person has a passport of the Mainland Area (PRC): in that case, the restrictions are more general, as the person loses household registration. If someone has a passport of the PRC or household registration there, that person shall be deprived of its status as the people of the Taiwan Area and its rights of election, recall, initiative, referendum, serving military service or public offices, and any other rights derived from its household registration in the Taiwan Area, and its household registration in the Taiwan Area shall be annulled by the household registration authorities (Art. 9-1).

Sources: 國籍法 [Nationality Act]. 2015. Art. 17. / Act Governing Relations between Taiwan and Mainland People. 2015. Art. 9-1.

3.2.2. Different citizenship for emigrants

EMICIT_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?

Answer: Yes

Code: 1

Explanation: Yes. They are recognized as "Overseas Compatriot" [華僑], a category of ROC emigrants holding permanent residence (or similar situations) in a foreign country (excluding PRC). "Article 3 This Act applies to Republic of China ("ROC") nationals who reside in a foreign country, provided that it does not apply to persons with Mainland China, Hong Kong or Macau residency status, or persons

holding passports issued by Mainland China region. [第 3 條 本條例適用之對象，為僑居國外國民。但具有大陸地區人民、香港居民、澳門居民身分或持有大陸地區所發護照者，不適用之。]” “Article 4 A ROC national residing in a foreign country and who satisfies any of the following criteria may apply for the Overseas Compatriot Identity Certificate: 1. He/she currently resides in a country or region with a permanent residency system, and satisfies the following requirements: (1) Has gained permanent residency in such place of overseas residence;(2) Has lived overseas for a cumulative total of at least four (4) years; (3) Has lived continuously at such place of overseas residence for six (6) months, or has spent at least eight (8) months of each year in the preceding two (2) years at such place of overseas residence. 2. He/she currently resides in a country or region where there is no permanent residency system, or where there is a system of permanent residency but it is difficult for foreigners to obtain such permanent residency, and satisfies the following requirements: (1) Has gained temporary residency at such place of overseas residence for four (4) consecutive years, and is eligible for further extensions of residency; (2) Has lived overseas for a cumulative total of at least four (4) years; (3) Has lived continuously at such place of overseas residence for six (6) months, or has spent at least eight (8) months of each year in the preceding two (2) years at such place of overseas residence. 3. Has/had household registration in Taiwan, has departed from Taiwan, has lived legally overseas for ten (10) consecutive years, has been legally employed in the such place of overseas residence for four (4) years or more, and is eligible for further extensions of residency. The definition of countries or regions that are difficult for foreigners to obtain permanent residency as referred to in Subparagraph 2 above, as well as recognition of residency qualifications shall be publicly announced each year by the competent authority upon consultation with the Ministry of Foreign Affairs and published in the Executive Yuan Gazette. For a male who has/had household registration in Taiwan and satisfies the requirements in Paragraph 1 above but has not fulfilled his military service obligations and is close to or of the age eligible for military service, and who is applying for an Overseas Compatriot Identity Certificate for purposes of conscription administration or recognition of identity upon arrival or departure processing, the applicant shall not be subject to restrictions in terms of obtaining an Overseas Compatriot Identity Endorsement under Article 10 or other laws and regulations; and the competent authority shall annotate on such Certificate that the said Certificate is issued for conscription administration purposes only. [第 4 條 僑居國外國民，符合下列各款情形之一，得申請華僑身分證明書：一、居住於有永久居留制度之國家或地區，具備下列條件者：（一）取得僑居地永久居留權。（二）在國外累計居住滿四年。（三）在僑居地連續居住滿六個月或最近二年每年在僑居地累計居住八個月以上。二、居住於無永久居留制度，或有永久居留制度而永久居留權取得困難之國家或地區，具備下列條件者：（一）取得僑居地居留資格連續四年，且能繼續延長居留。（二）在國外累計居住滿四年。（三）在僑居地連續居住滿六個月或最近二年每年在僑居地累計居住八個月以上。三、現在或原在臺灣地區設有戶籍，自臺灣地區出國，在國外合法連續居留十年並在僑居地合法工作居留四年以上，且能繼續延長居留者。前項第二款永久居留權取得困難之國家或地區及其居留資格之認定，由主管機關會商外交部後，每年定期公告，並刊登於政府公報。現在或原在臺灣地區設有戶籍，且符合第一項規定之尚未履行兵役義務之接近役齡或役齡男子，為辦理徵兵處理或入出國事項，認定其身分需要，申請華僑身分證明書者，應以第十條及其他法規未限制其為僑居身分加簽者為限，主管機關並應於該證明書註明供役政使用。]”

Sources: 華僑身分證明條例 [Overseas Compatriot Identity Certification Act]. 2015. Arts. 3 and 4.

3.2.3. Loss or suspension of citizen rights after residence abroad

EMICIT_3: Country deprives their national citizens by birth who emigrated of their citizen rights.

Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: No

Code: 0

Explanation: No loss or suspension of citizenship for the ROC nationals by birth after residence abroad.

Sources: 國籍法 [Nationality Act]. 2015.

Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) *If it is not specified in the regulation, it is coded as restrictions not conditional to return:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4. Immigration policies

4.1. General

4.1.1. Number of entry tracks

IMMIGRATION_1. How many visa types does the country have?

Answer: 4

Code: 4

Explanation: There are 4 general types of visas. “Article7 Types of Visas issued in foreign passports: 1.Diplomatic visa, 2.Courtesy visa, 3.Visitor visa, 4.Resident visa [外國護照之簽證, 其種類如下: 一、外交簽證。二、禮遇簽證。三、停留簽證。四、居留簽證。]” In addition, there are special types of visa including Employment-seeking Visa [尋職簽證], or Working holiday (Youth Mobility) Visa [度假打工(青年交流)簽證]. According to the purpose of travel, there are 旅遊(Tourism) 洽商(Business) 就學(Study) 應聘(Employment) 依(探)親 (Joining or Visiting Family) 宗教 (Religion) 創新創業 (Entrepreneur) 其他 (Other).

Sources: 外國護照簽證條例 [Statute Governing Issuance of Republic of China Visas in Foreign Passports]. 2012. Art. 7. / Contact Taiwan. “創業家簽證 [Entrepreneur Visa]”. Access date not available. <https://www.contacttaiwan.tw/main/docdetail.aspx?uid=634&pid=632&docid=258>. / Ministry of Foreign Affairs. “外國專業人才申請來臺尋職簽證審查及核發作業辦法 [The Screening and Verification Process for the Employment-Seeking Visa Applications of Foreign Professionals]”. Access date not available. [https%3a%2f%2fwww.mofa.gov.tw%2fNews_Content_M_2.aspx%3fn%3d2D1D9DCD6477275D%26s%3d6E4EBA67A1DE60AF%26s%3d8FDA7397B3C477EF](https://www.mofa.gov.tw/News_Content_M_2.aspx%3fn%3d2D1D9DCD6477275D%26s%3d6E4EBA67A1DE60AF%26s%3d8FDA7397B3C477EF). / Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). “度假打工(青年交流) [Working Holiday (Youth Mobility)]”. Access date not available. <https://www.boca.gov.tw/np-40-1.html>.

IMMIGRATION_2: Categorical organization of visas

Are the visas organized by overarching categories?

Answer: Yes

Code: 1

Explanation: Yes, visas are organized by 4 general categories. “Article7 Types of Visas issued in foreign passports:1.Diplomatic visa, 2.Courtesy visa, 3.Visitor visa, 4.Resident visa [外國護照之簽證, 其種類如下: 一、外交簽證。二、禮遇簽證。三、停留簽證。四、居留簽證。]” Entrepreneur Visa belongs to resident visa. Employment-seeking Visa and Working Holiday (Youth Mobility) Visa belong to Visitor Visa.

Sources: 外國護照簽證條例 [Statute Governing Issuance of Republic of China Visas in Foreign Passports]. 2012. / Ministry of Foreign Affairs. “外國專業人才申請來臺尋職簽證審查及核發作業辦法 [The Screening and Verification Process for the Employment-Seeking Visa Applications of Foreign Professionals]”. Access date not available.

https%3a%2f%2fwww.mofa.gov.tw%2fNews_Content_M_2.aspx%3fn%3d2D1D9DCD6477275D%26s%3d6E4EBA67A1DE60AF%26s%3d8FDA7397B3C477EF.

How many categories?

Answer: 4

Code: 4

Explanation: There are 4 categories.

Sources: 外國護照簽證條例 [Statute Governing Issuance of Republic of China Visas in Foreign Passports]. 2012. Art. 7.

4.1.2. Biometric information

IMMIGRATION_3: Collection of biometric information.

Does the state collect biometric information from all citizens for example for passports?

Answer: Yes

Code: 1

Explanation: Only facial image. “The passports of the implanted wafers shall be deposited on the data sheet and recorded with the licensee's image. [內植晶片之護照，其晶片應存入資料頁記載事項及持照人影像。]” (Passport Act, 2015).

Sources: 護照條例 [Passport Act]. 2015.

Does the state collect biometric information from immigrants for example for passports?

Answer: Yes

Code: 1

Explanation: Finger Prints and facial image. “Article 3 When entering Taiwan, the individual biometric data of aliens, nationals without household registration in the Taiwan area, and people of the mainland China area, Hong Kong, and Macau shall be recorded, retrieved and identified upon inspection by the National Immigration Agency of the Ministry of the Interior (hereinafter referred to as the “National Immigration Agency”), with the provision that those who meet one of the circumstances under the subparagraphs of Paragraph 2 of Article 91 of the Act shall be exempted. Those whose individual biometric characteristics have been recorded shall go through the immigration inspection by giving the individual biometric verification data upon every entry and exit of the State. [第三條 外國人、臺灣地區無戶籍國民、大陸地區人民、香港及澳門居民於入國（境）時，除有本法第九十一條第二項各款情形之一者外，應於入國（境）查驗時接受內政部入出國及移民署（以下簡稱入出國及移民署）錄存及辨識其個人生物特徵識別資料；已接受個人生物特徵識別資料錄存者，於每次入出國（境）查驗時，仍應接受個人生物特徵識別資料之辨識。]” “Article 6 The individual biometric characteristics data shall be

recorded pursuant to the following guidelines: 1. Fingerprints: both the right and left index fingers shall be affixed. If the right or left index finger is injured or hurt, the thumb, middle finger, ring finger, and little finger shall be affixed accordingly, with the name of each finger specified by the recording staff; provided that those who have no fingers and have been specified by the recording staff shall be exempted from the recording. 2. Face: the facial image shall be retrieved from the front, at eye level, and without hats. Any objects that affect the retrieval shall be removed. The individual biometric characteristics data shall be recorded clearly; those that are unclear shall be re-recorded. Those whose individual biometric characteristics have been recorded shall accept a new recording pursuant to Paragraph 1 upon the immigration inspection of reentry and exit of the State, if his/her individual biometric characteristics data could not match the original data due to injury, illness, or other reasons. [第六條 個人生物特徵識別資料錄存方式如下：一、指紋：應以左、右手拇指接受按捺。左、右手食指有殘缺或傷病者，依拇指、中指、環指、小指之順序接受按捺，並由錄存人員註明手指名稱。但無手指，且經錄存人員註明者，不在此限。二、臉部：應以臉部正面脫帽平視接受臉部影像擷取，有影響影像擷取之物品，應予去除。個人生物特徵識別資料錄存應力求清晰，不清晰者，應重新辦理錄存。已接受個人生物特徵識別資料錄存者，因殘缺、傷病或其他原因，致無法與原錄存之識別資料辨識相符者，應於再次入出國（境）查驗時，依第一項方式重新接受錄存。]” (Regulations Governing the Collection, Management, and Use of Individual Biometric Data, 2013).

Sources: 個人生物特徵識別資料蒐集管理及運用辦法 [Regulations Governing the Collection, Management, and Use of Individual Biometric Data]. 2013. Art. 3 and 6.

4.1.3. Visa waivers

IMMIGRATION_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spaetaussiedler or Jewish immigrants in Germany)?

Answer: No

Code: 0

Explanation: When it comes to resident visa [居留簽證], there is no announced visa waiver program that targets particular country or individuals.

Sources: “居留簽證須知 [Resident Visa Notice]”. Access date not available. file://localhost/Users/linzihao/Zotero/storage/FD2MINWA/cp-74-5-13c57-1.html.

4.2. Documentation

IMMIGRATION_5: Issue of legal compulsory identification documents.

Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?

Answer: Yes

Code: 1

Explanation: Yes, and nationals without registered permanent residence [臺灣地區無戶籍國民] and aliens [外國人] are required explicitly by the law to always carry relevant identity certificate in public. "Article 17 Where a national without registered permanent residence is at the age of 14 or up and enters the Taiwan Area for a visit or residence, he/she shall take with him/her the passport, the permit of visit in the Taiwan Area, the entry permit or other identification documents at any time. [第十七條 十四歲以上之臺灣地區無戶籍國民，進入臺灣地區停留或居留，應隨身攜帶護照、臺灣地區居留證、入國許可證件或其他身分證明文件。] Article 28 An alien, at the age of fourteen (14) or up, who has entered the State for a visit, residence or permanent residence, shall always carry his/her passport, Alien Resident Certificate, or Alien Permanent Resident Certificate. [第二十八條 十四歲以上之外國人，入國停留、居留或永久居留，應隨身攜帶護照、外僑居留證或外僑永久居留證]"。

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 17.

Are they required to carry them at all times?

Answer: Yes

Code: 1

Explanation: Yes, and nationals without registered permanent residence [臺灣地區無戶籍國民] and aliens [外國人] are required explicitly by the law to always carry relevant identity certificate in public. Article 17 Where a national without registered permanent residence is at the age of 14 or up and enters the Taiwan Area for a visit or residence, he/she shall take with him/her the passport, the permit of visit in the Taiwan Area, the entry permit or other identification documents at any time. [第十七條 十四歲以上之臺灣地區無戶籍國民，進入臺灣地區停留或居留，應隨身攜帶護照、臺灣地區居留證、入國許可證件或其他身分證明文件。] Article 28 An alien, at the age of fourteen (14) or up, who has entered the State for a visit, residence or permanent residence, shall always carry his/her passport, Alien Resident Certificate, or Alien Permanent Resident Certificate. [第二十八條 十四歲以上之外國人，入國停留、居留或永久居留，應隨身攜帶護照、外僑居留證或外僑永久居留證]。

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 17.

4.3. Quotas and restrictions

4.3.1. General quota

IMMIGRATION_6: General quota for immigration.

Is there a general quota (numerical limit) for immigration?

Answer: No

Code: 1

Explanation: No such provision

Sources: 入出國及移民法 [Immigration Act]. 2015.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.2. Specific quotas

IMMIGRATION_7: Quota for high-skilled migrants.

Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?

Answer: Yes

Code: 0

Explanation: There is no quota directly for high-skilled migrants, but a quota exists for a specific new visa type, the Employment-Seeking Visa, which is targeted at high-skilled migrants. "Notice that the number of foreign professional talents applying for an Employment-Seeking Visa to Taiwan in the year (107) is 2,000 Based on: Article 151, Paragraph 1 and Article 154, Paragraph 1 of the Administrative Procedure Law. Announcement: First, set the organ: the Ministry of Foreign Affairs. Second, set the basis: Article 19(3) of the foreign professional recruitment and employment law. 3. According to the first joint meeting of the 3rd Committee of Economic, Social Welfare and Health Environment, Education and Culture of the 9th Session of the Legislative Yuan on October 19 (106), and the National Development Committee held on November 9 this year, The resolution of the 1st coordination meeting for related sub-methods and supporting measures for the recruitment and employment of foreign professionals has forecasted that the number of foreign professional applicants applying for visas to come to Taiwan in the next year is 2,000. This case is also available on the Department's Global Information Website (<http://www.mofa.gov.tw>). [預告明(107)年度外國專業人才申請來臺尋職簽證人數限額為 2,000 人 依據：行政程序法第一百五十一條第一項及第一百五十四條第一項。公告事項：一、訂定機關：外交部。二、訂定依據：外國專業人才延攬及僱用法第十九條第三項。三、依據本(106)年 10 月 19 日立法院第 9 屆第 4 會期經濟、社會福利及衛生環境、教育及文化三委員會第 1 次聯席會議及本年 11 月 9 日國家發展委員會召開「外國專業人才延攬及僱用法」相關子法及配套措施第 1 次協調會議決議，預告明年度外國專業人才申請來臺尋職簽證人數限額為 2,000 人。本案另載於本部全球資訊網站(網址 <http://www.mofa.gov.tw>)。]".

Sources: Republic of China Embassies and Mission Abroad. "預告明(107)年度外國專業人才申請來臺尋職簽證人數限額為 2,000 人 [Notice that the Number of Foreign Professional Talents Applying for an Employment-Seeking Visa to Taiwan in the Year (107) is 2,000]". Access date not available. <https://www.roc-taiwan.org/sg/post/18122.html>.

Number of people that make up the quota:

Answer: 2000

Code: 2000

Explanation: 2000.

Sources: Republic of China Embassies and Mission Abroad. “預告明(107)年度外國專業人才申請來臺尋職簽證人數限額為 2,000 人 [Notice that the Number of Foreign Professional Talents Applying for an Employment-Seeking Visa to Taiwan in the Year (107) is 2,000]”. Access date not available. <https://www.roc-taiwan.org/sg/post/18122.html>.

IMMIGRATION_8: Quota for low-skilled migrants.

Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?

Answer: No

Code: 1

Explanation: No explicitly regulated quota.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_9: Quota for refugees.

Is there a quota (numerical limit) on the number of refugees?

Answer: No

Code: 1

Explanation: There is no announced quota for recognized refugees.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_10: Quota for co-ethnics.

Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?

Answer: Not applicable (no co-ethnic proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.3. List of excluded persons

IMMIGRATION_11: Categories of excluded persons.

Are there categories of excluded persons from immigration?

Answer: Yes

Code: 0

Explanation: There are categories of excluded persons.

Sources: 入出國及移民法 [Immigration Act]. 2015.

List of categories of excluded persons:

Answer: "Article 18 National Immigration Agency shall prohibit an alien from entering the State if he/she meets one of the following circumstances: 1. Does not carry his/her passport or refuses to submit it for inspection. 2. Has used an illegally acquired, counterfeited, or altered passport or visa. 3. Has used another person's passport or a fraudulently claimed passport. 4. Has used a passport that

is invalid, lacks a required visa, or a passport that bears an invalid visa. 5. Has made a false statement or hidden important facts about his/her purposes to apply for entry into the State. 6. Has carried contraband. 7. Has a criminal record in the State or foreign countries. 8. Has suffered from a contagious disease, a mental disease, or other diseases that may jeopardize public health or social peace. 9. Is believed, on the basis of sufficient factual proof, to be incapable of making a living in the State, save the circumstance that he/she seeks shelters from his/her dependent relative with registered permanent residence in the Taiwan Area and has been assured by the relative. 10. Has used a visitor visa but does not have an air ticket or a steamer ticket for a return trip or a trip to the next destination or has not secured an entry visa for the next destination. 11. Has been denied entry, ordered to leave within a certain time, or deported from the State. 12. Has overstayed his/her visit or the period of his/her residence or has worked illegally. 13. Is believed to endanger national interests, public security, public order, or the good customs of the State. 14. Hinders good social customs. 15. Is believed to engage in terrorist activities. If a foreign government bans nationals of the State from entry pursuant to reasons other than those reasons set forth in the each Subparagraph of the preceding Paragraph, National Immigration Agency can use the same reasons to ban that country's nationals from entering the State after negotiating with the Ministry of Foreign Affairs of such a ban. The period of entry as banned under Subparagraph 12, Paragraph 1 shall be one (1) year or up from the second day of the date of an alien's exit of his/her country and shall not be more than three (3) years. [第十八條 外國人有下列情形之一者，入出國及移民署得禁止其入國：一、未帶護照或拒不繳驗。二、持用不法取得、偽造、變造之護照或簽證。三、冒用護照或持用冒領之護照。四、護照失效、應經簽證而未簽證或簽證失效。五、申請來我國之目的作虛偽之陳述或隱瞞重要事實。六、攜帶違禁物。七、在我國或外國有犯罪紀錄。八、患有足以妨害公共衛生或社會安寧之傳染病、精神疾病或其他疾病。九、有事實足認其在我國境內無力維持生活。但依親及已有擔保之情形，不在此限。十、持停留簽證而無回程或次一目的地之機票、船票，或未辦妥次一目的地之入國簽證。十一、曾經被拒絕入國、限令出國或驅逐出國。十二、曾經逾期停留、居留或非法工作。十三、有危害我國利益、公共安全或公共秩序之虞。十四、有妨害善良風俗之行為。十五、有從事恐怖活動之虞。外國政府以前項各款以外之理由，禁止我國國民進入該國者，入出國及移民署經報請主管機關會商外交部後，得以同一理由，禁止該國國民入國。第一項第十二款之禁止入國期間，自其出國之翌日起算至少為一年，並不得逾三年]”。

Code: List provided in the answer.

Explanation: List provided in the answer.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 18.

4.3.4. List of excluded countries

IMMIGRATION_12: Countries excluded.

Is there a list of countries whose nationals are banned for immigration in this country?

Answer: No

Code: 1

Explanation: No such provision.

Sources: 入出國及移民法 [Immigration Act]. 2015.

List of countries excluded:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: 入出國及移民法 [Immigration Act]. 2015.

4.4. Policy incentives

4.4.1. Recognized brokers

IMMIGRATION_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):

Answer: Yes

Code: 1

Explanation: Yes. "Article 55 The operation of immigration services is exclusively reserved for corporate organizations which shall apply for an establishment permit from National Immigration Agency, register themselves as corporations in accordance with laws, and receive licenses from the Agency respectively before they can begin immigration services. Although the operation of immigration services is not limited to corporate organizations in accordance with Article 47-7 of the Lawyer Act, other provisions pursuant to the immigration service organizations of the State shall apply mutatis mutandis. Foreign immigration service organizations that establish their branches in the State shall apply for an establishment permit from National Immigration Agency, acquire approval in accordance with the Company Act, and receive a license from the Authority before they can begin immigration services. The immigration service organizations stated in the two preceding Paragraphs shall apply to National Immigration Agency for permission of their changes in their registered items or for filing of and future reference of the changes within fifteen (15) days from the second day of the date of the occurrence of the fact; they shall apply to the Agency for a change of their licenses within one (1) month after they complete handling changes of corporate registration items respectively. Where the central authorities in charge of labour affairs permit private employment service institutions to engage in transnational human resources Agency businesses, the institutions shall handle businesses concerning residence on behalf of the aliens employed the institutions respectively. [第五十五條 經營移民業務者，以公司組織為限，應先向入出國及移民署申請設立許可，並依法辦理公司登記後，再向入出國及移民署領取註冊登記證，始得營業。但依律師法第四十七條之七規定者，得不以公司為限，其他條件準用我國移民業務機構公司之規定。外國移民業務機構在我國設立分公司，應先向入出國及移民署申請設立許可，並依公司法辦理認許後，再向入出國及移民署領取註冊登記證，始得營業。前二項之移民業務機構變更註冊登記事項，應於事實發生之翌日起十五日內，向入出國及移民署申請許可或備查，並於辦妥公司變更登記後一個月內，向入出國及移民署申請換發註冊登記證。經中央勞工主管機關許可從事跨國人力仲介業務之私立就業服務機構，得代其所仲介之外國人辦理居留業務]".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 55.

IMMIGRATION_14. State offers pecuniary incentives to citizens willing to immigrate:

Answer: No

Code: 0

Explanation: There are some recent measures to attract “foreign experts” [外國專業人才] such as tax benefits and retirement protection, but no announced pecuniary incentives. “The civilized foreign experts, who are not required to apply for a freelance work permit, apply for a free work permit, residence permit, alien residency permit, and re-entry permit to join the “employment gold card” and relax the employment of foreign professionals. The period of 3 years is extended to 5 years, and the abolition will be stipulated at 183 days a year. [...] Tax benefits and retirement protection are set in a civilized manner. Foreign professionals have annual salary of NT\$3 million or more and can enjoy 3 years and a half of the total income tax exemption; foreign professionals engaged in professional work have already obtained permanent residence permits. In addition, the pension system applies to the pension system of the Labor Pension Regulations. The existing public schools of the employed state public schools are qualified for full-time qualifications for teachers. Retirements are subject to the retirement regulations of public school teachers, and they must choose to receive a pension or monthly pension. [條文明定，外國特定專業人才，可不需透過雇主，申請自由轉換工作的工作許可、居留簽證、外僑居留證與重入國許可 4 證合一「就業金卡」，放寬外國專業人才聘僱期間由 3 年延到 5 年，廢止每年須在台 183 天規定。[...]租稅優惠與退休保障部分，條文明定，外國專業人才年薪新台幣 300 萬元以上，可享 3 年半數免計綜合所得稅；受聘從事專業工作外國專業人才，已取得永久居留許可者，適用勞工退休金條例退休金制度；受聘僱任國公立學校現職編制內專任合格有給教師，退休事項準用公立學校教師退休規定，並得選擇支領一次退休金或月退休金。]”

Sources: The News Lens. “立院三讀通過「吸引外國白領」法案，用這些優惠吸引外籍人才 [The Third Reading of the Legislative Yuan passed the “Attracting Foreign White-collar Bill, using these Concessions to Attract Foreign Talents]”. Accessed November 2018. <https://www.thenewslens.com/article/81459>.

4.5. Immigration control and penalties

4.5.1. Irregular residence

IMMIGRATION_15: Illegal residence.

Is illegal residence in the country considered a criminal offense?

Answer: No

Code: 1

Explanation: No such provision.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Is illegal residence considered an administrative offense?

Answer: Yes

Code: 0

Explanation: “Article 22 An alien who possesses a valid passport with a valid visa, a valid passport without a visa, or a valid travel document, shall acquire the right to stay or reside after having been inspected by National Immigration Agency, and allowed to enter the State. [第二十二條 外國人持有效簽證或適用以免簽證方式入國之有效護照或旅行證件，經入出國及移民署查驗許可入國後，取得停留、居留許可]”.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 22.

4.5.2. Forged documents

IMMIGRATION_16: Penalties for immigrants with forged documents.

Are there penalties for immigrants for forged documents?

Answer: Yes

Code: 0

Explanation: Yes, penalties exist.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: “Article 32 National Immigration Agency shall revoke or repeal a person’s residence permit and cancel his/her Alien Resident Certificate if the person meets one of the following circumstances: [...]2. Has used illegally acquired, counterfeited, or altered documents.[第三十二條 入出國及移民署對有下列情形之一者，撤銷或廢止其居留許可，並註銷其外僑居留證：[...]二、持用不法取得、偽造或變造之證件。]” “Article 36 The National Immigration Agency may deport or order an alien to exit the State within ten (10) days after receiving the deportation order, based on any of the following circumstances; The National Immigration Agency may deport an alien who has failed to exit the State within a given period of time after the first warning. [...]8. Having violated the provisions stated in Paragraphs 1 to 3 of Article 32, resulting in the cancellation of the alien’s residence permit and revocation of the Alien Resident Certificate (ARC)第三十六條 [...] 外國人有下列情形之一者，入出國及移民署得強制驅逐出國，或限令其於十日內出國，逾限令出國期限仍未出國，入出國及移民署得強制驅逐出國：[...]八、有第三十二條第一款至第三款規定情形，經撤銷或廢止居留許可，並註銷外僑居留證]”.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 32.

Penalty is a fine:

Answer: No

Code: 1

Explanation: Penalty is expulsion.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is detention:

Answer: No

Code: 1

Explanation: Penalty is expulsion.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Penalty is expulsion.

Sources: 入出國及移民法 [Immigration Act]. 2015.

IMMIGRATION_17: Penalties for immigrants with expired documents.

Are there penalties for immigrants with expired documents?

Answer: Yes

Code: 0

Explanation: Yes, penalties exist.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is expulsion:

Answer: No

Code: 1

Explanation: Penalty is a fine.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: “Article 85 If a person meets one of the following circumstances, he shall be fined between NT\$ 2,000 and NT\$ 10,000: [...]4. A national without registered permanent residence or an alien overstays a visit or a period of residence. [第八十五條 有下列情形之一者，處新臺幣二千元以上一萬元以下罰鍰：[...]四、臺灣地區無戶籍國民或外國人，逾期停留或居留]”.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 85.

Penalty is detention:

Answer: No

Code: No

Explanation: Penalty is a fine.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Penalty is a fine.

Sources: 入出國及移民法 [Immigration Act]. 2015.

4.5.3. Aiding undocumented migrants

IMMIGRATION_18: Penalties for aiding undocumented migrants.

Are there penalties for aiding undocumented migrants?

Answer: Yes

Code: 0

Explanation: Yes, it's punishable by law in the form of imprisonment, detention, and/ or a fine. “Article 73 A person who exchanges, hands over certificates, or uses other illegal means at airports or seaports, in order to use an aircraft, a vessel, or any other means of transport to carry people not to be transported to the State or any countries according to any contracts shall be punished with imprisonment for not more than five (5) years, detention, and/or a fine of not more than NT\$ 2 million.[第七十三條 在機場、港口以交換、交付證件或其他非法方法，利用航空器、船舶或其他運輸工具運送非運送契約應載之人至我國或他國者，處五年以下有期徒刑，得併科新臺幣二百萬元以下罰金。]”
“Article 82 A person who violates Paragraph 2 of Article 47 by using an aircraft, a vessel, or any other

means of transport to carry passengers without documents needed to enter the State shall be fined between NT\$ 20,000 and NT\$ 100,000 for each passenger carried.[第八十二條 違反第四十七條第二項規定，以航空器、船舶或其他運輸工具搭載未具入國許可證件之乘客者，每搭載一人處新臺幣二萬元以上十萬元以下罰鍰。]

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: Yes, it's punishable by law in the form of imprisonment, detention, and/ or a fine.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 73.

Penalty is imprisonment:

Answer: Yes

Code: 2

Explanation: Yes, it's punishable by law in the form of imprisonment, detention, and/ or a fine.

Sources: 入出國及移民法 [Immigration Act]. 2015.

4.5.4. Employment obligations

IMMIGRATION_19: Penalties for employers who hire migrant workers without a legal work permit.

Are there sanctions for employers hiring migrant workers without a legal work permit?

