



# Publicity Briefing on the Act for the Recruitment and Employment of Foreign Professionals

National Development Council  
February 8, 2018

# 1. Purposes of Making the Act for the Recruitment and Employment of Foreign Professionals

The Act for the Recruitment and Employment of Foreign Professionals passed its 3<sup>rd</sup> reading in the Legislative Yuan on October 31, 2017. Promulgated by the President on November 22, it received the Executive Yuan's green light to go into effect from February 8, 2018. The Act's liberalizing contents and purposes are as follows:

## Easing work, visa and residency rules

- Issuing Employment Gold Cards to foreign special professionals.
- Issuing personal work permits to foreign freelance artists.
- Opening for foreign teachers with specialist knowledge or skills to teach in *buxibans*.
- Issuing employment-seeking visas to foreign professionals.

## Easing rules for stay of parents, spouses and children

- Easing rules for spouses and children of permanent resident foreign professionals to apply for permanent residency.
- Easing rules for spouses and children of foreign senior professionals to co-apply for permanent residency.
- Issuing personal work permits for qualifying adult children of permanent resident foreign professionals.
- Extending maximum length of family visit visas for lineal ascendants from six months to one year.

## Providing pension, health insurance and tax benefits

- Enabling permanent resident foreign professionals to join the new labor pension system, and enabling foreign public school teachers to receive monthly pension payments.
- Enabling the spouses and children of employed foreign professionals to be included in National Health Insurance coverage without a 6-month wait.
- Giving foreign special professionals a tax break of having income tax assessed on only half of their salary above NT\$3 million for first three years in Taiwan.



Aimed at building a friendlier work and residency environment, to induce foreign professionals to come to Taiwan and stay.

## 2. The Act's Recruitment Targets, and Subsidiary Regulations & Auxiliary Measures

1. The Act's recruitment targets are: Foreign professionals, foreign special professionals, and foreign senior professionals.
2. The Act contains 22 articles, involving the purview of 12 central government agencies, and requiring the making or amendment of 11 sets of subsidiary executive instruments (as detailed in the Appendix).
3. For more details, please refer to the [NDC dedicated webpage](#). For the Employment Gold Card application process, please go to the Ministry of the Interior's [Application Window for Foreign Professionals](#).

### Foreign recruitment targets



**I . Foreign professionals:** Means those engaging in professional work as listed in Article 46 Paragraph 1 Subparagraphs 1 to 6 of the Employment Services Act + freelance artists + *buxiban* teachers with specialized knowledge or skills.

**II . Foreign special professionals:** After combining and balancing the current information provided by all central competent authorities on industry characteristics and needs, the proposed standards for qualification as a foreign special professional include national academicians, winners of well-known international awards, persons recommended by credible associations, persons of international repute who have held office in an overseas professional body, and executives serving at an important supervisory level or above.

**III . Foreign senior professionals:** Means “senior professional personnel as needed by the State” as currently specified by Article 25 Paragraph 3 Subparagraph 2 of the Immigration Act, such as having distinctive talent in S&T R&D or managerial work at a special technology center or S&T institute, possessing unique capabilities in science, research, industry, commerce that enable the person to make a substantial contribution to Taiwan's economy, industry, education or welfare, or having earned an award in an international competition.

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for the Recruitment and Employment of Foreign Professionals

