

# Act for the Recruitment and Employment of Foreign Professionals- Work Matters for Foreign Professionals in Taiwan

Ministry of Labor  
2021



簽證

居留

保險

租稅

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# MAIN POINT

1

Work Matters for Short-term Supplementary Learning Centers Teachers & Freelance Artists

2

Work Matters for Adult Children of Foreign Professionals

3

Bachelor's degree from top universities in the world gives exemption from work experience

4

Fall under the new labor retirement system for Foreign Professionals

# 1 、 Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 1. Foreign teachers in short-term supplementary learning centers

### ➤ Background :

- ✓ **2018.2.08** Enforcement of talent recruitment and exclusive law  
In order to meet the needs of industrial development, short-term cram classes are newly added in Article 4, Paragraph 4, Item 2 of the Act **in the case of a teacher with specialized knowledge or technology**
- ✓ **2021.7.07** Amendment and promulgation of the Special Law on Talent Acquisition, which will also include the full-time foreign language teacher jobs under the "Work Qualifications and Examination Standards for Foreigners Engaged in Employment Service Act, Article 46, Paragraph 1, Paragraph 1 to Paragraph 6" in Article 4, Paragraph 4, Item 3 of the Talent Acquisition Law

- **Basis of Application** : The Ministry of Labor amended & promulgated 「 **The Qualifications and Criteria Standards of the Employment of Foreign Professionals Engaging in Teaching for Short-term Supplementary Learning Centers** 」 , Stipulate relevant work qualifications and permit management matters

# 1、Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 2. Short-term supplementary learning centers foreign teachers' work content

Teacher's work	Work Content (Digital content industry technical creation or actual technical teaching , according to the Ministry of Economic Affairs notice version)
Teachers with specialized knowledge or technology	<ul style="list-style-type: none"><li>✓ <b>Digital Games Industry:</b> home game software, computer game software or mobile game software.</li><li>✓ <b>Computer animation/action comic industry.</b></li><li>✓ <b>Somatology Technology Industry:</b> Virtual Reality (VR) R &amp; D, Augmented Reality (AR) R &amp; D, Mixed Reality (MR) , Interactive control of application software and hardware development technology or optical sensing applications hardware and software research and development technology.</li><li>✓ Others who have made substantive contributions to nurturing domestic talents. After the <b>central competent authority</b> for the purpose and affairs consults with the digital content industry designated <b>by the Ministry of Education</b></li></ul>
Full-time Foreign Language Teacher	Full-time Foreign Language Teaching

# 1、Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 3. Qualifications for Hiring Foreign Teachers in short-term supplementary learning centers

Employer's Qualifications	
Teaching with specialized knowledge or technology	Should comply with the Supplementary Education Act as a registered short-term cram school, and have the following conditions: <ul style="list-style-type: none"><li>● Corporate entity.</li><li>● There are cooperation contracts with international teaching institutes. (Consultation on individual case)</li></ul>
Full-time foreign language teaching	Should comply with the Supplementary Education Act as a registered short-term cram school
Foreigner's Qualifications	
Teaching with specialized knowledge or technology	A minimum monthly salary of NT\$47,971 should comply with the Article 8 of "Qualifications and Criteria Standards for foreigners undertaking the jobs specified under Article 46.1.1 to 46.1.6 of the Employment Service Act." Also meets one of the following qualifications: <ul style="list-style-type: none"><li>● Participating in the production of works with international awards winning record.</li><li>● Has more than 4 years of working experience in foreign digital content industry and 2 years of teaching experience in international teaching institutes.</li></ul>
Full-time foreign language teaching	At least 14 hours of teaching work per week and the following qualifications: <ul style="list-style-type: none"><li>● Adult</li><li>● Graduated from Junior college or above</li><li>● The language course taught is the official language of the foreign teacher's passport nationality</li></ul>

# 1 、 Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters

## 4. Documents for hiring foreign teachers in Short-term Supplementary Learning Centers

### DOCUMENTS NEEDED WHEN APPLYING

1. Application form
2. A copy of applicant's or responsible person's ID, company registration, business permit, etc.
3. A copy of the employment contract.
4. A copy of a list of employed foreign professionals, passport, or ARC.
5. A receipt of processing fees.
6. Other documents required by the Ministry of Labor.