Answer: Yes

Code: 0

Explanation: "Article 44 No one may illegally let foreign worker stay and engage in work. [第 44 條 任何人不得非法容留外國人從事工作。]" "Article 57 As for employment of foreign worker(s), employer shall not engage in any of the following: 1. Employing a foreign worker without permit or after the expiration of permit therefore, or a foreign worker that has been permitted to be employed at the same time by a third party; 2. Employing in the name of the employer a foreign worker, but in reality causing that foreign worker to engage in work for a third party; 3. Appointing the employed foreign worker to work that is not within the sphere of the permit; 4. Commanding, without permission therefore, an foreign worker who is employed to engage in the work as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46 to change his/her work place; 5. Failing to arrange for the employed foreign worker to undergo health examinations or failing to submit the health examinations report(s) to the competent health authority in accordance with the applicable laws and regulations; 6. Dismissing or laying off national worker(s) as a result of having employed foreign worker(s) by the employer;

7.Exerting coercion, threat, or any other illegal means upon the employed foreign worker(s) to enforce him/her/them to engage in work contrary to his/her/their free will; 8.Illegally withholding the passport(s)/ residence certificate(s) of foreign worker(s) or embezzling belongings of foreign worker(s); or 9.Having violated, other than the above, the provision(s) of the Act or the regulations promulgated pursuant to the Act. [第 57 條 雇主聘僱外國人不得有下列情事：一、聘僱未經許可、許可失效或他人所申請聘僱之外國人。二、以本人名義聘僱外國人為他人工作。三、指派所聘僱之外國人從事許可以外之工作。四、未經許可，指派所聘僱從事第四十六條第一項第八款至第十款規定工作之外國人變更工作場所。五、未依規定安排所聘僱之外國人接受健康檢查或未依規定將健康檢查結果函報衛生主管機關。六、因聘僱外國人致生解僱或資遣本國勞工之結果。七、對所聘僱之外國人以強暴脅迫或其他非法之方法，強制其從事勞動。八、非法扣留或侵占所聘僱外國人之護照、居留證件或財物。九、其他違反本法或依本法所發布之命令。] Article 63 Anyone who violates Article 44, or Subparagraph 1 or 2 of Article 57 shall be fined therefore an amount of at least NT\$ 150,000 and at most NT\$ 750,000; anyone with a recurrent violation of the same provision above-mentioned within five years shall be imprisoned for a term of at most three years, or detained for hard labor, and/or penalized for an amount of at most NT\$ 1,200,000. Where the representative of a legal person or the agent, employee or other staff member of a legal or natural person engages in that capacity in business operations which violate the provisions of Article 44 or Subparagraph 1 or 2 of Article 57, not only the offender himself shall be punished in accordance with paragraph 1 of this article, but the legal or natural person concerned shall also be levied therefore the fines or pecuniary penalties as referred to in the same paragraph of the same article. [第 63 條 違反第四十四條或第五十七條第一款、第二款規定者，處新臺幣十五萬元以上七十五萬元以下罰鍰。五年內再違反者，處三年以下有期徒刑、拘役或科或併科新臺幣一百二十萬元以下罰金。法人之代表人、法人或自然人之代理人、受僱人或其他從業人員，因執行業務違反第四十四條或第五十七條第一款、第二款規定者，除依前項規定處罰其行為人外，對該法人或自然人亦科處前項之罰鍰或罰金。].

Sources: 就業服務法 [Employment Service Act]. 2016. Arts. 44, 57 and 63.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: "Article 57 As for employment of foreign worker(s), employer shall not engage in any of the following: 1. Employing a foreign worker without permit or after the expiration of permit therefore, or a foreign worker that has been permitted to be employed at the same time by a third party; 2. Employing in the name of the employer a foreign worker, but in reality causing that foreign worker to engage in work for a third party; 3. Appointing the employed foreign worker to work that is not within the sphere of the permit; 4. Commanding, without permission therefore, an foreign worker who is employed to engage in the work as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46 to change his/her work place; 5. Failing to arrange for the employed foreign worker to undergo health examinations or failing to submit the health examinations report(s) to the competent health authority in accordance with the applicable laws and regulations; 6. Dismissing or laying off national worker(s) as a result of having employed foreign worker(s) by the employer; 7. Exerting coercion, threat, or any other illegal means upon the employed foreign worker(s) to enforce him/her/them to engage in work contrary to his/her/their free will; 8. Illegally withholding the passport(s)/ residence certificate(s) of foreign worker(s) or embezzling belongings of foreign worker(s); or 9. Having violated, other than the above, the provision(s) of the Act or the regulations promulgated pursuant to the Act. [第 57 條 雇主聘僱外國人不得有下列情事：一、聘僱未經許可、許可失效或他人所申請聘僱之外國人。二、以本人名義聘僱外國人為他人工作。三、指派所聘僱之外國人從事許可以外之工作。四、未經許可，指派所聘僱從事第四十六條第一項第八款至第十款規定工作之外國人變更工作場所。五、未依規定安排所聘僱之外國人接受健康檢查或未依規定將健康檢查結果函報衛生主管機關。六、因聘僱外國人致生解僱或資遣本國勞工之結果。七、對所聘僱之外國人以強暴脅迫或其他非法之方法，強制其從事勞動。八、非法扣留或侵占所

聘僱外國人之護照、居留證件或財物。九、其他違反本法或依本法所發布之命令。]” Article 63 Anyone who violates Article 44, or Subparagraph 1 or 2 of Article 57 shall be fined therefore an amount of at least NT\$ 150,000 and at most NT\$ 750,000; anyone with a recurrent violation of the same provision above-mentioned within five years shall be imprisoned for a term of at most three years, or detained for hard labor, and/or penalized for an amount of at most NT\$ 1,200,000. Where the representative of a legal person or the agent, employee or other staff member of a legal or natural person engages in that capacity in business operations which violate the provisions of Article 44 or Subparagraph 1 or 2 of Article 57, not only the offender himself shall be punished in accordance with paragraph 1 of this article, but the legal or natural person concerned shall also be levied therefore the fines or pecuniary penalties as referred to in the same paragraph of the same article. [第 63 條 違反第四十四條或第五十七條第一款、第二款規定者，處新臺幣十五萬元以上七十五萬元以下罰鍰。五年內再違反者，處三年以下有期徒刑、拘役或科或併科新臺幣一百二十萬元以下罰金。法人之代表人、法人或自然人之代理人、受僱人或其他從業人員，因執行業務違反第四十四條或第五十七條第一款、第二款規定者，除依前項規定處罰其行為人外，對該法人或自然人亦科處前項之罰鍰或罰金。]

Sources: 就業服務法 [Employment Service Act]. 2016. Arts. 57 and 63.

Penalty is imprisonment:

Answer: Yes

Code: 2

Explanation: “Article 57 As for employment of foreign worker(s), employer shall not engage in any of the following: 1. Employing a foreign worker without permit or after the expiration of permit therefore, or a foreign worker that has been permitted to be employed at the same time by a third party; 2. Employing in the name of the employer a foreign worker, but in reality causing that foreign worker to engage in work for a third party; 3. Appointing the employed foreign worker to work that is not within the sphere of the permit; 4. Commanding, without permission therefore, an foreign worker who is employed to engage in the work as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46 to change his/her work place; 5. Failing to arrange for the employed foreign worker to undergo health examinations or failing to submit the health examinations report(s) to the competent health authority in accordance with the applicable laws and regulations; 6. Dismissing or laying off national worker(s) as a result of having employed foreign worker(s) by the employer; 7. Exerting coercion, threat, or any other illegal means upon the employed foreign worker(s) to enforce him/her/them to engage in work contrary to his/her/their free will; 8. Illegally withholding the passport(s)/ residence certificate(s) of foreign worker(s) or embezzling belongings of foreign worker(s); or 9. Having violated, other than the above, the provision(s) of the Act or the regulations promulgated pursuant to the Act. [第 57 條 雇主聘僱外國人不得有下列情事：一、聘僱未經許可、許可失效或他人所申請聘僱之外國人。二、以本人名義聘僱外國人為他人工作。三、指派所聘僱之外國人從事許可以外之工作。四、未經許可，指派所聘僱從事第四十六條第一項第八款至第十款規定工作之外國人變更工作場所。五、未依規定安排所聘僱之外國人接受健康檢查或未依規定將健康檢查結果函報衛生主管機關。六、因聘僱外國人致生解僱或資遣本國勞工之結果。七、對所聘僱之外國人以強暴脅迫或其他非法之方法，強制其從事勞動。八、非法扣留或侵占所聘僱外國人之護照、居留證件或財物。九、其他違反本法或依本法所發布之命令。]” Article 63 Anyone who violates Article 44, or Subparagraph 1 or 2 of Article 57 shall be fined therefore an amount of at least NT\$ 150,000 and at most NT\$ 750,000; anyone with a recurrent violation of the same provision above-mentioned within five years shall be imprisoned for a term of at most three years, or detained for hard labor, and/or penalized for an amount of at most NT\$ 1,200,000. Where the representative of a legal person or the agent, employee or other staff member of a legal or natural person engages in that capacity in business operations which violate the provisions of Article 44 or Subparagraph 1 or 2 of Article 57, not only the offender himself shall be punished in accordance with paragraph 1 of this article, but the legal or natural person concerned shall also be levied therefore the fines or pecuniary penalties as referred to in the same paragraph of the same article. [第 63 條 違反第四十四條或第五十七條第一款、第二款規定者，處新臺幣十五萬元以上七十五萬元以下罰鍰。五年內再違反者，處三年以

下有期徒刑、拘役或科或併科新臺幣一百二十萬元以下罰金。法人之代表人、法人或自然人之代理人、受僱人或其他從業人員，因執行業務違反第四十四條或第五十七條第一款、第二款規定者，除依前項規定處罰其行為人外，對該法人或自然人亦科處前項之罰鍰或罰金。]

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 66.

4.5.5. Landlord obligations

IMMIGRATION_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.

Are there penalties for landlords who rent shelter to migrants without a regular migrant status?

Answer: No

Code: 1

Explanation: No such provision.

Sources: 入出國及移民法 [Immigration Act]. 2015.

Penalty is a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is imprisonment:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.5.6. Airline penalties

IMMIGRATION_21: Penalties for airlines carrying immigrants without documentation.

Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?

Answer: Yes

Code: 0

Explanation: Yes, it's punishable by law in the form of imprisonment, detention, and/ or a fine. "Article 73 A person who exchanges, hands over certificates, or uses other illegal means at airports or seaports, in order to use an aircraft, a vessel, or any other means of transport to carry people not to be transported to the State or any countries according to any contracts shall be punished with imprisonment for not more than five (5) years, detention, and/or a fine of not more than NT\$ 2 million.[第七十三條 在機場、港口以交換、交付證件或其他非法方法，利用航空器、船舶或其他運輸工具運送非運送契約應載之人至我國或他國者，處五年以下有期徒刑，得併科新臺幣二百萬元以下罰金。]" "Article 82 A person who violates Paragraph 2 of Article 47 by using an aircraft, a vessel, or any other means of transport to carry passengers without documents needed to enter the State shall be fined between NT\$ 20,000 and NT\$ 100,000 for each passenger carried.[第八十二條 違反第四十七條第二項規定，以航空器、船舶或其他運輸工具搭載未具入國許可證件之乘客者，每搭載一人處新臺幣二萬元以上十萬元以下罰鍰。]"

Sources: 入出國及移民法 [Immigration Act]. 2015. Arts. 73 and 82.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: "Article 73 A person who exchanges, hands over certificates, or uses other illegal means at airports or seaports, in order to use an aircraft, a vessel, or any other means of transport to carry people not to be transported to the State or any countries according to any contracts shall be punished with imprisonment for not more than five (5) years, detention, and/or a fine of not more than NT\$ 2 million.[第七十三條 在機場、港口以交換、交付證件或其他非法方法，利用航空器、船舶或其他運輸工具運送非運送契約應載之人至我國或他國者，處五年以下有期徒刑，得併科新臺幣二百萬元以下罰金。]" "Article 82 A person who violates Paragraph 2 of Article 47 by using an aircraft, a vessel, or any other means of transport to carry passengers without documents needed to enter the State shall be fined between NT\$ 20,000 and NT\$ 100,000 for each passenger carried.[第八十二條 違反第四十七條第二項規定，以航空器、船舶或其他運輸工具搭載未具入國許可證件之乘客者，每搭載一人處新臺幣二萬元以上十萬元以下罰鍰。]"

Sources: 入出國及移民法 [Immigration Act]. 2015. Arts. 73 and 82.

Penalty is more than a fine:

Answer: Yes

Code: 2

Explanation: "Article 73 A person who exchanges, hands over certificates, or uses other illegal means at airports or seaports, in order to use an aircraft, a vessel, or any other means of transport to carry people not to be transported to the State or any countries according to any contracts shall be punished with imprisonment for not more than five (5) years, detention, and/or a fine of not more than NT\$ 2 million.[第七十三條 在機場、港口以交換、交付證件或其他非法方法，利用航空器、船舶或其他運輸工

具運送非運送契約應載之人至我國或他國者，處五年以下有期徒刑，得併科新臺幣二百萬元以下罰金。]”。

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 73.

4.6. Amnesty programs

IMMIGRATION_22: Existence of amnesty program.

In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?

Answer: No

Code: 0

Explanation: No such provision.

Sources: Not applicable

The amnesty program is/was:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being employed is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Does a case by case regularization for irregular immigrants existed?

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

Being employed is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is regularization through marriage possible:

Answer: No

Code: 0

Explanation: No such provision.

Sources: Not applicable

IMMIGRATION_23. The amnesty defines the types of irregular migrants as:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.7. Administration

IMMIGRATION_24_1: Administration in charge of immigration regulation.

Which institution is in charge of immigration regulation (in original language)?

Answer: 中华民国内政部移民署

Code: 中华民国内政部移民署

Explanation: 中华民国内政部移民署.

Sources: 中華民國政府機關網址索引 [Republic of China Government Agency Website Index]. n. y. About the National Immigration Agency. Access date not available. <https://win.dgbas.gov.tw/eyimc/webindex/srclist.htm>.

Which institution is in charge of immigration regulation (in English language)?

Answer: National Immigration Agency

Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: It is statutory agency of Ministry of Interior of ROC.

Sources: 中華民國政府機關網址索引 [Republic of China Government Agency Website Index]. "About the National Immigration Agency". Access date not available.
<https://win.dgbas.gov.tw/eyimc/webindex/srclist.htm>.

IMMIGRATION_24_2: Administration in charge of implementing immigration policies.

Which institution is in charge of the implementation of immigration policies (in original language)?

Answer: 中华民国内政部移民署

Code: 中华民国内政部移民署

Explanation: 中华民国内政部移民署.

Sources: 中華民國政府機關網址索引 [Republic of China Government Agency Website Index]. "About the National Immigration Agency". Access date not available.
<https://win.dgbas.gov.tw/eyimc/webindex/srclist.htm>.

Which institution is in charge of immigration regulation (in English language)?

Answer: National Immigration Agency

Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: It is statutory agency of Ministry of Interior of ROC)

Sources: Not applicable

IMMIGRATION_24_3: Administration in charge of border control.

Which institution is in charge of border control (in original language)?

Answer: 中华民国内政部移民署

Code: 中华民国内政部移民署

Explanation: Not applicable

Sources: 中華民國政府機關網址索引 [Republic of China Government Agency Website Index]. About the National Immigration Agency. Access date not available.
<https://win.dgbas.gov.tw/eyimc/webindex/srclist.htm>.

Which institution is in charge of border control (in English language)?

Answer: National Immigration Agency

IMMIGRATION_24_4: Administration in charge of detentions.

Which institution is in charge of detentions (in original language)?

Answer: 中华民国内政部移民署

Code: 中华民国内政部移民署

Explanation: Not applicable

Sources: 中華民國政府機關網址索引 [Republic of China Government Agency Website Index]. "About the National Immigration Agency". Access date not available.
<https://win.dgbas.gov.tw/eyimc/webindex/srclist.htm>.

Which institution is in charge of detentions (in English language)?

Answer: National Immigration Agency

Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: It is a statutory agency of Ministry of Interior of ROC.

4.8. Proxy: Labor migration (high- and low-skilled)

IMMIGRATION_25: Visas applied to labor migration.

Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?

Answer: Yes

Code: 1

Explanation: See below.

Sources:

Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?

Answer: No

Code: 0

Explanation: There are different entry tracks.

Sources: Ministry of the Interior National Immigration Agency, Republic of China (Taiwan). "如何申請辦理或展延（外勞）居留證 [How to apply for processing or extension of (foreign workers) residence permit]". Access date not available.
<https://www.immigration.gov.tw/ct.asp?xItem=1089254&ctNode=30066&mp=1>. / Workforce Development Agency, Ministry of Labor. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

4.8.1. Domestic workers

Is there a visa scheme (entry track) for domestic workers?

Answer: Yes

Code: 0

Explanation: For the entry an application for a Resident visa [居留簽證] is required. Domestic workers belong to the category of "foreign labor" [外勞] which is understood as low-skilled workers. "At present, work that is open for foreign workers to come to Taiwan are: family nursing job and household service, institutional care work, manufacturing work, construction work, marine fishing work and slaughtering work".

Sources: Ministry of the Interior National Immigration Agency, Republic of China (Taiwan). "如何申請辦理或展延（外勞）居留證 [How to Apply for Processing or Extension of (Foreign Workers) Residence Permit]". Access date not available.
<https://www.immigration.gov.tw/ct.asp?xItem=1089254&ctNode=30066&mp=1>. / Workforce Development Agency, Ministry of Labor. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

IMMIGRATION_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No, while a previous job offer and contract are needed, there is no need for sponsorship per se. To enter the country as a legal domestic worker, a labor contract [勞動契約] and a Recruitment

permit [招募許可函] issued by Ministry of Labor are needed. It needs to be noticed that foreign labor [外勞] visa application has a special procedural track than the regular visa application. (<https://visawebapp.boca.gov.tw/>).

Sources: Republic of China Missions and Embassies Abroad. “外籍勞工簽證申請 [Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

IMMIGRATION_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?

Answer: Yes, required

Code: 0.25

Explanation: A concrete job offer is required. To enter the country as a legal domestic worker, a labor contract [勞動契約] and a Recruitment permit [招募許可函] issued by Ministry of Labor are needed. It needs to be noticed that foreign labor [外勞] visa application has a special procedural track than the regular visa application. (<https://visawebapp.boca.gov.tw/>).

Sources: Republic of China Missions and Embassies Abroad. “外籍勞工簽證申請 [Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

IMMIGRATION_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: Yes

Code: 0.5

Explanation: Yes. “Article 46 Unless otherwise provided in the Act, the work that a foreign worker may be employed to engage in within the Republic of China is limited to the following: 1.Specialized or technical work. 2.Director/manager/executive of a business invested in or set up by overseas Chinese or foreigner(s) with the authorization of the Government of the Republic of China. 3.Teacher at the following schools: (1)Teacher at a public or registered private college/university or school established especially for foreign residents. (2)Approved teacher teaching course(s) on foreign language(s) at a public or registered private primary or high school. (3)Teacher teaching course(s) at a public or registered private experimental high school's bilingual department or at bilingual school(s) . 4.Full-time teacher teaching course(s) on foreign language(s) at a short-term class registered for supplementary schooling in accordance with the Supplementary Education Act. 5.Sports coach and athlete. 6.Religious, artistic, and show business work. 7.Crew member of a merchant vessel, working vessel, and vessel ad hoc permitted by the Ministry of Transportation and Communication. 8.Marine fishing/netting work. 9.Household assistant and nursing work. [...] Article 47 With respect to the employment of foreign worker(s) to engage in work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46, employer shall first make domestic recruitment with reasonable labor terms; only when such domestic recruitment cannot acquire sufficient number of employee(s) to satisfy the needs of his/her business employer may apply for permit to recruit foreign person(s) with a view to filling up such insufficiency. Furthermore, when conducting recruitment of foreign worker(s) under such circumstances, employer shall notify the labor union or labors of the business entity of the full and entire content concerning such recruitment and shall publicly announce the same in the work place designated for such foreign worker(s) to engage in work. When conducting the domestic recruitment in

accordance with paragraph 1 of this article, employer, unless otherwise justified, may not refuse to employ job applicant(s) as referred by public employment services institution(s). [第 46 條 雇主聘僱外國人在中華民國境內從事之工作，除本法另有規定外，以下列各款為限：一、專門性或技術性之工作。二、華僑或外國人經政府核准投資或設立事業之主管。三、下列學校教師：（一）公立或經立案之私立大專以上校院或外國僑民學校之教師。（二）公立或已立案之私立高級中等以下學校之合格外國語文課程教師。（三）公立或已立案私立實驗高級中等學校雙語部或雙語學校之學科教師。四、依補習及進修教育法立案之短期補習班之專任外國語文教師。五、運動教練及運動員。六、宗教、藝術及演藝工作。七、商船、工作船及其他經交通部特許船舶之船員。八、海洋漁撈工作。九、家庭幫傭及看護工作。...] 第 47 條 雇主聘僱外國人從事前條第一項第八款至第十一款規定之工作，應先以合理勞動條件在國內辦理招募，經招募無法滿足其需要時，始得就該不足人數提出申請，並應於招募時，將招募全部內容通知其事業單位之工會或勞工，並於外國人預定工作之場所公告之。雇主依前項規定在國內辦理招募時，對於公立就業服務機構所推介之求職人，非有正當理由，不得拒絕。]”.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 46.

IMMIGRATION_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).

Answer: No

Code: 1

Explanation: No such restrictions based on nationality.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_30: Restrictions based on age.

Are there age limits for migrant domestic workers in order to be admitted to the country?

Answer: Yes

Code: 0.5

Explanation: There are age limits.

Sources: Republic of China Missions and Embassies Abroad. “外籍勞工簽證申請 [Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

Which minimum age?

Answer: Between 19 and 21 years

Code: 3

Explanation: Yes. Applicant must be over 20 years old. “Foreign workers' visa applicants who are hired to work as family helpers, institutional care workers and family care workers: Their ages must be over 20 years; any other workers hired to engage in manufacturing, construction and marine fishing

must be at least 18 years of age. [外勞居留簽證申請人，受聘僱從事家庭幫傭、機構看護及家庭看護工作者，其年齡需滿 20 歲以上；受聘僱從事製造、營造及海洋漁撈等其他工作者，則需年滿 18 歲。]”。

Sources: Republic of China Missions and Embassies Abroad. “外籍勞工簽證申請 [Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

IMMIGRATION_31. Is having a certain gender a requisite to be admitted to the country under the do-mestic worker entry track?

Answer: No

Code: 1

Explanation: No, a certain gender is not a requisite.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?

Answer: No

Code: 1

Explanation: No, not a prerequisite.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_33. Do migrant domestic workers need to prove the ability to support themselves?

Answer: Yes

Code: 0.5

Explanation: For (low-skilled) foreign workers, it is required to “Sign the affidavit of working expenses and wages affidavit and labor contract before the foreigner enters the country : the affidavit shall clearly state the cost items and amount that foreign workers should bear after working in the country, and such document shall be verified by the country of origin after being signed and confirmed by the employer and brokers on both sides for future investigation and reference. In the meantime, a labor contract shall be signed in order to stipulate the rights and obligations such as wages and working hours, and if the labor contract is changed in the future, it shall not be in contrast to the wage affidavit and shall not be unfavorable to foreign laborers”.

Sources: Workforce Development Agency, Ministry of Labor. “Management of Foreign Workers”. Access date not available. <https://www.wda.gov.tw/en/News.aspx?n=608F56E26D137607&sms=71A16EC08E376DF7>.

IMMIGRATION_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: Irrelevant during the application. The ability to speak Chinese is not a requirement for visa application when it comes to foreign workers.

Sources: Workforce Development Agency, Ministry of Labor. "Management of Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/News.aspx?n=608F56E26D137607&sms=71A16EC08E376DF7>.

IMMIGRATION_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 66

Code: 66

Explanation: Yes. The fee for the Resident Visa is 66 USD. The Employment Security Fee is omitted as it is not an administrative fee, but functions more like a levy.

Sources: 就業服務法 [Employment Service Act]. 2017 (2016). Art. 46.

IMMIGRATION_36. How long is the domestic work permit valid for? Indicate the period in months.

Answer: 36

Code: 36

Explanation: 3 years. "Article 52 [...] Where a foreign worker is employed to engage in work as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46, the duration of the permit therefore shall not exceed three years. [第 52 條 [...] 聘僱外國人從事第四十六條第一項第八款至第十款規定之工作，許可期間最長為三年。]"

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 52.

IMMIGRATION_37. Is it possible to renew the work permit granted under the domestic worker entry track?

Answer: No

Code: 0

Explanation: It's generally not possible to renew the existing work permit for low-skilled workers. The duration of the permit, initially, shall not exceed three years. In exceptional cases such as a "major construction" (which does not really apply to domestic workers), the work permit can be extended to up to 6 months. Nonetheless, it's possible for a domestic worker to re-enter ROC for a new work after

the termination of the last work. The overall period of work shall not exceed 12 years, and 14 years in exceptional cases for outstanding domestic workers. “Article 52 Where a foreign worker is employed to engage in work as referred to in Subparagraphs 1 to 7 and Subparagraph 11 of Paragraph 1 of Article 46, the duration of the permit therefore shall not exceed three years; upon the expiration of which the employer may apply for extension thereof pursuant to his/her business needs. Where a foreign worker is employed to engage in work as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46, the duration of the permit therefore shall not exceed three years. Should some major and special circumstances occur, the employer may apply for a further extension thereof. The Executive Yuan shall prescribe the circumstances and duration of such further extension. However, in the event of a major construction, the duration of such further extension shall not exceed six months. The central Competent Authority shall invite and consult with representatives of the relevant governmental agency(ies), laborers, employers, and scholars to decide, pursuant to the foreign workers employment alert index, the maximum number of foreign workers permitted per year to be introduced into the Republic of China to engage in work as referred to in the preceding paragraph. An employed foreign worker who has not violated any laws or regulations within the duration of employment permit, and has departed from the Republic of China due to the termination of employment or the expiration of the employment permit, or an employed foreign worker who failed the health examinations but accepted medical treatment thereafter at his/her national country and then passed health examinations therein, may re-enter the Republic of China to work. However, a foreigner who engages in work referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46 shall not exceed more than 12 years in the course of his work in the territory of the Republic of China, and shall not apply the provisions of Subparagraph 2 of Paragraph 1 of the preceding Article. The foreign worker under the proviso of the preceding paragraph requests to return to his / her national country during the employment permit period, the employer shall give his/her consent. The central competent authority shall prescribe the method of leaving-taking, duration of absence, procedures and other relevant regulations. Where a foreign worker providing home care services prescribed in Subparagraph 9 of Paragraph 1 of Article 46 has completed professional training session or has spontaneously improved his/her skills and renders outstanding performance, which satisfies the eligibility criteria and other requirements set by central competent authority, the total years of service of such person within the territory of Republic of China may not exceed 14 years in aggregation. Rules governing the eligibility, requirements, determination methods and other criteria of the matters specified in the preceding paragraph are to be stipulated by the central Competent Authority in consultation with the central relevant Competent Authorities. [第 52 條 聘僱外國人從事第四十六條第一項第一款至第七款及第十一款規定之工作，許可期間最長為三年，期滿有繼續聘僱之需要者，雇主得申請展延。聘僱外國人從事第四十六條第一項第八款至第十款規定之工作，許可期間最長為三年。有重大特殊情形者，雇主得申請展延，其情形及期間由行政院以命令定之。但屬重大工程者，其展延期間，最長以六個月為限。[...]聘僱許可期間屆滿出國或因健康檢查不合格經返國治療再檢查合格者，得再入國工作。但從事第四十六條第一項第八款至第十款規定工作之外國人，其在中華民國境內工作期間，累計不得逾十二年，且不適用前條第一項第二款之規定。前項但書所定之外國人於聘僱許可期間，得請假返國，雇主應予同意；其請假方式、日數、程序及其他相關事項之辦法，由中央主管機關定之。從事第四十六條第一項第九款規定家庭看護工作之外國人，且經專業訓練或自力學習，而有特殊表現，符合中央主管機關所定之資格、條件者，其在中華民國境內工作期間累計不得逾十四年。前項資格、條件、認定方式及其他相關事項之標準，由中央主管機關會商中央目的事業主管機關定之。]”.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 52.

IMMIGRATION_38: Possibility of changing jobs.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?

Answer: No

Code: 0

Explanation: Answer: No. In general, the domestic workers are prohibited from changing work or employer, unless in certain restrictive circumstances. “Article 53 Should an employed foreign worker have to transfer to a new employer or be employed for two or more employers within the duration of the employment permit, the new employer(s) shall apply for permit therefore; in case of transfer to a new employer, the new employer shall submit upon such application the relevant document(s) certifying the termination of the previous employment. The requirement as referred to in paragraph 1 of this article is exempted in the case where the foreign workers as referred to in Subparagraphs 1, 3 and 4 of Paragraph 1 of Article 51 have obtained the permit from the Central Competent Authority. Where a foreign worker who has been employed to engage in work as referred to in Subparagraphs 1 to 7 of Paragraph 1 of Article 46 shifts to a new employer or new work, he/she is prohibited from engaging in work as referred to in subparagraphs 8 to 11 the of same paragraph of same article for his/her new employer or as his/her new work. Unless otherwise authorized by the Central Competent Authority on account of the respective circumstances as referred to in Paragraph 1 of Article 59, a foreign worker who has been employed to engage in work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may not shift to a new employer or new work. [第 53 條 雇主聘僱之外國人於聘僱許可有效期間內，如需轉換雇主或受聘僱於二以上之雇主者，應由新雇主申請許可。申請轉換雇主時，新雇主應檢附受聘僱外國人之離職證明文件。第五十一條第一項第一款、第三款及第四款規定之外國人已取得中央主管機關許可者，不適用前項之規定。受聘僱從事第四十六條第一項第一款至第七款規定工作之外國人轉換雇主或工作者，不得從事同條項第八款至第十一款規定之工作。受聘僱從事第四十六條第一項第八款至第十一款規定工作之外國人，不得轉換雇主或工作。但有第五十九條第一項各款規定之情事，經中央主管機關核准者，不在此限。]” “Article 59 When one of the following circumstances has arisen or existed, the foreign worker employed to work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may shift to work for a new employer or to engage in new work upon the authorization of the central competent authority: 1.His/her original employer or the one who was intended to be taken care of by the employed foreign worker has deceased or emigrated; 2.The vessel he/she works on has been seized, has sunk, or has been under repair so as to compel the discontinuation of the work; 3.The discontinuation of the work caused in the fact that his/her original employer has wind up the factory, suspended the business, or failed to pay the wage/salary pursuant to the employment contract resulting in the termination thereof; 4.Other than the above, similar circumstances not attributable to the employed foreign worker. The Central Competent Authority shall promulgate the procedures governing the shift to a new employer or new work as referred to in paragraph 1 of this article. [第 59 條 外國人受聘僱從事第四十六條第一項第八款至第十一款規定之工作，有下列情事之一者，經中央主管機關核准，得轉換雇主或工作：一、雇主或被看護者死亡或移民者。二、船舶被扣押、沈沒或修繕而無法繼續作業者。三、雇主關廠、歇業或不依勞動契約給付工作報酬經終止勞動契約者。四、其他不可歸責於受聘僱外國人之事由者。前項轉換雇主或工作之程序，由中央主管機關另定之。]”.

