

General Introduction to the New Economic Immigration Bill

The impact of Taiwan's low birth rate and population aging is growing increasingly evident. The country's working age population began to fall after reaching its peak in 2015. The total population is projected to start exhibiting negative growth in 2022, with the working age population falling below 66.7 percent of the total population in 2027, bringing the period of its demographic dividend to an end.

Taiwan urgently needs to respond to these changes in the demographic structure, and to the difficulties caused by pronounced shortages of the technical talent required by domestic industries, by recruiting and supplementing high-grade foreign talent and manpower to augment the human resources needed for national development. As a means to boost industrial upgrading, maintain a reasonable population structure, and raise national competitiveness, this is a vital objective that brooks no delay.

The New Economic Immigration Act (hereafter referred to as "this Act") will relax and broaden the applicable scope of regulations governing qualification to work and stay in Taiwan, access to permanent residence, rights of dependents, and other aspects of the treatment offered to foreign professionals, foreign mid-level technicians, overseas compatriots, and investment immigrants. Also, given that regulation of economic immigration is currently dispersed among various immigration laws and regulations, this new act will serve to enhance administrative efficiency and focus policy implementation by bringing together all pertinent provisions in a single statute, thereby adding greater force to recruitment efforts.

To better attract the foreign professionals needed for the digital economy era and the rapid shift in business models, it is proposed to liberalize the categories of industry and occupation in which their employment is permitted, with adoption of a negative list approach. In

addition, a points system will be utilized for screening the work qualifications of foreign professionals, to establish more diverse employment conditions, and capital and turnover requirements will be relaxed for employers in key industries, to help businesses recruit the kinds of high-caliber international talent they need.

To solve the shortage of mid-level technical manpower needed by domestic industries, reference was made to international practices in mapping out proposals for the employment of foreign students and basic-level foreign personnel who possess mid-level technical work skills, or for directly importing foreign nationals with mid-level technical work skills. Such kinds of technical manpower will all have to meet requirements of salary level and work qualifications. There will also be a total number cap and individual industry quotas. With regard to the direct import of mid-level technical manpower from abroad, the schedule and scope of this will be separately announced by the Executive Yuan, depending on the situation of employment of the other two aforesaid types of technical manpower and the development needs of domestic industries.

In addition, considering the large number of our compatriots residing overseas, and that there are many among them with prime skills and expertise, who ought to be actively targeted for recruitment, this bill proposes relaxing the current entry permit, registered permanent residence and other rules applicable to overseas compatriots who possess ROC nationality under the provisions of the Nationality Act.

On the basis that investment immigrants come within the scope of economic immigration, and is also an object of active promotion by the government, but considering that Taiwan's current avenues and conditions for investment immigrants are already quite diverse and relaxed compared to neighboring countries, current regulations relating

to investment residency, permanent residency and registered permanent residence are integrated in this bill to achieve the purpose of policy declaration.

The bill proposes relaxing conditions pertaining to permanent residency, dependents, and so on for foreign professionals, as well as stipulating conditions for permanent residency of mid-level technicians, and conditions for residency and permanent residency of their dependents. For foreign nationals who obtain permanent residency, it proposes providing ancillary measures of Employment Insurance and new labor pension system coverage and relevant social security and living assistance, to establish a friendlier immigration environment.

The main composition of the New Economic Immigration Bill is as follows:

1. Stating the purpose of the law, its relationship with the application of other laws, the competent authority, and the definition of terms. (Articles 1 to 4)
2. Covering work permits, work qualifications, employer conditions, review standards, and employment permit and extension periods for foreign professionals, plus the Employment Gold Card and tax benefit for foreign special professionals. (Articles 5 to 9)
3. Setting out provisions on visitor and resident visa applications, employment-seeking visas, change of visitor and residence permits, effective duration and extension of residency, and permanent residency, for foreign professionals and foreign special professionals. (Articles 10 to 14)
4. Setting out provisions on residency and permanent residency for dependent relatives of foreign professionals, foreign special professionals, and foreign senior professionals, personal work permits for their adult children, and family-visit stays for the lineal

- ascendants of foreign special professionals. (Articles 15 to 19)
5. Setting out provisions on work permits, employment categories, work qualifications, and review standards for foreign mid-level technicians, and on the duration and extension of employment permission, industry quotas, total employment cap, and change of employer. (Articles 20 to 24)
 6. Setting out provisions on visitor and resident visa applications, change of visitor and residence permit, effective duration and extension of residency, and permanent residency, for foreign mid-level technicians. (Articles 25 to 28)
 7. Setting out provisions on residency and permanent residency for the dependent relatives of foreign mid-level technicians. (Articles 29 and 30)
 8. Setting out provisions on work permits, entry permits, effective duration and extension of residency, and registered permanent residence, for overseas compatriots taking up professional or mid-level technical work in Taiwan under this Act. (Articles 31 to 33)
 9. Prescribing the *mutatis mutandis* application of residency, permanent residency and registered permanent residence provisions to dependent relatives of overseas compatriots who take up professional or mid-level technical work in Taiwan under this Act. (Articles 34 and 35)
 10. Setting out provisions on visas, visit, residency, permanent residency and registered permanent residence for foreign investors or representatives of foreign corporate person investors, overseas compatriots, and their dependent relatives. (Articles 36 to 38)
 11. Ancillary measures for social security and living assistance extended to persons covered by this Act. (Articles 39 to 44)
 12. Prescribing that ROC nationals who concurrently hold foreign

nationality but do not have household registration in Taiwan, and who use foreign passports to come to Taiwan to take up professional or mid-level technical work or as investment immigrants, shall be subject to the provisions of this Act as apply to foreign nationals. (Article 45)

Draft of New Economic Immigration Bill

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<p>Chapter 1: General Provisions</p> <p>Article 1</p> <p>This Act is made for the purpose of actively recruiting talent and manpower needed for national economic development, to raise national competitiveness and improve the population structure, under the precondition of not affecting the employment opportunities and earnings levels of citizens of the State.</p>	<p>The purpose of this law is to respond to the trends of Taiwan’s falling birth rate and population aging, as well as to the intense international competition for talent and domestic industries’ pronounced shortages of technical talent, by endeavoring to recruit talent and manpower needed for national economic development, under the basic precondition of not affecting job opportunities or earnings levels of Taiwan’s own citizens. This is aimed at raising national competitiveness, improving the population structure, and promoting the unceasing progress of national development.</p>
<p>Article 2</p> <p>The provisions of this Act apply to foreign nationals and overseas compatriots engaging in professional work, mid-level technical work and investment immigrants in the Republic of China (hereafter referred to as “the State”); parts of other laws that conflict with this Act shall no longer be applicable. Matters not covered by this Act shall be governed by the provisions of the Employment Services Act, the Immigration Act, and other relevant laws and regulations.</p>	<ol style="list-style-type: none"> 1. The Act’s relationship to the application of other relevant laws. 2. This Act is a special act, setting out provisions that apply to foreign nationals and overseas compatriots in respect of their taking up professional work and mid-level technical work in Taiwan, and also their staying in Taiwan as investment immigrants. Parts of the provisions of other related laws, such as the Employment Services Act and the Immigration

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	<p>Act, shall no longer apply if in conflict with provisions of this Act. The provisions of these and other related laws shall only apply to matters for which this Act makes no provision.</p>
<p>Article 3</p> <p>The Competent Authority for this Act is the National Development Council.</p> <p>Matters stipulated in this Act that involve the powers and responsibilities of other relevant central competent authorities shall be handled by each authority concerned.</p>	<ol style="list-style-type: none"> <li data-bbox="866 651 1414 1256">1. As prescribed by Article 2 Subparagraph 6 of the Organic Act of the National Development Council, the overall planning, coordination and review of manpower resources development policy is one of the matters the National Development Council (NDC) is charged with undertaking, hence the first paragraph of this Article stipulates that the NDC is the Competent Authority for this Act. <li data-bbox="866 1279 1414 2031">2. Matters prescribed in this Act concerning work permits, visas, residency, permanent residency, registered permanent residence, insurance, retirement, tax benefit etc., for the targeted personnel and their dependent relatives, involve the powers and responsibilities of many central government authorities, including the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Education, the Ministry of Justice, the Ministry of Economic Affairs, the Ministry of Labor, the Ministry

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	<p>of Health and Welfare, the Ministry of Culture, the Ministry of Science and Technology, the Mainland Affairs Council, the Financial Supervisory Commission, and the Overseas Community Affairs Council. Hence, the second paragraph of this Article stipulates that where matters prescribed in this Act involve the powers and responsibilities of relevant central competent authorities, they shall be handled by the particular authority concerned.</p>
<p>Article 4</p> <p>Terms used in this Act are defined as follows:</p> <ol style="list-style-type: none"> 1. “Foreign professional” means a foreign national engaging in the following kinds of professional work in the State(hereafter referred to as “professional work”): <ol style="list-style-type: none"> (1) Specialized or technical work. (2) The manager of a business invested in or set up by an overseas compatriot or foreign national with the approval of the government. (3) The following school teachers: <ol style="list-style-type: none"> (a) Teachers at public or registered private institutes of higher education or at schools for foreign nationals. (b) Teachers at public or registered private schools of 	<ol style="list-style-type: none"> 1. Defines terms used in the Act. 2. The first to third subparagraphs refer to the definitions in Article 4 of the Act for the Recruitment and Employment of Foreign Professionals, dividing foreign professionals into the three categories of foreign professional, foreign special professional, and foreign senior professional, according to their respective levels of qualification. 3. The qualifying types of professional work listed in Subparagraph 1 Items 1, 2 and 5 are as per Article 46 Paragraph 1 Subparagraphs 1, 2 and 5 of the Employment Services Act; that in Subparagraph 1 Item 3-1 is school teachers as referred to in Article