#### VALIDITY PERIOD

Validity period can last up to 3 years. An extension is available.

#### EXTENSION

Within 4 months prior to the expiration of the permit, apply for an extension to the Ministry of Labor, the extension period is up to 3 years.



## 5. Freelance Art Workers

### ➤ Background:

- ✓ **2018/2/8** Enforcement of talent recruitment and exclusive law · to improve the employment environment for arts and culture in our country, Article 10 of the Act for the Recruitment and Employment of Foreign Professionals stipulates that foreign professionals **may apply for a work permit from the Ministry of Labor without the employer's application to work in the arts** in our country.
- ✓ **2019/12/9** Added: those who have shown creativity and special skills in the film, **television, and audio field** · must apply to engage in artwork in Taiwan
- **Basis of Application** : Announced by the Ministry of Labor  
「 **Amendment of Regulations on the Work Permit and Administration of the Foreign Professionals Engaging in Arts and Performing Arts** 」 ·  
Stipulate relevant work qualifications and permit management matters

# 1、Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 6. Work content of freelance artists

WORK CONTENT	
<b>Freelance Artwork</b>	<b>Performing arts and Visual arts</b> means engaging in creating, researching, investigating, producing, performing, promoting, teaching or sharing (such as workshop and lecture), panel judging or competing in the field of music (pop music not included), dance, arts, drama, environmental arts, and photography.
	<b>Publishing</b> means engaging in cultural arts in graphic and text creation, commenting, literary agency, editing, translating, curating, or researching in the field of newspaper, magazine, and book publication.
	<b>Movie, Broadcasting Television, and Pop Music</b> means engaging in cultural arts in creating, producing, performing, promoting, teaching or sharing (such as workshops and lectures), panel judging, agency, managing or technology in the fields of film, broadcasting, television, and pop music.
	<b>Crafts</b> means engaging in creating or teaching in leather, ceramic, stone, glass, fiber (dying, weaving or knitting), wood, bamboo, paper, metal, paint or mixed media.
<b>Other artistic work certified by the Ministry of Culture.</b>	

# 1 、 Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 7. Qualifications for Freelance Artists

Category	Qualifications
<b>1. Performing Arts and Visual Arts</b>	Shall meet one of the following job qualifications: <ol style="list-style-type: none"><li data-bbox="550 375 1854 475">1. Over 10 years of working experiences in the applied art field and with creative and outstanding performance.</li><li data-bbox="550 482 1854 682">2. Master degree at home and abroad and over 5 years of working experiences in the applied art field, or PhD degree at home and abroad and over 3 years of working experiences in the applied art field.</li><li data-bbox="550 689 1854 839">3. With creative and outstanding performance in the art field, and with certificates or recommendations issued by government institutions or stated-owned enterprises.</li></ol>
<b>2. Publishing</b>	Over 8 year of working experiences in publishing field, and meet one of the following job qualifications: <ol style="list-style-type: none"><li data-bbox="550 975 1854 1075">1. Served as Chief Editor or Senior Manager of a major international news, media outlet, or publishing house.</li><li data-bbox="550 1082 1854 1225">2. Awarded with one's country's most prestigious prize for a publishing-related field of literature and comic; or an international prize for same.</li><li data-bbox="550 1232 1854 1382">3. Creative and outstanding performance in the publishing field, and holds certificates or recommendations issued by government institutions or stated-owned enterprises.</li></ol>

# 1、Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 8. Qualification Requirements for Freelance Artists

Category	Qualifications
<b>3. Movie, Broadcasting Television, and Pop Music</b>	Shall meet one of the following job qualifications: <ol style="list-style-type: none"><li data-bbox="444 382 1850 586">1. Has been shortlisted for important awards in the fields of film, radio and television, and popular music in this country, the applicant's country or internationally (should comply with the announcement of the Ministry of Culture)</li><li data-bbox="444 596 1831 696">2. Served as a mid-level manager or above at an international medium-sized or above film, radio and television, popular music legal entity</li><li data-bbox="444 706 1787 849">3. Creative and special performance in the fields of film, radio and television and popular music, and can provide relevant supporting documents</li></ol>
<b>4. Craft</b>	Shall meet one of the following job qualifications: <ol style="list-style-type: none"><li data-bbox="444 931 1850 978">1. Nominated for a nationally or internationally recognized competition.</li><li data-bbox="444 988 1831 1088">2. Taught in department of crafts at a foreign college or university with seniority of associate professor or more.</li><li data-bbox="444 1098 1850 1240">3. Creative and outstanding performance in the craft field, and holds certificates or recommendations issued by government institutions or stated-owned enterprises.</li></ol>