Sources: 就業服務法 [Employment Service Act]. 2016.

Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?

Answer: No

Code: No

Explanation: Unless otherwise authorized by the Central Competent Authority on account of the respective circumstances as referred to in Paragraph 1 of Article 59, a foreign worker who has been employed to engage in work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may not shift to a new employer or new work.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 51.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?

Answer: No

Code: 0

Explanation: In general, the domestic workers are prohibited from changing work or employer, unless in certain restrictive circumstances. “Article 53 Should an employed foreign worker have to transfer to a new employer or be employed for two or more employers within the duration of the employment permit, the new employer(s) shall apply for permit therefore; in case of transfer to a new employer, the new employer shall submit upon such application the relevant document(s) certifying the termination of the previous employment. The requirement as referred to in paragraph 1 of this article is exempted in the case where the foreign workers as referred to in Subparagraphs 1, 3 and 4 of Paragraph 1 of Article 51 have obtained the permit from the Central Competent Authority. Where a foreign worker who has been employed to engage in work as referred to in Subparagraphs 1 to 7 of Paragraph 1 of Article 46 shifts to a new employer or new work, he/she is prohibited from engaging in work as referred to in subparagraphs 8 to 11 the of same paragraph of same article for his/her new employer or as his/her new work. Unless otherwise authorized by the Central Competent Authority on account of the respective circumstances as referred to in Paragraph 1 of Article 59, a foreign worker who has been employed to engage in work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may not shift to a new employer or new work. [第 53 條 雇主聘僱之外國人於聘僱許可有效期間內，如需轉換雇主或受聘僱於二以上之雇主者，應由新雇主申請許可。申請轉換雇主時，新雇主應檢附受聘僱外國人之離職證明文件。第五十一條第一項第一款、第三款及第四款規定之外國人已取得中央主管機關許可者，不適用前項之規定。受聘僱從事第四十六條第一項第一款至第七款規定工作之外國人轉換雇主或工作者，不得從事同條項第八款至第十一款規定之工作。受聘僱從事第四十六條第一項第八款至第十一款規定工作之外國人，不得轉換雇主或工作。但有第五十九條第一項各款規定之情事，經中央主管機關核准者，不在此限。]” “Article 59 When one of the following circumstances has arisen or existed, the foreign worker employed to work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may shift to work for a new employer or to engage in new work upon the authorization of the central competent authority: 1.His/her original employer or the one who was intended to be taken care of by the employed foreign worker has deceased or emigrated; 2.The vessel he/she works on has been seized, has sunk, or has been under repair so as to compel the discontinuation of the work; 3.The discontinuation of the work caused in the fact that his/her original employer has wind up the factory, suspended the business, or failed to pay the wage/salary pursuant to the employment contract resulting in the termination thereof; 4.Other than the above, similar circumstances not attributable to the employed foreign worker. The Central Competent Authority shall promulgate the procedures governing the shift to a new employer or new work as referred to in paragraph 1 of this article. [第 59 條 外國人受聘僱從事第四十六條第一項第八款至第十一款規定之工作，有下列情事之一者，經中央主管機關核准，得轉換雇主或工作：一、雇主或被看護者死亡或移民者。二、船舶被扣押、沈沒或修繕而無法繼續作業者。三、雇主關廠、歇業或不依勞動契約給付工作報酬經終止勞動契約者。四、其他不可歸責於受聘僱外國人之事由者。前項轉換雇主或工作之程序，由中央主管機關另定之。]”

Sources: 就業服務法 [Employment Service Act]. 2016. Arts. 53 and 59.

IMMIGRATION_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?

Answer: No

Code: 0

Explanation: It depends on who is responsible for the loss of employment. In circumstances of job loss not attributable to the employed foreign worker, it's legally protected that foreign worker may shift to work for a new employer (regulated by Article 59). But if the migrant worker is responsible for the loss

of job, his/ her employment shall be annulled (regulated by Article 73) and he/ she shall be immediately ordered to depart from ROC (Article 74). “Article 59 When one of the following circumstances has arisen or existed, the foreign worker employed to work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may shift to work for a new employer or to engage in new work upon the authorization of the central competent authority: 1.His/her original employer or the one who was intended to be taken care of by the employed foreign worker has deceased or emigrated; 2.The vessel he/she works on has been seized, has sunk, or has been under repair so as to compel the discontinuation of the work; 3.The discontinuation of the work caused in the fact that his/her original employer has wind up the factory, suspended the business, or failed to pay the wage/salary pursuant to the employment contract resulting in the termination thereof; 4.Other than the above, similar circumstances not attributable to the employed foreign worker. The Central Competent Authority shall promulgate the procedures governing the shift to a new employer or new work as referred to in paragraph 1 of this article. [第 59 條 外國人受聘僱從事第四十六條第一項第八款至第十一款規定之工作，有下列情事之一者，經中央主管機關核准，得轉換雇主或工作：一、雇主或被看護者死亡或移民者。二、船舶被扣押、沈沒或修繕而無法繼續作業者。三、雇主關廠、歇業或不依勞動契約給付工作報酬經終止勞動契約者。四、其他不可歸責於受聘僱外國人之事由者。前項轉換雇主或工作之程序，由中央主管機關另定之。]” “Article 73 Where any of the following circumstances has arisen or existed with respect to a foreign worker, the employment permit therefore shall be annulled: 1.The employed foreign worker has engaged in work for an employer who is not stated in the Permit; 2.The employed foreign worker has engaged, without being appointed by his/her employer, in work on his/her own initiative that is not within the sphere of the permit; 3.The employed foreign worker has been unjustifiably absent from his/her work and not in contact for three consecutive days or the employment has been terminated; 4.The employed foreign worker has refused to undergo health examinations, submitted fake health examination sample(s), or failed health examinations, or his/her mental and/or physical condition(s) are/is not qualified for the assigned work, or he/she has been infected with any of the contagious diseases that have been listed and announced by the central competent health authority; 5.The employed foreign worker has been in serious violation of the regulations promulgated pursuant to Paragraph 2 or 3 of Article 48 or Article 49; 6.Other than the above, the employed foreign worker has been in serious violation of applicable laws and regulations in the Republic of China; or 7.The employed foreign worker has refused to submit any information as required by applicable laws and regulations, or has submitted false information in violation of the applicable laws and regulations; Article 74 Unless otherwise provided for in the Act, upon the expiration of the duration of employment permit or the annulment of said permit in accordance with Article 73, the employed foreign worker concerned shall be immediately ordered to depart from the Republic of China and be barred from further engaging in work in the said territory. Where an employed foreign worker has been unjustifiably absent from his/her work and not in contact for three consecutive days, the competent authority(s) administering the entry/exit businesses may, prior to the annulment of employment permit therefore, immediately order him/her to depart from the Republic of China. [第 73 條 雇主聘僱之外國人，有下列情事之一者，廢止其聘僱許可：一、為申請許可以外之雇主工作。二、非依雇主指派即自行從事許可以外之工作。三、連續曠職三日失去聯繫或聘僱關係終止。四、拒絕接受健康檢查、提供不實檢體、檢查不合格、身心狀況無法勝任指派之工作或罹患經中央衛生主管機關指定之傳染病。五、違反依第四十八條第二項、第三項、第四十九條所發布之命令，情節重大。六、違反其他中華民國法令，情節重大。七、依規定應提供資料，拒絕提供或提供不實。第 74 條 聘僱許可期間屆滿或經依前條規定廢止聘僱許可之外國人，除本法另有規定者外，應即令其出國，不得再於中華民國境內工作。受聘僱之外國人有連續曠職三日失去聯繫情事者，於廢止聘僱許可前，入出國業務之主管機關得即令其出國。]”.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Unclear. There is a lack of regulations on the work conditions of workers, regardless of national or foreign, in domestic care industry; it is not explicitly covered by the Labor Standards Act, which has been a huge public controversy for years. "Is basic wage adjustment applicable to foreign workers? A: All labors that apply the Labor Standards Law, regardless of labor or foreign workers, apply the basic wage-related regulations. However, the current "family care workers" are not workers who apply the Labor Standards Act, and their wages are governed by the employment of both parties. [基本工資調整外籍勞工是否適用？ A：凡是適用勞動基準法之勞工，不分本勞、外勞，均一體適用基本工資相關規定。惟目前「家庭類看護工」並非適用勞動基準法之工作者，其工資依勞雇雙方之約定辦理。]

Sources: 中華民國勞動部 [Ministry of Labor]. 2015. / 外籍勞工相關疑義 [Foreign Labor Related Doubts].

IMMIGRATION_41. Is a minimum level of education required to apply to the domestic entry track?

Answer: No

Code: 1

Explanation: No such provision.

Sources: Not applicable

IMMIGRATION_42. Is a test of good health required for migrant domestic worker?

Answer: Yes

Code: 0

Explanation: Yes. "Article 5 Schedule for conducting health examination for Category 2 Aliens is as follows: 1. When applying for entry visa, submit health examination certificate issued within the recent three months by an authorized hospital; 2. Within three working days after entry, employers shall arrange for their employees to undergo health examination at a designated hospital; it may be extended for up to three working days if the health examination cannot be arranged in time for some reasons; 3. Within thirty days before or after the days of the 6, 18 and 30 months of work after entry, the employer shall arrange for a periodic health examination at a designated hospital. After the amendment of the Act takes effect on November 5, 2016, the preceding provision also applies within thirty days before or after the days of 6, 18 and 30 months of the employment permit effective date. No entry visa will be issued to individuals of Subparagraph 1 of the preceding Paragraph if they fail any items of the pre-entry health examination. For Category 2 Aliens who re-enter the territory of the Republic of China after a leave pursuant to Paragraph 5, Article 52 of the Act, the central competent health authority may announce the health examination schedule and items for such Aliens after re-entry in accordance with the nature of the occupation and the epidemic situation or the specific circumstance of the labor-exporting country, and employers shall arrange for their employees to undergo health examination at a designated hospital. [第 5 條 第二類外國人辦理健康檢查之時程如下：一、申請入國簽證時，應檢具認可醫院核發之三個月內健康檢查合格證明。二、入國後三個工作日內，雇主應安排其至指定醫院接受健康檢查；因故未能依限安排健康檢查者，得於延長三個工作日內補行辦理。三、入國工作滿六個月、十八個月及三十個月之日前後三十日內，雇主應安排其至指定醫院接受定期健康檢查；本法中華民國一百零五年十一月五日修正生效後，自聘僱許可生效日起，滿六個月、十八個月及三十個月之日前後三十日內者，亦同。前項第一款入國前健康檢查有任一項目不合格者，不予

辦理入國簽證。第二類外國人依本法第五十二條第五項規定請假返國者，中央衛生主管機關得依工作性質及勞動輸出國疫情或其他特性，公告其再入國後之健康檢查時程及項目，並由雇主安排其至指定醫院辦理。】”。

Sources: 受聘僱外國人健康檢查管理辦法 [Regulations Governing Management of the Health Examination of Employed Aliens]. 2017. Art. 5 and 52.

4.8.2. Agricultural workers

Is there a visa scheme (entry track) for agricultural workers?

Answer: Yes

Code: 1

Explanation: In the ROC case, agricultural workers can refer to immigrants working in oceanic fishery and slaughter. Resident visa [居留簽證] needs to be applied for the entry. Agricultural workers belong to the category of “foreign labor” [外勞] which is understood as low-skilled workers. “At present, work that is open for foreign workers to come to Taiwan are: family nursing job and household service, institutional care work, manufacturing work, construction work, marine fishing work and slaughtering work”.

Sources: Ministry of the Interior National Immigration Agency Republic of China (Taiwan). 2014. “如何申請辦理或展延（外勞）居留證 [How to Apply for Processing or Extension of (Foreign Workers) Residence Permit]”. Access date not available. <https://www.immigration.gov.tw/ct.asp?xItem=1089254&ctNode=30066&mp=1>. / Workforce Development Agency, Ministry of Labor. “Work Qualifications and Rules for Foreign Workers”. Access date not available. <https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

IMMIGRATION_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No, while a previous job offer and contract are needed, there is no need for sponsorship per se. To enter the country as a legal domestic worker, a labor contract [勞動契約] and a Recruitment permit [招募許可函] issued by Ministry of Labor are needed. It needs to be noticed that foreign labor [外勞] visa application has a special procedural track than the regular visa application. (<https://visawebapp.boca.gov.tw/>).

Sources: Republic of China Missions and Embassies Abroad. “外籍勞工簽證申請 [Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

IMMIGRATION_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?

Answer: Yes, required

Code: 0.25

Explanation: A concrete job offer is required. To enter the country as a legal agricultural worker, a labor contract [勞動契約] and a Recruitment permit [招募許可函] issued by Ministry of Labor are needed. It needs to be noticed that foreign labor [外勞] visa application has a special procedural track than the regular visa application. (<https://visawebapp.boca.gov.tw/>).

Sources: Republic of China Missions and Embassies Abroad. 外籍勞工簽證申請 “[Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

IMMIGRATION_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: Yes

Code: 0.5

Explanation: Yes. “Article 46 Unless otherwise provided in the Act, the work that a foreign worker may be employed to engage in within the Republic of China is limited to the following: 1. Specialized or technical work. 2. Director/manager/executive of a business invested in or set up by overseas Chinese or foreigner(s) with the authorization of the Government of the Republic of China. 3. Teacher at the following schools: (1) Teacher at a public or registered private college/university or school established especially for foreign residents. (2) Approved teacher teaching course(s) on foreign language(s) at a public or registered private primary or high school. (3) Teacher teaching course(s) at a public or registered private experimental high school's bilingual department or at bilingual school(s) . 4. Full-time teacher teaching course(s) on foreign language(s) at a short-term class registered for supplementary schooling in accordance with the Supplementary Education Act. 5. Sports coach and athlete. 6. Religious, artistic, and show business work. 7. Crew member of a merchant vessel, working vessel, and vessel ad hoc permitted by the Ministry of Transportation and Communication. 8. Marine fishing/netting work. 9. Household assistant and nursing work. [...] Article 47 With respect to the employment of foreign worker(s) to engage in work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46, employer shall first make domestic recruitment with reasonable labor terms; only when such domestic recruitment cannot acquire enough employee(s) to satisfy the needs of his/her business employer may apply for permit to recruit foreign person(s) with a view to filling up such insufficiency. Furthermore, when conducting recruitment of foreign worker(s) under such circumstances, employer shall notify the labor union or labors of the business entity of the full and entire content concerning such recruitment and shall publicly announce the same in the workplace designated for such foreign worker(s) to engage in work. When conducting the domestic recruitment in accordance with paragraph 1 of this article, employer, unless otherwise justified, may not refuse to employ job applicant(s) as referred by public employment services institution(s)“.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 46.

IMMIGRATION_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No public announced restrictions on nationalities.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 46.

IMMIGRATION_47: Restrictions based on age.

Are age limits for migrant agricultural workers in order to be admitted to the country?

Answer: Yes

Code: 0.5

Explanation: Yes. Applicant must be at least 18 years old. "Foreign workers' visa applicants who are hired to work as family helpers, institutional care workers and family care workers: Their ages must be over 20 years; any other workers hired to engage in manufacturing, construction and marine fishing must be at least 18 years of age. [外勞居留簽證申請人，受聘僱從事家庭幫傭、機構看護及家庭看護工作者，其年齡需滿 20 歲以上；受聘僱從事製造、營造及海洋漁撈等其他工作者，則需年滿 18 歲。]".

Sources: Republic of China Missions and Embassies Abroad. "外籍勞工簽證申請 [Foreign Worker Visa Application]". Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

Which minimum age?

Answer: Between 17 and 18 years

Code: 2

Explanation: Not applicable

Sources: Republic of China Missions and Embassies Abroad. "外籍勞工簽證申請 [Foreign Worker Visa Application]". Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>.

IMMIGRATION_48. Is having a certain gender a requisite to be admitted to the country under this entry track?

Answer: No

Code: 1

Explanation: No, a certain gender is not a requisite

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?

Answer: No

Code: 1

Explanation: No, having a certain marital status is not a requisite.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_50. Do migrant agricultural workers need to prove the ability to support themselves?

Answer: Yes

Code: 0.5

Explanation: For (low-skilled) foreign workers, it is required to “Sign the affidavit of working expenses and wages affidavit and labor contract before the foreigner enters the country : the affidavit shall clearly state the cost items and amount that foreign workers should bear after working in the country, and such document shall be verified by the country of origin after being signed and confirmed by the employer and brokers on both sides for future investigation and reference. In the meantime, a labor contract shall be signed in order to stipulate the rights and obligations such as wages and working hours, and if the labor contract is changed in the future, it shall not be in contrast to the wage affidavit and shall not be unfavorable to foreign laborers”.

Sources: Workforce Development Agency, Ministry of Labor. “Management of Foreign Workers”. Access date not available.
<https://www.wda.gov.tw/en/News.aspx?n=608F56E26D137607&sms=71A16EC08E376DF7>.

IMMIGRATION_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: Irrelevant during the application. The ability to speak Chinese is not a requirement for visa application when it comes to foreign workers.

Sources: Workforce Development Agency, Ministry of Labor. “Management of Foreign Workers”. Access date not available.
<https://www.wda.gov.tw/en/News.aspx?n=608F56E26D137607&sms=71A16EC08E376DF7>.

IMMIGRATION_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 66

Code: 66

Explanation: Yes. The fee for the Resident Visa is 66 USD. The Employment Security Fee is omitted as it is not an administrative fee, but functions more like a levy.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "Standard Fees for Republic of China (Taiwan) Visas in Foreign Passports". Access date not available. <https://www.boca.gov.tw/cp-76-32-4a369-1.html>.

IMMIGRATION_53. How long is the work permit valid for? Indicate the period in months.

Answer: 36

Code: 36

Explanation: 3 years. "Article 52 [...] Where a foreign worker is employed to engage in work as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46, the duration of the permit therefore shall not exceed three years. [第 52 條 [...]聘僱外國人從事第四十六條第一項第八款至第十款規定之工作，許可期間最長為三年。]"

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 52.

IMMIGRATION_54. Is it possible to renew the work permit granted under the agricultural worker entry track?

Answer: No

Code: 0

Explanation: It's generally not possible to renew the existing work permit for low-skilled workers. The duration of the permit, initially, shall not exceed three years. In exceptional cases such as a "major construction" (which does not really apply to agricultural workers), the work permit can be extended to up to 6 months.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_55: Possibility of changing jobs.

Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?

Answer: No

Code: 0

Explanation: No. In general, the agricultural workers are prohibited from changing work or employer, unless in certain restrictive circumstances.

Sources: 就業服務法 [Employment Service Act]. 2016.

Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?

Answer: No

Code: 0

Explanation: No. In general, the agricultural workers are prohibited from changing work or employer, unless in certain restrictive circumstances.

Sources: 就業服務法 [Employment Service Act]. 2016.

Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?

Answer: No

Code: 0

Explanation: In general, the agricultural workers are prohibited from changing work or employer, unless in certain restrictive circumstances.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?

Answer: No

Code: 0

Explanation: It depends on who is responsible for the loss of employment. In circumstances of job loss not attributable to the employed foreign worker, it's legally protected that foreign worker may shift to work for a new employer (regulated by Article 59). But if the migrant worker is responsible for the loss of job, his/ her employment shall be annulled (regulated by Article 73) and he/ she shall be immediately ordered to depart from ROC (Article 74).

Sources: 就業服務法 [Employment Service Act]. 2016. Arts. 59, 73 and 74.

IMMIGRATION_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Yes. "Every foreign worker in Taiwan, therefore, is under the protection of pertinent laws. These include the Labor Standards Law (LSL) that offers nondiscrimination and legitimate protection in minimum wages, working hours and working conditions as well as benefits regulated under the Labor Insurance Regulations and the Employee Benefit Regulations. [外籍勞工在臺工作，當受我國勞工相關法令保障。如為受僱於適用勞動基準法之行業，享有基本工資、工時等勞動條件之保障；另有關勞工保險條例、職工福利金條例等法令，亦不因其為外國人而受歧視。]".

Sources: Ministry of Labor. 2018. Report on Protection of the Rights for Foreign Workers in Taiwan.

IMMIGRATION_58. Is a minimum level of education required to apply to the agricultural worker entry track?

Answer: No

Code: 1

Explanation: No such provision.

Sources: Workforce Development Agency, Ministry of Labor. "Management of Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/News.aspx?n=608F56E26D137607&sms=71A16EC08E376DF7>.

IMMIGRATION_59. Is a test of good health required for migrant agricultural workers?

Answer: Yes

Code: 0

Explanation: Yes. "Article 5 Schedule for conducting health examination for Category 2 Aliens is as follows: 1. When applying for entry visa, submit health examination certificate issued within the recent three months by an authorized hospital; 2. Within three working days after entry, employers shall arrange for their employees to undergo health examination at a designated hospital; it may be extended for up to three working days if the health examination cannot be arranged in time for some reasons; 3. Within thirty days before or after the days of the 6, 18 and 30 months of work after entry, the employer shall arrange for a periodic health examination at a designated hospital. After the amendment of the Act takes effect on November 5, 2016, the preceding provision also applies within thirty days before or after the days of 6, 18 and 30 months of the employment permit effective date. No entry visa will be issued to individuals of Subparagraph 1 of the preceding Paragraph if they fail any items of the pre-entry health examination. For Category 2 Aliens who re-enter the territory of the Republic of China after a leave pursuant to Paragraph 5, Article 52 of the Act, the central competent health authority may announce the health examination schedule and items for such Aliens after re-entry in accordance with the nature of the occupation and the epidemic situation or the specific circumstance of the labor-exporting country, and employers shall arrange for their employees to undergo health examination at a designated hospital. [第 5 條 第二類外國人辦理健康檢查之時程如下：一、申請入國簽證時，應檢具認可醫院核發之三個月內健康檢查合格證明。二、入國後三個工作日內，雇主應安排其至指定醫院接受健康檢查；因故未能依限安排健康檢查者，得於延長三個工作日內補行辦理。三、入國工作滿六個月、十八個月及三十個月之日前後三十日內，雇主應安排其至指定醫院接受定期健康檢查；本法中華民國一百零五年十一月五日修正生效後，自聘僱許可生效日起，滿六個月、十八個月及三十個月之日前後三十日內者，亦同。前項第一款入國前健康檢查有任一項目不合格者，不予辦理入國簽證。第二類外國人依本法第五十二條第五項規定請假返國者，中央衛生主管機關得依工作性質及勞動輸出國疫情或其他特性，公告其再入國後之健康檢查時程及項目，並由雇主安排其至指定醫院辦理。]".

Sources: 受聘僱外國人健康檢查管理辦法 [Regulations Governing Management of the Health Examination of Employed Aliens]. 2017. Art. 5 and 52.

4.8.3. Medical doctors

Is there a visa scheme (entry track) for medical doctors?

Answer: Yes

Code: 1

Explanation: Medical doctors belong to the category of “foreign talents/professionals” [外國人才] which is understood as high-skilled workers. There are two different tracks that a medical doctor (or a qualified foreign talent) can enter the country: 1) usually, a resident visa for employment/white collar workers [應聘居留簽證] needs to be applied for the entry when one already has a valid contract with a domestic employer; 2) an employment-seeking visa can be applied for the entry when one does not yet have a valid contract but wants to find a (high-skill) job in Taiwan. “The approved works that foreign professionals can apply for include 7 categories such as: A. Specialized or Technical Works (A08.Health care)” (Workforce Development Agency) “Before the foreign talents come to work in Taiwan, they should apply for a job permit, entrance visa and a residence permit after entry. Matters relating to foreigners working in Taiwan will be treated in accordance with the principle of national treatment, under the protection of our nation’s labor laws. Any industry applied by employer in accordance with the labor standards is also applicable. [外國人才來臺工作前，應依序申請取得應聘工作許可、入國簽證，及入境我國後，辦理居留許可。外國人才在臺工作等其餘事項，均以國民待遇原則對待，同受我國勞動法令保障。倘雇主為公告適用勞動基準法的行業，亦一體適用。]” (Foreign talents management, 2017) “Applicants who enter the R.O.C. (Taiwan) on a non-extendable Visitor Visa for the purposes of employment, investment, business or tourism may apply for a Resident Visa 7 work days before the duration of stay expires. The applicants may apply, without having to leave Taiwan, to the Bureau of Consular Affairs or any of its Central, Southwestern, Southern, or Eastern Taiwan Offices [申請人如已持不可延期之應聘、投資、商務、尋職及觀光等事由停留簽證入境者，得於停留期限屆滿前七個工作天前，向本局或本部中、南、東部、雲嘉南辦事處提出申請，無須離境。]” (Resident Visas for White Collar Workers, 2017).

Sources: Workforce Development Agency, Ministry of Labor. “外國人才工作管理 [Foreign Talents Management]”. Access date not available. <https://www.wda.gov.tw/cp.aspx?n=7DF35490B9267167>. / Workforce Development Agency, Ministry of Labor. “Foreign Professionals to Work in Taiwan”. Access date not available. <https://ezworktaiwan.wda.gov.tw/ezworken/home.jsp?pageno=201508070001>. / Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). “Resident Visas for White Collar Workers”. Access date not available. <https://www.boca.gov.tw/cp-166-276-48430-2.html>.

IMMIGRATION_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No, while a previous job offer and contract are needed, there is no need for sponsorship per se. “Domestic employers should first apply for a work permit to the competent authority when a foreign national is applying to work in Taiwan. [外籍人士申請來台工作，國內雇主應先向主管機關申請工作許可。]”.

Sources: Ministry of Labor. 2017. 外籍人士申請應聘居留簽證手續說明 [Foreign Talents Applying for Visas for Employment].

IMMIGRATION_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?

Answer: Yes, beneficial

Code: 0.5

Explanation: Not always necessary. When the medical doctor already has a job offer before coming to Taiwan, he/ she can apply for the resident visa for employment/white collar workers for which evidence of a valid job offer is required. But it's also possible for a medical doctor without a job offer to apply for the Visitor visa for Employment-Seeking Purpose first which allows one to stay in Taiwan for 6 months before one finds a job. But in order to apply for the Employment-Seeking Visa, one must submit proof of meeting one of the following conditions: "Employment experience, with an average monthly salary or remuneration over the past six months that is not lower than the amount ,NT\$47,971 Graduated within the past year from any of the world's top 500 universities as listed by the ROC Ministry of Education, and not yet employed Deemed otherwise eligible by the Ministry of Foreign Affairs following consultations with the central competent authority." (Visitor visa for Employment-Seeking Purpose, 2018).

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "Resident Visas for White Collar Workers". Access date not available. <https://www.boca.gov.tw/cp-166-276-48430-2.html>. / Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan).. "Visitor visa for Employment-Seeking Purpose". Access date not available. <https://www.boca.gov.tw/cp-158-4158-09d5a-2.html>.

IMMIGRATION_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?

Answer: No

Code: 1

Explanation: Medical doctors belong to the category of "Specialized or technical work" (Workforce Development Agency). For this category of high-skill workers, a national labor market test is not required by the Employment Service Act.

Sources: Workforce Development Agency, Ministry of Labor. "Foreign Professionals to Work in Taiwan". Access date not available. <https://ezworktaiwan.wda.gov.tw/ezworken/home.jsp?pageno=201508070001>. / 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No publicly announced restrictions on nationalities.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_64: Restrictions based on age.

Are there age limits for migrant medical doctors to be admitted to the country?

Answer: No

Code: 1

Explanation: No explicit age limits.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "Resident Visas for White Collar Workers". Access date not available. <https://www.boca.gov.tw/cp-166-276-48430-2.html>. / Bureau of Consular Affairs of Republic of China Ministry of Foreign Affairs. "Visitor visa for Employment-Seeking Purpose". Access date not available. <https://www.boca.gov.tw/cp-158-4158-09d5a-2.html>.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_65. Is having a certain gender a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No, a certain gender is not a requisite.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No, having a certain marital status is not a requisite.

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_67. Do migrant medical doctors need to prove the ability to support themselves?

Answer: Yes

Code: 0.5

Explanation: "A foreigner to be employed to engage in healthcare in a medical institution to shall qualify for one of the following [...] the monthly amount of average salary for employed foreigners referred to in the preceding paragraph, if no additional regulations, shall be no less than NT \$47,971."

Sources: Workforce Development Agency, Ministry of Labor. "A08.Health Care". Access date not available. <https://ezworktaiwan.wda.gov.tw/ezworken/home.jsp?pageno=201508100008>.

IMMIGRATION_68. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?

Answer: Neither beneficial, nor required

Code: 1

Explanation: Irrelevant during the application. The ability to speak Chinese is not a requirement for visa application when it comes to foreigners to be employed to engage in healthcare in a medical institution.

Sources: Workforce Development Agency, Ministry of Labor. "A08.Health Care". Access date not available. <https://ezworktaiwan.wda.gov.tw/ezworken/home.jsp?pageno=201508100008>.

IMMIGRATION_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 66

Code: 66

Explanation: The fee for the Resident Visa is 66 USD. The Employment Security Fee is omitted as it is not an administrative fee, but functions more like a levy.

Sources: Bureau of Consular Affairs, Ministry of Foreign Affairs, Republic of China (Taiwan). "Standard Fees for Republic of China (Taiwan) Visas in Foreign Passports". Access date not available. <https://www.boca.gov.tw/cp-76-32-4a369-1.html>.

IMMIGRATION_70. How long is the medical doctor work permit valid for? Indicate the period in months.

Answer: 36

Code: 36

Explanation: 3 years. "Article 52 Where a foreign worker is employed to engage in work as referred to in Subparagraphs 1 to 7 and Subparagraph 11 of Paragraph 1 of Article 46, the duration of the permit therefore shall not exceed three years [第 52 條 聘僱外國人從事第四十六條第一項第一款至第七款及第十一款規定之工作，許可期間最長為三年。]

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 52.

IMMIGRATION_71. Is it possible to renew the work permit granted under the medical doctor entry track?

Answer: Yes

Code: 1

Explanation: The work permit is renewable in Taiwan. "Article 52 Where a foreign worker is employed to engage in work as referred to in Subparagraphs 1 to 7 and Subparagraph 11 of Paragraph 1 of Article 46, the duration of the permit therefore shall not exceed three years; upon the expiration of which the employer may apply for extension thereof pursuant to his/her business needs. [第 52 條 聘僱外國人從事第四十六條第一項第一款至第七款及第十一款規定之工作，許可期間最長為三年，期滿有繼續聘僱之需要者，雇主得申請展延。]"

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 52.