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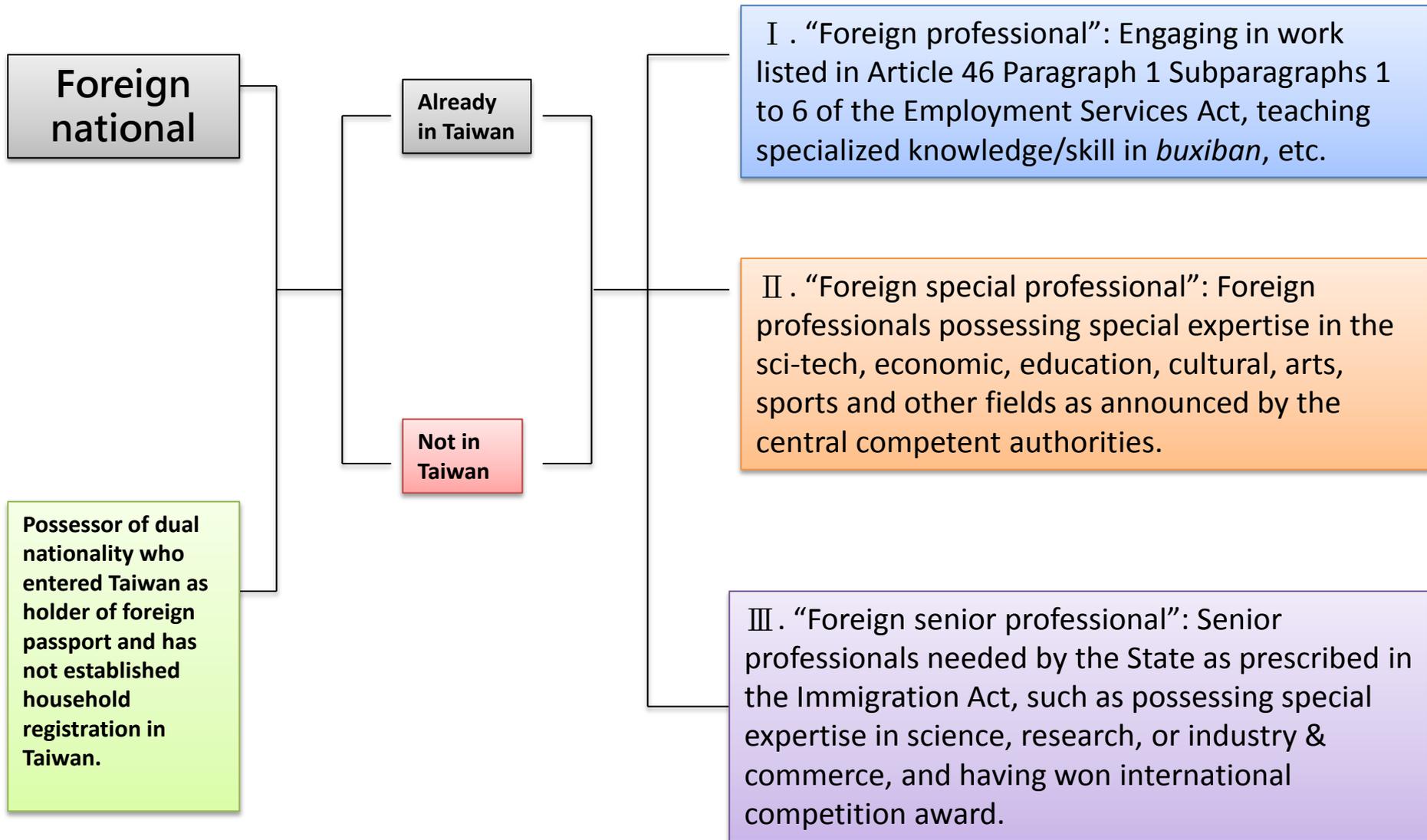




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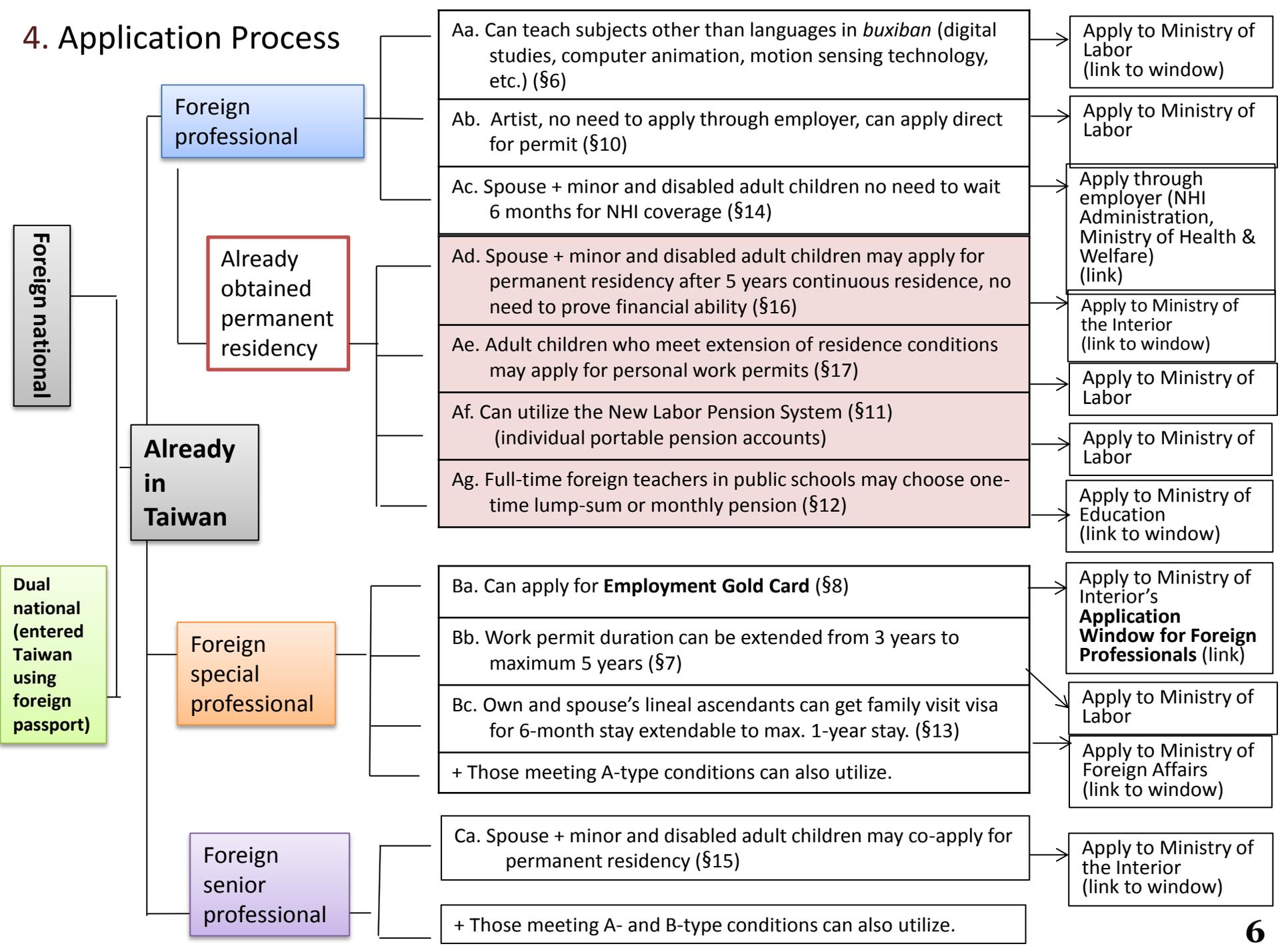
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# 3. Application Qualification