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<p>secondary education and below.</p> <p>(4) The following short-term tutorial school (“<i>buxiban</i>”) teachers:</p> <p>(a) Full-time foreign language teachers at short-term tutorial schools registered in accordance with the Supplementary Education Act.</p> <p>(b) Those possessing specialized knowledge or skills, and approved by the relevant central competent authorities in consultation with the Ministry of Education as teachers at short-term tutorial schools registered in accordance with the Supplementary Education Act.</p> <p>(5) Sports coaches and athletes.</p> <p>(6) Artistic and performing arts workers.</p> <p>2. “Foreign special professional” means a foreign professional who possesses special expertise needed by the State in science & technology, the economy, education, culture & the arts, sports, finance, law, architectural design, and other fields, as announced by the central competent authority concerned.</p> <p>3. “Foreign senior professional” means a senior professional needed by the State as prescribed in the Immigration</p>	<p>46 Paragraph 1 Subparagraph 3 Item 1 of the Employment Services Act; the teachers at public or registered private schools of secondary education and below referred to in Item 3-2, besides covering the hiring of teachers of foreign languages in accordance with the current provisions of the Employment Services Act, also broadens its scope to the hiring of subject teachers, to meet the schooling needs of the children of overseas talent returning to Taiwan and the government’s building of a bilingual environment.</p> <p>Subparagraph 1 Item 4 refers to <i>buxiban</i> teachers as provided for by Article 46 Paragraph 1 Subparagraph 4 of the Employment Services Act and by Article 4 Subparagraph 4 Item 2 of the Act for the Recruitment and Employment of Foreign Professionals. Subparagraph 1 Item 6 follows the provisions of Article 46 Paragraph 1 Subparagraph 6 of the Employment Services Act, but does not include religious workers as specified therein, since no work permit application is currently required for engaging in religious activities.</p> <p>4. The “foreign mid-level technicians” referred to in Subparagraph 4 is</p>

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<p>Act.</p> <p>4. “Foreign mid-level technician” means a foreign national who possesses the requisite intermediate level of skills to engage in the State in the following mid-level technical work(hereafter referred to as “mid-level technical work”) for which industries have an unfilled need:</p> <ul style="list-style-type: none"> (1) Technicians and associate professionals. (2) Craft & related trades workers and machine & equipment operators. (3) Personal health care workers. (4) Other work as specified by the relevant central competent authorities. <p>5. “Overseas compatriot” means a person who resides overseas, and is a national of the State without household registration in the Taiwan Area, who possesses nationality of the State in accordance with the Nationality Act and who uses the passport of the State to enter the State.</p> <p>6. Investment immigrant” means a foreign investor, representative of foreign juridical investor, or overseas compatriot approved by, or with approval reported to and filed by, the central competent authority concerned to invest a specified amount in the State, so as may apply for residency, permanent residence, or registered</p>	<p>as per the relevant specifications of the Standard Occupational Classification of the ROC published by the Executive Yuan’s Directorate General of Budget, Accounting and Statistics (DGBAS), and also includes others as specified by the relevant central competent authorities. Further, among the types of work that employers can hire foreign nationals to perform within the territory of the ROC, ship crew related occupations are excluded from the definition of foreign mid-level technicians in this subsection under consideration that the employment permits and administration of crew members of merchant vessels, work vessels and other vessels specially approved by the Ministry of Transportation and Communications are governed by the relevant provisions of the Seafarer Act.</p> <p>5. “Overseas compatriots” as referred to in Subparagraph 5 are those described in the first part of Article 3 Paragraph 1 Subparagraph 5 of the Immigration Act, namely nationals without registered permanent residence in the Taiwan Area who are residing abroad currently, and who used their ROC passport to enter Taiwan.</p>

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<p>permanent residence.</p>	<p>6. “Investment immigrants” as referred to in Subparagraph 6 means foreign nationals or overseas compatriots who, under the provisions of the Immigration Act, the Regulations Governing Visiting, Residency, and Permanent Residency of Aliens, and this Act, invest in this country and may apply for residency, permanent residency or registered permanent residence.</p>
<p>Chapter 2: Foreign Professionals</p> <p>Article 5</p> <p>A foreign professional engaging in professional work in the State as referred to in Subparagraph 1 Item 1, Item 2, and Items 4 to 6 of the preceding Article, shall through his/her employer submit the requisite documents to the Ministry of Labor to apply for a work permit; for engagement as a school teacher as referred to in Item 3, the employer shall submit the requisite documents to the Ministry of Education to apply for a work permit.</p> <p>Where a foreign professional engaging in professional work in the State matches one of the situations listed below, he/she need not apply for a work permit as stipulated in the preceding paragraph:</p> <ol style="list-style-type: none"> 1. He/she is employed as a consultant or researcher in a government agency at any level or its 	<ol style="list-style-type: none"> 1. Paragraph 1 is prescribed as per the provisions of Article 48 of the Employment Services Act and Articles 5 and 6 of the Act for the Recruitment and Employment of Foreign Professionals. 2. Paragraph 2 stipulates these situations as not requiring application for a work permit, taking into account the exemption from such requirement in the situations described in Article 48 Paragraph 1 Subparagraphs 1 and 3 of the Employment Services Act. 3. Paragraph 3 is prescribed with reference to the provisions in the forepart of Article 10 Paragraph 1 of the Act for the Recruitment and Employment of Foreign Professionals.

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<p>subordinate academic research institution/organization.</p> <p>2. He/she is employed by a public or registered private university as a lecturer or academic researcher, with approval from the Ministry of Education.</p> <p>Foreign professionals who are artistic workers may apply direct to the Ministry of Labor for a work permit to engage in artistic work in the State, and need not apply through an employer.</p>	
<p>Article 6</p> <p>For foreign professionals engaging in professional work in the State, regulations governing their work qualifications, scope of specialized or technical work, employer conditions, review standards, work permit, work permit cancellation, and employment administration, will be set by the Ministry of Labor in consultation with the relevant central competent authorities, except for those applicable to school teachers as specified in Article 4 Subparagraph 1 Item 3, which will be set by the Ministry of Education.</p> <p>For work permit applications under Paragraph 3 of the preceding Article by foreign professionals who are artistic workers, regulations governing their work qualifications, review standards, work permit, work permit cancellation, and employment administration, will be set by the Ministry of Labor in consultation with the Ministry of Culture.</p>	<ol style="list-style-type: none"> 1. Paragraph 1 is prescribed with reference to the provisions of Article 46 of the Employment Services Act and Articles 5 and 6 of the Act for the Recruitment and Employment of Foreign Professionals. 2. Paragraph 2 is prescribed with reference to the provisions of Article 10 Paragraph 2 of the Act for the Recruitment and Employment of Foreign Professionals. 3. The setting of Paragraphs 3 and 4: <ol style="list-style-type: none"> (1) The forepart of Paragraph 3 pertains to the industry sectors and occupational categories of specialized or technical work. Under the provisions of Article 4 of the Work Qualification and Review Standards for Foreign Nationals Undertaking Work

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<p>The industry sectors and occupational categories of qualification for specialized and technical work as referred to in Paragraph 1 will be set by means of stipulating the excluded industry sectors and occupational categories; an employer belonging to a nationally important industry shall be exempt from the relevant capital and turnover requirements of the employer conditions as referred to in Paragraph 1.</p> <p>The scope of nationally important industries as referred to in the preceding paragraph will be decided by the Competent Authority and reported to the Executive Yuan for approval.</p> <p>For the engagement of foreign professionals in specialized or technical work, the specialized or technical skill review procedure for work qualification qualification will adopt a points system, and be set by the Competent Authority in consultation with the relevant central competent authorities.</p> <p>For foreign professionals employed in the State to engage in professional work as specified in Article 4 Subparagraph 1 Item 3-2 or Item 4-2, besides as otherwise prescribed in this Act, their employment administration and penalties applicable to breaches of regulation will be handled in accordance with the provisions of the Employment Services Act pertaining to those engaging in work as specified in Article 46 Paragraph 1 Subparagraphs 1 to 6 of said Act.</p>	<p>Specified in Article 46 Paragraph 1 Subparagraphs 1 to 6 of the Employment Services Act (hereafter referred to as “the Work Qualification & Review Standards”), the hiring of foreign nationals for such work is limited to fifteen occupational categories in the manufacturing sector and parts of the service sector (such as the wholesale industry). Since this cannot meet the needs of changing work modes in the digital economy era, this limitation is to be loosened by means of negative listing, with the specification of excluded industry sectors and occupational categories, and with the occupational categories limited to senior officers, managers and professionals as defined in Categories 3 and 4 of the Standard Occupational Classification System of the ROC, and also work within Article 46 Paragraph 1 Subparagraph 1 of the Employment Services Act.</p> <p>(2) Under the Work Qualification & Review Standards, employers of foreign nationals for specialized and technical work must meet the conditions of</p>

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	<p>having capitalization of at least NT\$5 million and annual turnover of at least NT\$10 million. Taking into account that startups utilizing digital technology and some SMEs in 5+2 industries (such as smart machinery, digital innovation, green energy tech, biomedicine, and the circular economy), or enterprises in artistic & cultural and other such industries, besides being national strategic support industries, also in many cases do not need very large capital, the second clause of Paragraph 3 stipulates that nationally important industries are exempted from these capital and turnover requirements, and Paragraph 3 stipulates the process for deciding the scope of nationally important industries.</p> <p>4. Under the relevant provisions of the Work Qualification & Review Standards, in order for foreign nationals to take up specialized and technical work in Taiwan, they are required not only to meet a stipulated minimum salary level, but also, if holders of a bachelor's degree, must have at least two years' relevant work experience. Taking account of digital economy development needs, it is</p>

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	<p>necessary to establish more diverse hiring criteria, to facilitate the recruitment of potential digital talent (such as fresh graduates). Hence, Paragraph 5 stipulates that the work qualification review criteria will adopt a points system, with salary or compensation not an essential threshold, with education and relevant work experience as basic point-scoring items, and with extra points awarded if, for example, it is an industry approved by the government or the candidate is an overseas compatriot.</p> <p>5. Paragraph 6 is prescribed in consideration that the administration, penalties and related matters pertaining to school teachers as referred to in Article 4 Subparagraph 1 Item 3-2, and <i>buxiban</i> teachers as referred to in Item 4-2 of the same subparagraph, except as otherwise governed by provisions in this Act, still must be handled in accordance the provisions of the Employment Services Act that apply to those engaging in work as specified in Article 46 Paragraph 1 Subparagraphs 1 to 6 of that Act.</p>
<p>Article 7 The employment permit of a foreign professional hired to engage in professional work in the State will have a</p>	<p>This Article is prescribed with reference to the provisions of Article 52 Paragraph 1 of the Employment</p>