IMMIGRATION_72: Possibility of changing jobs.

Is it possible for a migrant medical doctor to switch employers?

Answer: Yes

Code: 1

Explanation: A medical doctor can transfer to a new employer or find a new job in the similar field but not in the sector of low-skilled works. "Article 53 Should an employed foreign worker have to transfer to a new employer or be employed for two or more employers within the duration of the employment permit, the new employer(s) shall apply for permit therefore; in case of transfer to a new employer, the new employer shall submit upon such application the relevant document(s) certifying the termination of the previous employment. The requirement as referred to in paragraph 1 of this article is exempted in the case where the foreign workers as referred to in Subparagraphs 1, 3 and 4 of Paragraph 1 of Article 51 have obtained the permit from the Central Competent Authority. Where a foreign worker who has been employed to engage in work as referred to in Subparagraphs 1 to 7 of Paragraph 1 of Article 46 shifts to a new employer or new work, he/she is prohibited from engaging in work as referred to in subparagraphs 8 to 11 the of same paragraph of same article for his/her new employer or as his/her new work. Unless otherwise authorized by the Central Competent Authority on account of the respective circumstances as referred to in Paragraph 1 of Article 59, a foreign worker who has been employed to engage in work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may not shift to a new employer or new work. [第 53 條 雇主聘僱之外國人於聘僱許可有效期間內，如需轉換雇主或受聘僱於二以上之雇主者，應由新雇主申請許可。申請轉換雇主時，新雇主應檢附受聘僱外國人之離職證明文件。第五十一條第一項第一款、第三款及第四款規定之外國人已取得中央主管機關許可者，不適用前項之規定。受聘僱從事第四十六條第一項第一款至第七款規定工作之外國人轉換雇主或工作者，不得從事同條項第八款至第十一款規定之工作。受聘僱從事第四十六條第一項第八款至第十一款規定工作之外國人，不得轉換雇主或工作。但有第五十九條第一項各款規定之情事，經中央主管機關核准者，不在此限。]"

Sources: 就業服務法 [Employment Service Act]. 2016. Arts. 51 and 53.

Is it possible for a migrant medical doctor to switch professional sectors?

Answer: No

Code: 0

Explanation: Not to any sector; they may not change to low-paid/-skilled sectors.

Sources: 就業服務法 [Employment Service Act]. 2016.

Is it possible for a migrant medical doctor to switch locations?

Answer: Yes

Code: 1

Explanation: A medical doctor can transfer to a new employer or find a new job in the similar field but not in the sector of low-skilled work. "Article 53 Should an employed foreign worker have to transfer to a new employer or be employed for two or more employers within the duration of the employment permit, the new employer(s) shall apply for permit therefore; in case of transfer to a new employer, the new employer shall submit upon such application the relevant document(s) certifying the termination of the previous employment. The requirement as referred to in paragraph 1 of this article is exempted in the case where the foreign workers as referred to in Subparagraphs 1, 3 and 4 of Paragraph 1 of Article 51 have obtained the permit from the Central Competent Authority. Where a foreign worker who has been employed to engage in work as referred to in Subparagraphs 1 to 7 of Paragraph 1 of Article 46 shifts to a new employer or new work, he/she is prohibited from engaging in work as referred to in subparagraphs 8 to 11 the of same paragraph of same article for his/her new employer or as his/her new work. Unless otherwise authorized by the Central Competent Authority on account of the respective circumstances as referred to in Paragraph 1 of Article 59, a foreign worker who has been employed to engage in work as referred to in Subparagraphs 8 to 11 of Paragraph 1 of Article 46 may not shift to a new employer or new work. [第 53 條 雇主聘僱之外國人於聘僱許可有效期間內，如需轉換雇主或受聘僱於二以上之雇主者，應由新雇主申請許可。申請轉換雇主時，新雇主應檢附受聘僱外國人之離職證明文件。第五十一條第一項第一款、第三款及第四款規定之外國人已取得中央主管機關許可者，不適用前項之規定。受聘僱從事第四十六條第一項第一款至第七款規定工作之外國人轉換雇主或工作者，不得從事同條項第八款至第十一款規定之工作。受聘僱從事第四十六條第一項第八款至第十一款規定工作之外國人，不得轉換雇主或工作。但有第五十九條第一項各款規定之情事，經中央主管機關核准者，不在此限]".

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?

Answer: No

Code: 0

Explanation: No, it depends on who was responsible for the loss of employment. Only if the migrant worker is responsible for the loss of job, his/ her employment shall be annulled (regulated by Article 73) and he/ she shall be immediately ordered to depart from ROC (Article 74).

Sources: 就業服務法 [Employment Service Act]. 2016. Arts. 73 and 74.

IMMIGRATION_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Yes. "The rest of the matters, such as the work of foreign talents in Taiwan, are treated on the principle of national treatment and are guaranteed by ROC's labor laws.[外國人才在臺工作等其餘事項，均以國民待遇原則對待，同受我國勞動法令保障。]"

Sources: Workforce Development Agency, Ministry of Labor. "外國人才工作管理 [Foreign Talents Management]". Access date not available. <https://www.wda.gov.tw/cp.aspx?n=7DF35490B9267167>.

IMMIGRATION_75. Is a minimum level of education required to apply to the medical doctor entry track?

Answer: Yes

Code: 0

Explanation: Yes. A Master degree or above is a desired qualification, but it is not a requirement (other qualifications are mentioned as criteria as well). "Article 5 Other than meeting with other criteria specified in the Standards, foreign employees have to acquire one of the following qualifications before undertaking the jobs/assignments specified here above: 1. Acquire certificates or operation qualifications through the procedures specified in the Examinations of Specific Profession and Technician Guidelines. 2. Acquire credentials of Master degree or above from universities in the ROC or in foreign countries or acquire Bachelor degree and with more than two years working experiences in the specific field. 3. Expatriates to the ROC that have been employed in multi-national companies for more than one year. 4. Specialists who have been trained professionally or self-taught in the specific field and have more than five years experiences in related skills and have demonstrated outstanding performances. [第 5 條 外國人受聘僱從事前條工作，除符合本標準其他規定外，仍應符合下列資格之一：一、依專門職業及技術人員考試法規定取得證書或執業資格者。二、取得國內外大學相關系所之碩士以上學位者，或取得相關系所之學士學位而有二年以上相關工作經驗者。三、服務跨國企業滿一年以上經指派來我國任職者。四、經專業訓練，或自力學習，有五年以上相關經驗，而有創見及特殊表現者。]"

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRATION_76. Is a test of good health required for migrant medical doctors?

Answer: No

Code: 0

Explanation: No. Medical doctors, as foreign professionals, don't need health test before entering ROC. "At present, only full-time teachers teaching course(s) on foreign language(s) at a short-term class registered for supplementary schooling are required to attach health examination certificates.[現行只有補習班教師聘僱外籍語文教師須檢附健康檢查證明。]"

Sources: Workforce Development Agency, Ministry of Labor. 聘僱哪些外國專業人員，需檢附健康檢查證明·其如何規定？ [Which Foreign Professionals need to Attach a Health Check Certificate, and how is it Prescribed?]. Access date not available. URL not Available.

4.9. Proxy: Refugees

4.9.1. Existence of track

IMMIGRATION_77. Does the country grant refugee status?

Answer: No

Code: 0

Explanation: No. Taiwan only allows for temporary stay for asylum seekers while they await resettlement. There is no Refugee Law or Asylum Law in ROC. In 2015, a draft of Refugee Law was proposed, but it has not been passed by the Legislative Yuan. In 2018, Chinese human rights activist Huang Yan [黃燕], who has been granted political refugee status by the UN, fled to Taiwan seeking asylum “Huang has been granted three-month stay in Taiwan, after which she will have to move elsewhere. The decision to allow her to temporarily stay was made by the Ministry of Foreign Affairs, Mainland Affairs Council, and the National Immigration Agency.” (Hioe, 2018).

Sources: Brian Hioe. “Taiwan Should Open its Doors to Refugees, Chinese or Otherwise”. Access date not available. <https://newbloommag.net/2018/06/08/taiwan-refugee-law/>.

IMMIGRATION_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_79: Safe countries of origin.

Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many countries?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.2. Restrictions

IMMIGRATION_80: Refugee status restricted for certain nationalities.

Is refugee status restricted to certain nationalities?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Which nationalities?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_81: Restrictions based on age.

Are there age limits for potential refugees to be admitted to the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Below which age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_82. Is having a certain gender a requisite to be granted refugee status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_83. Is having a certain marital status a requisite to be granted refugee status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.3. Place of application

IMMIGRATION_84: Place of application

Can asylum seekers file an application for asylum from outside the destination polity's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can asylum seekers file an application for asylum at the border/ports of entry of polity's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can asylum seekers file an application for asylum on the destination polity's 's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.4. Permit validity

IMMIGRATION_85. How long is the initial residence permit for recognized refugees valid for?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_86: Permit renewal.

Is it possible to renew a temporary residence permit?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible to apply for a permanent resident permit for recognized refugees?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.5. Maximum timeframe for application resolution

IMMIGRATION_88: Timeframe for resolution.

Is there a maximum of days to process the application of asylum seekers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

What is the maximum of days?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.6. Possibility to change migratory status

IMMIGRATION_89. If an application on refugee status is rejected, does the applicant have the right to appeal?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_90. Is it possible for recognized refugees to change their migratory status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.7. Detention

IMMIGRATION_91: Detention

Are asylum seekers detained while their claims are being processed?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are asylum seekers detained after their claims are processed?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.8. Status after rejection

IMMIGRATION_92. What is the status of asylum seekers whose applications are rejected?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_93. Do asylum seekers have the possibility to work during the process of application?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.9. Translation and interpretation

IMMIGRATION_94. Does the state provide official translation or interpretation for the process of asylum seekers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10. Proxy: Co-ethnics

4.10.1. General

IMMIGRATION_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: No

Code: 0

Explanation: No. There is not a group of immigrants that has been granted easier access to immigration and citizenship in ROC. A potential candidate might be “Nationals without registered permanent residence in the Taiwan Area: Nationals who have the nationality of the State and are residing abroad currently, or nationals who have acquired or restored the nationality of the State but have never registered their permanent residence at any household registry in the Taiwan Area. [臺灣地區無戶籍國民：指未曾在臺灣地區設有戶籍之僑居外國國民及取得、回復我國國籍尚未在臺灣地區設有戶籍國民。]” (Immigration Act, 2015). It has also been officially translated as “Overseas Chinese having not established household registration in the Republic of China” (Conscription Regulations for Naturalized Aliens & Returning Overseas Chinese, 2002). This legal category exists mainly to solve the sovereignty conflict between RPC and ROC. But it doesn't really qualify as “co-ethnics” defined in this questionnaire because it denotes people who already possess ROC nationality in the first place rather than foreigners[外國人]. “Article 3 If a non-registered national applies for permission to enter the country and stays, the following documents should be attached to the National Immigration Agency: 1. the application form. 2. ROC passport or other documents certifying ROC nationality. 3. Certificate of residence in the area of residence. 4. Other relevant supporting documents. Non-registered nationals born in mainland China shall be accompanied by an institution established or designated by the Executive Yuan or a private organization entrusted to verify that they have not obtained a household registration in the mainland and obtained relevant passport from the mainland. [第 3 條 無戶籍國民申請許可入國及停留，應檢附下列文件，向入出國及移民署為之：一、申請書。二、我國護照或其他具有我國國籍之證明文件。三、僑居地或居住地居留證明。四、其他相關證明文件。無戶籍國民於大陸地區出生者，應另附經行政院設立或指定之機構或委託之民間團體驗證其未在大陸地區設有戶籍及領用大陸地區護照之相關證明文件。”

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 3. / 臺灣地區無戶籍國民申請入國居留定居許可辦法 [Regulations on Non-resident Nationals in Taiwan Area Who Apply for Entry and Residence Permit]. 2015. / 歸化我國國籍者及歸國 [Conscription Regulations for Naturalized Aliens & Returning Overseas Chinese]. 2002.

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: No

Code: 0

Explanation: No. There is not really a group of immigrants that has been granted easier access to immigration and citizenship in ROC. A potential candidate might be “Nationals without registered permanent residence in the Taiwan Area: Nationals who have the nationality of the State and are residing abroad currently, or nationals who have acquired or restored the nationality of the State but have never registered their permanent residence at any household registry in the Taiwan Area. [臺灣地區無戶籍國民：指未曾在臺灣地區設有戶籍之僑居外國國民及取得、回復我國國籍尚未在臺灣地區設有戶籍國民。]” (Immigration Act, 2015). It has also been officially translated as “Overseas Chinese having not established household registration in the Republic of China” (Conscription Regulations for Naturalized Aliens & Returning Overseas Chinese, 2002). This legal category exists mainly to solve the sovereignty conflict between RPC and ROC. But it doesn't really qualify as “co-ethnics” defined in this questionnaire because it denotes people who already possess ROC nationality in the first place rather than foreigners[外國人]. “Article 3 If a non-registered national applies for permission to enter the country and stays, the following documents should be attached to the National Immigration Agency: 1. the application form. 2. ROC passport or other documents certifying ROC nationality. 3. Certificate of residence in the area of residence. 4. Other relevant supporting documents. Non-registered nationals born in mainland China shall be accompanied by an institution established or designated by the Executive Yuan or a private organization entrusted to verify that they have not obtained a household registration in the mainland and obtained relevant passport from the mainland. [第 3 條 無戶籍國民申請許可入國及停留，應檢附下列文件，向入出國及移民署為之：一、申請書。二、我國護照或其他具有我國國籍之證明文件。三、僑居地或居住地居留證明。四、其他相關證明文件。無戶籍國民於大陸地區出生者，應另附經行政院設立或指定之機構或委託之民間團體驗證其未在大陸地區設有戶籍及領用大陸地區護照之相關證明文件。]”.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 3. / 臺灣地區無戶籍國民申請入國居留定居許可辦法 [Regulations on Non-resident Nationals in Taiwan Area Who Apply for Entry and Residence Permit]. 2015. / 歸化我國國籍者及歸國 [Conscription Regulations for Naturalized Aliens & Returning Overseas Chinese]. 2002.

IMMIGRATION_96. Register the name of the group(s).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.2. Reasons for co-ethnicity

IMMIGRATION_97.: Reasons for co-ethnicity.

Shared language:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared religion:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared ancestry:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Citizen of former colony:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

III treatment by country in the past:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Self-declaration: avowal to be of country's ethnicity:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Other:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_98. May converts apply?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.3. Language test

IMMIGRATION_100. What is the required level of language skills?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.4. Place of residence

IMMIGRATION_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.5. Place of application

IMMIGRATION_102.: Place of application.

Can applicants file an application from outside the territory of the host country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can applicants file an application on host country's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.6. Date of birth

IMMIGRATION_103. Do applicants need to be born before or after a certain date to be eligible?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.7. Permit validity

IMMIGRATION_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_105. Permit renewal.

Is it possible to renew a temporary residence permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible to apply for a permanent resident permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5. Immigrant policies

5.1. Permanent residence

5.1.1. Eligibility

IMMIGRANT_1: General existence of a permanent residence scheme.

Answer: Yes

Code: 1

Explanation: Article 25 of the Immigration Act establishes that: 'An alien, who has legally and continuously resided in the State for five (5) years and for more than one hundred and eighty-three (183) days each year, or the alien spouse and/or children of a national with registered permanent residence in the Taiwan Area who have legally resided in the State for ten (10) years, during which period they have actually resided in the State for more than one hundred and eighty-three (183) days each year for five (5) years, may apply to National Immigration Agency for permanent residence if they meet the following requirements. The foresaid periods shall not include the period of staying (residing) in the State by any of those aliens whose residence in the Taiwan Area is permitted due to studies or employment in the Taiwan Area as approved by the central authorities in charge of labor affairs or the field of their employment pursuant to Subparagraphs 8 to 10, Paragraph 1 of Article 46 of the Employment & Service Act. 1. Are at the age of twenty (20) or over. 2. Have a decent character. 3. Have considerable property, skills or talents that enable them to make a living on their own. 4. Are beneficial to the national interests of the State. Aliens who had legally resided in the State for twenty (20) years or up before May 31, 2002 during which period they had resided in the State over one hundred and eighty-three (183) days each year for ten (10) years, and have met the requirements as specified in Subparagraphs 1 to 3 and Subparagraph 5 of the preceding Paragraph can apply to National Immigration Agency for permanent residence. Aliens who have not satisfied the requirements as specified in the first Paragraph but have met one of the following conditions can also apply to National Immigration Agency for permanent residence: 1. Having made exceptional contributions to the State. 2. Are senior professional personnel as needed by the State. 3. Have participated in races, contests and assessments in the fields of culture, art, technology, sports and industry, which are acknowledged internationally and have won the first prizes. Aliens shall apply to National Immigration Agency for investment immigration in the State. After the Agency reviews and permits their applications and the aliens do invest, it shall consent to their permanent residence. Aliens who have the nationality of the State concurrently shall not apply for permanent residence. Where aliens apply for alien permanent residence and refuse to attend interviews without justifiable reasons after they were notified to attend them legally, National Immigration Agency shall not approve the applications. National Immigration Agency shall issue applicants Alien Resident Certificates after granting them the status of a permanent resident. The competent authority shall draw up and promulgate an annual quota of residence or permanent resident applied by aliens on the basis of different nations or districts after considering national interests and having the ratification of the Executive Yuan. However, an alien who invests, is employed to work, or study in the Taiwan Area, or is a spouse or a minor child of a national with registered permanent residence in the Taiwan Area and the spouse or the minor child seeks shelter and residence from the dependent relative shall be exempted from the limit of the quota. An application for permanent residence pursuant to Paragraph 1 or Paragraph 2 shall be made within two (2) years after the period of stay and residence expires'.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 25.

IMMIGRANT_2: Existence of a permanent residence scheme for different proxies.

Do asylum seekers have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have access to permanent residence?

Answer: No

Code: 0

Explanation: Not applicable

Sources: 入出國及移民法 [Immigration Act]. 2015.

Do agricultural workers have access to permanent residence?

Answer: No

Code: 0

Explanation: Not applicable

Sources: 入出國及移民法 [Immigration Act]. 2015.

Do medical doctors have access to permanent residence?

Answer: Yes

Code: 1

Explanation: According to the article 25 of ROC Immigration Act (2015), the period of residence in ROC as medical doctors can be calculated in the required length of habitual residence when applying for permanent residence.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 25.

IMMIGRANT_3: Required time of habitual residence.

How many months of habitual residence are required from asylum seekers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from refugees for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from co-ethnics for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from domestic workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from agricultural workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from medical doctors for accessing permanent residence?

Answer: 60

Code: 60

Explanation: 5 consecutive years and more than 183 days each year.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 25.

IMMIGRANT_4: Periods of absence allowed.

Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is

allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 6

Code: 6

Explanation: There is a habitual residence requirement of more than 183 days a year for 5 consecutive years.

Sources: 入出國及移民法 [Immigration Act]. 2015.

IMMIGRANT_5. Result of a regularization process.

The regularization process leads to:

Answer: No regularization process possible

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_6: Language test.

Is there a language requirement for asylum seekers to access permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for refugees to access permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for co-ethnics to access permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for domestic workers to access permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for co-ethnics to access permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for medical doctors to access permanent residence?

Answer: no requirement

Code: 1

Explanation: Not applicable

Sources: National Immigration Agency. "How does a foreigner apply for an APRC?". Access date not available. <https://www.immigration.gov.tw/5475>.

IMMIGRANT_7: Economic resources.

Is there an economic resources requirement for applying to permanent residence for asylum seekers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for refugees?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for domestic workers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for agricultural workers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for medical doctors?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Anyone applying for permanent residency under circumstances other than the ones states in the preceding subparagraph shall meet one of the following conditions; a. Having earned an average monthly income in Taiwan for the past one year that is twice as much as the Monthly Minimum Wage promulgated by the Council of Labor Affairs; b. Having movable or immovable property in Taiwan with a total estimated value of over NT\$5,000,000; c. Having a certificate issued by the ROC government certifying that its holder is a professional or technician or has passed a technical examination.

Sources: National Immigration Agency. "How does a foreigner apply for an APRC?". Access date not available. <https://www.immigration.gov.tw/5475>.

IMMIGRANT_8: Cost of application.

What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?

Answer: 10000

Code: 10000

Explanation: Not applicable

Sources: National Immigration Agency. "How does a foreigner apply for an APRC?". Access date not available. <https://www.immigration.gov.tw/5475>.

What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?

Answer: 323

Code: 323

Explanation: Not applicable

Sources: National Immigration Agency. "How does a foreigner apply for an APRC?". Access date not available. <https://www.immigration.gov.tw/5475>.

IMMIGRANT_9: Employer sponsorship.

Do asylum seekers have to be sponsored by an employer?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have to be sponsored by an employer?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have to be sponsored by an employer?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic have to be sponsored by an employer?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have to be sponsored by an employer?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: No need of sponsorship, but a medical doctor, in order to apply for permanent residence for the purpose of employment, needs certain document issued by his/her employer. According to the National Immigration Agency's website: "7. Other relevant documents needed may differ depending on the purpose of stay: [...] (2) Employment: a. Working permission from authorized government agency. b. Employment certificate issued within one month".

Sources: National Immigration Agency. "How does a foreigner apply for an APRC?". Access date not available. <https://www.immigration.gov.tw/5475>.

5.1.2. Security of status

IMMIGRANT_10: Maximum length of application procedure.

Maximum length of application procedure for asylum seekers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for asylum seekers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for medical doctors in months:

Answer: 0.5

Code: 0.5

Explanation: According to the National Immigration Agency's website, the processing time is of 14 days (excluding the time period needed for submitting additional document(s), interviews or verification by related authorities).

Sources: National Immigration Agency. "How does a foreigner apply for an APRC?". Access date not available. <https://www.immigration.gov.tw/5475>.

Maximum length of application procedure for medical doctors:

Answer: less than six months

Code: 1

Explanation: According to the National Immigration Agency's website, the processing time is of 14 days (excluding the time period needed for submitting additional document(s), interviews or verification by related authorities).

Sources: National Immigration Agency. "How does a foreigner apply for an APRC?". Access date not available. <https://www.immigration.gov.tw/5475>.

IMMIGRANT_11: Grounds for rejection.

Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:

Answer: no

Code: 0

Explanation: Article 33 of the Immigration Act establishes that: 'National Immigration Agency shall revoke or repeal a person's permanent residence permit and cancel his/her Alien Permanent Resident Certificate if the person meets one of the following circumstances: 1. Has submitted false or untruthful information for his/her application. 2. Has used illegally acquired, counterfeited or altered documents. 3. Has been sentenced to punishments of imprisonment for one (1) year or greater by a judicial authority, whereas a person who commits a crime due to his/her negligence is exempted. 4. Has not resided for one hundred and eighty-three (183) days for each year during his/her permanent residence in the State. The person shall be exempted if he/she has the approval of National Immigration Agency to study abroad, seek medical treatment, or for other special reasons. 5. Has restored the nationality

of the State. 6. Has acquired the nationality of the State. 7. Has had the nationality of the State concurrently. 8. Has been deported from the State’.

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 33.

IMMIGRANT_12: Legal guarantees.

Rejection of applications must be reasoned:

Answer: No

Code: 0

Explanation: Not applicable

Sources: 入出國及移民法 [Immigration Act]. 2015.

Rejected applicants have the right to appeal:

Answer: No

Code: 0

Explanation: Not applicable

Sources: 入出國及移民法 [Immigration Act]. 2015.

IMMIGRANT_13: Expulsion is precluded for victims of violence or crime.

Expulsion is precluded for immigrants of all categories who are victims of violence or crime:

Answer: No

Code: 0

Explanation: Not applicable

Sources: 入出國及移民法 [Immigration Act]. 2015.

5.2. Policies of representation

IMMIGRANT_14: Regulation of electoral rights.

Subnational electoral rights can be regulated at the subnational level:

Answer: No

Code: 0

Explanation: They are regulated at national level by Additional Articles of the Constitution of the Republic of China (2015) and the Civil Servants Election And Recall Act (2018). Article 4 of the Additional Articles of the Constitution of China establishes that: 'Beginning with the Seventh Legislative Yuan, the Legislative Yuan shall have 113 members, who shall serve a term of four years, which is renewable after re-election. The election of members of the Legislative Yuan shall be completed within three months prior to the expiration of each term, in accordance with the following provisions, the restrictions in Article 64 and Article 65 of the Constitution notwithstanding: (1) Seventy-three members shall be elected from the Special Municipalities, counties, and cities in the free area. At least one member shall be elected from each county and city. (2) Three members each shall be elected from among the lowland and highland aborigines in the free area. (3) A total of thirty-four members shall be elected from the nationwide constituency and among citizens residing abroad.' Moreover, article 9 establishes that: 'The system of self-government in the provinces and counties shall include the following provisions, which shall be established by the enactment of appropriate laws, the restrictions in Article 108, Paragraph 1, Subparagraph 1; Article 109; Article 112 through Article 115; and Article 122 of the Constitution notwithstanding: (1) A province shall have a provincial government of nine members, one of whom shall be the provincial governor. All members shall be nominated by the president of the Executive Yuan and appointed by the president of the Republic. (2) A province shall have a provincial advisory council made up of a number of members, who shall be nominated by the president of the Executive Yuan and appointed by the president of the Republic. (3) A county shall have a county council, members of which shall be elected by the people of the said county. (4) The legislative powers vested in a county shall be exercised by the county council of the said county. (5) A county shall have a county government headed by a county magistrate who shall be elected by the people of the said county. (6) The relationship between the central government and the provincial and county governments. (7) A province shall execute the orders of the Executive Yuan and supervise matters governed by the counties. The modifications of the functions, operations, and organization of the Taiwan Provincial Government may be specified by law'.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. / 中華民國憲法增修條文 [Additional Articles of the Constitution of the Republic of China]. 2005. Art. 4, 9, 109, 112-115 and 122.

5.2.1. Electoral rights

IMMIGRANT_15: Voting eligibility for non-citizens.

Does the country have presidential elections?

Answer: Yes

Code: 1

Does the country have a bicameral system (composed of a lower house and an upper house)?

Answer: No, the country only has a lower house

Code: 2

Can non-citizen residents vote in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: Not applicable

Sources: Not applicable

Can non-citizen residents vote in national legislative elections (lower house)? :

Answer: generally disenfranchised

Code: 0

Explanation: Article 15 of the Civil Servants Election and Recall Act establishes that: 'Any citizen of the ROC reaching 20 years of age shall have the right of suffrage, unless the declaration of guardianship has yet been revoked.' Moreover, article 15 establishes that: 'A person having the right of suffrage who has been living in an electoral district for not less than 4 consecutive months is an elector in the electoral district for the election of civil servants. The period of residence referred to in the preceding Paragraph shall be calculated in respect of the whole administrative region even if the region is divided into several electoral districts. However, anyone who immigrates into an electoral district after the public notice for election is issued has no right of suffrage and voting.' Furthermore, article 18 stipulates that: 'To take a vote, an elector shall receive a ballot by his / her national ID card'.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Art. 15.

Can non-citizen residents vote in national legislative elections (upper house)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_16: Residence duration-based requirements for active electoral rights.

Previous residence required for being eligible to vote in presidential elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in lower house elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in upper house elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_17: Registration in the electoral roll for non-citizen residents.

Registration in the electoral roll for non-citizen residents:

Answer: Not applicable (non-citizen residents cannot vote)

Code: Not applicable

Explanation: The right to vote and stand for election is granted only to ROC nationals.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018.

IMMIGRANT_18: Passive electoral rights for non-citizen residents.

Can non-citizen residents stand as candidates in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: The right to vote and stand for election is granted only to ROC nationals.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018.

Can non-citizen residents stand as candidates in national legislative elections (lower house)?

Answer: generally disenfranchised

Code: 0

Explanation: The right to vote and stand for election is granted only to ROC nationals.

Sources: 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018.

Can non-citizen residents stand as candidates in national legislative elections (upper house)?

Answer Not applicable (no presidential elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_19: Residence duration-based restrictions for passive electoral rights.

Previous residence required for being eligible to stand as candidate in presidential elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to stand as candidate in lower house elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.2.2. Regulation of participation in parties

IMMIGRANT_20: Emigrant membership to home country political parties.

Non-citizen resident membership to state or reception political parties:

Answer: not legally allowed

Code: 0

Explanation: According to the ROC Civil Servants Election and Recall Act, political parties are discouraged from inviting foreigners to participating in their election campaigns (Articles 45 & 56). According to the ROC Political Parties Act (2017), "Republic of China citizens have the right to join or quit political parties." When applying for party membership, a national ID number is usually required. For example, in the case of the Chinese Kuomintang Party Constitution (KMT), only ROC nationals aged above 16 can apply for formal membership; foreigners and residents from mainland China, Macau and HK can apply to have "spiritual membership". Article 56 of the Civil Servants Election and Recall Act: "Any of the political parties or persons may not conform to any of the following circumstances: [...] 4. Inviting the foreigners or the residents in China, Hong Kong or Macau for

performing the behaviors prescribed in the Subparagraphs of Article 45.’ Article 45 of the Civil Servants Election and Recall Act: ‘[...] 1. Propagating candidates via public speeches or signed recommendation or support of/opposition to recall. 2. Stage performance or campaign in person for candidates or support of/opposition to recall. 3. Propagating candidates or support of/opposition to recall during the press party or interview by media. 4. Propagating candidates or support of/opposition to recall by printing and posting the propaganda. 5. Propagating candidates or support of/opposition to recall by hanging or erecting the advertising articles such as slogan, signboard, banner, or strip. 6. Propagating candidates or support of/opposition to recall via public media. 7. Participating in parades, request for ballots or funding activities of candidates or support of/opposition to recall.’ Article 7 of the Chinese Kuomintang Party Constitution: ‘Anyone who believes in the Three People’s Principles and is willing to abide by the Party Constitution and Party Member’s Code of the Party may apply to join the Party in accordance with the regulations. After the approval of the Party, he shall be a member of the Party and the Party members shall be determined by the Party. Those who do not have the nationality of the Republic of China, who agree with the Three People’s Principles, and those who volunteer to work with the Party to contribute to the peaceful development of the country are regarded as spiritual members of the Party.

Sources: 中國國民黨黨章 [Chinese Kuomintang Party Constitution]. 2017. Art. 7. / 中國國民黨徵求新黨員辦法 [The Chinese Nationalist Party Seeks New Party Members]. 2017. / 政黨法 [Political Parties Act]. 2017. / 公職人員選舉罷免法 [Civil Servants Election and Recall Act]. 2018. Art. 45 and 56.