※ Part of the articles apply *mutatis mutandis* to Hong Kong and Macau residents.

# 4. Application Process



# 4. Application Process

Foreign national

Foreign professional

Already obtained permanent residency

Already in Taiwan

Foreign special professional

Foreign senior professional

Aa. Can teach subjects other than languages in *buxiban* (digital studies, computer animation, motion sensing technology, etc.) (§6)

Ab. Artist, no need to apply through employer, can apply direct for permit (§10)

Ac. Spouse + minor and disabled adult children no need to wait 6 months for NHI coverage (§14)

Ad. Spouse + minor and disabled adult children may apply for permanent residency after 5 years continuous residence, no need to prove financial ability (§16)

Ae. Adult children who meet extension of residence conditions may apply for personal work permits (§17)

Af. Can utilize the New Labor Pension System (§11) (individual portable pension accounts)

Ag. Full-time foreign teachers in public schools may choose one-time lump-sum or monthly pension (§12)

Ba. Can apply for **Employment Gold Card** (§8)

Bb. Work permit duration can be extended from 3 years to maximum 5 years (§7)

Bc. Own and spouse's lineal ascendants can get family visit visa for 6-month stay extendable to max. 1-year stay. (§13)

+ Those meeting A-type conditions can also utilize.

Ca. Spouse + minor and disabled adult children may co-apply for permanent residency (§15)

+ Those meeting A- and B-type conditions can also utilize.

Apply to Ministry of Labor (link to window)

Apply to Ministry of Labor

Apply through employer (NHI Administration, Ministry of Health & Welfare) (link)

Apply to Ministry of the Interior (link to window)

Apply to Ministry of Labor

Apply to Ministry of Labor

Apply to Ministry of Education (link to window)

Apply to Ministry of Interior's **Application Window for Foreign Professionals** (link)

Apply to Ministry of Labor

Apply to Ministry of Foreign Affairs (link to window)

Apply to Ministry of the Interior (link to window)

Foreign national

Dual national (entered Taiwan using foreign passport)

Not in Taiwan

Foreign professional

Foreign special professional

Foreign senior professional

Ah. Not yet found work in Taiwan, but can come to Taiwan to seek employment (§19)

- Aa. Can teach subjects other than languages in *buxiban* (digital studies, computer animation, motion sensing technology, etc.) (§6)
- Ab. Artist, no need to apply through employer, can apply direct for permit (§10)
- Ac. Spouse + minor and disabled adult children no need to wait 6 months for NHI coverage (§14)

- Ba. Can apply for **Employment Gold Card** (§8)
- Bb. Work permit duration can be extended from 3 years to maximum 5 years (§7)
- Bc. Own and spouse's lineal ascendants can get family visit visa for 6-month stay extendable to max. 1-year stay. (§13)
- + Those meeting A-type conditions can also utilize.