**5. Subject to special circumstances, the Ministry shall examine and review other individual cases in consultation with the Ministry of Culture.**

# 1 、 Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 9. Freelance Artists documents to prepare

### DOCUMENTS NEEDED WHEN APPLYING

1. Application Forms.
2. Passport or photocopy of the foreigner's ARC.
3. Original copy of the processing fee.
4. Relevant supporting documents which comply with the requirements .
5. Other documents required by the Ministry of Labor

#### VALIDITY PERIOD

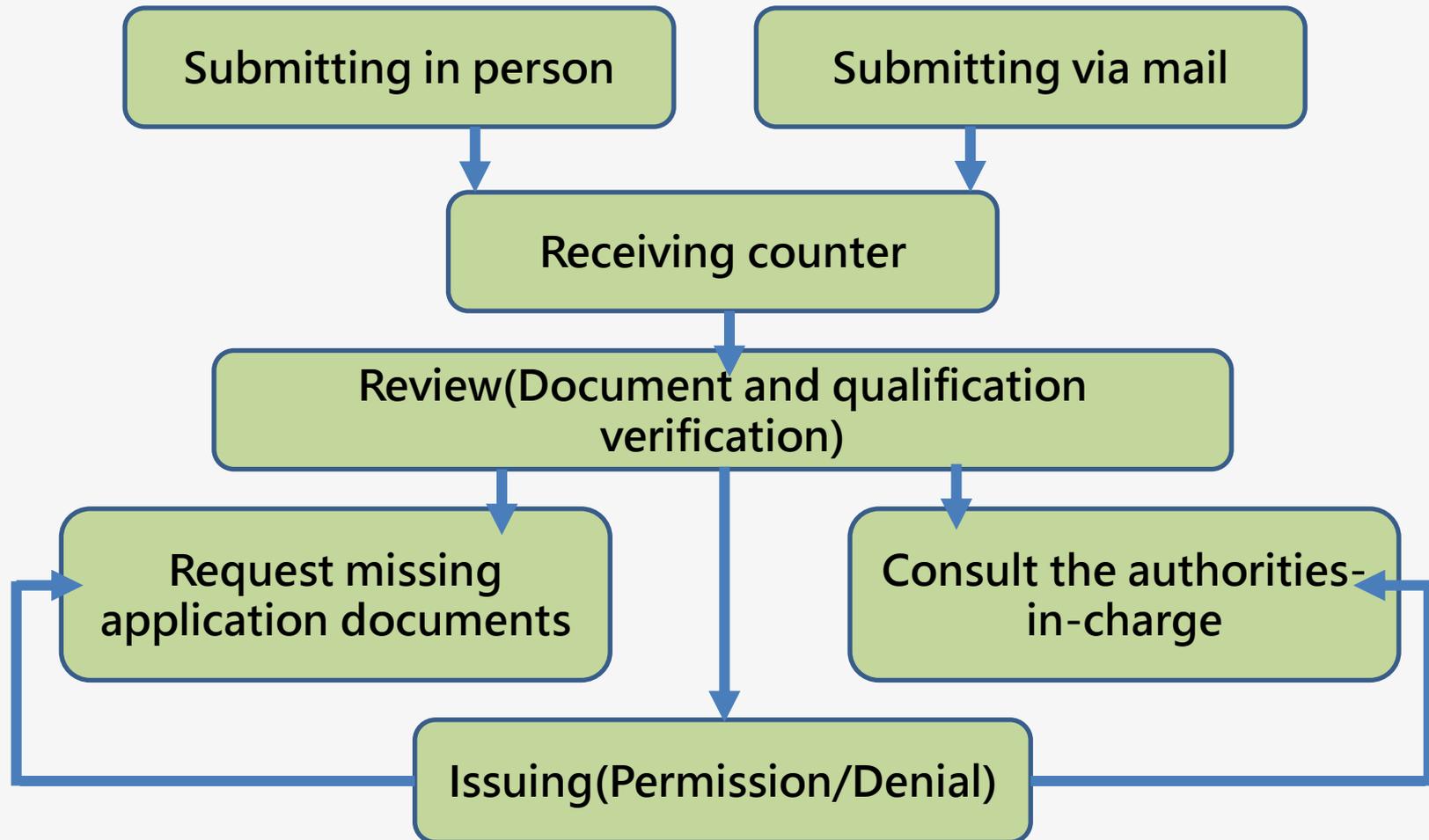
Validity period can last up to 3 years. An extension is available.