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<p>maximum duration of three years. When continuation of the employment is needed upon the expiration of that term, the employer may apply for an extension, for a duration of up to three years at a time. The employment permit of a foreign special professional and each extension thereof will have a maximum duration of five years.</p> <p>Where a foreign professional engaging in artistic work applies direct to the Ministry of Labor for a work permit in accordance with the provisions of Article 5 Paragraph 3, his/her work permit and each extension thereof will have a maximum duration of three years.</p>	<p>Services Act and Article 7 Paragraph 1 and the afterpart of Article 10 Paragraph 1 of the Act for the Recruitment and Employment of Foreign Professionals.</p>
<p>Article 8</p> <p>A foreign special professional who plans to engage in professional work in the State may apply direct and not through an employer to the National Immigration Agency, Ministry of the Interior (“NIA”), for the issuance of a four-in-one Employment Gold Card that combines work permit, resident visa, Alien Resident Certificate and re-entry permit. Before the NIA approves the issuance of an Employment Gold Card, it shall conduct a review in concert with the Ministry of Labor and the Ministry of Foreign Affairs: the work permit will be the responsibility of the Ministry of Labor; the resident visa will be the responsibility of the Ministry of Foreign Affairs or its overseas embassies and consulates, representative offices and</p>	<ol style="list-style-type: none"> 1. This Article is prescribed with reference to the provisions of Article 8 of the Act for the Recruitment and Employment of Foreign Professionals. 2. Paragraph 2 clearly stipulates the Employment Gold Card review authorities and their respective responsibilities for the work permit, resident visa, ARC, and re-entry permit reviews.

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<p>bureaus (hereafter referred as “overseas missions”); the Alien Resident Certificate and re-entry permit will be the responsibility of the NIA.</p> <p>The Employment Gold Card as referred to in the preceding paragraph will have an effective duration of one to three years; a holder who meets specified conditions may re-apply for it before its effective duration expires.</p> <p>Regulations governing the application procedure, review, stipulated conditions for re-application, and other relevant matters concerning the Employment Gold Card as referred to in the preceding two paragraphs will be set by the Ministry of the Interior in consultation with the Ministry of Labor and the Ministry of Foreign Affairs.</p> <p>The NIA will collect a fee for applications for the Employment Gold Card under the provisions of Paragraphs 1 or Paragraph 2. The fee schedule will be set by the Ministry of the Interior in consultation with the Ministry of Labor and the Ministry of Foreign Affairs.</p>	
<p>Article 9</p> <p>Starting from the year in which this Act enters into effect, where a foreign special professional engages in professional work and meets specified conditions, does not have household registration within the State and has for the first time been approved to reside in the State for the purpose of work, or has obtained an</p>	<p>This Article is prescribed with reference to the provisions of Article 9 of the Act for the Recruitment and Employment of Foreign Professionals.</p>

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<p>Employment Gold Card under the provisions of the preceding Article, and during the effective duration of the Employment Gold Card is employed to conduct professional work, then within three years starting from the tax year in which he/she for the first time meets the conditions of residing in the State for fully 183 days of the year and having salary income of more than three million NT dollars, the portion of his/her salary income above three million NT dollars in each such tax year in which he/she resides in the State for fully 183 days shall be halved in amount in the computation of total income for the assessment of individual income tax liability in that year, and the provisions of Article 12 Paragraph 1 Subparagraph 1 of the Income Basic Tax Act shall not apply.</p> <p>Where a foreign special professional as referred to in the preceding paragraph, in a tax year within the three-year period as referred to in the same paragraph, does not reside in the State for fully 183 days or does not have salary income of more than three million NT dollars, the tax benefit as referred to in the preceding paragraph may be sequentially deferred to a tax year in which he/she resides in the State for fully 183 days and has salary income of more than three million NT dollars during another period of work in the State. However, this tax benefit may be deferred for no more than five years starting from the year in which he/she first meets the requirements stipulated in the preceding</p>	

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<p>paragraph.</p> <p>Regulations on the specified conditions and the procedure for applying to utilize the benefit as referred to in Paragraph 1, on the means of recognition and documentary proofs required to be submitted for the sequential deferral as referred to in Paragraph 2, and on other relevant matters, will be set by the Ministry of Finance in consultation with related authorities.</p>	
<p>Article 10</p> <p>A foreign professional or foreign special professional hired to engage in professional work in the State may apply to the Ministry of Foreign Affairs or its overseas mission for the issuance of a visitor visa or resident visa, and having presented this for inspection by the NIA and been permitted to enter the State, receive a stay or residence permit. Such person receiving a residence permit shall, within thirty days starting from the day following entry to the State, apply to the NIA for an Alien Resident Certificate.</p> <p>A foreign national entering the State under visa exemption or holding a visitor visa, having obtained permission or with exemption from obtaining permission to engage in professional work in the State, may apply direct to the NIA for residency; and having received approval, he/she will be issued with an Alien Resident Certificate.</p> <p>Where a foreign national holding an</p>	<ol style="list-style-type: none"> 1. Under the provisions of Article 22 Paragraph 2 of the Immigration Act, a foreign national who obtains permission to stay must apply for an ARC within 15 days of entering the country. With a view to enhancing the convenience of foreign nationals who come to stay in Taiwan, by allowing them ample time to find settled accommodation and become familiar with Taiwan's environment, Paragraph 1 relaxes the time limit within which foreign professionals must apply for an ARC after entering with permission to reside in Taiwan, extending it from 15 days to 30 days after entry. 2. Under the provisions of Article 22 Paragraph 1 and Article 23 Paragraph 1 Subparagraph 3 of the Immigration Act, a foreign professional who enters Taiwan

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<p>Alien Resident Certificate changes his/her purpose of residence to that of engaging in professional work, he/she shall apply to the NIA for change of purpose of residence; and having received approval, he/she will be reissued with an Alien Resident Certificate, and have the effective duration of his/her residency reviewed and set.</p>	<p>with a visa exemption, or holding a visitor visa with an effective duration of less than 60 days, still needs to have the Ministry of Foreign Affairs change this to a visitor visa before he/she can apply for an ARC. To simplify the application procedure for foreign professionals coming to work and reside in Taiwan, Paragraph 2 eases this requirement by providing that foreign professionals who enter with a visa exemption or visitor visa, having obtained permission or with exemption from obtaining permission to engage in professional work in Taiwan, may apply direct to the NIA for residency.</p> <p>3. Paragraph 3 is prescribed with reference to the provisions of Article 23 Paragraphs 2 and 3 of the Immigration Act.</p>
<p>Article 11</p> <p>A foreign national who plans to engage in professional work in the State, and who needs a long period to seek employment, may apply to an overseas mission of the Ministry of Foreign Affairs for the issuance of a six-month visitor visa, valid for three months, for multiple entry, to stay for up to a maximum period of six months in total.</p> <p>A person who obtains a visitor visa under the provisions of the preceding paragraph may not apply for the issuance</p>	<p>This Article is prescribed with reference to the provisions of Article 19 of the Act for the Recruitment and Employment of Foreign Professionals.</p>

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<p>of another visitor visa under the provisions of the preceding paragraph within a period of three years starting from the date of expiration of the total limit on his/her stay.</p> <p>The number of people issued with visitor visas under the provisions of Paragraph 1 will be announced annually by the Ministry of Foreign Affairs jointly with the Ministry of the Interior and with consultation of the Competent Authority and the central competent authorities, as decided in light of the demand for talent and the situation of applications.</p> <p>Regulations governing the conditions, procedure, review, and other related matters for applications under Paragraph 1 will be set by the Ministry of Foreign Affairs jointly with the Ministry of the Interior and in consultation with the central competent authorities, as decided in light of the demand for talent.</p>	
<p>Article 12</p> <p>Where a foreign professional has been approved for residency to engage in professional work in the State, his/her Alien Resident Certificate will have an effective duration of up to three years starting from the next day after the approval. If he/she requires to continue the residency after the expiration thereof, he/she may, prior to its expiration, apply to the NIA for an extension of up to three years at a time. Where a foreign special professional is approved for residency, his/her Alien Resident Certificate and</p>	<p>This Article is prescribed with reference to the provisions of Article 22 Paragraph 3 and Article 31 Paragraphs 1 and 2 of the Immigration Act and Article 7 Paragraph 2 of the Act for the Recruitment and Employment of Foreign Professionals.</p>

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<p>each extension thereof will have an effective duration of up to five years.</p>	
<p>Article 13</p> <p>A foreign professional who has lawfully and continuously resided in the State for five years, or a foreign special professional who has lawfully and continuously resided for three years, staying an average of more than 183 days each year, may apply to the NIA for permanent residency if he/she meets the conditions stipulated in each of the following subparagraphs:</p> <ol style="list-style-type: none"> 1. Is above twenty years old. 2. Is of good character, and has no criminal case recorded on a police criminal record certificate. 3. Has sufficient assets or skills to be self supporting. 4. Is compatible with the national interests of the State. <p>Periods of residence in the State approved for any of the purposes listed in the following subparagraphs, except in the circumstances prescribed in Paragraph 3, shall not be counted in the calculation of the period of continuous residence as referred to in the preceding paragraph:</p> <ol style="list-style-type: none"> 1. Attending school in the state. 2. Approved to engage in work in the State as a mid-level technician. 3. Approved to engage in work in the State as listed in Article 46 Paragraph 1 Subparagraphs 8 to 10 of the Employment Services 	<ol style="list-style-type: none"> 1. Under the provisions of Article 25 Paragraph 1 of the Immigration Act, a foreign national who meets the stipulated conditions may apply for permanent residency once he/she has resided in Taiwan lawfully and continuously for five years with a presence of more than 183 days each year. But considering how frequently foreign professionals and foreign special professionals need to move between countries, and in order to boost their recruitment, Paragraph 1 of this Article relaxes the conditions they must meet to apply for permanent residency by changing the requirement for presence to AN AVERAGE OF more than 183 days each year. Also, to support the active recruitment of foreign special professionals in the targeted fields of expertise, the length of continuous residence required for them to apply for permanent residency is shortened from five years to three. 2. Taking into account that, where persons have resided in Taiwan as students, or to work as mid-level technicians, or to do