Bd. Within 3 years of first-time approval to work in Taiwan, can enjoy tax benefit of having portion of salary over NT\$3 million counted as half for assessment of income tax (§9); within first 5 years of employment in professional work, no household registration in the State.

- Ca. Spouse + minor and disabled adult children may co-apply for permanent residency (§15)
- + Those meeting A- and B-type conditions can also utilize.

Apply to Ministry of Labor (link to window)

Apply to Ministry of Labor

Apply through employer (NHI Administration, Ministry of Health & Welfare) (link)

Apply to Ministry of Interior's **Application Window for Foreign Professionals** (link)

Apply to Ministry of Labor

Apply to Ministry of Foreign Affairs

Apply to Ministry of Finance after obtaining Employment Gold Card (link to window)

Apply to Ministry of the Interior (link to window)

Apply to Ministry of Foreign Affairs (link to window)

# Appendix

## ① Prescribing qualifying criteria for foreign special professionals with special expertise in science & technology, economy, education, culture & arts, sports, finance, law, and architecture.

- Stipulating the criteria needing to be met to qualify as a foreign special professional with special expertise in S&T, economy, education, culture, arts, sports, and other fields (such as, *inter alia*, an average monthly salary of NT\$160,000).

## ④ Setting specifications for Digital Content Industry Skill Creation or Practical Skills Teaching Work.

- Under the Act's easing of the law allowing buxibans to recruit foreign professionals with special knowledge and skills as teachers, this stipulates teaching content, qualifying conditions for teachers and employers, documentary requirements, and situations of non-permission, for teaching related to the digital content industry.

## ⑦ Drawing up Regulations on Income Tax Relief for Foreign Special Professionals.

- Setting the conditions and procedure for foreign special professionals who come to work in Taiwan for the first time to claim the Act's tax benefit whereby the portion of their salary income above NT\$3 million is assessed for income tax at half of its actual amount for 3 years.

## ⑩ Pre-announcing 2018 quota of 2,000 for employment-seeking visa applications by foreign professionals.

- Setting announced quotas for the number of foreign professionals approved for employment-seeking visas.

## ② Regulations on Work Permits and Administration of Foreign Teachers in Schools at All Levels

- With the Act putting foreign school teacher work permits and administration back in the hands of the Ministry of Education, these regulations specify matters relating to hiring qualification, screening criteria, work permit application and cancellation, employment supervision, etc.

## ⑤ Regulations on Approval of Employment Gold Card Applications by Foreign Special Professionals

- Stipulating the application procedure, requirements, screening, etc. for issuance of the **Employment Gold Card** (a 4-in-1 card combining work permit, resident visa, ARC and re-entry permit), enabling foreign special professionals to come to work in Taiwan without having first obtained employment, and solving former difficulties relating to change of job, holding multiple jobs concurrently, etc.

## ⑧ Setting of Regulations on Work Permits and Administration of Foreign Nationals Applying to Work as Artists

- Setting qualifying conditions, screening criteria, and other matters for the Act's relaxation of the law allowing freelance foreign artists to work in Taiwan without needing to do so under an employer

## ⑪ Amendment of the Regulations on Permitting Hong Kong and Macau Residents to Enter, Reside and Settle in the Taiwan Area

- Amending these regulations to match Article 20 of the Act, which provides for certain parts of the Act to apply, *mutatis mutandis*, to residents of Hong Kong or Macau engaging in professional work or seeking employment in Taiwan.

## ③ Standards for Job Qualification and Screening of Foreign Nationals for Employment by Short-term Tutorial Centers as Teachers Possessing Specialized Knowledge or Skills.

- These set the qualification requirements, screening criteria, work permit application procedure, permit cancellation conditions and procedure, employment administration, and other matters relating to the Act's broadening of the scope of subjects that can be taught by foreign teachers in *buxibans*.

## ⑥ Setting of Fee-Charging Standards for Employment Gold Cards, Employment Pass Cards, and Entrepreneur Visas.

- These set the tariff of fees to be charged for the issuance of these employment cards and entrepreneur visas, and other matters relating to charges for their issuance and extension.

## ⑨ Setting of Regulations on Screening and Approving Applications by Foreign Professionals for Employment-Seeking Visas

- These set conditions and other related matters for applying for the newly established job-seeking visa – requiring work experience and monthly salary of at least NT\$47,971, or graduation from world's top 500 universities if no work experience.

1. For more details, please refer to the **NDC dedicated webpage**.
2. For the Employment Gold Card application process, please go to the Ministry of the Interior's **Application Window for Foreign Professionals**.