#### EXTENSION

Within 4 months prior to the expiration of the permit, apply for an extension to the Ministry of Labor, the extension period is up to 3 years.

# 1、Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters

## 10. Application process for short-term supplementary learning Centers teachers and freelance art workers



As of now, only written applications are accepted, same as the application of Foreign Professionals employment permit procedure

# 1、Short-term Supplementary Learning Centers Teacher & Freelance Artists Work Matters



## 11. Application notes for short-term supplementary learning centers teacher and freelance artist

<b>How to file</b>	<p>1. Apply in person ( Address : 10F, No. 39, Zhonghua Road Sec. 1, Zhongzheng District Taipei City )</p> <p>2. Send through Registered Mail (address same as above , Receiver : Workforce Development Agency 「Foreign Professionals work permit application」 )</p>
<b>Processing period</b>	<p>If the documents are complete and both the employer and the foreigner meet the qualifications and conditions set forth, 12 working days from the date the application is received.</p>
<b>Processing fee</b>	<p>NT \$ 500 per application.</p>
<b>Translation of Document</b>	<p>If the attached documents are in foreign languages, they should be accompanied by a Chinese translation.</p>
<b>Relevant Information</b>	<p>You can visit the website of the Workforce Development Agency, Ministry of Labor 「 EZ WORK TAIWAN 」 - 「 Act for the Recruitment and Employment of Foreign Professionals 」 search ( <a href="https://ezworktaiwan.wda.gov.tw/">https://ezworktaiwan.wda.gov.tw/</a> )</p>

## 2、Matters concerning work for adult children of Foreign Professionals

### 1. Work for Young Adult

#### ➤ Background:

✓ **2018.2.08** Enforcement of talent recruitment and exclusive law. Considering the needs of foreign talent family reunion · Article 17 of the law stipulates that in the case of foreign professionals engaged in professional work in the country and holding permanent residency, their young **adult child** can apply for a personal **work permit** to the Ministry of Labor if they meet certain residence requirements. There are no restrictions on industry classification and work permit period.

✓ **2021.7.07** Amendment and promulgation of professional recruitment law · includes **specific foreign professionals** and foreign **high-level professionals** as applicable objects (Amended to Article 15)

➤ **Basis of Application** : Announcement of amendments by the Ministry of Labor 「 **Ministry of Labor Directions for Reviewing the Application under Article 15 and 26 Child over the Age of Majority of the Act for the Recruitment and Employment of Foreign Professionals** 」 · handling matters related to obtaining work permits for young adult of permanent resident foreigners