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<p>Act.</p> <p>4. Permitted to reside as a dependent relative of a person as referred to in the three preceding subparagraphs.</p> <p>Where a period of school attendance in the State as referred to in Subparagraph 1 of the preceding paragraph was to study for a master's degree or higher at an institution of higher education, the period of residence for attending school may be counted in the calculation of the period of continuous residence as referred to in Paragraph 1 in accordance with the following provisions:</p> <ol style="list-style-type: none"> 1. Foreign professional: Obtaining a doctoral degree counts as two years, obtaining a master's degree counts as one year. 2. Foreign special professional: Obtaining a doctoral degree counts as one year. 	<p>the kinds of work listed in Article 46 Paragraph 1 Subparagraphs 8 to 10 of the Employment Services Act, and also where they have resided as dependent relatives, they would not have been engaged in professional work at such times, hence such periods of residence should not be included in the calculation of their length of residence for the purpose of applying for permanent residency as a foreign professional or foreign special professional, and Paragraph 2 prescribes accordingly. However, as provided for in Article 28 Paragraph 2, a period of residence for engagement in mid-level technical work may be combined with a period of residence for engagement in professional work for the purpose of applying for permanent residency.</p> <p>3. To enhance the inducement for foreign holders of local master's and doctoral degrees to stay to engage in professional work in Taiwan, Paragraph 3 prescribes that the time they spent studying for their advanced degrees in Taiwan could be used to reduce the number of years of continuous residence required for them to apply for permanent residency.</p>

Text	Explanation
<p>Article 14</p> <p>Where a foreign professional, foreign special professional or foreign senior professional, after having been approved as a permanent resident, leaves the State for more than five years without re-entering, the NIA may revoke his/her permanent residence permit and cancel his/her Alien Permanent Resident Certificate.</p>	<p>Under the provisions of Article 18 of the Act for the Recruitment and Employment of Foreign Professionals, foreign professionals and foreign special professionals who have obtained permanent residency can leave Taiwan and not return for up to five years without having their permanent residency revoked. However, this does not apply to permanent resident foreign senior professionals, who under the provisions of Article 33 Subparagraph 4 of the Immigration Act stand to have their permanent residency revoked if they do not stay in Taiwan for more than 183 days a year. Therefore, this Article relaxes the law by freeing foreign senior professionals from the application of the 183-day requirement and placing them under the same provisions as apply to other types of foreign professionals.</p>
<p>Article 15</p> <p>Where a foreign professional, foreign special professional or foreign senior professional has been approved for permanent residency, his/her adult child who has been confirmed by the NIA as having met one of the conditions listed below, may apply direct to the Ministry of Labor for permission to engage in work in the State, without needing to apply through</p>	<p>Under the provisions of Article 17 Paragraph 1 of the Act for the Recruitment and Employment of Foreign Professionals, where a foreign professional employed to engage in professional work has obtained permanent residency, his/her adult children who meet certain conditions may apply direct to</p>

Text	Explanation
<p>an employer:</p> <ol style="list-style-type: none"> 1. Having lawfully accumulated ten years of residence in the State, staying for more than 270 days each year. 2. Having entered the State before the age of sixteen, and having stayed for more than 270 days each year. 3. Having been born in the State, and having lawfully accumulated ten years of residence in the State, staying for more than 183 days each year. <p>Where an employer hires an adult child as referred to in the preceding paragraph to engage in work, such employment will not be subject to the limitations prescribed in Article 46 Paragraphs 1 and 3, Article 47, Article 52, Article 53 Paragraphs 3 and 4, Article 57 Subparagraph 5, Article 72 Subparagraph 4, and Article 74 of the Employment Services Act, and will be exempt from paying the employment security fees as prescribed in Article 55 of the same Act.</p>	<p>the Ministry of Labor for a work permit, without needing to apply through an employer. Considering that artistic workers, and foreign special professionals and foreign senior professionals who have obtained Employment Gold Cards, may in some cases not need to be hired by an employer, and their adult children may not be able to utilize this provision, this Article accordingly expands its application by stipulating that it applies to “foreign professionals, foreign special professionals and foreign senior professionals” without the condition of their being employed.</p>
<p>Article 16</p> <p>Where a foreign special professional or foreign senior professional engaging in professional work in the State has been approved for residency or permanent residency, his/her lineal ascendant may apply to the Ministry of Foreign Affairs or its overseas mission for the issuance of a visitor visa, valid for one year, for multiple entry, for a stay of up to six months,</p>	<p>Under the provisions of Article 13 of the Act for the Recruitment and Employment of Foreign Professionals, the lineal ascendants of foreign special professionals who are employed to engage in professional work may apply for a visitor visa for visiting relatives in Taiwan. But foreign special</p>

Text	Explanation
<p>without annotation by the visa-issuing authority of a restriction disallowing extension or other limitation. In case of need to prolong the stay, then prior to the expiration of its time limit, said person may apply to the NIA for an extension, without having to leave the State. The total length of such stay is limited to a maximum of one year at a time.</p>	<p>professionals who have obtained an Employment Gold Card may not be working under employment. Therefore, this Article relaxes the law by specifying its application to foreign special professionals without the condition of their being employed. Also, considering that foreign senior professionals are also being actively targeted for recruitment to Taiwan, this Article brings them into inclusion under this provision.</p>
<p>Article 17</p> <p>Where a foreign professional or foreign special professional engaging in professional work in the State has been approved for residency or permanent residency, his/her spouse, minor children, and adult children who are unable to live independently due to physical or mental disability, may apply to the NIA for residency, and may apply for residency after entering the State under visa exemption or holding a visitor visa, the provisions of Article 10 applying <i>mutatis mutandis</i>. The effective duration and extension of their Alien Resident Certificate shall be the same as for the foreign professional or foreign special professional of whom they are a dependent relative, the provisions of Article 12 applying <i>mutatis mutandis</i>.</p>	<p>Under the provisions of Article 23 Paragraph 1 Subparagraphs 1 and 2 of the Immigration Act, the spouse and minor children (aged under 20) of a foreign professional may apply for residency. Considering that Article 16 Paragraph 1 of the Act for the Recruitment and Employment of Foreign Professionals has already opened the way for their adult children who are unable to live independently due to physical or mental disability to also apply for permanent residency, but with no provision concerning their accompanying residency, this Article accordingly includes such disabled adult children within the scope of dependent relative residency provisions. It also relaxes the law by providing that when they enter Taiwan with a visa exemption or visitor visa, they may apply direct to the NIA for an ARC, the effective</p>

Text	Explanation
	duration and extension of which shall be coterminous with those of the foreign professional with whom they have the dependent relationship.
<p>Article 18</p> <p>Where a foreign professional or foreign special professional has been approved for permanent residency, his/her spouse, minor children, and adult children who are unable to live independently due to physical or mental disability, having met the requirements prescribed below, and being of good character, and having no criminal case recorded on a police criminal record certificate, and being compatible with the national interests of the state, may apply to the NIA for permanent residency:</p> <ol style="list-style-type: none"> 1. As a dependent relative of a foreign special professional: Having lawfully and continuously resided in the State for three years, staying an average of more than 183 days per year. 2. As a dependent relative of a foreign professional: Having lawfully and continuously resided in the State for five years, staying an average of more than 183 days per year. <p>Where a foreign senior professional applies for permanent residency under the provisions of the Immigration Act, his/her spouse, minor children, and adult children who are unable to live independently due to physical or mental disability, may apply</p>	<ol style="list-style-type: none"> 1. Under the provisions of Article 16 Paragraph 1 of the Act for the Recruitment and Employment of Foreign Professionals, foreign professionals and foreign special professionals need to be employed in order that, after they have been approved for permanent residency, their spouses, minor children, and adult children who are unable to live independently due to physical or mental disability, may apply for permanent residency once they have met the requisite length-of-residence conditions. Considering that artistic workers, and foreign special professionals who have obtained an Employment Gold Card, may not be working under employment, so that their dependent relatives cannot utilize this provision, Paragraph 1 relaxes the law to remove the requirement of being in employment. In addition, it prescribes that the residence and stay conditions for permanent residency applications by the spouses, minor children, and adult children who are unable to

Text	Explanation
<p>for permanent residency together with him/her, or may apply after having themselves been approved for permanent residency.</p> <p>Where the permanent residence permit of a foreign professional, foreign special professional or foreign senior professional as referred to in the preceding two paragraphs is revoked or cancelled, the permanent residence permits of his/her spouse, minor children, and adult children who are unable to live independently due to physical or mental disability, shall be revoked or cancelled at the same time.</p>	<p>live independently due to physical or mental disability, are the same as those respectively for the foreign professional or foreign special professional of whom they are dependent relatives.</p> <p>2. Paragraph 2 is prescribed with reference to the provisions of Article 15 Paragraph 1 of the Act for the Recruitment and Employment of Foreign Professionals.</p> <p>3. Paragraph 3 is prescribed with reference to the provisions of Article 15 Paragraph 2 and Article 16 Paragraph 2 of the Act for the Recruitment and Employment of Foreign Professionals.</p>
<p>Article 19</p> <p>Where a foreign professional's, foreign special professional's or foreign senior professional's spouse, minor child, or adult child who is unable to live independently due to physical or mental disability, after having been approved as a permanent resident, leaves the State for more than five years without re-entering, the NIA may revoke said person's permanent residence permit and cancel said person's Alien Permanent Resident Certificate.</p>	<p>Under the provisions of Article 33 Subparagraph 4 of the Immigration Act, when the dependent relatives of foreign professionals, foreign special professionals and foreign senior professionals have obtained permanent residency, they need to stay in Taiwan above 183 days each year in order to retain it. Taking account of the long periods of country-to-country movement usual for international talent, and the need for their dependent relatives to move with them, this Article relaxes the law on how much time dependent relatives must spend in Taiwan to</p>