5.2.3. Consultative bodies

IMMIGRANT_21: Existence of a consultative body of immigrants acting at the national level.

Existence of a consultative body on immigrant issues:

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_22: Structural or ad hoc consultation.

The consultation is:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_23: Composition of the consultative body.

Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_24: Leadership of the consultative body.

Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_25: Right of initiative to make its own reports or recommendations.

The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_26: Right to get a response from the government to recommendation.

Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_27: Selection criteria to ensure representativeness.

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographic-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.3. Economic policies

5.3.1. Access to labor market

IMMIGRANT_28: Migrant access to labor market.

Can asylum seekers access the labor market?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access the labor market?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access the labor market?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access the labor market?

Answer: no

Code: 0

Explanation: For an immigrant to work as domestic worker in ROC, it is necessary for the employer to issue a national labor market test before getting an employment permit which is necessary for the immigrant to apply for the entry visa in the first place. After being permitted into ROC, the immigrant domestic workers' work permit is tied to a particular job contract and they usually shall not switch employer unless under special situations. In addition, a fee called Employment Security Fee associated with (low-skilled) foreign worker needs to be paid regularly by the employer to the state.

Sources: Republic of China Missions and Embassies Abroad. “外籍勞工簽證申請 [Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>. / 就業服務法 [Employment Service Act]. 2016. Art. 44 and 55.

Can agricultural workers access the labor market?

Answer: no

Code: 0

Explanation: For an immigrant to work as agricultural worker in ROC, it is necessary for the employer to issue a national labor market test before getting an employment permit which is necessary for the immigrant to apply for the entry visa in the first place. After being permitted into ROC, the immigrant domestic workers' work permit is tied to a particular job contract and they usually shall not switch employer unless under special situations. In addition, a fee called Employment Security Fee associated with (low-skilled) foreign worker needs to be paid regularly by the employer to the state.

Sources: Republic of China Missions and Embassies Abroad. “外籍勞工簽證申請 [Foreign Worker Visa Application]”. Access date not available. <https://www.roc-taiwan.org/uploads/sites/96/2016/02/%E5%A4%96%E7%B1%8D%E5%8B%9E%E5%B7%A5%E7%B0%BD%E8%AD%89%E7%94%B3%E8%AB%8B-%E5%85%AC%E5%91%8A.doc>. / 就業服務法 [Employment Service Act]. 2016.

Can medical doctors access the labor market?

Answer: no

Code: 0

Explanation: For an immigrant to work as a medical doctor in ROC, one has to fulfill certain professional qualification or recognition as well as having a monthly amount of average salary that is

above NT \$47,971. A foreign professional employment work permit also has to be in place. In addition, only certain qualified employer can hire foreign medical doctors: 1.medical organizations; 2.health-care organizations; 3.pharmacists and pharmacies; 4.non-profit healthcare organizations; 5.Other organizations allowed for foreigner-recruitment that recognized by the central competent authorities along with the specific authorities concerned at the central government level.

Sources: Workforce Development Agency. "A08: Health Care". Access date not available.
<https://ezworktaiwan.wda.gov.tw/en/cp.aspx?n=B08C251582D0E1DE&s=717C73B25DE7FAD7>.

Can permanent residents access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Foreigners with ROC permanent residence permit can have the same access to labor market after they obtained an (open) work permit from the Ministry of Labor (this might change soon but remains so in July 2018).

Sources: 就業服務法 [Employment Service Act]. 2016.

IMMIGRANT_29: Migrant access to self-employment.

Can asylum seekers access self-employment?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access self-employment?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access self-employment?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access self-employment?

Answer: no

Code: 0

Explanation: Self-employment is not an option for immigrant domestic workers because they have to be hired by an employing unit that fulfills certain qualifications.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can agricultural workers access self-employment?

Answer: no

Code: 0

Explanation: Self-employment is not an option for immigrant agricultural workers because they have to be hired by an employing unit that fulfills certain qualifications.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can medical doctors access self-employment?

Answer: no

Code: 0

Explanation: Self-employment is not an option for immigrant medical doctors because they have to be hired by an employing unit that fulfills certain qualifications.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can permanent residents access self-employment?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Foreign nationals, despite having permanent residence certificate, still need to apply for work permit in order to legally work in ROC in the case of self-employment. Article 48 of the Employment Service Act establishes that: 'Prior to employing foreign worker to engage in work, employer shall apply to the central competent authority for employment permit with relevant documents submitted.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 48.

IMMIGRANT_30: Migrant access to civil service.

Can asylum seekers access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign domestic workers does not include schools.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can agricultural workers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign agricultural workers does not include schools.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can medical doctors access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire medical doctors does not include schools.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can permanent residents access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: According to the Civil Service Employment Act (2019), only ROC nationals are eligible to apply for civil service positions. Article 28 establishes that: 'No one of the following circumstances shall be appointed as a civil servant: 1. No or loss of nationality of the Republic of China.

Sources: 公務人員任用法 [Civil Service Employment Act]. 2015. Art. 28.

Can asylum seekers access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in public administration?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign domestic workers does not include public administrations.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can agricultural workers access employment in public administration?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign agricultural workers does not include public administrations.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can medical doctors access employment in public administration?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire medical doctors does not include public administrations.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can permanent residents access employment in public administration?

Answer: no

Code: 0

Explanation: According to the Civil Service Employment Act (2019), only ROC nationals are eligible to apply for civil service positions. Article 28 establishes that: 'No one of the following circumstances shall be appointed as a civil servant: 1. No or loss of nationality of the Republic of China'.

Sources: 公務人員任用法 [Civil Service Employment Act]. 2015. Art. 28.

Can asylum seekers access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the police?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign domestic workers does not include the police.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can agricultural workers access employment in the police?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign agricultural workers does not include the police.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can medical doctors access employment in the police?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire medical doctors does not include the police.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers". Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can permanent residents access employment in the police?

Answer: no

Code: 0

Explanation: According to the Civil Service Employment Act (2019), only ROC nationals are eligible to apply for civil service positions. Article 28 establishes that: 'No one of the following circumstances shall be appointed as a civil servant: 1. No or loss of nationality of the Republic of China.

Sources: 公務人員任用法 [Civil Service Employment Act]. 2015. Art. 28.

Quotas for preferential hiring of asylum seekers exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of refugees exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of co-ethnics exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of domestic workers exist:

Answer: Not applicable

Code: Not applicable

Explanation: Non-nationals have no access to the civil service.

Sources: Not applicable

Quotas for preferential hiring of agricultural workers exist:

Answer: Not applicable

Code: Not applicable

Explanation: Non-nationals have no access to the civil service.

Sources: Not applicable

Quotas for preferential hiring of medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Non-nationals have no access to the civil service.

Sources: Not applicable

Quotas for preferential hiring of permanent residents:

Answer: Not applicable

Code: Not applicable

Explanation: Non-nationals have no access to the civil service.

Sources: Not applicable

Can asylum seekers access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign domestic workers does not include the armed forces.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers".
Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can agricultural workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire foreign agricultural workers does not include the armed forces.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers".
Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can medical doctors access employment in the armed forces?

Answer: no

Code: 0

Explanation: The employing unit that is qualified to hire medical doctors does not include the police.

Sources: Workforce Development Agency. "Work Qualifications and Rules for Foreign Workers".
Access date not available.
<https://www.wda.gov.tw/en/NewsFAQ.aspx?n=26470E539B6FA395&sms=0FCDB188C74F69A0>.

Can permanent residents access employment in the armed forces?

Answer: no

Code: 0

Explanation: According to the Civil Service Employment Act (2019), only ROC nationals are eligible to apply for civil service positions. Article 28 establishes that: 'No one of the following circumstances shall be appointed as a civil servant: 1. No or loss of nationality of the Republic of China.

Sources: 公務人員任用法 [Civil Service Employment Act]. 2015. Art. 28.

5.3.2. Access to support

IMMIGRANT_31: Public employment services.

Can asylum seekers access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: The public employment services here refer to the Employment Service provided by Workforce Development Agency, ROC Ministry of Labor. It isn't explicitly stated that such services are only accessible to ROC nationals. In addition, its website has a special section designed for foreign immigrants.

Sources: TaiwanJobs. "TaiwanJobs [台灣就業通]". Access date not available.
<https://www.taiwanjobs.gov.tw/Internet/index/index.aspx>.

Can agricultural workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: The public employment services here refer to the Employment Service provided by Workforce Development Agency, ROC Ministry of Labor. It isn't explicitly stated that such services are only accessible to ROC nationals. In addition, its website has a special section designed for foreign immigrants.

Sources: TaiwanJobs. "TaiwanJobs [台灣就業通]". Access date not available.
<https://www.taiwanjobs.gov.tw/Internet/index/index.aspx>.

Can medical doctors access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: The public employment services here refer to the Employment Service provided by Workforce Development Agency, ROC Ministry of Labor. It isn't explicitly stated that such services are only accessible to ROC nationals. In addition, its website has a special section designed for foreign immigrants.

Sources: TaiwanJobs. "TaiwanJobs [台灣就業通]". Access date not available.
<https://www.taiwanjobs.gov.tw/Internet/index/index.aspx>.

Can permanent residents access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: The public employment services here refer to the Employment Service provided by Workforce Development Agency, ROC Ministry of Labor. It isn't explicitly stated that such services are only accessible to ROC nationals. In addition, its website has a special section designed for foreign immigrants.

Sources: TaiwanJobs. "TaiwanJobs [台灣就業通]". Access date not available.
<https://www.taiwanjobs.gov.tw/Internet/index/index.aspx>.

IMMIGRANT_32: Recognition of qualifications.

Recognition of qualifications acquired abroad by asylum seekers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by refugees:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by co-ethnics:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by domestic workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The relevant regulation is Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education (2012). In this regulation, there is no major differentiation between foreign and national applicants except that foreign nationals don't have to submit a certificate of entry and exit dates issued by the designated immigration authority for the application.

Sources: 大學辦理國外學歷採認辦法 [Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education]. 2012.

Recognition of qualifications acquired abroad by agricultural workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The relevant regulation is Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education (2012). In this regulation, there is no major differentiation between foreign and national applicants except that foreign nationals don't have to submit a certificate of entry and exit dates issued by the designated immigration authority for the application.

Sources: 大學辦理國外學歷採認辦法 [Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education]. 2012.

Recognition of qualifications acquired abroad by medical doctors:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The relevant regulation is Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education (2012). In this regulation, there is no major differentiation between foreign and national applicants except that foreign nationals don't have to submit a certificate of entry and exit dates issued by the designated immigration authority for the application.

Sources: 大學辦理國外學歷採認辦法 [Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education]. 2012.

Recognition of qualifications acquired abroad by permanent residents:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The relevant regulation is Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education (2012). In this regulation, there is no major differentiation between foreign and national applicants except that foreign nationals don't have to submit a certificate of entry and exit dates issued by the designated immigration authority for the application.

Sources: 大學辦理國外學歷採認辦法 [Regulations Regarding the Assessment and Recognition of Foreign Academic Credentials for Institutions of Higher Education]. 2012.

5.3.3. Worker's rights

IMMIGRANT_33: Membership in trade unions.

Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: According to the ROC Labor Union Act, all workers have the right to organize and join labor unions, and foreign workers are not excluded from being elected as a director or supervisor of the labor union (in previous version of the Labor Union Act before 2010, such position must be held by ROC nationals).

Sources: 工會法 [Labor Union Act]. 2016. Art. 4 and 19.

Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: According to the ROC Labor Union Act, all workers have the right to organize and join labor unions, and foreign workers are not excluded from being elected as a director or supervisor of the labor union (in previous version of the Labor Union Act before 2010, such position must be held by ROC nationals).

Sources: 工會法 [Labor Union Act]. 2016. Art. 4 and 19.

Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: According to the ROC Labor Union Act, all workers have the right to organize and join labor unions, and foreign workers are not excluded from being elected as a director or supervisor of

the labor union (in previous version of the Labor Union Act before 2010, such position must be held by ROC nationals).

Sources: 工會法 [Labor Union Act]. 2016. Art. 4 and 19.

Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: According to the ROC Labor Union Act, all workers have the right to organize and join labor unions, and foreign workers are not excluded from being elected as a director or supervisor of the labor union (in previous version of the Labor Union Act before 2010, such position must be held by ROC nationals).

Sources: 工會法 [Labor Union Act]. 2016. Art. 4 and 19.

IMMIGRANT_34: Job transferability.

Can asylum seekers change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: In general, domestic workers cannot change their employer, unless in certain circumstances.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 53 and 59.

Can agricultural workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: In general, agricultural workers cannot change their work or employer, unless in certain restrictive circumstances.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 53 and 59.

Can medical doctors change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: A medical doctor can transfer to a new employer or find a new job in the similar field but not in the sector of low-skill works.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 53.

Can permanent residents change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: PRC holders don't have to go through the procedure of new work permit application associated with a new employer if they already obtained the (open) work permit from the Ministry of Labor.

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 51 and 53.

IMMIGRANT_35: Right to redress.

Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: The relevant regulation is the Act for Settlement of Labor-Management Disputes (2017). In this act there is no differentiation between foreign and national labor; all workers are protected. Article 6 establishes that: 'Rights disputes may be settled by the procedures of mediation, arbitration or decision on unfair labor practices in accordance with the Act. The court, if necessary, shall set up a labor court for adjudicating rights disputes.'

Sources: 勞資爭議處理法 [Act for Settlement of Labor-Management Disputes]. 2017. Art. 6.

Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: The relevant regulation is the Act for Settlement of Labor-Management Disputes (2017). In this act there is no differentiation between foreign and national labor; all workers are protected. Article 6 establishes that: 'Rights disputes may be settled by the procedures of mediation, arbitration or decision on unfair labor practices in accordance with the Act. The court, if necessary, shall set up a labor court for adjudicating rights disputes.

Sources: 勞資爭議處理法 [Act for Settlement of Labor-Management Disputes]. 2017. Art. 6.

Do medical doctors have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: The relevant regulation is the Act for Settlement of Labor-Management Disputes (2017). In this act there is no differentiation between foreign and national labor; all workers are protected. Article 6 establishes that: 'Rights disputes may be settled by the procedures of mediation, arbitration or decision on unfair labor practices in accordance with the Act. The court, if necessary, shall set up a labor court for adjudicating rights disputes.

Sources: 勞資爭議處理法 [Act for Settlement of Labor-Management Disputes]. 2017. Art. 6.

Do permanent residents have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: The relevant regulation is the Act for Settlement of Labor-Management Disputes (2017). In this act there is no differentiation between foreign and national labor; all workers are protected. Article 6 establishes that: 'Rights disputes may be settled by the procedures of mediation, arbitration or decision on unfair labor practices in accordance with the Act. The court, if necessary, shall set up a labor court for adjudicating rights disputes.

Sources: 勞資爭議處理法 [Act for Settlement of Labor-Management Disputes]. 2017. Art. 6.

5.3.4. Property rights

IMMIGRANT_36: Property rights.

Can asylum seekers acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Only if the foreigner is a national of a state that has diplomatic relation with ROC. Article 18 of the Land Act establishes that: 'Only those aliens may acquire or create rights over land in the Republic of China who are nationals of States that have diplomatic relations with the Republic of China and permit, according either to treaty or to their municipal Acts, Chinese nationals to enjoy the same rights in their respective countries'.

Sources: 內政部 土地法 [Land Act]. 2011. Art. 18.

Can agricultural workers acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Only if the foreigner is a national of a state that has diplomatic relation with ROC. Article 18 of the Land Act establishes that: 'Only those aliens may acquire or create rights over land in the Republic of China who are nationals of States that have diplomatic relations with the Republic of China and permit, according either to treaty or to their municipal Acts, Chinese nationals to enjoy the same rights in their respective countries'.

Sources: 內政部 土地法 [Land Act]. 2011. Art. 18.

Can medical doctors acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Only if the foreigner is a national of a state that has diplomatic relation with ROC. Article 18 of the Land Act establishes that: 'Only those aliens may acquire or create rights over land in the Republic of China who are nationals of States that have diplomatic relations with the Republic of China and permit, according either to treaty or to their municipal Acts, Chinese nationals to enjoy the same rights in their respective countries'.

Sources: 內政部 土地法 [Land Act]. 2011. Art. 18.

Can permanent residents acquire property in the state of reception?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Only if the foreigner is a national of a state that has diplomatic relation with ROC. Article 18 of the Land Act establishes that: 'Only those aliens may acquire or create rights over land in the Republic of China who are nationals of States that have diplomatic relations with the Republic of China and permit, according either to treaty or to their municipal Acts, Chinese nationals to enjoy the same rights in their respective countries'.

Sources: 內政部 土地法 [Land Act]. 2011. Art. 18.

5.4. Social policies

5.4.1. Family reunification

Can asylum seekers bring their families to their country of residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees bring their families to their country of residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can co-ethnics bring their families to their country of residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Article 44 of the Regulations on the Permission and Administration on the Employment of Foreign Workers establishes that: 'When engaging in jobs as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of The Act, no foreign worker is allowed to bring along with his/her family to stay for residence, unless the employed female foreign worker or the spouse of the employed male foreign worker gives birth to offspring in the Republic of China during the term of employment and is able to maintain their life'.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019. Art. 44 and 46.

Can agricultural workers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Article 44 of the Regulations on the Permission and Administration on the Employment of Foreign Workers establishes that: 'When engaging in jobs as referred to in Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of The Act, no foreign worker is allowed to bring along with his/her family to stay for residence, unless the employed female foreign worker or the spouse of the employed male foreign worker gives birth to offspring in the Republic of China during the term of employment and is able to maintain their life'.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019. Art. 44 and 46.

Can medical doctors bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Can permanent residents bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Not applicable

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Eligibility

IMMIGRANT_37: Resident requirement for ordinary legal residents.

Residence requirement for ordinary legal residents (asylum seekers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (refugees). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (medical doctors). In months:

Answer: 0

Code: 0

Explanation: To apply for Resident visa for foreign spouses of foreigners ("join family"), it is required to submit the original and one photocopy of the medical doctor's Certificate of Residence in the R.O.C. which has to be valid for more than 6 months. But there is no additional residence requirement.

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Residence requirement for ordinary legal residents (medical doctors):

Answer: no residence requirement

Code: 1

Explanation: To apply for Resident visa for foreign spouses of foreigners ("join family"), it is required to submit the original and one photocopy of the medical doctor's Certificate of Residence in the R.O.C. which has to be valid for more than 6 months. But there is no additional residence requirement.

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Residence requirement for ordinary legal residents (permanent residents). In months:

Answer: 0

Code: 0

Explanation: To apply for Resident visa for foreign spouses of foreigners ("join family"), it is required to submit the original and one photocopy of Alien Permanent Residence Certificate of the APRC holder which has to be valid for more than 6 months. But there is no additional residence requirement.

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Residence requirement for ordinary legal residents (permanent residents):

Answer: no residence requirement

Code: 1

Explanation: To apply for Resident visa for foreign spouses of foreigners ("join family"), it is required to submit the original and one photocopy of Alien Permanent Residence Certificate of the APRC holder which has to be valid for more than 6 months. But there is no additional residence requirement.

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

IMMIGRANT_38: Family members considered for reunification.

Family member eligible for reunification (asylum seekers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Children.

Answer: Not applicable

Code: Not applicable

Explanation:

Sources:

Family member eligible for reunification (asylum seekers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Spouse.

Answer: yes

Code: 1

Explanation: The spouse of a medical doctor is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.

Answer: no

Code: 0

Explanation: Only the spouse of a medical doctor is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (medical doctors): Children.

Answer: no

Code: 0

Explanation: Only the spouse of a medical doctor is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (medical doctors): Parents.

Answer: no

Code: 0

Explanation: Only the spouse of a medical doctor is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (medical doctors): Grandparents.

Answer: no

Code: 0

Explanation: Only the spouse of a medical doctor is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (permanent residents): Spouse.

Answer: yes

Code: 1

Explanation: The spouse of a permanent resident is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.

Answer: no

Code: 0

Explanation: Only the spouse of a permanent resident is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (permanent residents): Children.

Answer: no

Code: 0

Explanation: Only the spouse of a permanent resident is eligible for the "join family" resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (permanent residents): Parents.

Answer: no

Code: 0

Explanation: Only the spouse of a permanent resident is eligible for the “join family” resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. “Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens”. Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Family member eligible for reunification (permanent residents): Grandparents.

Answer: no

Code: 0

Explanation: Only the spouse of a permanent resident is eligible for the “join family” resident visa (longer than 6 months).

Sources: Bureau of Consular Affairs. “Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens”. Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Security of status

IMMIGRANT_39: Length of application procedure.

Length of application procedure in months (asylum seekers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (asylum seekers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (refugees).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (refugees).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (domestic workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (domestic workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (agricultural workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (agricultural workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (medical doctors).

Answer: 0.25

Code: 0.25

Explanation: According to the Bureau of Consular Affairs: "Processing of Resident Visa application inside the R.O.C. (Taiwan) takes 7 work days. Resident Visa applicants are advised to apply to the Bureau of Consular Affairs 7 work days before the duration of stay expires. Application will be turned down and fee not refunded in the event that required documents are not submitted in full within 7 days after the applicant is informed by the Bureau of Consular Affairs. In the event that the applicant's duration of stay expires while the Resident Visa is under processing and eventually rejected, the applicant is to assume the sole responsibility of overstay and the penalty therefore imposed".

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Length of application procedure (medical doctors).

Answer: less or equal six months defined by law

Code: 1

Explanation: According to the Bureau of Consular Affairs: "Processing of Resident Visa application inside the R.O.C. (Taiwan) takes 7 work days. Resident Visa applicants are advised to apply to the

Bureau of Consular Affairs 7 work days before the duration of stay expires. Application will be turned down and fee not refunded in the event that required documents are not submitted in full within 7 days after the applicant is informed by the Bureau of Consular Affairs. In the event that the applicant's duration of stay expires while the Resident Visa is under processing and eventually rejected, the applicant is to assume the sole responsibility of overstay and the penalty therefore imposed".

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

Length of application procedure in months (permanent residents).

Answer: 0.25

Code: 0.25

Explanation: According to the Bureau of Consular Affairs: "Processing of Resident Visa application inside the R.O.C. (Taiwan) takes 7 work days. Resident Visa applicants are advised to apply to the Bureau of Consular Affairs 7 work days before the duration of stay expires. Application will be turned down and fee not refunded in the event that required documents are not submitted in full within 7 days after the applicant is informed by the Bureau of Consular Affairs. In the event that the applicant's duration of stay expires while the Resident Visa is under processing and eventually rejected, the applicant is to assume the sole responsibility of overstay and the penalty therefore imposed".

Sources: Not applicable

Length of application procedure (permanent residents).

Answer: less or equal six months defined by law

Code: 1

Explanation: According to the Bureau of Consular Affairs: "Processing of Resident Visa application inside the R.O.C. (Taiwan) takes 7 work days. Resident Visa applicants are advised to apply to the Bureau of Consular Affairs 7 work days before the duration of stay expires. Application will be turned down and fee not refunded in the event that required documents are not submitted in full within 7 days after the applicant is informed by the Bureau of Consular Affairs. In the event that the applicant's duration of stay expires while the Resident Visa is under processing and eventually rejected, the applicant is to assume the sole responsibility of overstay and the penalty therefore imposed".

Sources: Bureau of Consular Affairs. "Resident Visas for Foreign Spouses of R.O.C.(Taiwan) Citizens Without Household Registration, Foreigners, Hong Kong Residents, Macau Residents, or Mainland Chinese Citizens". Access date not available. <https://www.boca.gov.tw/cp-166-281-b948e-2.html>.

IMMIGRANT_40: Duration of permit.

Duration of validity of permit (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (medical doctors):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Article 10 of the Regulations Governing Visiting, Residency, and Permanent Residency of Aliens establishes that: 'The validity of Alien Resident Certificate issued to an alien, whose residency is granted on the joint-family basis, shall correspond with the validity of residency for the joint-family relative; where the joint-family relative is a ROC national, the validity of Alien Resident Certificate shall not exceed three (3) years'.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. Art. 10.

Duration of validity of permit (permanent residents):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Article 10 of the Regulations Governing Visiting, Residency, and Permanent Residency of Aliens establishes that: 'The validity of Alien Resident Certificate issued to an alien, whose residency is granted on the joint-family basis, shall correspond with the validity of residency for the joint-family relative; where the joint-family relative is a ROC national, the validity of Alien Resident Certificate shall not exceed three (3) years'.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. Art. 10.

IMMIGRANT_41: Grounds for rejection, withdrawing or refusing to renew status.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):

Answer: yes

Code: 1

Explanation: Article 32 (3) of the Immigration Act: "National Immigration Agency shall revoke or repeal a person's residence permit and cancel his/her Alien Resident Certificate if the person meets one of the following circumstances: 3. Has been sentenced to punishments of imprisonment for one (1) year or greater by a judicial authority, whereas a person who commits a crime due to his/her negligence is exempted".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 32.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):

Answer: yes

Code: 1

Explanation: Article 32 (1) and (2) of the Immigration Act: "National Immigration Agency shall revoke or repeal a person's residence permit and cancel his/her Alien Resident Certificate if the person meets one of the following circumstances: 1. Has submitted false or untruthful information for his/her application. 2. Has used illegally acquired, counterfeited, or altered documents".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 32.

Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):

Answer: yes

Code: 1

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually. 1. His/Her dependent relative is deceased. 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court. 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce. 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce, 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: Article 32 (3) of the Immigration Act: "National Immigration Agency shall revoke or repeal a person's residence permit and cancel his/her Alien Resident Certificate if the person meets one of the following circumstances: 3. Has been sentenced to punishments of imprisonment for one (1) year or greater by a judicial authority, whereas a person who commits a crime due to his/her negligence is exempted".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 32.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: Article 32 (1) and (2) of the Immigration Act: "National Immigration Agency shall revoke or repeal a person's residence permit and cancel his/her Alien Resident Certificate if the person meets one of the following circumstances: 1. Has submitted false or untruthful information for his/her application. 2. Has used illegally acquired, counterfeited, or altered documents".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 32.

Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually. 1. His/Her dependent relative is deceased. 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court. 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce. 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce, 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

IMMIGRANT_42: Special circumstances.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):

Answer: no

Code: 0

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually: 1. His/ Her dependent relative is deceased; 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court; 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce; 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce; 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):

Answer: no

Code: 0

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually: 1. His/ Her dependent relative is deceased; 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court; 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce; 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce; 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):

Answer: no

Code: 0

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually: 1. His/ Her dependent relative is deceased; 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court; 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce; 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce; 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):

Answer: yes

Code: 1

Explanation: Due account is taken of: physical or mental abuse of the alien by his/her spouse; suffered family violence and divorced after the judgment of the court; or if the alien is believed to have caused severe and irrecoverable damage to his/her minor children

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):

Answer: no

Code: 0

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually: 1. His/ Her dependent relative is deceased; 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court; 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce; 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce; 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and

irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):

Answer: no

Code: 0

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually: 1. His/ Her dependent relative is deceased; 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court; 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce; 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce; 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):

Answer: no

Code: 0

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually: 1. His/ Her dependent relative is deceased; 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court; 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce; 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce; 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):

Answer: yes

Code: 1

Explanation: Article 31 of the Immigration Act: "National Immigration Agency shall revoke the residence permit of an alien and cancel the alien's Alien Resident Certificate if the alien's reasons for residence disappear within the period of the residence. Where an alien meets one of the following circumstances, however, he/she shall be permitted to reside continually: 1. His/ Her dependent relative is deceased; 2. Is a spouse of a national with registered permanent residence in the Taiwan Area and is physically or mentally abused by his/her spouse. He/She is protected by the protection order issued by the court; 3. An alien acquires the guardianship of his/her own children with registered permanent residence in the Taiwan Area after his/her divorce; 4. Is suffered from family violence and divorced after the judgment of the court. The alien also has his/her own minor children with registered permanent residence in the Taiwan Area. subject to court divorce; 5. Is deported from the State forcibly due to the revocation of his/her residence permit and is believed to have caused severe and irrecoverable damage to his/her own minor children with registered permanent residence in the Taiwan Area".

Sources: 入出國及移民法 [Immigration Act]. 2015. Art. 31.

IMMIGRANT_43: Legal guarantees and redress in case of refusal or withdrawal.

Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):

Answer: no

Code: 0

Explanation: No legal guarantees and redress in case of refusal or withdrawal.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. / 入出國及移民法 [Immigration Act]. 2015.

Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):

Answer: no

Code: 0

Explanation: No legal guarantees and redress in case of refusal or withdrawal.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. / 入出國及移民法 [Immigration Act]. 2015.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):

Answer: no

Code: 0

Explanation: No legal guarantees and redress in case of refusal or withdrawal.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. / 入出國及移民法 [Immigration Act]. 2015.

Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):

Answer: no

Code: 0

Explanation: No legal guarantees and redress in case of refusal or withdrawal.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. / 入出國及移民法 [Immigration Act]. 2015.

Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):

Answer: no

Code: 0

Explanation: No legal guarantees and redress in case of refusal or withdrawal.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. / 入出國及移民法 [Immigration Act]. 2015.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):

Answer: no

Code: 0

Explanation: No legal guarantees and redress in case of refusal or withdrawal.

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. / 入出國及移民法 [Immigration Act]. 2015.

IMMIGRANT_44: Right to autonomous permit.

Right to autonomous residence permit for partners and children at age of majority (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (medical doctors):

Answer: after more than 5 years, upon certain conditions

Code: 0.25

Explanation: Medical doctors' children can have autonomous residence permit if certain conditions are met. Article 8 of the Regulations governing visiting, residency, and permanent residency: "Aliens who are permitted to reside in the Taiwan Area, having reached the age of 20 years old (or more), having a parent holding an ARC or APRC, and having met one of the following conditions may apply for the extension of the residency: 1. Having stayed in Taiwan for an accumulated 10 years in total and residing for over 270 days each year; 2. Having entered Taiwan under the age of 16 and stayed over 270 days each year; 3. Born in Taiwan, having resided in Taiwan for a minimum accumulated period of at least 10 years in total and having stayed over 183 days each year."

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. Art. 8.

Right to autonomous residence permit for partners and children at age of majority (permanent residents):

Answer: after more than 5 years, upon certain conditions

Code: 0.25

Explanation: Permanent residents' children can have autonomous residence permit if certain conditions are met. Article 8 of the Regulations governing visiting, residency, and permanent residency: "Aliens who are permitted to reside in the Taiwan Area, having reached the age of 20 years old (or more), having a parent holding an ARC or APRC, and having met one of the following conditions may apply for the extension of the residency: 1. Having stayed in Taiwan for an accumulated 10 years in total and residing for over 270 days each year; 2. Having entered Taiwan under the age of 16 and stayed over 270 days each year; 3. Born in Taiwan, having resided in Taiwan for a minimum accumulated period of at least 10 years in total and having stayed over 183 days each year."