### 2. Qualifications for work of young adult and documents required

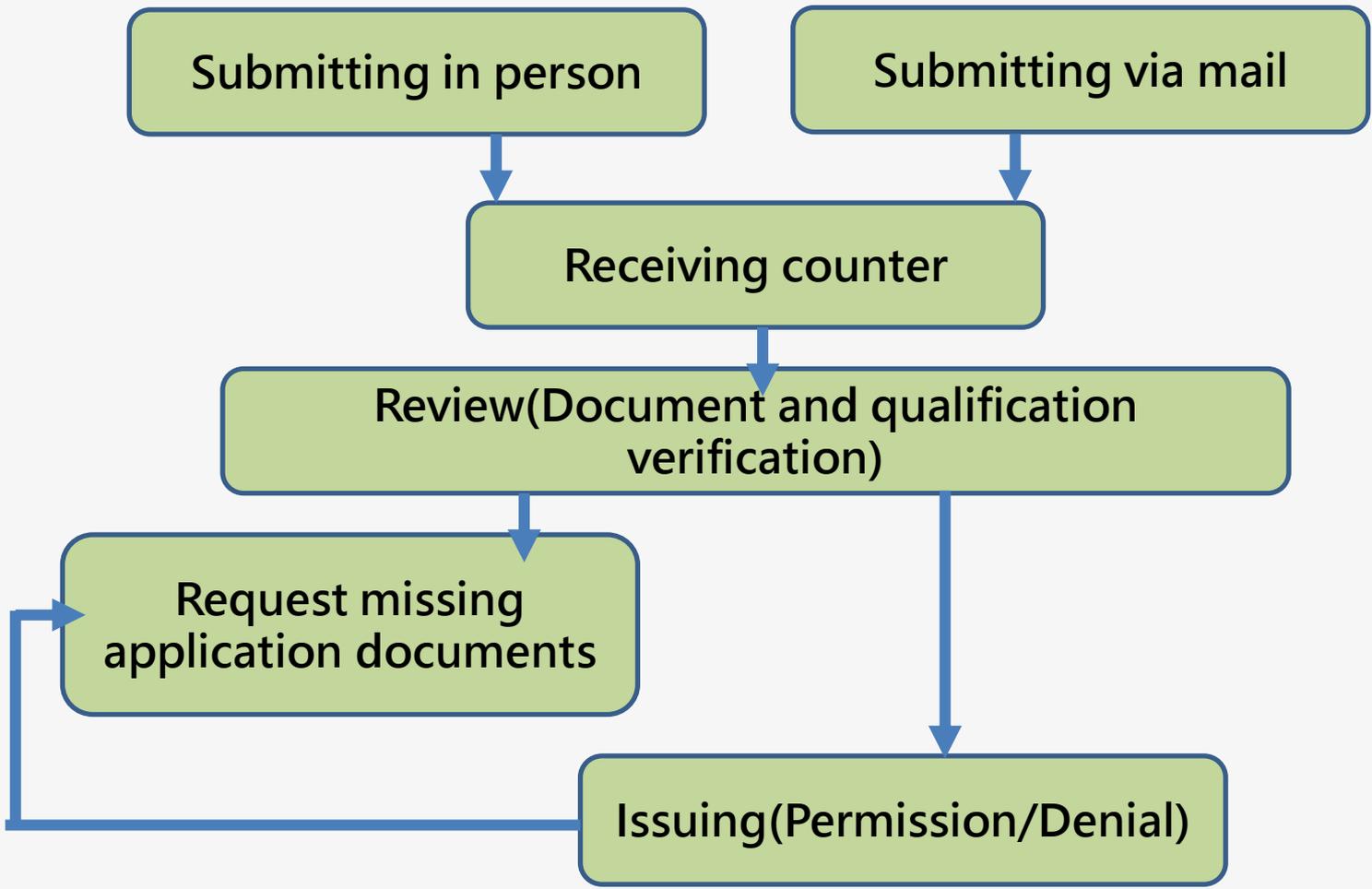
#### QUALIFICATIONS

- ✓ Continually and legally reside in Taiwan for a period of 10 years and stayed in Taiwan for more than 270 days in each of those years.
- ✓ 14 years of age below upon entering Taiwan, stayed in Taiwan for more than 270 days in each of those years.
- ✓ Born in Taiwan, legally accumulated ten years of residence in Taiwan, and stayed in Taiwan for more than 183 days in each of those years.

#### Required Documents

1. Application form.
2. Certificate of Conformity or any identification document that match with the residency requirement verified by the Immigration Department.
3. Photocopy of APRC of Parents
4. Photocopy of Passport or ARC of the applicant
5. Relationship certificate of Applicant with his or her parents
6. Original receipt of processing fee.