Text	Explanation
	avoid cancelation of their permanent residency, putting it on a par with the law as applied to those on whom they are dependent.
<p>Chapter 3: Foreign Mid-level Technicians</p> <p>Article 20</p> <p>For a foreign mid-level technician to engage in mid-level technical work in the State, his/her employer shall submit the requisite documents to the Ministry of Labor to apply for a work permit.</p> <p>The employment of foreign mid-level technicians as referred to in the preceding paragraph is limited to the following personnel:</p> <ol style="list-style-type: none"> 1. Foreign students, overseas compatriot students, and other foreign students of Chinese origin who have obtained graduation certificates of the State's high schools and above or to whom the Overseas Community Affairs Council has issued Overseas Youth Vocational Training Program graduation diplomas. 2. Foreign nationals who have been employed for a cumulative total of six years or more to engage in work under Article 46 Paragraph 1 Subparagraphs 8 to 10 of the Employment Services Act. 3. Other foreign nationals who possess mid-level technical work skills. 	<ol style="list-style-type: none"> 1. Under current laws and regulations pertaining to immigration, there are no channels for bringing mid-level technical manpower into the country. Considering that mid-level technicians accounted for 55% of the manpower shortages in Taiwan's industrial and service sectors in 2017, and taking reference from the relevant mechanisms for attracting talent employed by other significant countries, such as Singapore, the United States, and South Korea, Paragraph 1 of this Article makes provision for foreign mid-level technician work permits, to be applied for by employers to the Ministry of Labor. 2. Paragraph 2 specifies the three types of employment of foreign mid-level technicians to whom this provision applies, including overseas compatriot students and basic-level foreign workers with mid-level technical work

Text	Explanation
<p>The timetable and scope of allowing employers to hire foreign mid-level technicians as referred to in Subparagraph 3 of the preceding paragraph will be announced by the Executive Yuan, having weighed and considered the situation of the hiring of mid-level technicians under Subparagraphs 1 and 2 of the same paragraph and the requirements of the State's industrial development.</p>	<p>skills who are or have been students, trainees or employees in the State, plus the direct bringing in from abroad of foreign nationals with mid-level technical work skills.</p> <p>3. Considering the educational resources or manpower costs invested by the state or enterprises in developing the technical manpower covered by Paragraph 2 Subparagraphs 1 and 2, and that such people already have a certain degree of familiarity with the culture, languages and way of life in Taiwan, it is proposed to prioritize the opening for their employment. Paragraph 3 accordingly prescribes that the scheduling and scope for opening the employment of technical manpower under Paragraph 2 Subparagraph 3 will be announced by the Executive Yuan based on weighing and considering the situation of the employment of technical manpower under the first two subparagraphs and Taiwan's industrial development needs.</p>
<p>Article 21</p> <p>For foreign mid-level technicians engaging in mid-level technical work in the State, regulations governing their work qualifications, employer conditions, review</p>	<p>1. Paragraph 1 prescribes that regulations governing the work qualifications, employer conditions, review standards,</p>

Text	Explanation
<p>standards, work permits, permit cancellation, and employment administration, will be set by the Ministry of Labor in consultation with the relevant central competent authorities. Regulations on the administration of their health checks will be set by the Ministry of Health and Welfare in consultation with the Ministry of Labor.</p> <p>Wages or compensation for the employment of foreign mid-level technicians may not be lower than such amount as announced by the Ministry of Labor, and they shall possess professional certification or other certifying documents issued or validated by the relevant central competent authority or its approved professional certification body.</p> <p>The wages or compensation as referred to in the preceding paragraph shall be no lower than the amount computed at the seventieth (70th) percentile of the average weighted total salary according to the most recent year’s survey on employment categories salary.</p> <p>An annual total number cap and individual industry quotas for foreign mid-level technicians will be set by the Competent Authority in consultation with the relevant central competent authorities.</p>	<p>permits, permit cancellation, and employment administration of foreign mid-level technicians will be set by the Ministry of Labor in consultation with the relevant central competent authorities. It also prescribes that regulations on the administration of their health checks will be set by the Ministry of Health and Welfare in consultation with the Ministry of Labor.</p> <p>2. Paragraph 2 prescribes that the employment of foreign mid-level technicians must comply with a wage threshold announced by the Ministry of Labor, and that such technicians must possess recognized professional qualifications.</p> <p>3. Paragraph 3 stipulates the pay threshold for foreign mid-level technicians, calculated at the 70th percentile of the average weighted total salary in their occupational category according to the most recent year’s survey on employment categories salary. Applying this to mid-level industrial technicians with reference to the 2017 wages of “technicians & associate professionals” and “craft & related trades workers, and plant & machine operators” yields a figure of NT\$41,393; and applying it to mid-level social</p>

Text	Explanation
	<p>welfare manpower with reference to “health care workers” yields a figure of NT\$32,000.</p> <p>4. Paragraph 4 stipulates that the annual total number cap and individual industry quotas for foreign mid-level technicians shall be set by the Competent Authority (the NDC) in consultation with the relevant central competent authorities.</p>
<p>Article 22</p> <p>The permit for employment of a foreign mid-level technician to engage in mid-level technical work in the State shall have a maximum duration of three years; if there is need to continue the employment upon the expiration thereof, the employer may apply for an extension of up to three years at a time.</p>	<p>A foreign mid-level technician’s employment permit will have a maximum duration of 3 years, and the same for each extension.</p>
<p>Article 23</p> <p>A foreign mid-level technician employed to engage in mid-level technical work in the State may change his/her employer within the effective duration of his/her employment permit. When such change of employer is required, the new employer shall apply for permission, submitting documentary proof of the employee leaving the other employment. However, such person may not be employed by two or more employers at the same time.</p>	<p>To strengthen inducement for foreign mid-level technicians to remain in Taiwan, they may change their employer during the effective duration of their employment permit, and their new employer must apply for a permit as prescribed. But they may not work for more than one employer at the same time.</p>

Text	Explanation
<p>Article 24</p> <p>Unless this Act provides otherwise, the administration and penalties applicable to breaches of regulations for the employment of foreign mid-level technicians to engage in mid-level technical work in the State will be handled in accordance with the provisions applicable to those engaging in work under Article 46 Paragraph 1 Subparagraphs 1 to 6 of the Employment Services Act. However, the provisions of Article 51 Paragraph 1 Subparagraph 2 of said Act will not apply.</p>	<p>Except as otherwise prescribed in this Act, the administration and penalties pertaining to the employment of foreign mid-level technicians hired to engage in mid-level technical work in Taiwan will be handled in accordance with the provisions of the Employment Services Act pertaining to those engaging in work under Article 46 Paragraph 1 Subparagraphs 1 to 6 of that Act, but they are excluded from the application of the provisions in Article 51 Paragraph 1 Subparagraph 2 allowing those working lawfully for five years to obtain work permits unlimited by industry category or work qualification.</p>
<p>Article 25</p> <p>Where a foreign mid-level technician as referred to in Article 20 Paragraph 2 Subparagraphs 1 and 2 is approved to engage in mid-level technical work in the State, having originally been approved to reside for the purpose of schooling, training, or engaging in work under the provisions of Article 46 Paragraph 1 Subparagraphs 8 to 10 of the Employment Services Act, he/she shall apply to the NIA to change his/her purpose of residency; and upon approval, will be issued with a new Alien Resident Certificate, with the effective duration of his/her residency reviewed and set.</p>	<p>Overseas Chinese students, foreign students, and foreign basic-level workers who are approved to remain in Taiwan to engage in mid-level technical work must apply to the NIA to change their purpose of residence and be issued with a new ARC.</p>

Text	Explanation
<p>Article 26</p> <p>Where a foreign mid-level technician is hired to come to the State to engage in mid-level technical work, his/her visa application, permission to stay, residence permit and Alien Resident Certificate are subject, <i>mutatis mutandis</i>, to the provisions of Article 10 Paragraph 1.</p> <p>Where a foreign national enters the State holding a visitor visa for a duration of stay of above sixty days and without annotation of a restriction disallowing extension or other limitation, and has been approved to engage in mid-level technical work in the State, he/she may apply to the NIA for residency, and upon approval, will be issued with an Alien Resident Certificate.</p> <p>Where a foreign national who holds an Alien Resident Certificate changes his/her purpose of residence to that of engaging in mid-level technical work, he/she shall apply to the NIA for change of purpose of residence, and upon approval, will be issued with a new Alien Resident Certificate, with the effective duration of his/her residency reviewed and set.</p>	<ol style="list-style-type: none"> 1. Paragraph 1 prescribes that foreign mid-level technicians employed to come to Taiwan to engage in mid-level technical work are subject, <i>mutatis mutandis</i>, to the provisions of Article 10 Paragraph 1 of this Act pertaining to visa, stay, residence permit and ARC applications. 2. Paragraph 2 prescribes that a foreign national who enters Taiwan with a visitor visa, and subsequently obtains approval to engage in mid-level technical work in Taiwan, may apply to the NIA for residency. 3. Paragraph 3 prescribes that an ARC-holding foreign national who changes his/her purpose of residence to that of engaging in mid-level technical work must apply to the NIA for change of purpose of residence, and be issued with a new ARC.
<p>Article 27</p> <p>Where a foreign mid-level technician is approved for residency to engage in mid-level technical work in the State, his/her Alien Resident Certificate will have an effective duration of up to three years, starting from the next day after approval. If continuation of residency is required at the</p>	<p>A foreign mid-level technician's residence permit will have a maximum duration of 3 years, and the same for each extension.</p>

Text	Explanation
<p>expiration thereof, he/she may, prior to the expiration, apply to the NIA for an extension of up to three years at a time.</p>	
<p>Article 28</p> <p>A foreign mid-level technician who has resided in the State lawfully and continuously for five years, staying an average of more than 183 days each year, and who meets the conditions listed in each subparagraph below, may apply to the NIA for permanent residency:</p> <ol style="list-style-type: none"> 1. Is above twenty years old. 2. Is of good character, and has no criminal case recorded on a police criminal record certificate. 3. Has sufficient assets or skills to be self supporting. 4. Is compatible with the national interests of the State. <p>The five years of continuous residence as referred to in the preceding paragraph is limited to residence approved for the purpose of engaging in mid-level technical work or professional work in the State.</p>	<ol style="list-style-type: none"> 1. Paragraph 1 prescribes the conditions that foreign mid-level technicians must meet to obtain permanent residency in Taiwan. It specifies that they must have lawfully and continuously resided in Taiwan for five years, the same as for permanent residency applications by foreign professionals. Also, Subparagraph 3 of this paragraph stipulates the requirement of having sufficient assets to be self supporting, the basis of determination for which will be separately decided by the NIA. 2. Paragraph 2 stipulates that the lawful and continuous residence referred to in the preceding paragraph is limited to residence permitted for engaging in mid-level technical or professional work. It cannot include any period of residence for schooling, training, or engaging in work under the provisions of Article 46 Paragraph 1 Subparagraphs 8 to 10 of the Employment Services Act, or as a dependent relative, or for any other purpose.