Sources: 內政部 外國人停留居留及永久居留辦法 [Regulations Governing Visiting, Residency, and Permanent Residency of Aliens]. 2018. Art. 8.

5.4.2. Education

IMMIGRANT_45: Access to education.

Children of asylum seekers have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of refugees have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of co-ethnics have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of domestic workers have access to compulsory education:

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: In the Primary and Junior High School Act (2016), it is stated that ROC citizens shall have the right to receive compulsory education (article 2), and it doesn't explicitly exclude immigrant children to access compulsory education. Article 2 of the Primary and Junior High School Act: "Citizens between 6 and 15 years of age (hereafter referred to as 'school-age citizens') shall receive primary and junior high school education. Citizens older than school age who have not received primary and junior high school education shall receive supplementary education".

Sources: 教育部 國民教育法 [Primary and Junior High School Act]. 2016. Art. 2.

Children of agricultural workers have access to compulsory education:

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: In the Primary and Junior High School Act (2016), it is stated that ROC citizens shall have the right to receive compulsory education (article 2), and it doesn't explicitly exclude immigrant children to access compulsory education. Article 2 of the Primary and Junior High School Act: "Citizens between 6 and 15 years of age (hereafter referred to as 'school-age citizens') shall receive

primary and junior high school education. Citizens older than school age who have not received primary and junior high school education shall receive supplementary education".

Sources: 教育部 國民教育法 [Primary and Junior High School Act]. 2016. Art. 2.

Children of medical doctors have access to compulsory education:

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: In the Primary and Junior High School Act (2016), it is stated that ROC citizens shall have the right to receive compulsory education (article 2), and it doesn't explicitly exclude immigrant children to access compulsory education. Article 2 of the Primary and Junior High School Act: "Citizens between 6 and 15 years of age (hereafter referred to as 'school-age citizens') shall receive primary and junior high school education. Citizens older than school age who have not received primary and junior high school education shall receive supplementary education".

Sources: 教育部 國民教育法 [Primary and Junior High School Act]. 2016. Art. 2.

Children of permanent residents have access to compulsory education:

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: In the Primary and Junior High School Act (2016), it is stated that ROC citizens shall have the right to receive compulsory education (article 2), and it doesn't explicitly exclude immigrant children to access compulsory education. Article 2 of the Primary and Junior High School Act: "Citizens between 6 and 15 years of age (hereafter referred to as 'school-age citizens') shall receive primary and junior high school education. Citizens older than school age who have not received primary and junior high school education shall receive supplementary education".

Sources: 教育部 國民教育法 [Primary and Junior High School Act]. 2016. Art. 2.

IMMIGRANT_46: Access to higher education.

Asylum seekers and their children have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Refugees have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Co-ethnics have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Domestic workers have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: “Article 23 Students having studied in public high schools or accredited private high schools or equivalent schools shall be entitled to study for a bachelor ’ s degree. Students receiving a bachelor ’ s degree or equivalent degree shall be entitled to study for a master ’ s degree. Students receiving a master ’ s degree or equivalent degree shall be entitled to study for a doctor ’ s degree. However, graduates of the present year studying for a bachelor ’ s degree with excellent grades or studying for a master ’ s degree shall be entitled to apply to study for doctor ’ s degree directly. [第 23 條 曾在公立或已立案之私立高級中等學校或同等學校畢業，或具有同等學力，得入學修讀學士學位。取得學士學位，或具有同等學力，得入學修讀碩士學位。取得碩士學位，或具有同等學力，得入學修讀博士學位。但修讀學士學位之應屆畢業生成績優異者或修讀碩士學位研究生成績優異者，得申請逕修讀博士學位。]” (University Act, 2015).

Sources: 大學法 [University Act]. 2015. Art. 23. / 外國學生來臺就學辦法 [Regulations Regarding International Students Undertaking Studies in Taiwan]. 2017.

Agricultural workers have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Access is possible (no category of migrants excluded in law). “Article 23 Students having studied in public high schools or accredited private high schools or equivalent schools shall be entitled to study for a bachelor ’ s degree. Students receiving a bachelor ’ s degree or equivalent degree shall be entitled to study for a master ’ s degree. Students receiving a master ’ s degree or equivalent degree shall be entitled to study for a doctor ’ s degree. However, graduates of the present year studying for a bachelor ’ s degree with excellent grades or studying for a master ’ s degree shall be entitled to apply to study for doctor ’ s degree directly. [第 23 條 曾在公立或已立案之私立高級中等學校或同等學校畢業，或具有同等學力，得入學修讀學士學位。取得學士學位，或具有同等學力，得入學修讀碩士學位。取得碩士學位，或具有同等學力，得入學修讀博士學位。但修讀學士學位之應屆畢業生成績優異者或修讀碩士學位研究生成績優異者，得申請逕修讀博士學位。]” (University Act, 2015).

Sources: 大學法 [University Act]. 2015. Art. 23. / 外國學生來臺就學辦法 [Regulations Regarding International Students Undertaking Studies in Taiwan]. 2017.

Medical doctors have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: “Article 23 Students having studied in public high schools or accredited private high schools or equivalent schools shall be entitled to study for a bachelor ’ s degree. Students receiving a bachelor ’ s degree or equivalent degree shall be entitled to study for a master ’ s degree. Students receiving a master ’ s degree or equivalent degree shall be entitled to study for a doctor ’ s degree. However, graduates of the present year studying for a bachelor ’ s degree with excellent grades or studying for a master ’ s degree shall be entitled to apply to study for doctor ’ s degree directly. [第 23 條 曾在公立或已立案之私立高級中等學校或同等學校畢業，或具有同等學力，得入學修讀學士學位。取得學士學位，或具有同等學力，得入學修讀碩士學位。取得碩士學位，或具有同等學力，得入學修讀博士學位。但修讀學士學位之應屆畢業生成績優異者或修讀碩士學位研究生成績優異者，得申請逕修讀博士學位。]” (University Act, 2015).

Sources: 大學法 [University Act]. 2015. Art. 23. / 外國學生來臺就學辦法 [Regulations Regarding International Students Undertaking Studies in Taiwan]. 2017.

Permanent residents have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: “Article 23 Students having studied in public high schools or accredited private high schools or equivalent schools shall be entitled to study for a bachelor ’ s degree. Students receiving a bachelor ’ s degree or equivalent degree shall be entitled to study for a master ’ s degree. Students receiving a master ’ s degree or equivalent degree shall be entitled to study for a doctor ’ s degree. However, graduates of the present year studying for a bachelor ’ s degree with excellent grades or studying for a master ’ s degree shall be entitled to apply to study for doctor ’ s degree directly. [第 23 條 曾在公立或已立案之私立高級中等學校或同等學校畢業，或具有同等學力，得入學修讀學士學位。取得學士學位，或具有同等學力，得入學修讀碩士學位。取得碩士學位，或具有同等學力，得入學修讀博士學位。但修讀學士學位之應屆畢業生成績優異者或修讀碩士學位研究生成績優異者，得申請逕修讀博士學位。]” (University Act, 2015).

Sources: 大學法 [University Act]. 2015. Art. 23. / 外國學生來臺就學辦法 [Regulations Regarding International Students Undertaking Studies in Taiwan]. 2017.

IMMIGRANT_47: Support for language instruction.

Provision of education support in language(s) of instruction for migrant pupils:

Answer: yes

Code: 1

Explanation: There is a "Chinese language remediation course for offspring of new residents". The K-12 Education Administration Ministry of Education Subsidies for Educational Guidance Programs for Children of New Residents establishes that: "For those who have returned to ROC for a long time of residence abroad and lack basic Chinese communication skills, they will be subsidized to implement the Chinese language remediation course: 1. The school hires teachers to conduct Chinese language remedial courses for students. If necessary, an assistant interpreter should be hired to provide instant translation during the communication between teachers and students to assist in language learning. The school also has to introduce parents as interpreters to subsidize the cost of interpreting assistants and assist them in learning." 2. The processing period is from February 1st to January 31st of each year. The Ministry of Education will allocate the approved funds to the local government in accordance with the annual budget in February of each year, and transfer it to the school to successfully implement the course. 3. If the children of the new residents return to the country during the school year, they must first apply the funds. If the funds are insufficient, they may apply for the project subsidy from the local government.

Sources: IFI Network 培力新住民資訊首頁搜尋. "教育部國民及學前教育署補助實施華語補救課程[K-12 Education Administration, Ministry of Education, subsidize the implementation of Chinese language remedial courses]". https://ifi.immigration.gov.tw/ct.asp?xItem=9356&ctNode=36570&mp=ifi_.

IMMIGRANT_48: Intercultural education.

Intercultural education is included in pre-service training in order to qualify as a teacher:

Answer: no

Code: 0

Explanation: There are no public records that show such topic is required in pre-service training.

Sources: Not applicable

IMMIGRANT_49: Integration in teachers' syllabus.

Migration and integration are obligatory topics in professional development training:

Answer: yes

Code: 1

Explanation: The topic of multiculturalism is not required but can be organized according to need in pre-service training. According to the Public Service Personnel Training and Maintenance Work Precautions (2017): "Other public service training, such as human rights issues, gender equality, official ethics, counseling, multiculturalism, information technology, globalization, local autonomy, environmental education, consumer protection, national defense education, etc. All agencies take the responsibility for organizing trainings related to those topics according to their own need, or to participate in relevant training activities coordinated by the training institute, the General Personnel Office or other training institutions".

Sources: 考試院公務人員訓練進修作業注意事項 [Public Service Personnel Training and Maintenance Work Precautions]. 2017.

5.4.3. Health care

IMMIGRANT_50: Conditions for inclusion in the health care system

Conditions for inclusion of asylum seekers in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of refugees in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of co-ethnics in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of domestic workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Inclusion is due to being employed. Article 9 of the National Health Insurance Act establishes that: "With the exception of individuals mentioned in the previous article, any person who has an alien resident certificate in the Taiwan area must meet one of the following requirements in order to become the beneficiaries of this Insurance: 1. Those who have established a registered domicile in Taiwan for at least six months; 2. Those with a regular employer; 3. Newborns in the Taiwan area."

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 9.

Conditions for inclusion of agricultural workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Inclusion is due to being employed. Article 9 of the National Health Insurance Act establishes that: "With the exception of individuals mentioned in the previous article, any person who has an alien resident certificate in the Taiwan area must meet one of the following requirements in order to become the beneficiaries of this Insurance: 1. Those who have established a registered domicile in Taiwan for at least six months; 2. Those with a regular employer; 3. Newborns in the Taiwan area."

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 9.

Conditions for inclusion of medical doctors in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Inclusion is due to being employed. Article 9 of the National Health Insurance Act establishes that: "With the exception of individuals mentioned in the previous article, any person who has an alien resident certificate in the Taiwan area must meet one of the following requirements in order to become the beneficiaries of this Insurance: 1. Those who have established a registered domicile in Taiwan for at least six months; 2. Those with a regular employer; 3. Newborns in the Taiwan area."

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 9.

Conditions for inclusion of permanent residents in the health care system:

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Inclusion depends on the length of the stay (6 months required with a registered domicile in Taiwan). Article 9 of the National Health Insurance Act establishes that: "With the exception of individuals mentioned in the previous article, any person who has an alien resident certificate in the Taiwan area must meet one of the following requirements in order to become the beneficiaries of this Insurance: 1. Those who have established a registered domicile in Taiwan for at least six months; 2. Those with a regular employer; 3. Newborns in the Taiwan area."

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 9.

IMMIGRANT_51: Coverage of health care services.

Health care coverage for asylum seekers.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for refugees.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for co-ethnics.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for domestic workers.

Answer: same coverage as nationals

Code: 1

Explanation: Article 1 of the National Health Insurance Act establishes that: "This Insurance is compulsory social insurance. Benefits shall be provided during the insured term under the provisions of this Act, in case of illness, injury, or maternity occurred to the beneficiary".

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 9.

Health care coverage for agricultural workers.

Answer: same coverage as nationals

Code: 1

Explanation: Article 1 of the National Health Insurance Act establishes that: "This Insurance is compulsory social insurance. Benefits shall be provided during the insured term under the provisions of this Act, in case of illness, injury, or maternity occurred to the beneficiary."

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 9.

Health care coverage for medical doctors.

Answer: same coverage as nationals

Code: 1

Explanation: Article 1 of the National Health Insurance Act establishes that: "This Insurance is compulsory social insurance. Benefits shall be provided during the insured term under the provisions of this Act, in case of illness, injury, or maternity occurred to the beneficiary".

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 1.

Health care coverage for permanent residents.

Answer: same coverage as nationals

Code: 1

Explanation: Article 1 of the National Health Insurance Act establishes that: "This Insurance is compulsory social insurance. Benefits shall be provided during the insured term under the provisions of this Act, in case of illness, injury, or maternity occurred to the beneficiary".

Sources: 全民健康保險法 [National Health Insurance Act]. 2017. Art. 1.

5.4.4. Unemployment benefits

IMMIGRANT_52: Unemployment benefits.

Access of asylum seekers to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of refugees to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of co-ethnics to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to unemployment benefits as compared to citizen residents:

Answer: no access

Code: 0

Explanation: The residence and work permit of domestic workers are tied to a particular job position; loss of employment will result in the withdrawal of residence and work permit (unless under the conditions not attributable to the foreign workers). Moreover, in the Employment Insurance Act (2015), low-skill foreign workers are not included in the list of eligible insured people. Article 5 of the Employment Insurance Act: "An employed worker over 15 and under 65 years of age and with one of the following statuses is required to join this employment insurance program as an insured person through his employer or the organization to which he or she belongs. 1. An ROC national; 2. A foreign national, Mainland Chinese citizen, Hong Kong citizen or Macao citizen married to an ROC citizen and having acquired legal residency in ROC".

Sources: 勞動部 就業保險法 [Employment Insurance Act]. 2015. Art. 5.

Access of agricultural workers to unemployment benefits as compared to citizen residents:

Answer: no access

Code: 0

Explanation: The residence and work permit of agricultural workers are tied to a particular job position; loss of employment will result in the withdrawal of residence and work permit (unless under the conditions not attributable to the foreign workers). Moreover, in the Employment Insurance Act (2015), low-skill foreign workers are not included in the list of eligible insured people. Article 5 of the Employment Insurance Act: "An employed worker over 15 and under 65 years of age and with one of the following statuses is required to join this employment insurance program as an insured person through his employer or the organization to which he or she belongs. 1. An ROC national; 2. A foreign national, Mainland Chinese citizen, Hong Kong citizen or Macao citizen married to an ROC citizen and having acquired legal residency in ROC".

Sources: 勞動部 就業保險法 [Employment Insurance Act]. 2015. Art. 5.

Access of medical doctors to unemployment benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: A limiting condition applies: marriage. Article 5 of the Employment Insurance Act: "An employed worker over 15 and under 65 years of age and with one of the following statuses is required to join this employment insurance program as an insured person through his employer or the organization to which he or she belongs. 1. An ROC national; 2. A foreign national, Mainland Chinese citizen, Hong Kong citizen or Macao citizen married to an ROC citizen and having acquired legal residency in ROC".

Sources: 勞動部 就業保險法 [Employment Insurance Act]. 2015. Art. 5 (2).

Access of permanent residents to unemployment benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: A limiting condition applies: marriage. Article 5 of the Employment Insurance Act: "An employed worker over 15 and under 65 years of age and with one of the following statuses is required to join this employment insurance program as an insured person through his employer or the organization to which he or she belongs. 1. An ROC national; 2. A foreign national, Mainland Chinese citizen, Hong Kong citizen or Macao citizen married to an ROC citizen and having acquired legal residency in ROC".

Sources: 勞動部 就業保險法 [Employment Insurance Act]. 2015. Art. 5 (2).

5.4.5. Retirement benefits

IMMIGRANT_53: Retirement benefits.

Access of asylum seekers to retirement benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of refugees to retirement benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of co-ethnics to retirement benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to retirement benefits as compared to citizen residents:

Answer: no access

Code: 0

Explanation: Domestic workers are not included in the list of eligible people provided by article 7 of the Labor Pension Act.

Sources: 勞動部 勞工退休金條例 [Labor Pension Act]. 2019. Art. 7.

Access of agricultural workers to retirement benefits as compared to citizen residents:

Answer: no access

Code: 0

Explanation: Agricultural workers are not included in the list of eligible people provided by article 7 of the Labor Pension Act.

Sources: 勞動部 勞工退休金條例 [Labor Pension Act]. 2019. Art. 7.

Access of medical doctors to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: A limiting condition applies: marriage. Article 7 of the Labor Pension Act: "This Act applies to the persons below who are applicable under the Labor Standards Act, but does not including those whose pension are appropriated in accordance with the Private School Act: 1.Workers holding ROC citizenship; 2.Foreigners, people of China, Hong Kong or Macao residents who married ROC nationals having a registered household in the Republic of China, and who have residency status and are permitted to work in Taiwan area; 3.Foreigners, people of China, Hong Kong or Macao residents in the preceding subparagraph who have divorced their spouses or whose spouses have passed away, and are permitted in accordance with relevant laws and regulations to continue to reside and work in Taiwan area. ROC nationals and persons referred to in subparagraphs 2 and 3 of the preceding paragraph who satisfy any one of the following statuses may voluntarily make payments and claim for pension in accordance with the Act: 1.Employers who actually engage in labor work; 2.Self-employed operators; 3.Commissioned workers;4.Workers Not applicable under the Labor Standards Act."

Sources: 勞動部 勞工退休金條例 [Labor Pension Act]. 2019. Art. 7 (2).

Access of permanent residents to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: A limiting condition applies: marriage. Article 7 of the Labor Pension Act: "This Act applies to the persons below who are applicable under the Labor Standards Act, but does not including those whose pension are appropriated in accordance with the Private School Act: 1.Workers holding ROC citizenship; 2.Foreigners, people of China, Hong Kong or Macao residents who married ROC nationals having a registered household in the Republic of China, and who have residency status and are permitted to work in Taiwan area; 3.Foreigners, people of China, Hong Kong or Macao residents in the preceding subparagraph who have divorced their spouses or whose spouses have passed away, and are permitted in accordance with relevant laws and regulations to continue to reside and work in Taiwan area. ROC nationals and persons referred to in subparagraphs 2 and 3 of the preceding paragraph who satisfy any one of the following statuses may voluntarily make payments and claim for pension in accordance with the Act: 1.Employers who actually engage in labor work; 2.Self-employed operators; 3.Commissioned workers;4.Workers Not applicable under the Labor Standards Act".

Sources: 勞動部 勞工退休金條例 [Labor Pension Act]. 2019. Art. 7 (2).

5.5. Cultural policies

IMMIGRANT_54: Funding for bilingual education.

Is there public funding for bilingual education in the language of majoritarian migrant groups?

Answer: yes

Code: 1

Explanation: The K-12 Education Administration of Ministry of Education - Precautions for the selection of new resident language elective courses for national primary and secondary schools establishes that: ""1. The National and Pre-primary Education Department of the Ministry of Education (hereinafter referred to as the Department) assists the National Primary School and the National Secondary School (hereinafter referred to as the school) in the syllabus of the national education stage of the National Basic Education for 12 years in order to ensure the students' interest in the language of the new residents. , open a new language course for new residents, special precautions. 2. The term "New Resident Language" as used in this Notice refers to the official languages of the seven countries of Vietnam, Indonesia, Thailand, Myanmar, Cambodia, the Philippines and Malaysia".

Sources: Ministry of Education. "K-12 Education Administration - Precautions for the selection of new resident language elective courses for national primary and secondary schools". Access date not available. <http://edu.law.moe.gov.tw/LawContent.aspx?id=GL001780>.

IMMIGRANT_55: Funding for media on main migrant group's language.

Is there public funding for media in the language of the main migrant group?

Answer: yes

Code: 1

Explanation: According to the National Immigration Agency of the Ministry of the Interior: "The 'funds for foreign spouses' was budgeted starting from 2005 in accordance with the 2900th Executive Yuan conference dated July 28, 2004. A total of 3 billion NT dollars were collected in the following 10 years

as a financial support for affiliated agencies within the Ministry of the Interior. The goal is to bolster the immigration system for comprehensive care and guidance. Funded projects include 'Social Security Network for Immigrants,' 'Propaganda about Family Learning, Nursery, Cultural Diversity and Related Issues,' 'Family Service Centers,' and 'Innovative Services, Training and Activation of the Industrial Network by Immigrants'.

Sources: National Immigration Agency, Ministry of the Interior. "About the Development Funds for Immigrants". Access date not available.
https://ifi.immigration.gov.tw/ct.asp?xItem=5533&ctNode=36653&mp=ifi_en.

5.6. Mobility policies

5.6.1. Identity documents

IMMIGRANT_56: Confiscation of identification documents.

Do asylum seekers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: Article 40 of the Employment Service Act establishes that: "When processing employment services businesses, no private employment service institution or any staff member thereof may engage in any of the following: [...] 3. Withholding any job applicant's national identification card, work certificate, or any other certifying document against his/her free will." Moreover, article 57 establishes that: "As for employment of foreign worker(s), employer shall not engage in any of the following: [...] 8. Illegally withholding the passport(s)/ residence certificate(s) of foreign worker(s) or embezzling belongings of foreign worker(s)".

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 40 and 57.

Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: Article 40 of the Employment Service Act establishes that: "When processing employment services businesses, no private employment service institution or any staff member thereof may engage in any of the following: [...] 3. Withholding any job applicant's national identification card, work certificate, or any other certifying document against his/her free will." Moreover, article 57 establishes that: "As for employment of foreign worker(s), employer shall not engage in any of the following: [...] 8. Illegally withholding the passport(s)/ residence certificate(s) of foreign worker(s) or embezzling belongings of foreign worker(s)".

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 40 and 57.

Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: Article 40 of the Employment Service Act establishes that: "When processing employment services businesses, no private employment service institution or any staff member thereof may engage in any of the following: [...] 3. Withholding any job applicant's national identification card, work certificate, or any other certifying document against his/her free will." Moreover, article 57 establishes that: "As for employment of foreign worker(s), employer shall not engage in any of the following: [...] 8. Illegally withholding the passport(s)/ residence certificate(s) of foreign worker(s) or embezzling belongings of foreign worker(s)".

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 40 and 57.

Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: Article 40 of the Employment Service Act establishes that: "When processing employment services businesses, no private employment service institution or any staff member thereof may engage in any of the following: [...] 3. Withholding any job applicant's national identification card, work certificate, or any other certifying document against his/her free will." Moreover, article 57 establishes that: "As for employment of foreign worker(s), employer shall not engage in any of the following: [...] 8. Illegally withholding the passport(s)/ residence certificate(s) of foreign worker(s) or embezzling belongings of foreign worker(s) ."

Sources: 就業服務法 [Employment Service Act]. 2016. Art. 40 and 57.

5.6.2. Freedom of movement

IMMIGRANT_57: Freedom of movement within country.

Do asylum seekers have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to move freely within the country?

Answer: no

Code: 0

Explanation: After entering the country, a foreigner worker needs to reside in the pre-approved address of the accommodation. If the employer changes the place of residence for foreign workers (for example, if the caregiver moves, the institution changes the place of residence, or the employer is appointed by the intermediary), the local competent authority of the original place of work and the original place of residence of the foreigner should be notified by the "Notice of Change of Accommodation of Foreigners" within 7 days after the change. Article 19 of the Regulations on the permission and administration of the employment of foreign workers establishes that: "In applying for employment of foreign worker(s) according to Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of the Act, an employer shall execute genuinely the Foreigners' Living Management Plan. In case of violating provisions described in previous paragraph, the local competent authority shall notify the employer in writing to make an improvement within a specified period." Article 19-1: "The Foreign Worker's Living Care Service Plan prescribed in Paragraph 1 of the preceding article should include the following items: 1. Food and housing safety and sanitation. 2. Protection of personal safety. 3. Information on recreational and cultural facilities and religious activities. 4. Consultation service for life in Taiwan. 5. Housing location and the living care service staff. 6. Other items as may be required by the Central Competent Authority. Where an employer employs a foreign domestic helper or caretaker, items prescribed in Subparagraphs 3 and 4 of the preceding paragraph shall be exempted from the plan. For any alteration to items in Subparagraph 5 of Paragraph 1, an employer should, within seven days of the alteration, notify in writing the local competent authority where the foreign worker concerned lives or works."

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019. Art. 19.

Do agricultural workers have the right to move freely within the country?

Answer: no

Code: 0

Explanation: After entering the country, a foreigner worker needs to reside in the pre-approved address of the accommodation. If the employer changes the place of residence for foreign workers (for example, if the caregiver moves, the institution changes the place of residence, or the employer is appointed by the intermediary), the local competent authority of the original place of work and the original place of residence of the foreigner should be notified by the "Notice of Change of Accommodation of Foreigners" within 7 days after the change. Article 19 of the Regulations on the permission and administration of the employment of foreign workers establishes that: "In applying for employment of foreign worker(s) according to Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of the Act, an employer shall execute genuinely the Foreigners' Living Management Plan. In case of violating provisions described in previous paragraph, the local competent authority shall notify the employer in writing to make an improvement within a specified period." Article 19-1: "The Foreign Worker's Living Care Service Plan prescribed in Paragraph 1 of the preceding article should include the following items: 1. Food and housing safety and sanitation. 2. Protection of personal safety. 3. Information on recreational and cultural facilities and religious activities. 4. Consultation service for life in Taiwan. 5. Housing location and the living care service staff. 6. Other items as may be required by the Central Competent Authority. Where an employer employs a foreign domestic helper or caretaker, items prescribed in Subparagraphs 3 and 4 of the preceding paragraph shall be exempted from the plan. For any alteration to items in Subparagraph 5 of Paragraph 1, an employer should, within seven

days of the alteration, notify in writing the local competent authority where the foreign worker concerned lives or works".

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019. Art. 19.

Do medical doctors have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: There are no explicit restrictions to movement.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019.

Do permanent residents have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: There are no explicit restrictions to movement.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019.

IMMIGRANT_58: Freedom to move outside the country.

Do asylum seekers have the right to leave the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to leave the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the right to leave the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to leave the country?

Answer: no answer

Code: Not applicable

Explanation: Not regulated.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019.

Number of months of absence allowed per year (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the right to leave the country?

Answer: no answer

Code: Not applicable

Explanation: Not regulated.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019.

Number of months of absence allowed per year (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the right to leave the country?

Answer: no answer

Code: Not applicable

Explanation: Not regulated.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019.

Number of months of absence allowed per year (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do permanent residents have the right to leave the country?

Answer: no answer

Code: Not applicable

Explanation: Not regulated.

Sources: 勞動部 雇主聘僱外國人許可及管理辦法 [Regulations on the Permission and Administration for the Employment of Foreign Workers]. 2019.

Number of months of absence allowed per year (permanent residents):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.6.3. Obligations

5.6.4. Military service

IMMIGRANT_59: Military service.

Do asylum seekers have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1.

Do agricultural workers have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1.

Do medical doctors have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1.

Do permanent residents have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1.

5.6.5. Social service

IMMIGRANT_60: Social service.

Do asylum seekers have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with social service?

Answer: social service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service." Moreover, Article 2 specifies that: "The Military Services in this Act refers to: Military OfficerService,Non Commission Officer Service, Enlisted Man,Substitute Service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1 and 2.

Do agricultural workers have the obligation to comply with social service?

Answer: social service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service." Moreover, Article 2 specifies that: "The Military Services in this Act refers to: Military OfficerService,Non Commission Officer Service, Enlisted Man,Substitute Service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1.

Do medical doctors have the obligation to comply with social service?

Answer: social service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service." Moreover, Article 2 specifies that: "The Military Services in this Act refers to: Military OfficerService,Non Commission Officer Service, Enlisted Man,Substitute Service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1.

Do permanent residents have the obligation to comply with social service?

Answer: social service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Article 1 of the Act of Military Service System: "In accordance with the Law, the male citizens of the Republic of China are obligated to take military service." Moreover, Article 2 specifies that: "The Military Services in this Act refers to: Military OfficerService,Non Commission Officer Service, Enlisted Man,Substitute Service".

Sources: 兵役法 [Act of Military Service System]. 2017. Art. 1.

5.6.6. Taxes

IMMIGRANT_61: Income taxes.

Do asylum seekers have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do co-ethnics have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Article 2 of the Income Tax Act: "For any individual having income from sources in the Republic of China, consolidated income tax shall be levied in accordance with this Act on his income derived from sources in the Republic of China. Unless otherwise provided in this Act, in the case of an individual who is a nonresident in the Republic of China but who has derived income from sources in the Republic of China, income tax payable by him on all such income shall be withheld and paid at the respective sources".

Sources: 所得稅法 [Income Tax Act]. 2018. Art. 2.

Do agricultural workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Article 2 of the Income Tax Act: "For any individual having income from sources in the Republic of China, consolidated income tax shall be levied in accordance with this Act on his income derived from sources in the Republic of China. Unless otherwise provided in this Act, in the case of an individual who is a nonresident in the Republic of China but who has derived income from sources in the Republic of China, income tax payable by him on all such income shall be withheld and paid at the respective sources".

Sources: 所得稅法 [Income Tax Act]. 2018. Art. 2.

Do medical doctors have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Article 2 of the Income Tax Act: "For any individual having income from sources in the Republic of China, consolidated income tax shall be levied in accordance with this Act on his income derived from sources in the Republic of China. Unless otherwise provided in this Act, in the case of an individual who is a nonresident in the Republic of China but who has derived income from sources in the Republic of China, income tax payable by him on all such income shall be withheld and paid at the respective sources".

Sources: 所得稅法 [Income Tax Act]. 2018. Art. 2.

Do permanent residents have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Article 2 of the Income Tax Act: "For any individual having income from sources in the Republic of China, consolidated income tax shall be levied in accordance with this Act on his income derived from sources in the Republic of China. Unless otherwise provided in this Act, in the case of an individual who is a nonresident in the Republic of China but who has derived income from sources in the Republic of China, income tax payable by him on all such income shall be withheld and paid at the respective sources".

Sources: 所得稅法 [Income Tax Act]. 2018. Art. 2.

5.7. Administration

IMMIGRANT_62: Existence of immigrant integration agency in state of reception.

Existence of institution/agency with competencies for immigrant policies:

Answer: yes

Code: 1

Explanation: The National Immigration Agency of the ROC's Ministry of Interior.

Sources: Ministry of the Interior. "About the National Immigration Agency". Access date not available. <https://www.immigration.gov.tw/5475/5478/141386/141392/>.