## 3.Application Process for Young Adult



As of now, only written applications are accepted, same as the application of Foreign Professionals employment permit procedure

## 2、Matters concerning work for adult children of Foreign Professionals



### 4. Matters needing attention when applying for Young Adult job

<b>How to file</b>	<p>1. Apply in person ( Address : 10F, No. 39, Zhonghua Road Sec. 1, Zhongzheng District Taipei City )</p> <p>2. Send through Registered Mail (address same as above · Receiver Workforce Development Agency 「Adult children of Foreign Professionals work permit application」)</p>
<b>Processing period</b>	<p>It takes 12 working days from the date of application if the documents submitted are complete and the applicant has met the qualifications.</p>
<b>Processing fee</b>	<p>NT \$ 100 per application.</p>
<b>Translation of Document</b>	<p>If the attached documents are in foreign languages, they should be accompanied by a Chinese translation.</p>
<b>Relevant Information</b>	<p>You can visit the website of the Workforce Development Agency, Ministry of Labor 「EZ WORK TAIWAN」 - 「Act for the Recruitment and Employment of Foreign Professionals」 search ( Website : <a href="https://ezworktaiwan.wda.gov.tw/">https://ezworktaiwan.wda.gov.tw/</a> )</p>

### 3、Bachelor's Degree of the world's top universities - exempted from work experience

## 1. Bachelor's Degree of the world's top universities - no work experience

#### ➤ Background:

- ✓ According to the current regulations, foreigners in Taiwan who are engaged in **specialized or technical work**, must be a university graduate and have more than 2 years of work experience, and the monthly salary must comply with the standard salary range of NT\$47,971 as announced by the Ministry of Labor.
- ✓ **2021.JULY.07** Amended and Promulgated the Law on Professionals Recruitment. Article 4 of the Law stipulates that those who have obtained a bachelor's degree or higher from the world's top universities announced by the Ministry of Education, and who engage in specialized or technical work in Taiwan, do not need to have a certain period of work experience

- **Basis for application:** In accordance with the current Ministry of Labor's 「**Qualifications and Criteria Standards for foreigners undertaking the jobs specified under Article 46.1.1 to 46.1.6 of the Employment Service Act**」 related to specialized or technical work regulations, employers shall apply to the Ministry for an employment license

### 3、Bachelor's Degree of the world's top universities - exempted from work experience

## 2.Special Professions or Technical Assignments

#### ➤ Foreigners Qualifications

- ✓ University graduate with 2yrs or more of work experience
- ✓ Monthly Salary up to **NT\$47,971**

Engage in

#### ➤ Bachelor's degree of the world's top universities

- ~~X University graduate with more than 2 years of work experience~~
- ✓ Monthly Salary up to **NT\$47,971**

<b>Special Professions or Technical Assignments</b>	1	Rehabilitation engineering or construction technology work
	2	Transportation business work
	3	Financial & Taxation work
	4	Real estate brokerage work
	5	Immigration service work
	6	Attorney, patented attorney work
	7	Technician work
	8	Healthcare work
	9	Environmental protection work
	10	Cultural, sports and leisure services
	11	Academic research work
	12	Veterinarian work
	13	Manufacturing jobs
	14	Wholesale work
	15	Other designated work

## 4 、 Applicable to the new system of labor retirement for foreign professionals

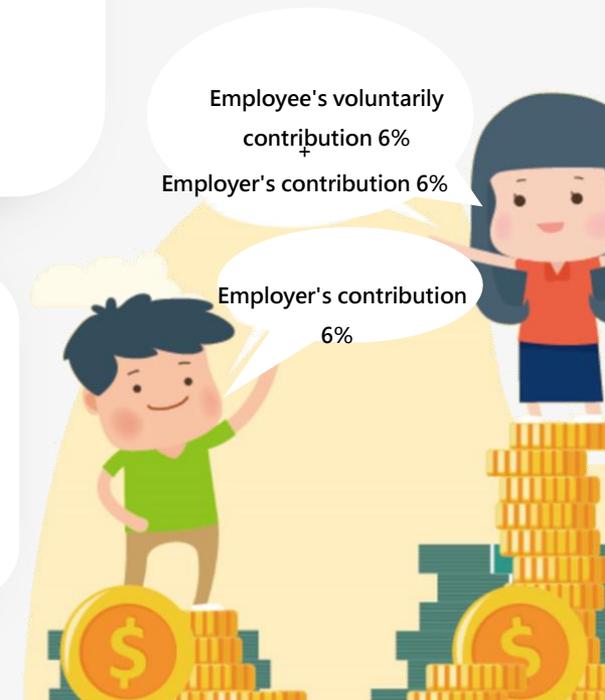
### 1. New Labor Pension System Regulations For Foreign Professionals