Text	Explanation
<p>Article 29</p> <p>Where a foreign mid-level technician has been approved for permanent residency, or has obtained permission to reside for work and his/her salary has reached an amount above the median total salary of professionals according to the most recent year's survey on employment categories salary, his/her spouse and minor children may apply to the Ministry of Foreign Affairs or its overseas mission for the issuance of a resident visa, and after being checked and permitted to enter the State by the NIA, obtain a residence permit.</p> <p>A person obtaining a residence permit under the provisions of the preceding paragraph shall, within thirty days starting from the day following entry to the State, apply to the NIA for an Alien Resident Certificate. His/her Alien Resident Certificate will have an effective duration of up to three years, extendable for up to three years at a time.</p>	<ol style="list-style-type: none"> 1. Paragraph 1 prescribes that, if a foreign mid-level technician has obtained permanent residency, his/her spouse and minor children may apply for residency; and if he/she has not obtained permanent residency, but his/her salary has reached an amount above the median total salary of professionals according to the most recent year's survey on employment categories salary (NT\$52,842 in 2017). This provision, drawing reference from the relevant system in Singapore, is intended to uphold foreign mid-level technicians' right to family reunion and ensure that they can shoulder the living needs of their spouses and minor children. 2. Paragraph 2 stipulates the maximum effective duration and length of extensions of ARCs applied for by the spouses and minor children of foreign mid-level technicians.
<p>Article 30</p> <p>After a foreign mid-level technician has been approved for permanent residency, his/her spouse and minor children who have, with permission, resided in the State lawfully and continuously for five years, staying an average of more than 183 days</p>	<ol style="list-style-type: none"> 1. Paragraph 1 prescribes the conditions for permanent residency of foreign mid-level technicians' dependent relatives, requiring lawful and continuous residence of five years in Taiwan.

Text	Explanation
<p>each year, and who meet the conditions listed in each subparagraph below, may apply to the NIA for permanent residency:</p> <ol style="list-style-type: none"> 1. Is of good character, and has no criminal case recorded on a police criminal record certificate. 2. Has sufficient assets or skills to be self supporting. 3. Is compatible with the national interests of the State. <p>Where the permanent residence permit of a foreign mid-level technician as referred to in the preceding paragraph is revoked or cancelled, the permanent residence permits of his/her spouse and minor children shall be revoked or cancelled at the same time.</p>	<p>In addition, Subparagraph 2 stipulates that they must have sufficient assets or skills to be self-supporting. These conditions are stricter than those under which the dependent relatives of foreign professionals may apply for permanent residency under this Act, to ensure that their dependent relatives can live worry free. The criteria for determining if the self-supporting condition is met will be set separately by the NIA. If the spouse of a foreign mid-level technician meets the relevant requirements specified in Article 25 of the Immigration Act, he/she may also apply for permanent residency under the provisions of that Act.</p> <ol style="list-style-type: none"> 2. Paragraph 2 stipulates that if the permanent residency of a foreign mid-level technician is revoked or cancelled, then the permanent residency granted to his/her family members as dependent relatives will also be revoked or cancelled at the same time.
<p>Chapter 4: Overseas Compatriots</p> <p>Article 31</p> <p>An overseas compatriot may engage in professional or mid-level technical work in the State without requirement to obtain permission. However, in the case of one</p>	<p>Overseas compatriots are targets for active recruitment under this Act, hence may engage in professional work or mid-level technical work in the State without having to obtain</p>

Text	Explanation
<p>who concurrently holds the nationality of a foreign country, his/her permission to work will be handled in accordance with the relevant provisions of this Act as applicable to foreign professionals and foreign mid-level technicians.</p>	<p>permission. Also, in accordance with the provisions of Article 79 of the Employment Services Act, where overseas compatriots concurrently hold the nationality of a foreign country, their employment to work in Taiwan will be handled in accordance with the provisions applying to foreign nationals, as stipulated in the provision of this Article.</p>
<p>Article 32</p> <p>An overseas compatriot may enter the State with exemption from applying for an entry permit or may apply for an entry permit at the time of entry. Regulations on those to whom these apply, the approval conditions, and time limits on stay will be set by the Ministry of the Interior in consultation with the relevant authorities.</p> <p>An overseas compatriot who engages in professional or mid-level technical work in the State under the provisions of the preceding Article may apply to the NIA for residency, and upon approval, will be issued with a residence certificate of Taiwan Area.</p> <p>An overseas compatriot who receives approval to engage in mid-level technical work in the State, and who was originally approved to reside for the purpose of schooling, training, or engaging in work under the provisions of Article 46 Paragraph 1 Subparagraphs 8 to 10 of the Employment Services Act, shall apply to the NIA to change his/her purpose of residence, and upon approval, will be</p>	<p>1. Article 5 Paragraph 2 of the Immigration Act prescribes that ROC nationals without household registration in Taiwan must apply for permission to enter Taiwan. But considering that, under Taiwan's current visa exemption rules, citizens of countries to which Taiwan grants visa exemption may enter Taiwan without a visa and stay for up to 90 days, and that, among overseas compatriots living outside Taiwan, there are many with outstanding talents in all fields of expertise, and that they have a blood and emotional attachment to Taiwan, so they ought to be subject to relatively favorable rules. Therefore, Paragraph 1 relaxes the law to allow overseas compatriots to whom this Act applies to be granted exemption from applying for an entry permit or to apply for a permit upon</p>

Text	Explanation
<p>issued with a new residence certificate of Taiwan Area, with the effective duration of his/her residency reviewed and set.</p> <p>The residence certificate of Taiwan Area as referred to in the second paragraph will have an effective duration of up to three years, starting from the next day after entry to the State. If the holder requires to continue residence after the effective duration expires, he/she may, prior to its expiration, apply to the NIA for an extension of up to three years at a time.</p>	<p>arrival, and provides for regulations governing those to whom this applies, the approval conditions, and time limit of stay, to be set separately by the Ministry of the Interior in consultation with related authorities.</p> <p>2. Article 9 Paragraph 1 Subparagraph 11 and Article 3 of the Immigration Act prescribe that overseas compatriots who have been approved to engage in professional work in Taiwan may apply to the NIA for residency and the issuance of the residence certificate of Taiwan Area. But considering that those to whom this Act applies also include persons engaging in professional and mid-level technical work under exemption from obtaining permission, the law is accordingly relaxed to allow all such overseas compatriots to apply for residency.</p> <p>3. Paragraph 3 stipulates that when overseas compatriots approved to engage in mid-level technical work in Taiwan are students or basic-level workers, they must apply to the NIA to change their purpose of residence and to be issued with a new resident certificate.</p> <p>4. Paragraph 4 is prescribed with reference to Article 9 Paragraphs 3 to 5 of the Immigration Act.</p>

Text	Explanation
<p>Article 33</p> <p>An overseas compatriot who has been approved for residency to engage in professional or mid-level technical work in the State, and who meets one of the requirements prescribed in the subparagraphs below, and who still possesses his/her original qualification for residence, may apply to the NIA for registered permanent residence in the State:</p> <ol style="list-style-type: none"> 1. Residing for fully one year and staying more than three hundred and thirty-five (335) days. 2. Continuously residing for fully two years and staying on average more than two hundred and seventy (270) days each year. 3. Continuously residing for fully three years and staying on average more than one hundred and eighty-three (183) days each year. 	<p>Article 10 Paragraph 1 Subparagraph 1 and Paragraph 3 of the Immigration Act prescribe that overseas compatriots permitted to reside in Taiwan to engage in work must have continuously resided in the Taiwan Area or resided for a certain period of time before they may apply for registered permanent residence. To encourage overseas compatriots to return to Taiwan to develop, and taking into account that overseas compatriots will sometimes have to travel back and forth between Taiwan and their overseas home due to life or work needs, this provision relaxes the conditions that overseas compatriots permitted to reside in Taiwan to undertake professional or mid-level technical work must meet in order to qualify for registered permanent residence in Taiwan.</p>
<p>Article 34</p> <p>Where an overseas compatriot has been approved for residency to engage in professional or mid-level technical work in the State, his/her dependent relatives as specified below may apply to the NIA for residency:</p> <ol style="list-style-type: none"> 1. If the person they are dependent relatives of is engaging in professional work: Spouse, minor children, and adult children who are unable to live independently due to 	<ol style="list-style-type: none"> 1. Article 9 Paragraph 2 and Article 23 Paragraph 1 Subparagraphs 1 and 2 of the Immigration Act prescribe that when an overseas compatriot is permitted to reside in Taiwan to engage in professional work, his/her spouse and minor children may apply to the NIA for residency. But considering that those to whom this Act applies also

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<p>physical or mental disability.</p> <p>2. If the person they are dependent relatives of is engaging in mid-level technical work: Spouse and minor children.</p> <p>Where a dependent relative as referred to in the preceding paragraph is an overseas compatriot, his/her permission to enter the State and the effective duration and duration of extensions of his/her residence certificate of Taiwan Area are subject, <i>mutatis mutandis</i>, to the provisions of Article 32 Paragraphs 1, 2 and 4; and where he/she is a foreign national, after entering the State under visa exemption or holding a visitor visa, he/she may apply to the NIA for residency, and the effective duration and duration of each extension of his/her Alien Resident Certificate will be subject, <i>mutatis mutandis</i>, to the provisions of the forepart of Article 12.</p> <p>Where an overseas compatriot's permission to reside as referred to in Paragraph 1 is revoked or cancelled, his/her dependent relatives' permission to reside shall be revoked or cancelled at the same time.</p>	<p>include persons engaging in professional work and as mid-level technicians under exemption from obtaining permission, Paragraph 1 accordingly relaxes the law to allow the dependent relatives of such overseas compatriots to apply with them for residency. It is further provided that, in the case of overseas compatriots who are engaging in professional work, their adult children who are unable to live independently due to physical or mental disability may also reside with them, which is the same as the provision that applies to foreign professionals.</p> <p>2. Paragraph 2 references the provisions of Article 22 and Article 9 Paragraphs 3 to 5 of the Immigration Act on the entry to Taiwan and the effective duration and extension of resident certificates for the dependent relatives of overseas compatriots, stipulating that if a dependent relative is an overseas compatriot, he/she shall be subject to the provisions of Article 32 of this Act the same as apply to the overseas compatriot whose dependent relative he/she is, and if a foreign national, he/she shall be subject to the provisions of Article 12 of this Act the same as apply to</p>