Name of the institution with competencies for immigrant policies in original language:

Answer: 中华民国内政部移民署

Name of the institution with competencies for immigrant policies in English:

Answer: National Immigration Agency

Access to antidiscrimination body.

Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):

Answer: Yes

Code: 1

Explanation: "1. Who can make a complaint? Can a non-citizen make a complaint? Yes, anyone who finds his/her rights infringed due to negligence or wrongdoings of our government agencies or public servants is eligible to lodge a complaint with the Control Yuan".

Sources: The Control Yuan of ROC. "Who can make a complaint? Can a non-citizen make a complaint?". Access date not available. <https://www.cy.gov.tw/ct.asp?xItem=7769&ctNode=1827&mp=21>.

6. Immigrant citizenship and nationality

6.1. Immigrant nationality

6.1.1. Immigrant dual nationality

IMNAT_1: Renunciation of previous nationality.

Does the country require applicants to naturalization by residence to renounce their previous nationality?

Answer: Yes

Code: 0

Explanation: "Article 9 Foreign nationals applying for naturalization shall provide a certificate of loss of original nationality within one year from the day of approval of naturalization or from the day of reaching the age at which they may renounce nationality under the law of their original country. Failure to submit a certificate of loss of original nationality within the prescribed period shall result in the revocation of the approval of naturalization. However, an application for a deadline extension may be filed in the event of inability to submit said certificate due to legal or administrative restrictions of their original country as verified by the Ministry of Foreign Affairs. Foreign nationals shall not be allowed to reside in Taiwan prior to the submission of a certificate of loss of original nationality as prescribed in the preceding two paragraphs. [第 9 條 外國人申請歸化，應於許可歸化之日起，或依原屬國法令須滿一定年齡始得喪失原有國籍者自滿一定年齡之日起，一年內提出喪失原有國籍證明。屆期未提出者，除經外交部查證因原屬國法律或行政程序限制屬實，致使不能於期限內提出喪失國籍證明者，得申請展延時限外，應撤銷其歸化許可。未依前二項規定提出喪失原有國籍證明前，應不予許可其定居。]"

Sources: 國籍法 [Nationality Act]. 2016. Art. 9.

Citizenship can be withdrawn only if person resides outside the country:

Answer: No

Code: 0

Explanation: No exceptions are made based on place of residence.

Sources: 國籍法 [Nationality Act]. 2016.

Are there exceptions?

Answer: For some countries non-renunciation is tolerated because of those countries inalienable nationality

Code: 2

Explanation: "Foreign nationals may be exempted from submitting a certificate of loss of original nationality if any of the following circumstances apply: 1. They apply for naturalization pursuant to Article 6. 2. They are high-level professionals in the technological, economic, educational, cultural, art,

sports, or other domains who have been recommended by the central competent authority, whose specialties are deemed to serve the interests of the ROC, and who have been approved through a joint review organized by the Ministry of the Interior and conducted by relevant agencies and impartial individuals. 3. They are unable to obtain a certificate of loss of original nationality for reasons not attributable to them. [外國人符合下列情形之一者，免提出喪失原有國籍證明：一、依第六條規定申請歸化。二、由中央目的事業主管機關推薦科技、經濟、教育、文化、藝術、體育及其他領域之高級專業人才，有助中華民國利益，並經內政部邀請社會公正人士及相關機關共同審核通過。三、因非可歸責於當事人之事由，致無法取得喪失原有國籍證明。]”.

Sources: 國籍法 [Nationality Act]. 2016. Art. 6.

IMNAT_1_1: Sanctions.

Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?

Answer: Yes

Code: 1

Explanation: The naturalization of ROC nationality may be revoked. “Article 19 In addition to the revocation of approval of naturalization pursuant to Paragraph 1 of Article 9, naturalization or loss or restoration of ROC nationality may also be revoked by the Ministry of the Interior within two years of discovering any circumstances that are not in conformity with this Act. However, naturalization or loss or restoration of ROC nationality may not be revoked if five or more years have passed since it took effect. The time restriction on revocation as described in the preceding paragraph does not apply to persons who, in accordance with a ruling by a judicial court, have been found to have become naturalized ROC nationals by colluding to conclude a fraudulent marriage or adoption. Before revoking naturalization or loss or restoration of nationality, the Ministry of the Interior shall convene a review panel to accord the person concerned an opportunity to state his or her views. However, this shall not apply to the revocation of approval of naturalization in any of the following circumstances: 1. Pursuant to Article 2, it has been determined that the person concerned possesses ROC nationality. 2. It has been determined by a final ruling of a judicial court that the person concerned has become a naturalized ROC national by colluding to conclude a fraudulent marriage or adoption. The review panel referred to in the preceding paragraph shall be composed of representatives of competent authorities, impartial individuals, experts, and scholars, who are selected and appointed by the Ministry of the Interior. Neither gender shall constitute less than one-third of the review panel members, while impartial persons, experts, and scholars shall not constitute less than half of the review panel members. [第 19 條 歸化、喪失或回復中華民國國籍後，除依第九條第一項規定應撤銷其歸化許可外，內政部知有與本法之規定不合情形之日起二年得予撤銷。但自歸化、喪失或回復中華民國國籍之日起逾五年，不得撤銷。經法院確定判決認其係通謀為虛偽結婚或收養而歸化取得中華民國國籍者，不受前項撤銷權行使期間之限制。撤銷歸化、喪失或回復國籍處分前，內政部應召開審查會，並給予當事人陳述意見之機會。但有下列情形之一者，撤銷其歸化許可，不在此限：一、依第二條規定認定具有中華民國國籍。二、經法院確定判決，係通謀為虛偽結婚或收養而歸化取得中華民國國籍。前項審查會由內政部遴聘有關機關代表、社會公正人士及學者專家共同組成，其中任一性別不得少於三分之一，且社會公正人士及學者專家之人數不得少於二分之一。]”.

Sources: 國籍法 [Nationality Act]. 2016. Arts 2, 9 and 19.

6.1.2. Emigrant dual nationality for immigrants who naturalized

IMNAT_2: Emigrant dual nationality for naturalized immigrants.

Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?

Answer: No provision

Code: 1

Explanation: No, emigrant dual nationality for immigrants who naturalized is not explicitly prohibited in the Nationality Act of ROC.

Sources: 國籍法 [Nationality Act]. 2016.

6.1.3. Loss of nationality after residence abroad for naturalized immigrants

IMNAT_3: Loss after residence abroad for immigrants naturalized.

For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad

Answer: No provision

Code: 1

Explanation: No, residence abroad for immigrants who naturalized does not lead to loss of nationality. (It is not explicitly prohibited in the Nationality Act).

Sources: 國籍法 [Nationality Act]. 2016.

After how many years abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.4. Unrestrictive jus soli

IMNAT_4: Unrestrictive jus soli.

Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?

Answer: Yes

Code: 1

Explanation: Yes, but under certain other conditions. "Article 2 A person shall have the nationality of the ROC under any of the conditions provided by the following Subparagraphs: 1. His/her father or mother was a national of the ROC when he/she was born. 2. He/she was born after the death of his/her father or mother, and his/her father or mother was a national of the ROC at the time of death. 3. He/she was born in the territory of the ROC, and his/her parents can't be ascertained or both were stateless persons. 4. He/she has undergone the naturalization process. Preceding Subparagraph 1 and Subparagraph 2 shall also apply to the persons who were minors at the time of the amendment and promulgation of this Act. [第 2 條 有下列各款情形之一者，屬中華民國國籍：一、出生時父或母為中華民國國民。二、出生於父或母死亡後，其父或母死亡時為中華民國國民。三、出生於中華民國領域內，父母均無可考，或均無國籍者。四、歸化者。前項第一款及第二款之規定，於本法修正公布時之未成年人，亦適用之。]"

Sources: 國籍法 [Nationality Act]. 2016. Art. 2.

6.1.5. Qualified jus soli

IMNAT_5: Qualified jus soli.

Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?

Answer: No

Code: 0

Explanation: No, their parents must not necessarily be born there. "Article 2 A person shall have the nationality of the ROC under any of the conditions provided by the following Subparagraphs: 1. His/her father or mother was a national of the ROC when he/she was born. 2. He/she was born after the death of his/her father or mother, and his/her father or mother was a national of the ROC at the time of death. 3. He/she was born in the territory of the ROC, and his/her parents can't be ascertained or both were stateless persons. 4. He/she has undergone the naturalization process. Preceding Subparagraph 1 and Subparagraph 2 shall also apply to the persons who were minors at the time of the amendment and promulgation of this Act. [第 2 條 有下列各款情形之一者，屬中華民國國籍：一、出生時父或母為中華民國國民。二、出生於父或母死亡後，其父或母死亡時為中華民國國民。三、出生於中華民國領域內，父母均無可考，或均無國籍者。四、歸化者。前項第一款及第二款之規定，於本法修正公布時之未成年人，亦適用之。]"

Sources: 國籍法 [Nationality Act]. 2016. Art. 2.

6.1.6. Standard naturalization procedure for immigrants due to residence in the country

IMNAT_6: Ordinary naturalization.

Does the country provide for standard naturalization procedure for immigrants due to residence in it?

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: Yes, standard naturalization exists.

Sources: 國籍法 [Nationality Act]. 2016.

Number of years of residence required for naturalization:

Answer: 5

Code: 5

Explanation: 5 years of residence are required.

Sources: 國籍法 [Nationality Act]. 2016.

Number of continuous years of residence required for naturalization:

Answer: 5

Code: 5

Explanation: Residence of more than 183 days each year for at least five consecutive years, age above 20, no criminal records, self-sustainability, language. "Article 3 Foreign nationals or stateless persons who currently have domicile in the territory of the Republic of China may apply for naturalization if they: 1. have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years; 2. are aged 20 or above and legally competent in accordance with the laws of both the ROC and their original nation; 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves and lead a stable life; and 5. possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals. With regard to Subparagraph 3 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria; solicit input from experts, scholars, and impartial individuals to help formulate related procedures; maintain a regular review mechanism; and formulate other relevant regulations to be observed. With regard to Subparagraph 5 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria, create tests, define conditions for test exemptions, set test fees, and formulate other standards to be observed. [第 3 條 外國人或無國籍人，現於中華民國領域內有住所，並具備下列各款要件者，得申請歸化：一、於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續五年以上。二、年滿二十歲並依中華民國法律及其本國法均有行為能力。三、無不良素行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。五、具備我國基本語言能力及國民權利義務基本常識。前項第三款所定無不良素行，其認定、邀集專家學者及社會公正人士研議程序、定期檢討機制及其他應

遵行事項之辦法，由內政部定之。第一項第五款所定我國基本語言能力及國民權利義務基本常識，其認定、測試、免試、收費及其他應遵行事項之標準，由內政部定之。】”。

Sources: 國籍法 [Nationality Act]. 2016. Art. 3.

Permanent residence status is required for naturalization:

Answer: No

Code: 0

Explanation: Residence of more than 183 days each year for at least five consecutive years, age above 20, no criminal records, self-sustainability, language. “Article 3 Foreign nationals or stateless persons who currently have domicile in the territory of the Republic of China may apply for naturalization if they: 1. have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years; 2. are aged 20 or above and legally competent in accordance with the laws of both the ROC and their original nation; 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves and lead a stable life; and 5. possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals. With regard to Subparagraph 3 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria; solicit input from experts, scholars, and impartial individuals to help formulate related procedures; maintain a regular review mechanism; and formulate other relevant regulations to be observed. With regard to Subparagraph 5 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria, create tests, define conditions for test exemptions, set test fees, and formulate other standards to be observed. [第 3 條 外國人或無國籍人，現於中華民國領域內有住所，並具備下列各款要件者，得申請歸化：一、於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續五年以上。二、年滿二十歲並依中華民國法律及其本國法均有行為能力。三、無不良素行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。五、具備我國基本語言能力及國民權利義務基本常識。前項第三款所定無不良素行，其認定、邀集專家學者及社會公正人士研議程序、定期檢討機制及其他應遵行事項之辦法，由內政部定之。第一項第五款所定我國基本語言能力及國民權利義務基本常識，其認定、測試、免試、收費及其他應遵行事項之標準，由內政部定之。】”。

Sources: 國籍法 [Nationality Act]. 2016. Art. 3.

Renunciation of previous nationality is required:

Answer: Renunciation requirement except where no release by country of current citizenship or otherwise not possible

Code: 0.75

Explanation: “Article 9 Foreign nationals applying for naturalization shall provide a certificate of loss of original nationality within one year from the day of approval of naturalization or from the day of reaching the age at which they may renounce nationality under the law of their original country. Failure to submit a certificate of loss of original nationality within the prescribed period shall result in the revocation of the approval of naturalization. However, an application for a deadline extension may be filed in the event of inability to submit said certificate due to legal or administrative restrictions of their original country as verified by the Ministry of Foreign Affairs. Foreign nationals shall not be allowed to reside in Taiwan prior to the submission of a certificate of loss of original nationality as prescribed in the preceding two paragraphs. [第 9 條 外國人申請歸化，應於許可歸化之日起，或依原屬國法令須滿

一定年齡始得喪失原有國籍者自滿一定年齡之日起，一年內提出喪失原有國籍證明。屆期未提出者，除經外交部查證因原屬國法律或行政程序限制屬實，致使不能於期限內提出喪失國籍證明者，得申請展延時限外，應撤銷其歸化許可。未依前二項規定提出喪失原有國籍證明前，應不予許可其定居。】”

Foreign nationals may be exempted from submitting a certificate of loss of original nationality if any of the following circumstances apply: 1. They apply for naturalization pursuant to Article 6. 2. They are high-level professionals in the technological, economic, educational, cultural, art, sports, or other domains who have been recommended by the central competent authority, whose specialties are deemed to serve the interests of the ROC, and who have been approved through a joint review organized by the Ministry of the Interior and conducted by relevant agencies and impartial individuals. 3. They are unable to obtain a certificate of loss of original nationality for reasons not attributable to them. [外國人符合下列情形之一者，免提出喪失原有國籍證明：一、依第六條規定申請歸化。二、由中央目的事業主管機關推薦科技、經濟、教育、文化、藝術、體育及其他領域之高級專業人才，有助中華民國利益，並經內政部邀請社會公正人士及相關機關共同審核通過。三、因非可歸責於當事人之事由，致無法取得喪失原有國籍證明。】”。

Sources: 國籍法 [Nationality Act]. 2016. Art. 9.

Language condition for naturalization:

Answer: Without tests or certification and discretionary assessment of level of competence or with certification and specified level of competence at A2

Code: 0.5

Explanation: Residence of more than 183 days each year for at least five consecutive years, age above 20, no criminal records, self-sustainability, language. “Article 3 Foreign nationals or stateless persons who currently have domicile in the territory of the Republic of China may apply for naturalization if they: 1. have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years; 2. are aged 20 or above and legally competent in accordance with the laws of both the ROC and their original nation; 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves and lead a stable life; and 5. possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals. With regard to Subparagraph 3 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria; solicit input from experts, scholars, and impartial individuals to help formulate related procedures; maintain a regular review mechanism; and formulate other relevant regulations to be observed. With regard to Subparagraph 5 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria, create tests, define conditions for test exemptions, set test fees, and formulate other standards to be observed. [第 3 條 外國人或無國籍人，現於中華民國領域內有住所，並具備下列各款要件者，得申請歸化：一、於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續五年以上。二、年滿二十歲並依中華民國法律及其本國法均有行為能力。三、無不良素行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。五、具備我國基本語言能力及國民權利義務基本常識。前項第三款所定無不良素行，其認定、邀集專家學者及社會公正人士研議程序、定期檢討機制及其他應遵行事項之辦法，由內政部定之。第一項第五款所定我國基本語言能力及國民權利義務基本常識，其認定、測試、免試、收費及其他應遵行事項之標準，由內政部定之。】” The persons who want to acquire naturalization should pass the naturalization exam, which constitutes of 2 parts oral test and written test. The maximum points that one can have is 100, individuals who acquires general naturalization would need to get 70 points for this exam, individuals, who acquires special naturalization would need to get 60 points for the exam 參加歸化取得我國國籍者基本語言能力及國民權利義務基本常識測試合格證明（歸化測試分口試及筆試，均為 20 題，歸化測試每題 5 分，總分 100 分）：一、一般歸化者（依國籍法第 3 條第 1 項申請歸化者）：總分 70 以上。二、特殊歸化者：總分 60 分以上。 .

Sources: 國籍法 [Nationality Act]. 2016. Art. 3. / 中華民國內政部戶政司 [Department of the Household Registration, M.O.I.]. “中華民國 內政部戶政司 全球資訊網 [Republic of China Ministry of the Interior, Department of Home Affairs, Global Information Network]”. Accessed May 1, 2018. <https://www.ris.gov.tw/app/portal/144>.

Civil knowledge is a requisite for naturalization:

Answer: Language general cultural integration/assimilation condition, also if assessed informally during an interview

Code: 0.25

Explanation: Residence of more than 183 days each year for at least five consecutive years, age above 20, no criminal records, self-sustainability, language. “Article 3 Foreign nationals or stateless persons who currently have domicile in the territory of the Republic of China may apply for naturalization if they: 1. have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years; 2. are aged 20 or above and legally competent in accordance with the laws of both the ROC and their original nation; 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves and lead a stable life; and 5. possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals. With regard to Subparagraph 3 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria; solicit input from experts, scholars, and impartial individuals to help formulate related procedures; maintain a regular review mechanism; and formulate other relevant regulations to be observed. With regard to Subparagraph 5 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria, create tests, define conditions for test exemptions, set test fees, and formulate other standards to be observed. [第 3 條 外國人或無國籍人，現於中華民國領域內有住所，並具備下列各款要件者，得申請歸化：一、於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續五年以上。二、年滿二十歲並依中華民國法律及其本國法均有行為能力。三、無不良素行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。五、具備我國基本語言能力及國民權利義務基本常識。前項第三款所定無不良素行，其認定、邀集專家學者及社會公正人士研議程序、定期檢討機制及其他應遵行事項之辦法，由內政部定之。第一項第五款所定我國基本語言能力及國民權利義務基本常識，其認定、測試、免試、收費及其他應遵行事項之標準，由內政部定之。]”

Sources: 國籍法 [Nationality Act]. 2016. Art. 3.

Clean criminal record is a requisite:

Answer: Specific good character clause applying only to naturalization applicants OR no crimes carrying sentences of less than 1 years

Code: 0.75

Explanation: Residence of more than 183 days each year for at least five consecutive years, age above 20, no criminal records, self-sustainability, language. “Article 3 Foreign nationals or stateless persons who currently have domicile in the territory of the Republic of China may apply for naturalization if they: 1. have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years; 2. are aged 20 or above and legally competent in accordance with the laws of both the ROC and their original nation; 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves

and lead a stable life; and 5. possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals. With regard to Subparagraph 3 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria; solicit input from experts, scholars, and impartial individuals to help formulate related procedures; maintain a regular review mechanism; and formulate other relevant regulations to be observed. With regard to Subparagraph 5 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria, create tests, define conditions for test exemptions, set test fees, and formulate other standards to be observed. [第 3 條 外國人或無國籍人，現於中華民國領域內有住所，並具備下列各款要件者，得申請歸化：一、於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續五年以上。二、年滿二十歲並依中華民國法律及其本國法均有行為能力。三、無不良素行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。五、具備我國基本語言能力及國民權利義務基本常識。前項第三款所定無不良素行，其認定、邀集專家學者及社會公正人士研議程序、定期檢討機制及其他應遵行事項之辦法，由內政部定之。第一項第五款所定我國基本語言能力及國民權利義務基本常識，其認定、測試、免試、收費及其他應遵行事項之標準，由內政部定之。]”.

Sources: 國籍法 [Nationality Act]. 2016. Art. 3.

Economic resources as requisite for naturalization:

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: Residence of more than 183 days each year for at least five consecutive years, age above 20, no criminal records, self-sustainability, language. “Article 3 Foreign nationals or stateless persons who currently have domicile in the territory of the Republic of China may apply for naturalization if they: 1. have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years; 2. are aged 20 or above and legally competent in accordance with the laws of both the ROC and their original nation; 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves and lead a stable life; and 5. possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals. With regard to Subparagraph 3 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria; solicit input from experts, scholars, and impartial individuals to help formulate related procedures; maintain a regular review mechanism; and formulate other relevant regulations to be observed. With regard to Subparagraph 5 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria, create tests, define conditions for test exemptions, set test fees, and formulate other standards to be observed. [第 3 條 外國人或無國籍人，現於中華民國領域內有住所，並具備下列各款要件者，得申請歸化：一、於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續五年以上。二、年滿二十歲並依中華民國法律及其本國法均有行為能力。三、無不良素行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。五、具備我國基本語言能力及國民權利義務基本常識。前項第三款所定無不良素行，其認定、邀集專家學者及社會公正人士研議程序、定期檢討機制及其他應遵行事項之辦法，由內政部定之。第一項第五款所定我國基本語言能力及國民權利義務基本常識，其認定、測試、免試、收費及其他應遵行事項之標準，由內政部定之。]”.

Sources: 國籍法 [Nationality Act]. 2016. Art. 3.

6.1.7. Socialization based acquisition of citizenship

IMNAT_7: Naturalization by socialization.

Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?

Answer: No provision

Code: 0

Explanation: No such provision.

Sources: 國籍法 [Nationality Act]. 2016.

6.1.8. Special procedure for immigrants with very long residence in country

IMNAT_8: Long residence.

Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?

Answer: Yes

Code: 1

Explanation: Yes, it is possible. The long residence requirement would be more than 10 consecutive years, along with other conditions to be met (age above 20, no criminal records, self-sustainability, language). "Article 5 A foreign national or stateless person who now has a domicile in the territory of the ROC, if meeting the requisites provided in Subparagraph 2 to Subparagraph 5 of Paragraph 1 of Article 3, under any of the conditions provided by the following Subparagraphs, can also apply for naturalization: 1. He/she was born in the territory of the ROC, and his/her father or mother was also born in the territory of the ROC. 2. He/she has legally resided in the territory of the ROC for more than 10 consecutive years. [第 5 條 外國人或無國籍人，現於中華民國領域內有住所，具備第三條第一項第二款至第五款要件，並具有下列各款情形之一者，亦得申請歸化：一、出生於中華民國領域內，其父或母亦出生於中華民國領域內。二、曾在中華民國領域內合法居留繼續十年以上。]"

Sources: 國籍法 [Nationality Act]. 2016. Art. 5.

6.1.9. Preferential naturalization for immigrants from specific countries

IMNAT_9: Preferential naturalization by country.

Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?

Answer: No

Code: 0

Explanation: No. No public evidence shows that special acquisition of nationality exists which is tied to a specific country of origin.

Sources: 國籍法 [Nationality Act]. 2016.

6.1.10. Cultural affinity/Ethnic ties

IMNAT_10: Preferential naturalization due to cultural or ethnic ties.

Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?

Answer: No

Code: 0

Explanation: There is no co-ethnic proxy in Taiwan

Sources: 國籍法 [Nationality Act]. 2016.

6.1.11. Spousal transfer

IMNAT_11: Spousal transfer.

Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: Yes. In the case of spousal transfer, the naturalization applicant can be exempted from the condition of “possessing sufficient property or professional skills to support themselves and lead a stable life”, but other conditions need to be met (age above 20, no criminal records, language). “Article 4 Foreign nationals or stateless persons who currently have domicile in the territory of the ROC, meet the conditions prescribed in Subparagraphs 2 to 5 of Paragraph 1 of Article 3, and have legally resided in the territory of the ROC for more than 183 days each year for at least three consecutive years, may apply for naturalization if any of the following circumstances apply: 1. If they are married to an ROC national, they are not required to meet the conditions prescribed in Subparagraph 4 of Paragraph 1 of Article 3. 2. They have divorced an ROC national due to domestic violence and have not since remarried, or their ROC spouse has died and they have not remarried and can demonstrate they remain in contact with family members of their deceased spouse. However, those who had been married to an ROC national for at least two years before his or her death are exempted from the aforementioned requirement concerning contact with family members. 3. They support their children who possess ROC nationality and who are legally incompetent or have limited legal competence, exercise rights and obligations on behalf of such children, and meet and interact in person with them.

4. They have at least one parent who is or was an ROC national. 5. They have been adopted by an ROC national. 6. They were born in the territory of the ROC. 7. They are the guardian or assistant of an ROC national. Foreign nationals or stateless persons who are unmarried minors, whose (adoptive) father or (adoptive) mother is an ROC national, who have legally resided in the territory of the ROC for less than three years, and who do not meet the conditions prescribed in Subparagraph 2, 4, and 5 of Paragraph 1 of Article 3, may apply for naturalization. [第 4 條 外國人或無國籍人，現於中華民國領域內有住所，具備前條第一項第二款至第五款要件，於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續三年以上，並有下列各款情形之一者，亦得申請歸化：一、為中華民國國民之配偶，不須符合前條第一項第四款。二、為中華民國國民配偶，因受家庭暴力離婚且未再婚；或其配偶死亡後未再婚且有事實足認與其亡故配偶之親屬仍有往來，但與其亡故配偶婚姻關係已存續二年以上者，不受與親屬仍有往來之限制。三、對無行為能力、或限制行為能力之中華民國國籍子女，有扶養事實、行使負擔權利義務或會面交往。四、父或母現為或曾為中華民國國民。五、為中華民國國民之養子女。六、出生於中華民國領域內。七、為中華民國國民之監護人或輔助人。未婚未成年之外國人或無國籍人，其父、母、養父或養母現為中華民國國民者，在中華民國領域內合法居留雖未滿三年且未具備前條第一項第二款、第四款及第五款要件，亦得申請歸化。]

Sources: 國籍法 [Nationality Act]. 2016. Arts. 3 and 4.

6.1.12. Filial transfer

IMNAT_12: Filial transfer.

Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: “Article 2 A person shall have the nationality of the ROC under any of the conditions provided by the following Subparagraphs: 1. His/her father or mother was a national of the ROC when he/she was born. 2. He/she was born after the death of his/her father or mother, and his/her father or mother was a national of the ROC at the time of death. 3. He/she was born in the territory of the ROC, and his/her parents can't be ascertained, or both were stateless persons. 4. He/she has undergone the naturalization process. Preceding Subparagraph 1 and Subparagraph 2 shall also apply to the persons who were minors at the time of the amendment and promulgation of this Act.[第 2 條 有下列各款情形之一者，屬中華民國國籍：一、出生時父或母為中華民國國民。二、出生於父或母死亡後，其父或母死亡時為中華民國國民。三、出生於中華民國領域內，父母均無可考，或均無國籍者。四、歸化者。前項第一款及第二款之規定，於本法修正公布時之未成年人，亦適用之。]” “Article 4 Foreign nationals or stateless persons who currently have domicile in the territory of the ROC, meet the conditions prescribed in Subparagraphs 2 to 5 of Paragraph 1 of Article 3, and have legally resided in the territory of the ROC for more than 183 days each year for at least three consecutive years, may apply for naturalization if any of the following circumstances apply: [...] 4. They have at least one parent who is or was an ROC national. 5. They have been adopted by an ROC national. 6. They were born in the territory of the ROC. 7. They are the guardian or assistant of an ROC national. Foreign nationals or stateless persons who are unmarried minors, whose (adoptive) father or (adoptive) mother is an ROC national, who have legally resided in the territory of the ROC for less than three years, and who do not meet the conditions prescribed in Subparagraph 2, 4, and 5 of Paragraph 1 of Article 3, may apply for naturalization. [第 4 條 外國人或無國籍人，現於中華民國領域內有住所，具備前條第一項第二款至第五款要件，於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼

續三年以上，並有下列各款情形之一者，亦得申請歸化：[...]四、父或母現為或曾為中華民國國民。五、為中華民國國民之養子女。六、出生於中華民國領域內。七、為中華民國國民之監護人或輔助人。未婚未成年之外國人或無國籍人，其父、母、養父或養母現為中華民國國民者，在中華民國領域內合法居留雖未滿三年且未具備前條第一項第二款、第四款及第五款要件，亦得申請歸化。]” “Article 7 Unmarried minor children of a naturalized person may apply for accompanying naturalization. [第 7 條 歸化人之未婚未成年子女，得申請隨同歸化。]”.

Sources: 國籍法 [Nationality Act]. 2016. Arts. 2, 3 and 4.

6.1.13. Special naturalization for refugees

IMNAT_13: Refugees.

Does the country facilitate the acquisition of nationality by a refugee in its territory?

Answer: Not applicable (i.e. no refugee proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.14. Naturalization for special achievements/talents

IMNAT_14: Special talents.

Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?

Answer: Yes

Code: 1

Explanation: Yes. “Article 6 A foreign national or stateless person who has made special contributions to the ROC but doesn’t meet the requisites provided in Subparagraphs of Paragraph 1 of Article 3, can also apply for naturalization. Preceding permission of naturalization by the MOI shall be approved by the Executive Yuan. [第 6 條 外國人或無國籍人，有殊勳於中華民國者，雖不具備第三條第一項各款要件，亦得申請歸化。內政部為前項歸化之許可，應經行政院核准。]” (Nationality Act, 2016) “2. In any of the following circumstances, it may be recognized that there is a special contribution to our country: (1) The Medal has been awarded by the Medal of Honor. (2) It has made significant contributions to ROC’s democracy, human rights, religion, internal affairs, national defense, foreign affairs, education, culture, art, science and technology, economy, finance, medicine, sports, agriculture, social welfare, medical services or other fields. Received medals from government agencies at the ministerial level or above, foreign government medals or medals. (3) Applicable to the Mackay project, which has a long-term dedication to ROC or has a special contribution. (4) Establishing or serving related institutions such as medical care, social welfare, and social education for more than 20 years, and providing long-term services, care for the weak, educational counseling, and spiritual assistance for the rural areas

where government resources are not easily accessible, and contributing to the Chinese society, The story is clear and specific. (5) Helping to improve ROC's international visibility, enhance ROC's international image, and promote exchanges and cooperation between ROC and other countries, and its deeds are clear and specific. (6) Others have special contributions to the country or society. [二、有下列情形之一者，得認定有殊勳於我國：(一)曾依勳章條例授予勳章。(二)對我國民主、人權、宗教、內政、國防、外交、教育、文化、藝術、科技、經濟、金融、醫學、體育、農業、社會福利、醫療服務或其他領域事務，具有重大貢獻，曾獲部會級以上政府機關獎章、外國政府勳章或獎章。(三)為馬偕計畫適用對象，對我國長期奉獻服務或具有特殊貢獻。(四)創辦或服務於醫療、社會福利、社會教育等相關機構逾二十年，並為政府資源不易到達之偏鄉地區長期提供服務、照護弱勢、教化輔導、精神援助，有功於我國社會，事蹟具體明確。(五)有助於提高我國國際能見度，提升我國國際形象，促進我國與他國之交流、合作，事蹟具體明確。(六)其他對國家或社會有特殊貢獻”。

Sources: 國籍法 [Nationality Act]. 2016. Art. 6. / 歸化國籍有殊勳於我國者認定原則 [Principles of Recognizing Naturalization Candidates with Special Contributions to Republic of China]. 2017.