#### Employer's contribution

Employers shall contribute no less than six percent of workers' monthly wages to individual labor pension accounts at the Bureau of Labor Insurance for workers who are eligible for the Labor Pension Act on a monthly basis ( Including workers holding ROC citizenship, people from China, Hong Kong or Macao residents, foreigners who are permitted to reside permanently, and foreign professionals who are permitted to reside permanently ).

#### Employees contribute voluntarily

In addition to the mandatory employers' contribution, workers may contribute voluntarily additional sums, up to a maximum 6% of their monthly wages, to their pension accounts



# 4、Applicable to the new system of labor retirement for foreign professionals

## 2.Time Schedule

2018.02.08

“Act for the Recruitment and Employment of Foreign Professionals” comes into effect

Foreign professionals who are hired to engage in professional work, and who have been approved for permanent residence **by the National Immigration Agency, Ministry of the Interior**

2019.05.15

“Labor Pension Act” amended and promulgated

Foreign citizens who are permitted to reside permanently in **accordance with the relevant provisions of the Immigration Act** (Including foreign professionals )

2021.07.07

“Act for the Recruitment and Employment of Foreign Professionals” **amended and promulgated**

Foreign professionals who engage in professional work, and who have been approved for permanent residence **"in accordance with the provisions of this law"** by the National Immigration Agency, Ministry of the Interior



In 2021, Article 14 of the “Act for the Recruitment and Employment of Foreign Professionals” added provisions for foreign professionals approved for permanent residence. In order to distinguish foreigners who have obtained permanent residence in accordance with the “Immigration Act” and use the new labor pension system , Article 22 of the "Act for the Recruitment and Employment of Foreign Professionals" stipulates that foreign professionals who have obtained permanent residence permits "in accordance with the provisions of this law" shall be included as applicable objects of the new labor pension system.

## 4 、 Applicable to the new system of labor retirement for foreign professionals

### 3. Characteristics

#### Accumulated Pension

Seniority is calculated based upon the period during which the contributions to the pension have been made. If workers change jobs, their seniority can be combined in calculation and pension can be accumulated.

#### Tax Deduction

Workers may also voluntarily contribute within six percent of their monthly wages to the labor pension. The amount of labor pension voluntarily contributed may be deducted from the gross consolidated income of the year.

#### Guaranteed Rate

The return rate generated from the utilization of workers' pension shall not be less than the interest rate of a two-year fixed term deposit by local banks. In the event of any deficiency, the Treasury shall make up the shortfall.

#### Claim at 60

Workers aged 60 years and older, with seniority less than 15 years, may claim a lump-sum payment; those with seniority greater than or equal to 15 years may choose to claim a lump-sum payment or monthly payments.

# 4 \ Applicable to the new system of labor retirement for foreign professionals

## 4.Claims

Workers aged 60 years and older

seniority < 15 years

seniority  $\geq$  15 years  
may choose

a lump-sum  
payment

The principal and accrued dividends from a worker's individual labor pension account are claimed in a lump sum at one time.

monthly payments

Seniority shall be calculated based upon the period during which the contributions to the pension have been made. If the seniority of a worker is interrupted, both his/her seniority before and after the interruption shall be combined in calculation.

The principal and accrued dividends from a worker's individual labor pension account are paid in fixed installments (quarterly). The amount of each installment shall be calculated based upon the life chart of annuity, average life expectancy, interest rate and other factors.

**Permanent residents are eligible for  
the new labor pension system**

**For more information please go to**

**<https://www.bli.gov.tw/EN/>**

**<https://foreigntalentact.ndc.gov.tw/en/>**

# End of Briefing

Please let us have your comments and suggestions.



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