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	<p>foreign professionals.</p> <p>3. Paragraph 3 prescribes that if an overseas compatriot's permission to reside is revoked or cancelled, his/her dependent relatives' permission to reside as dependent relatives will be revoked or cancelled at the same time.</p>
<p>Article 35</p> <p>Where a dependent relative of an overseas compatriot receives permission to reside in the State as prescribed in the preceding Article, he/she if a foreign national may apply for permanent residency under the relevant provisions of the Immigration Act, and if an overseas compatriot may apply to the NIA for registered permanent residence under the <i>mutatis mutandis</i> application of the provisions of Article 33.</p>	<p>Article 10 Paragraph 1 Subparagraph 1 and Article 25 Paragraph 1 of the Immigration Act prescribe that, once a dependent relative of an overseas compatriot has been approved to reside in Taiwan, he/she may apply for registered permanent residence or permanent residency. Considering that Article 33 of this Act relaxes the conditions that overseas compatriots approved to reside in Taiwan for work must meet in order to qualify for registered permanent residence in Taiwan, this Article similarly relaxes the conditions that their dependent relatives must meet in order to qualify for registered permanent residence or permanent residency.</p>
<p>Chapter 5: Investment immigrants</p> <p>Article 36</p> <p>Where a foreign investor or foreign juridical investor invests above a specified amount in the State, as approved or filed</p>	<p>1. With reference to the relevant provisions of the Statute Governing of ROC Visas in</p>

Text	Explanation
<p>for reference by the central competent authority, applications by the foreign investor or representative of the foreign juridical investor for visa, permission to stay, residence permit, and Alien Resident Certificate shall be subject, <i>mutatis mutandis</i>, to the provisions of Article 10 Paragraph 1.</p> <p>Where a foreign investor or representative of a foreign juridical investor, as referred to in the preceding paragraph, enters the State holding a visitor visa for a duration of stay of sixty days or longer and without annotation of a restriction disallowing extension or other limitation, he/she may apply to the NIA for residency under the provisions of Article 23 Paragraph 1 Subparagraph 4 of the Immigration Act, and upon approval, will be issued with an Alien Resident Certificate.</p> <p>Where a foreign investor or representative of a foreign juridical investor has obtained permission to reside, his/her application for permanent residence will be handled as prescribed by Article 25 Paragraph 1 of the Immigration Act.</p> <p>Where a foreign investor or representative of a foreign juridical investor is permitted to reside as an investor in the State, his/her spouse and minor children's entry to the State, residence, permanent residence, and other such matters shall be handled in accordance with the relevant provisions of</p>	<p>Foreign Passports, the Immigration Act, and the Regulations Governing Visiting, Residency and Permanent Residency of Aliens, Paragraph 1 prescribes the governing provisions for visa, stay, residence permit and ARC applications of foreign investors or representatives of foreign juridical investors who come to invest in Taiwan.</p> <p>2. Referencing the provisions of Article 23 Paragraph 1 Subparagraph 4 of the Immigration Act, Paragraph 2 prescribes that a foreign investor or representative of a foreign juridical investor who enters Taiwan holding a visitor visa with certain conditions, and invests above a certain amount, may apply to the NIA for residency.</p> <p>3. Paragraph 3 is prescribed with reference to the relevant provisions of Article 25 Paragraph 1 of the Immigration Act.</p> <p>4. Paragraph 4 is prescribed with reference to the relevant provisions of the Immigration Act.</p>

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the Immigration Act.	
<p>Article 37</p> <p>A foreign national may apply to the NIA for permanent residence according to the regulations pertaining to investment immigrants as prescribed under Article 25 Paragraph 4 and Article 35 of the Immigration Act. Having reviewed and approved the application, and the investment having been made, the NIA will approve the permanent residence.</p> <p>The spouse and minor children of an applicant as referred to in the preceding paragraph, being of good character, and having no criminal case recorded on a police criminal record certificate, and being compatible with the national interests of the state, may apply for permanent residency together with him/her, or may apply after having themselves been approved for permanent residency.</p> <p>Where the permanent residence permit of a foreign national as referred to in Paragraph 1 is revoked or cancelled, the permanent residence permits of his/her spouse and minor children shall be revoked or cancelled at the same time.</p>	<ol style="list-style-type: none"> 1. Paragraph 1 is prescribed with reference to the relevant investment immigrants provisions in Article 25 Paragraph 4 and Article 35 of the Immigration Act and the Regulations Governing Visiting, Residence and Permanent Residence of Aliens. 2. Paragraph 2 references the provisions of Article 15 of the Regulations Governing Visiting, Residency and Permanent Residency of Aliens in stipulating the requirements for permanent residence applications by the spouses and minor children of investment immigration applicants. 3. Paragraph 3 prescribes that if a foreign national's permanent residence permission is revoked or cancelled, his/her spouse and minor children's permission for permanent residence as dependent relatives will be revoked or cancelled at the same time.
<p>Article 38</p> <p>Where an overseas compatriot invests above a specified amount in the State, as approved or filed for reference by the central competent authority, his/her entry</p>	<ol style="list-style-type: none"> 1. Under the provisions of Article 5 Paragraph 2 of the Immigration Act, nationals without registered permanent residence in the

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<p>to the State, residence and registered permanent residence will be subject, <i>mutatis mutandis</i>, to application of the provisions of Article 32 Paragraphs 1, 2 and 4 and Article 33 of the Immigration Act.</p> <p>Where an overseas compatriot as referred to in the preceding paragraph has been approved for residence, the entry to the State, residence and registered permanent residence of his/her spouse and minor children who are overseas compatriots will be subject, <i>mutatis mutandis</i>, to application of the provisions of Article 32 Paragraphs 1, 2 and 4 and Article 33 of the Immigration Act; his/her spouse and minor children who are foreign nationals, after entering the State under visa exemption or holding a visitor visa, may apply to the NIA for residency, the effective duration and each extension of their Alien Resident Certificates being subject, <i>mutatis mutandis</i>, to application of the provisions in the forepart of Article 12, and may apply for permanent residence under the relevant provisions of the Immigration Act.</p> <p>Where the residence permit of an overseas compatriot as referred to in Paragraph 1 is revoked or cancelled, the residence permits of his/her spouse and minor children shall be revoked or cancelled at the same time.</p>	<p>Taiwan Area must apply for permission to enter the country. Considering that overseas compatriots living outside Taiwan have a relatively close connection to Taiwan, and are targets for accentuated recruitment to Taiwan, Paragraph 1 relaxes the law by prescribing that overseas compatriots investing in Taiwan may also be granted exemption from applying for permission to enter the country, under the same provisions of this Act as apply to overseas compatriots engaging in professional or mid-level technical work; and likewise in respect of residence and registered permanent residence.</p> <p>2. Paragraph 2 prescribes that, where an overseas compatriot obtains permission to reside as an investor, the entry, residence, permanent residence and registered permanent residence provisions applicable to his/her spouse and minor children will be the same as those of this Act that apply to overseas compatriots engaging in professional or mid-level technical work.</p> <p>3. Paragraph 3 prescribes that if an overseas compatriot's residence permission is revoked or cancelled, his/her spouse and minor children's permission to reside as dependent relatives will</p>

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	be revoked or cancelled at the same time.
<p>Chapter 6: Social Security and Living Assistance</p> <p>Article 39</p> <p>Foreign professionals, foreign special professionals, foreign senior professionals, foreign mid-level technicians, investment immigrants, and their spouses and children, and overseas compatriots' spouses and children, having been approved for permanent residency, are not required to apply to the Ministry of Labor or Ministry of Education for permission to engage in work in the State.</p>	<p>According to the provisions of Article 51 Paragraphs 1 and 2 of the Employment Services Act, when foreign nationals who have obtained permanent residency are hired to engage in work, they may apply to the relevant central competent authority for a work permit, without needing to apply through an employer. To simplify the related process and provide a friendly environment for immigrants, it here prescribes that foreign professionals, foreign special professionals, foreign senior professionals, foreign mid-level technicians, investment immigrants, and their spouses and children, and also overseas compatriots' spouses and children, having been approved for permanent residency, can work in Taiwan straight away without needing to apply to the central competent authorities for a work permit or renewal of work permit. Overseas compatriots who have been approved for registered permanent residence will be dealt with according to the provisions applying to nationals who have established household</p>

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	registration.
<p>Article 40</p> <p>The persons referred to in the preceding Article, having been approved for permanent residency, and being employed to engage in work in the State, will be covered by the provisions of the Employment Insurance Act.</p> <p>After a person as referred to in the preceding paragraph enters into employment, and is then approved for permanent residency, his/her employer or the organization to which he/she belongs shall on the day of approval declare said person's participation in employment insurance.</p> <p>Where a person as referred to in the first paragraph obtained permanent residency before the effective date of this Act and continues in employment, his/her employer or the organization to which he/she belongs shall on the effective date of this Act declare said person's participation in employment insurance.</p> <p>In the case of declaration for participation in employment insurance as referred to in the preceding two paragraphs, the insurance coverage will begin from the date on which the declaration shall be made. But if said employer or organization fails to declare as prescribed, then apart from being fined pursuant to Article 38 of the Employment Insurance Act, the insurance coverage will begin on the date after the declaration.</p>	<p>1. To actively recruit the manpower and talent needed for national economic development, Paragraph 1 relaxes the law pertaining to those as specified in the preceding Article who, having been approved for permanent residency and during the time of their employment to work in Taiwan, are included as beneficiaries under the Employment Insurance Act, without being subject to the limitation prescribed in Article 5 Paragraph 1 Subparagraphs 1 and 2 of the Employment Insurance Act. Also, participants in employment insurance under this Act and their insured establishments, except as otherwise provided in this Act, are subject to the Employment Insurance Act and related regulations concerning commencement and termination of insurance, monthly insurance salary, insurance salary adjustment, responsibility for insurance premiums, payment of insurance premiums, levying and handling of insurance premium grace period and late payment surcharge, calculation and issuance of insurance benefits,</p>