6.1.15. Naturalization due to investment/financial assets

IMNAT_15: Special talents.

Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?

Answer: No

Code: 0

Explanation: No such provision.

Sources: 國籍法 [Nationality Act]. 2016.

6.1.16. Transfer to other relatives

IMNAT_16: Transfer to other relatives.

Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?

Answer: Yes

Code: 1

Explanation: Yes, if the parent of foreign nationality can prove their children who are of ROC nationality and are legally incompetent or have limited competence, they may apply for naturalization. “Article 4 Foreign nationals or stateless persons who currently have domicile in the territory of the ROC, meet the conditions prescribed in Subparagraphs 2 to 5 of Paragraph 1 of Article 3, and have legally resided in the territory of the ROC for more than 183 days each year for at least three consecutive years, may apply for naturalization if any of the following circumstances apply: 1. If they are married to an ROC national, they are not required to meet the conditions prescribed in

Subparagraph 4 of Paragraph 1 of Article 3. 2. They have divorced an ROC national due to domestic violence and have not since remarried, or their ROC spouse has died and they have not remarried and can demonstrate they remain in contact with family members of their deceased spouse. However, those who had been married to an ROC national for at least two years before his or her death are exempted from the aforementioned requirement concerning contact with family members. 3. They support their children who possess ROC nationality and who are legally incompetent or have limited legal competence, exercise rights and obligations on behalf of such children, and meet and interact in person with them. 4. They have at least one parent who is or was an ROC national. 5. They have been adopted by an ROC national. 6. They were born in the territory of the ROC. 7. They are the guardian or assistant of an ROC national. Foreign nationals or stateless persons who are unmarried minors, whose (adoptive) father or (adoptive) mother is an ROC national, who have legally resided in the territory of the ROC for less than three years, and who do not meet the conditions prescribed in Subparagraph 2, 4, and 5 of Paragraph 1 of Article 3, may apply for naturalization. [第 4 條 外國人或無國籍人，現於中華民國領域內有住所，具備前條第一項第二款至第五款要件，於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續三年以上，並有下列各款情形之一者，亦得申請歸化：一、為中華民國國民之配偶，不須符合前條第一項第四款。二、為中華民國國民配偶，因受家庭暴力離婚且未再婚；或其配偶死亡後未再婚且有事實足認與其亡故配偶之親屬仍有往來，但與其亡故配偶婚姻關係已存續二年以上者，不受與親屬仍有往來之限制。三、對無行為能力、或限制行為能力之中華民國國籍子女，有扶養事實、行使負擔權利義務或會面交往。四、父或母現為或曾為中華民國國民。五、為中華民國國民之養子女。六、出生於中華民國領域內。七、為中華民國國民之監護人或輔助人。未婚未成年之外國人或無國籍人，其父、母、養父或養母現為中華民國國民者，在中華民國領域內合法居留雖未滿三年且未具備前條第一項第二款、第四款及第五款要件，亦得申請歸化。]

Sources: 國籍法 [Nationality Act]. 2016. Arts. 3 and 4.

6.1.17. Nationality for the stateless

IMNAT_17: Stateless.

Does the country facilitate the naturalization of a stateless person in its territory?

Answer: Yes

Code: 1

Explanation: Yes. "Article 3 Foreign nationals or stateless persons who currently have domicile in the territory of the Republic of China may apply for naturalization if they: 1. have legally resided in the territory of the ROC for more than 183 days each year for at least five consecutive years; 2. are aged 20 or above and legally competent in accordance with the laws of both the ROC and their original nation; 3. have demonstrated good moral character and have no criminal record; 4. possess sufficient property or professional skills to support themselves and lead a stable life; and 5. possess basic proficiency in the national language of the ROC and basic knowledge of the rights and obligations of ROC nationals. With regard to Subparagraph 3 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria; solicit input from experts, scholars, and impartial individuals to help formulate related procedures; maintain a regular review mechanism; and formulate other relevant regulations to be observed. With regard to Subparagraph 5 of Paragraph 1, the Ministry of the Interior shall establish assessment criteria, create tests, define conditions for test exemptions, set test fees, and formulate other standards to be observed. [第 3 條 外國人或無國籍人，現於中華民國領域內有住所，並具備下列各款要件者，得申請歸化：一、於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續五年以上。二、年滿二十歲並依中華民國法律及其本國法均有行為能力。三、無不良素

行，且無警察刑事紀錄證明之刑事案件紀錄。四、有相當之財產或專業技能，足以自立，或生活保障無虞。五、具備我國基本語言能力及國民權利義務基本常識。前項第三款所定無不良素行，其認定、邀集專家學者及社會公正人士研議程序、定期檢討機制及其他應遵行事項之辦法，由內政部定之。第一項第五款所定我國基本語言能力及國民權利義務基本常識，其認定、測試、免試、收費及其他應遵行事項之標準，由內政部定之。】“Article 4 Foreign nationals or stateless persons who currently have domicile in the territory of the ROC, meet the conditions prescribed in Subparagraphs 2 to 5 of Paragraph 1 of Article 3, and have legally resided in the territory of the ROC for more than 183 days each year for at least three consecutive years, may apply for naturalization if any of the following circumstances apply: [...] 4. They have at least one parent who is or was an ROC national. 5. They have been adopted by an ROC national. 6. They were born in the territory of the ROC. 7. They are the guardian or assistant of an ROC national. Foreign nationals or stateless persons who are unmarried minors, whose (adoptive) father or (adoptive) mother is an ROC national, who have legally resided in the territory of the ROC for less than three years, and who do not meet the conditions prescribed in Subparagraph 2, 4, and 5 of Paragraph 1 of Article 3, may apply for naturalization. [第 4 條 外國人或無國籍人，現於中華民國領域內有住所，具備前條第一項第二款至第五款要件，於中華民國領域內，每年合計有一百八十三日以上合法居留之事實繼續三年以上，並有下列各款情形之一者，亦得申請歸化：[...] 四、父或母現為或曾為中華民國國民。五、為中華民國國民之養子女。六、出生於中華民國領域內。七、為中華民國國民之監護人或輔助人。未婚未成年之外國人或無國籍人，其父、母、養父或養母現為中華民國國民者，在中華民國領域內合法居留雖未滿三年且未具備前條第一項第二款、第四款及第五款要件，亦得申請歸化。】”。

Sources: 國籍法 [Nationality Act]. 2016. Arts. 3 and 4.

6.1.18. Nationality for regularized immigrants

IMNAT_18: Regularization.

Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?

Answer: No differentiation

Code: 0.5

Explanation: Not regulated. (No existing refugee law and regularization process).

Sources: 國籍法 [Nationality Act]. 2016.

6.1.19. Naturalization possible even if applicant had irregular status before

IMNAT_19: Irregular status.

Does the country provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization (i. e. is ever having been an irregular migrant an impediment to regularize)?

Answer: No

Code: 0

Explanation: No, it's not possible. (No regularization process).

Sources: 國籍法 [Nationality Act]. 2016.

6.2. IMMIGRANT CITIZENSHIP

6.2.1. Restrictions on citizenship for naturalized immigrants

IMCIT_1: Restrictions for naturalized immigrants.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?

Answer: Yes

Code: 1

Explanation: Yes. Naturalized citizens have no right to hold certain government official positions within 10 years from the date of naturalization. Another restriction is that if naturalized citizens have renounced their ROC nationality for some reason, they are no longer able to regain ROC nationality as ROC citizens by birth can. "Article 10 Naturalized foreign nationals or stateless persons have no right to hold the following government offices:1. President, vice president.2. Legislator.3. Premier, vice premier or minister without portfolio of the Executive Yuan; president, vice president or Grand Justices of the Judicial Yuan; president, vice president or members of the Examination Yuan; president, vice president, members or auditor-general of the Control Yuan.4. Personnel specially appointed or designated.5. Deputy Minister of each Ministry.6. Ambassador extraordinary and plenipotentiary, minister extraordinary and plenipotentiary.7. Vice minister or commissioner of the Mongolian and Tibetan Affairs Commission; vice minister of the Overseas Compatriot Affairs Commission.8. Other government offices shall be compared with personnel holding selected ranks above the thirteenth grade.9. General officer of the land, navy or air force.10. Local government office position elected by the people.The foregoing restrictions shall be lifted after 10 years from the date of naturalization, but if otherwise provided by any other act, the provisions of that act shall prevail. [第 10 條 外國人或無國籍人歸化者，不得擔任下列各款公職：一、總統、副總統。二、立法委員。三、行政院院長、副院長、政務委員；司法院院長、副院長、大法官；考試院院長、副院長、考試委員；監察院院長、副院長、監察委員、審計長。四、特任、特派之人員。五、各部政務次長。六、特命全權大使、特命全權公使。七、蒙藏委員會副委員長、委員；僑務委員會副委員長。八、其他比照簡任第十三職等以上職務之人員。九、陸海空軍將官。十、民選地方公職人員。前項限制，自歸化日起滿十年後解除之。但其他法律另有規定者，從其規定。]" "Article 15 For a person who loses the nationality of the ROC according to Article 11, if he/she now has a domicile in the territory of the ROC and meets the requisites provided in Subparagraph 3 and Subparagraph 4 of Paragraph 1 of Article 3, he/she may apply for restoring his/her nationality of the ROC. The preceding Subparagraph shall not apply to naturalized persons and their children naturalized concurrently who lost the nationality of the ROC.[第 15 條 依第十一條規

定喪失中華民國國籍者，現於中華民國領域內有住所，並具備第三條第一項第三款、第四款要件，得申請回復中華民國國籍。歸化人及隨同歸化之子女喪失國籍者，不適用前項規定。】”

Sources: 國籍法 [Nationality Act]. 2016. Arts. 10 and 15.

For how long are the restrictions applied?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: Yes. Naturalized citizens have no right to hold certain government official positions within 10 years from the date of naturalization. Another restriction is that if naturalized citizens have renounced their ROC nationality for some reason, they are no longer able to regain ROC nationality as ROC citizens by birth can. “Article 10 Naturalized foreign nationals or stateless persons have no right to hold the following government offices:1. President, vice president.2. Legislator.3. Premier, vice premier or minister without portfolio of the Executive Yuan; president, vice president or Grand Justices of the Judicial Yuan; president, vice president or members of the Examination Yuan; president, vice president, members or auditor-general of the Control Yuan.4. Personnel specially appointed or designated.5. Deputy Minister of each Ministry.6. Ambassador extraordinary and plenipotentiary, minister extraordinary and plenipotentiary.7. Vice minister or commissioner of the Mongolian and Tibetan Affairs Commission; vice minister of the Overseas Compatriot Affairs Commission.8. Other government offices shall be compared with personnel holding selected ranks above the thirteenth grade.9. General officer of the land, navy or air force.10. Local government office position elected by the people. The foregoing restrictions shall be lifted after 10 years from the date of naturalization, but if otherwise provided by any other act, the provisions of that act shall prevail. [第 10 條 外國人或無國籍人歸化者，不得擔任下列各款公職：一、總統、副總統。二、立法委員。三、行政院院長、副院長、政務委員；司法院院長、副院長、大法官；考試院院長、副院長、考試委員；監察院院長、副院長、監察委員、審計長。四、特任、特派之人員。五、各部政務次長。六、特命全權大使、特命全權公使。七、蒙藏委員會副委員長、委員；僑務委員會副委員長。八、其他比照簡任第十三職等以上職務之人員。九、陸海空軍將官。十、民選地方公職人員。前項限制，自歸化日起滿十年後解除之。但其他法律另有規定者，從其規定。】” “Article 15 For a person who loses the nationality of the ROC according to Article 11, if he/she now has a domicile in the territory of the ROC and meets the requisites provided in Subparagraph 3 and Subparagraph 4 of Paragraph 1 of Article 3, he/she may apply for restoring his/her nationality of the ROC. The preceding Subparagraph shall not apply to naturalized persons and their children naturalized concurrently who lost the nationality of the ROC.[第 15 條 依第十一條規定喪失中華民國國籍者，現於中華民國領域內有住所，並具備第三條第一項第三款、第四款要件，得申請回復中華民國國籍。歸化人及隨同歸化之子女喪失國籍者，不適用前項規定。】”

Sources: 國籍法 [Nationality Act]. 2016. Arts. 10 and 15.

Do the restrictions apply to public office posts?

Answer: Yes

Code: 1

Explanation: Yes. Naturalized citizens have no right to hold certain government official positions within 10 years from the date of naturalization. Another restriction is that if naturalized citizens have renounced their ROC nationality for some reason, they are no longer able to regain ROC nationality as ROC citizens by birth can. “Article 10 Naturalized foreign nationals or stateless persons have no right to hold the following government offices:1. President, vice president.2. Legislator.3. Premier, vice premier or minister without portfolio of the Executive Yuan; president, vice president or Grand Justices of the Judicial Yuan; president, vice president or members of the Examination Yuan; president, vice president, members or auditor-general of the Control Yuan.4. Personnel specially appointed or designated.5. Deputy Minister of each Ministry.6. Ambassador extraordinary and plenipotentiary, minister extraordinary and plenipotentiary.7. Vice minister or commissioner of the Mongolian and Tibetan Affairs Commission; vice minister of the Overseas Compatriot Affairs Commission.8. Other government offices shall be compared with personnel holding selected ranks above the thirteenth grade.9. General officer of the land, navy or air force.10. Local government office position elected by the people.The foregoing restrictions shall be lifted after 10 years from the date of naturalization, but if otherwise provided by any other act, the provisions of that act shall prevail. [第 10 條 外國人或無國籍人歸化者，不得擔任下列各款公職：一、總統、副總統。二、立法委員。三、行政院院長、副院長、政務委員；司法院院長、副院長、大法官；考試院院長、副院長、考試委員；監察院院長、副院長、監察委員、審計長。四、特任、特派之人員。五、各部政務次長。六、特命全權大使、特命全權公使。七、蒙藏委員會副委員長、委員；僑務委員會副委員長。八、其他比照簡任第十三職等以上職務之人員。九、陸海空軍將官。十、民選地方公職人員。前項限制，自歸化日起滿十年後解除之。但其他法律另有規定者，從其規定。]” “Article 15 For a person who loses the nationality of the ROC according to Article 11, if he/she now has a domicile in the territory of the ROC and meets the requisites provided in Subparagraph 3 and Subparagraph 4 of Paragraph 1 of Article 3, he/she may apply for restoring his/her nationality of the ROC. The preceding Subparagraph shall not apply to naturalized persons and their children naturalized concurrently who lost the nationality of the ROC.[第 15 條 依第十一條規定喪失中華民國國籍者，現於中華民國領域內有住所，並具備第三條第一項第三款、第四款要件，得申請回復中華民國國籍。歸化人及隨同歸化之子女喪失國籍者，不適用前項規定。]”

Sources: 國籍法 [Nationality Act]. 2016. Arts. 10 and 15.

Other type of restrictions

Answer: No

Code: 0

Explanation: No, the restrictions pertain to elected and public offices.

Sources: 國籍法 [Nationality Act]. 2016.

6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized

IMCIT_2. Loss or suspension of citizenship.

Does the country deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: No

Code: 0

Explanation: No loss or suspension of citizenship for the naturalized nationals after residence abroad.

Sources: 國籍法 [Nationality Act]. 2016.

Are these rights recovered upon return?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals

IMCIT_3: Restrictions for naturalized immigrants who are dual nationals.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?

Answer: Not applicable

Code: Not applicable

Explanation: A requisite for naturalization is to provide a certificate of loss of the original nationality, so naturalized persons cannot have another nationality.

Sources: Not applicable

How long do the restrictions apply?

Answer: Indefinitely

Code: 0

Explanation: Immigrants must renounce their nationality before the naturalization process According to the ROC Nationality Act (2016), naturalized immigrants must have already renounced their original foreign nationality before the naturalization process becomes successful, on the other hand, however, ROC nationals are able to obtain a foreign dual nationality without having to renounce their ROC nationality. Thus, unless naturalized immigrants take the effort to obtain a new foreign nationality (not necessarily the original one) after they become naturalized, it's unlikely for them to have dual

nationalities. But in the case that such scenario happens, following restriction might apply: “Article 20 A national of the ROC who acquires the nationality of another country has no right to hold government offices of the ROC. If he/she has held a government office, the relevant authority shall discharge his/her government office; a legislator shall be discharged by the Legislative Yuan, government service personnel elected by the people of a municipality, county(city), township(city) shall be discharged by the Executive Yuan, the MOI, or a county government respectively, a village chief shall be discharged by the township(city, district) office, but the following Subparagraphs shall not be subject to this restriction if provided by the competent authorities: 1. Presidents of public universities, teachers who concurrently serve as administrative governors of public school of all levels, principals, vice principals or researchers (including researchers who concurrently serve as governors of academic research) of research organizations (bodies) and principals, vice principals and contracted professionals (including part-time governors) of social education or culture bodies established with the approval of the competent administrative authority of education or culture authorities. 2. Personnel in public-operated utilities other than the persons who take primary decision-making responsibility for the operational policy. 3. Non-governor positions focusing on technology research and design regularly engaged through contract by various authorities. 4. Commissioners without position engaged through selection for consultation only according to the organizational law by the competent authority of overseas Compatriot affairs. 5. Otherwise provided by other acts. Persons in Subparagraph 1 to Subparagraph 3 of the preceding Paragraph shall be limited to talents who have expertise or special skills difficult to find in our country and occupy positions not involving state secrets. Government services of Subparagraph 1 don't include teachers, lecturers and research personnel, professional technical personnel who do not concurrently serve as administrative governors at all levels of public schools. If a national of the ROC who concurrently has the nationality of another country wants to hold a government office limited by nationality as determined by this Article, he/she shall handle the waiver of the other country's nationality before taking office, and complete the loss of that country's nationality and the acquisition of certification documents within 1 year from the date of taking office, but if otherwise provided by another act, the provisions of that act shall prevail. [第 20 條 中華民國國民取得外國國籍者，不得擔任中華民國公職；其已擔任者，除立法委員由立法院；直轄市、縣(市)、鄉(鎮、市)民選公職人員，分別由行政院、內政部、縣政府；村(里)長由鄉(鎮、市、區)公所解除其公職外，由各該機關免除其公職。但下列各款經該管主管機關核准者，不在此限：一、公立大學校長、公立各級學校教師兼任行政主管人員與研究機關(構)首長、副首長、研究人員(含兼任學術研究主管人員)及經各級主管教育行政或文化機關核准設立之社會教育或文化機構首長、副首長、聘任之專業人員(含兼任主管人員)。二、公營事業中對經營政策負有主要決策責任以外之人員。三、各機關專司技術研究設計工作而以契約定期聘用之非主管職務。四、僑務主管機關依組織法遴聘僅供諮詢之無給職委員。五、其他法律另有規定者。前項第一款至第三款人員，以具有專長或特殊技能而在我國不易覓得之人才且不涉及國家機密之職務者為限。第一項之公職，不包括公立各級學校未兼任行政主管之教師、講座、研究人員、專業技術人員。中華民國國民兼具外國國籍者，擬任本條所定應受國籍限制之公職時，應於就(到)職前辦理放棄外國國籍，並於就(到)職之日起一年內，完成喪失該國國籍及取得證明文件。但其他法律另有規定者，從其規定。]”.

Sources: 國籍法 [Nationality Act]. 2016. Art. 20.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: According to the ROC Nationality Act (2016), naturalized immigrants must have already renounced their original foreign nationality before the naturalization process becomes successful, on the other hand, however, ROC nationals are able to obtain a foreign dual nationality without having to renounce their ROC nationality. Thus, unless naturalized immigrants take the effort to obtain a new foreign nationality (not necessarily the original one) after they become naturalized, it's unlikely for them to have dual nationalities. But in the case that such scenario happens, following restriction might apply: “Article 20 A national of the ROC who acquires the nationality of another country has no right to

hold government offices of the ROC. If he/she has held a government office, the relevant authority shall discharge his/her government office; a legislator shall be discharged by the Legislative Yuan, government service personnel elected by the people of a municipality, county(city), township(city) shall be discharged by the Executive Yuan, the MOI, or a county government respectively, a village chief shall be discharged by the township(city, district) office, but the following Subparagraphs shall not be subject to this restriction if provided by the competent authorities: 1. Presidents of public universities, teachers who concurrently serve as administrative governors of public school of all levels, principals, vice principals or researchers (including researchers who concurrently serve as governors of academic research) of research organizations (bodies) and principals, vice principals and contracted professionals (including part-time governors) of social education or culture bodies established with the approval of the competent administrative authority of education or culture authorities. 2. Personnel in public-operated utilities other than the persons who take primary decision-making responsibility for the operational policy. 3. Non-governor positions focusing on technology research and design regularly engaged through contract by various authorities. 4. Commissioners without position engaged through selection for consultation only according to the organizational law by the competent authority of overseas Compatriot affairs. 5. Otherwise provided by other acts. Persons in Subparagraph 1 to Subparagraph 3 of the preceding Paragraph shall be limited to talents who have expertise or special skills difficult to find in our country and occupy positions not involving state secrets. Government services of Subparagraph 1 don't include teachers, lecturers and research personnel, professional technical personnel who do not concurrently serve as administrative governors at all levels of public schools. If a national of the ROC who concurrently has the nationality of another country wants to hold a government office limited by nationality as determined by this Article, he/she shall handle the waiver of the other country's nationality before taking office, and complete the loss of that country's nationality and the acquisition of certification documents within 1 year from the date of taking office, but if otherwise provided by another act, the provisions of that act shall prevail. [第 20 條 中華民國國民取得外國國籍者，不得擔任中華民國公職；其已擔任者，除立法委員由立法院；直轄市、縣(市)、鄉(鎮、市)民選公職人員，分別由行政院、內政部、縣政府；村(里)長由鄉(鎮、市、區)公所解除其公職外，由各該機關免除其公職。但下列各款經該管主管機關核准者，不在此限：一、公立大學校長、公立各級學校教師兼任行政主管人員與研究機關(構)首長、副首長、研究人員(含兼任學術研究主管人員)及經各級主管教育行政或文化機關核准設立之社會教育或文化機構首長、副首長、聘任之專業人員(含兼任主管人員)。二、公營事業中對經營政策負有主要決策責任以外之人員。三、各機關專司技術研究設計工作而以契約定期聘用之非主管職務。四、僑務主管機關依組織法遴聘僅供諮詢之無給職委員。五、其他法律另有規定者。前項第一款至第三款人員，以具有專長或特殊技能而在我國不易覓得之人才且不涉及國家機密之職務者為限。第一項之公職，不包括公立各級學校未兼任行政主管之教師、講座、研究人員、專業技術人員。中華民國國民兼具外國國籍者，擬任本條所定應受國籍限制之公職時，應於就(到)職前辦理放棄外國國籍，並於就(到)職之日起一年內，完成喪失該國國籍及取得證明文件。但其他法律另有規定者，從其規定。]

Sources: 國籍法 [Nationality Act]. 2016. Art. 20.

Do the restrictions apply to public office post?

Answer: Yes

Code: 1

Explanation: According to the ROC Nationality Act (2016), naturalized immigrants must have already renounced their original foreign nationality before the naturalization process becomes successful, on the other hand, however, ROC nationals are able to obtain a foreign dual nationality without having to renounce their ROC nationality. Thus, unless naturalized immigrants take the effort to obtain a new foreign nationality (not necessarily the original one) after they become naturalized, it's unlikely for them to have dual nationalities. But in the case that such scenario happens, following restriction might apply: "Article 20 A national of the ROC who acquires the nationality of another country has no right to hold government offices of the ROC. If he/she has held a government office, the relevant authority shall discharge his/her government office; a legislator shall be discharged by the Legislative Yuan,

government service personnel elected by the people of a municipality, county(city), township(city) shall be discharged by the Executive Yuan, the MOI, or a county government respectively, a village chief shall be discharged by the township(city, district) office, but the following Subparagraphs shall not be subject to this restriction if provided by the competent authorities: 1. Presidents of public universities, teachers who concurrently serve as administrative governors of public school of all levels, principals, vice principals or researchers (including researchers who concurrently serve as governors of academic research) of research organizations (bodies) and principals, vice principals and contracted professionals (including part-time governors) of social education or culture bodies established with the approval of the competent administrative authority of education or culture authorities. 2. Personnel in public-operated utilities other than the persons who take primary decision-making responsibility for the operational policy. 3. Non-governor positions focusing on technology research and design regularly engaged through contract by various authorities. 4. Commissioners without position engaged through selection for consultation only according to the organizational law by the competent authority of overseas Compatriot affairs. 5. Otherwise provided by other acts. Persons in Subparagraph 1 to Subparagraph 3 of the preceding Paragraph shall be limited to talents who have expertise or special skills difficult to find in our country and occupy positions not involving state secrets. Government services of Subparagraph 1 don't include teachers, lecturers and research personnel, professional technical personnel who do not concurrently serve as administrative governors at all levels of public schools. If a national of the ROC who concurrently has the nationality of another country wants to hold a government office limited by nationality as determined by this Article, he/she shall handle the waiver of the other country's nationality before taking office, and complete the loss of that country's nationality and the acquisition of certification documents within 1 year from the date of taking office, but if otherwise provided by another act, the provisions of that act shall prevail. [第 20 條 中華民國國民取得外國國籍者，不得擔任中華民國公職；其已擔任者，除立法委員由立法院；直轄市、縣(市)、鄉(鎮、市)民選公職人員，分別由行政院、內政部、縣政府；村(里)長由鄉(鎮、市、區)公所解除其公職外，由各該機關免除其公職。但下列各款經該管主管機關核准者，不在此限：一、公立大學校長、公立各級學校教師兼任行政主管人員與研究機關(構)首長、副首長、研究人員(含兼任學術研究主管人員)及經各級主管教育行政或文化機關核准設立之社會教育或文化機構首長、副首長、聘任之專業人員(含兼任主管人員)。二、公營事業中對經營政策負有主要決策責任以外之人員。三、各機關專司技術研究設計工作而以契約定期聘用之非主管職務。四、僑務主管機關依組織法遴聘僅供諮詢之無給職委員。五、其他法律另有規定者。前項第一款至第三款人員，以具有專長或特殊技能而在我國不易覓得之人才且不涉及國家機密之職務者為限。第一項之公職，不包括公立各級學校未兼任行政主管之教師、講座、研究人員、專業技術人員。中華民國國民兼具外國國籍者，擬任本條所定應受國籍限制之公職時，應於就(到)職前辦理放棄外國國籍，並於就(到)職之日起一年內，完成喪失該國國籍及取得證明文件。但其他法律另有規定者，從其規定。]

Sources: 國籍法 [Nationality Act]. 2016. Art. 20.

Other type of restrictions (beyond electoral and public office posts).

Answer: Yes

Code: 1

Explanation: According to the ROC Nationality Act (2016), naturalized immigrants must have already renounced their original foreign nationality before the naturalization process becomes successful, on the other hand, however, ROC nationals are able to obtain a foreign dual nationality without having to renounce their ROC nationality. Thus, unless naturalized immigrants take the effort to obtain a new foreign nationality (not necessarily the original one) after they become naturalized, it's unlikely for them to have dual nationalities. But in the case that such scenario happens, following restriction might apply: "Article 20 A national of the ROC who acquires the nationality of another country has no right to hold government offices of the ROC. If he/she has held a government office, the relevant authority shall discharge his/her government office; a legislator shall be discharged by the Legislative Yuan, government service personnel elected by the people of a municipality, county(city), township(city) shall be discharged by the Executive Yuan, the MOI, or a county government respectively, a village chief

shall be discharged by the township(city, district) office, but the following Subparagraphs shall not be subject to this restriction if provided by the competent authorities: 1. Presidents of public universities, teachers who concurrently serve as administrative governors of public school of all levels, principals, vice principals or researchers (including researchers who concurrently serve as governors of academic research) of research organizations (bodies) and principals, vice principals and contracted professionals (including part-time governors) of social education or culture bodies established with the approval of the competent administrative authority of education or culture authorities. 2. Personnel in public-operated utilities other than the persons who take primary decision-making responsibility for the operational policy. 3. Non-governor positions focusing on technology research and design regularly engaged through contract by various authorities. 4. Commissioners without position engaged through selection for consultation only according to the organizational law by the competent authority of overseas Compatriot affairs. 5. Otherwise provided by other acts. Persons in Subparagraph 1 to Subparagraph 3 of the preceding Paragraph shall be limited to talents who have expertise or special skills difficult to find in our country and occupy positions not involving state secrets. Government services of Subparagraph 1 don't include teachers, lecturers and research personnel, professional technical personnel who do not concurrently serve as administrative governors at all levels of public schools. If a national of the ROC who concurrently has the nationality of another country wants to hold a government office limited by nationality as determined by this Article, he/she shall handle the waiver of the other country's nationality before taking office, and complete the loss of that country's nationality and the acquisition of certification documents within 1 year from the date of taking office, but if otherwise provided by another act, the provisions of that act shall prevail. [第 20 條 中華民國國民取得外國國籍者，不得擔任中華民國公職；其已擔任者，除立法委員由立法院；直轄市、縣(市)、鄉(鎮、市)民選公職人員，分別由行政院、內政部、縣政府；村(里)長由鄉(鎮、市、區)公所解除其公職外，由各該機關免除其公職。但下列各款經該管主管機關核准者，不在此限：一、公立大學校長、公立各級學校教師兼任行政主管人員與研究機關(構)首長、副首長、研究人員(含兼任學術研究主管人員)及經各級主管教育行政或文化機關核准設立之社會教育或文化機構首長、副首長、聘任之專業人員(含兼任主管人員)。二、公營事業中對經營政策負有主要決策責任以外之人員。三、各機關專司技術研究設計工作而以契約定期聘用之非主管職務。四、僑務主管機關依組織法遴聘僅供諮詢之無給職委員。五、其他法律另有規定者。前項第一款至第三款人員，以具有專長或特殊技能而在我國不易覓得之人才且不涉及國家機密之職務者為限。第一項之公職，不包括公立各級學校未兼任行政主管之教師、講座、研究人員、專業技術人員。中華民國國民兼具外國國籍者，擬任本條所定應受國籍限制之公職時，應於就(到)職前辦理放棄外國國籍，並於就(到)職之日起一年內，完成喪失該國國籍及取得證明文件。但其他法律另有規定者，從其規定。]

Sources: 國籍法 [Nationality Act]. 2016. Art. 20.