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<p>The provisions of the preceding four paragraphs do not apply to a person as referred to in Paragraph 1 who was already covered by the Employment Insurance Act on the effective date of this Act.</p>	<p>penalties, and other related matters.</p> <p>2. For employed workers who should participate in employment insurance as insured persons, under the provisions of Article 6 Paragraph 3 of the Employment Insurance Act, their employer or the organization to which they belong is required to declare their participation in the insurance on the date they enter into employment. But in the case of those referred to in Paragraph 1 being approved for permanent residency after being hired to work in Taiwan, and those who were approved for permanent residency before the effective date of this Act and continue to be employed to work in Taiwan, there are no provisions of the Employment Insurance Act that are applicable to when to declare their participation in the insurance, when the insurance comes into effect, and the effect of failure to declare participation in the insurance as prescribed. Hence, additional clear provisions are required for this purpose, and these matters are provided for in Paragraphs 2 to 4.</p> <p>3. In the case of those referred to in Paragraph 1 who had already been approved for permanent residency and who are already</p>

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	<p>covered by the provisions of Article 5 Paragraph 1 Subparagraph 2 of the Employment Insurance Act before the effective date of this Act, Paragraph 5 specifies that the provisions of Paragraphs 1 to 4 of this Article do not apply to them.</p>
<p>Article 41</p> <p>The persons referred to in Article 39, having been approved for permanent residency, and being employed to engage in work in the State, shall from the effective date of this Act be included in the retirement pension system under the Labor Pension Act. However, this shall not apply to those who obtained employment prior to the effective date of this Act and are still serving in the same business entity, provided that, within six months of the effective date of this Act, they submit to their employer a written declaration of opting to remain in the retirement pension system under the Labor Standards Act.</p> <p>Those as referred to in the preceding paragraph who obtain permission for permanent residency after the effective date of this Act shall be included in the retirement pension system under the Labor Pension Act from the date of said permission. However, this shall not apply to those who obtained employment prior to the effective date of this Act and are still serving in the same business entity, provided that, within six months of the date</p>	<ol style="list-style-type: none"> 1. Under the provisions of Article 11 of the Act for the Recruitment and Employment of Foreign Professionals, foreign professionals who are employed to engage in professional work, and have been approved for permanent residency, are included in the retirement pension system of the Labor Pension Act. Paragraph 1 to 6 extend that inclusion so that all those referred to in Article 39, having been approved for permanent residency and being employed to engage in professional work in Taiwan, may utilize the retirement pension system under the Labor Pension Act, and so be provided with basic protection after retirement. 2. Paragraph 7 applies to those who, having been approved for residency after the effective date of the Act for the Recruitment and Employment of Foreign

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<p>on which they receive said permission, they submit to their employer a written declaration of opting to remain in the retirement pension system under the Labor Standards Act.</p> <p>Those who have once submitted to their employer a written declaration of opting to remain in the retirement pension system under the Labor Standards Act, in accordance with the provisos of the two preceding paragraphs, may not thereafter change to opting for inclusion in the retirement pension system under the Labor Pension Act.</p> <p>In the case of those included in the retirement pension system under the Labor Pension Act as provided for in Paragraphs 1 and 2, their seniority prior to their inclusion in said system shall be treated in accordance with the provisions of Article 11 of said Act.</p> <p>To include a person in the retirement pension system under the Labor Pension Act as referred to in Paragraph 1, said person's employer shall conduct the procedures for payment to the Bureau of Labor Insurance, Ministry of Labor, and shall file no later than fifteen (15) days after the expiration of the time limit stipulated in the provisos of Paragraphs 1 and 2.</p> <p>The provisions of the preceding five paragraphs shall not apply to persons as referred to in Paragraph 1 who were already under coverage of the Labor Pension Act prior to the effective date of this Act, or who had already according to</p>	<p>Professionals and before the effective date of this Act, have not within the six-month choosing period declared to their employer their choice of continuing to utilize the Labor Standards Act retirement pension regulations, as prescribed in the proviso to Article 11 Paragraph 2 of the Act for the Recruitment and Employment of Foreign Professionals. It prescribes that the time limit within which they must make their choice is extended to six months after the effective date of this Act. If they do not make their choice within that time, their pension fund contributions will commence in effect retroactively from the date of approval of their permanent residency.</p>

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<p>law declared to their employer their continued utilization of the retirement pension provisions of the Labor Standards Act, and remain covered by said provisions.</p> <p>Those who, prior to this Act entering into effect, had still not submitted to their employer a written declaration of opting to remain in the retirement pension system under the Labor Standards Act, as prescribed in the proviso of Article 11 Paragraph 2 of the Act for the Recruitment and Employment of Foreign Professionals, may still submit such declaration to their employer within six months starting from the effective date of this Act; and if they do not make such declaration within this time limit, their pension fund contributions will commence in effect retroactively from the date of approval of their permanent residency.</p>	
<p>Article 42</p> <p>Foreign nationals who are currently employed as full-time, qualified, paid teachers and researchers within the authorized manning strength of a public school in the State, and foreign nationals who are currently employed as full-time, qualified, paid researchers within the authorized manning strength of a government agency or an academic or research institution (organization) belonging to a government agency, having matters concerning their retirement governed, <i>mutatis mutandis</i>, by the</p>	<p>1. Article 12 Paragraph 1 of the Act for the Recruitment and Employment of Foreign Professionals prescribes that a foreign professional who is currently employed as a full-time, qualified, paid teacher within the authorized manning strength of a public school in Taiwan, and who has been approved for permanent residency, shall have matters concerning his/her retirement governed, <i>mutatis mutandis</i>, by the retirement</p>

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<p>retirement regulations for public school teachers, and having been approved for permanent residency, may opt for either a one-time lump sum pension payment or a monthly pension.</p> <p>Where a retired foreign teacher or foreign researcher has received a monthly pension as referred to in the preceding paragraph, and his/her permanent residence permit has been revoked or cancelled, his/her right to claim the monthly pension shall be forfeited. However, this restriction shall not apply if the permanent residence permit was revoked or cancelled due to regaining nationality of the State, obtaining nationality of the State, or concurrently possessing nationality of the State.</p>	<p>regulations for public school teachers, and may opt for either a one-time lump sum pension or a monthly pension. However, this does not include foreign nationals who are currently employed as full-time, qualified, paid researchers within the authorized manning strength of a public school in Taiwan, or foreign nationals who are currently employed as full-time, qualified, paid researchers within the authorized manning strength of a government agency or an academic or research institution (organization) belonging to a government agency. Considering that such people have matters concerning their retirement governed, <i>mutatis mutandis</i>, by the retirement regulations for public school teachers, and that it is their purpose to permanently settle and develop in this country, they ought to be provided with quasi-national treatment for safeguarding their welfare in old age. Therefore, Paragraph 1 provides for their inclusion in being able to choose between receiving a one-time lump sum pension payment or a monthly pension.</p> <p>2. Paragraph 2 is prescribed with reference to the provisions of Article 12 Paragraph 2 of the Act</p>

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	for the Recruitment and Employment of Foreign Professionals.
<p>Article 43</p> <p>Foreign professionals, foreign special professionals, foreign senior professionals, foreign mid-level technicians, and investment immigrants, having been approved for permanent residency, the government may provide child-rearing, childcare, and educare related cost subsidies, emergency aid, assistance for family in hardship, and self-pay long-term care services to them and their dependent relatives who have resident certificates.</p>	<p>At present, government child-rearing and childcare related cost subsidies, emergency aid, assistance for family in hardship, long-term care services, etc., are mainly provided to our own citizens. Considering that foreign professionals, foreign special professionals, foreign senior professionals, foreign mid-level technicians, and investment immigrants, having been approved for permanent residency, have the purpose of permanently settling and developing in this country; and to encourage them to have children, to add to our country's population; and also, based on a humanitarian stance, to provide them with social security, this Article accordingly prescribes that the government may provide, for them and also their dependent relatives who hold resident certificates, such benefits as child-rearing, childcare, and educare related cost subsidies, emergency aid, assistance for family in hardship, and self-pay long-term care services, and may also provide other subsidies depending on the situation of government finances, so as to provide them with more complete living assistance and protection.</p>

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<p>Article 44</p> <p>Foreign special professionals, foreign senior professionals and foreign professionals, foreign mid-level technicians, overseas compatriots employed to engage in professional work or mid-level technical work, themselves and their dependent relatives who hold resident certificates, shall participate in National Health Insurance as insured persons, without being subject to the requirement of a full six months of residence in the State prescribed in Article 9 Subparagraph 1 of the National Health Insurance Act.</p>	<p>Under Article 9 Subparagraph 1 of the National Health Insurance Act and Article 14 of the Act for the Recruitment and Employment of Foreign Professionals, foreign professionals and foreign special professionals employed to engage in professional work, as well as their dependent relatives, shall participate in National Health Insurance, without being subject to a six-month of residence in the State. Since foreign mid-level technicians as newly provided for by this Act have not yet been included, and considering that the favorable treatment of National Health Insurance should be accorded to all foreign professionals, foreign mid-level technicians and overseas compatriots employed to engage in professional or mid-level technical work, and to their dependent relatives, this Article accordingly makes provision for such inclusion. Also, foreign special and senior professionals who have obtained Employment Gold Cards may not be under employment, so that neither they themselves nor their dependent relatives can utilize this provision, and in order to provide them with best access to the medical system, the ambit of this benefit is expanded to include them and their dependent</p>

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	relatives.
<p>Chapter 7: Supplementary Provisions</p> <p>Article 45</p> <p>A citizen of the State who concurrently holds foreign citizenship, has not established household registration in the State, and uses a foreign passport to come to the State to engage in professional or mid-level technical work or as an investment immigrant, shall be treated in accordance with the relevant provisions of this Act pertaining to foreign nationals.</p>	<p>Referencing the provisions of Article 21 of the Act for the Recruitment and Employment of Foreign Professionals, and including those engaging in mid-level professional work and investment immigrants within its ambit.</p>
<p>Article 46</p> <p>This Act shall be effective from the day of promulgation.</p>	<p>The effective date of this Act.</p>