

Draft Amendments to the Act for the Recruitment and Employment of Foreign Professionals

Amended Articles	Current Articles	Explanation
<p>Article 1</p> <p>This Act is made for the purpose of enhancing the recruitment and employment of foreign professionals, as a means of raising national competitiveness.</p>	<p>Article 1</p> <p>This Act is made for the purpose of enhancing the recruitment and employment of foreign professionals, as a means of raising national competitiveness.</p>	<p>This Article is not amended.</p>
<p>Article 2</p> <p>This Act makes provision for foreign nationals who engage in professional work or seek employment in the Republic of China (hereafter referred to as “the State”). Matters not covered by this Act shall be governed by the provisions of the Employment Service Act, the Immigration Act, and other relevant laws and regulations.</p>	<p>Article 2</p> <p>This Act makes provision for foreign nationals who engage in professional work or seek employment in the Republic of China (hereafter referred to as “the State”). Matters not covered by this Act shall be governed by the provisions of the Employment Service Act, the Immigration Act, and other relevant laws and regulations.</p>	<p>This Article is not amended.</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 central competent</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 central competent</p>	<p>This Article is not amended.</p>

<p>authorities shall be handled by the authority concerned.</p>	<p>authorities shall be handled by the 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 professional work in the State. 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 relevant central competent authority. 3. “Foreign senior professional” means a senior professional needed by the State as prescribed in the Immigration Act. 4. “Professional work” means the following work: <ul style="list-style-type: none"> (1) Work as specified in Article 46 Paragraph 	<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 professional work in the State. 2. “Foreign special professional” means a foreign professional as referred to in the preceding paragraph who possesses special expertise needed by the State in science & technology, the economy, education, culture, the arts, sports and other fields, as announced by the relevant central competent authority. 3. “Foreign senior professional” means a senior professional needed by the State as prescribed in Article 25 Paragraph 3 Subparagraph 2 of the Immigration Act. 4. “Professional work” means the following work: 	<ol style="list-style-type: none"> 1. Subparagraph 2 is amended to match the announcement by the relevant central competent authorities of finance, law and architectural design as fields of special expertise for foreign special professionals. 2. Subparagraph 4 Item 2 is newly added to specify that work as specified in Article 48 Paragraph 1 Subparagraphs 1 and 3 of the Employment Service Act constitutes professional work. 3. The current Item 2 of Subparagraph 4 is changed to Item 3. 4. Items 4 and 5 newly added to Subparagraph 4 concern teachers in public and private schools at the senior high level and below. In addition to the current provisions of the Employment Service Act allowing the hiring of foreign teachers for language courses, these new provisions relax the

<p>1 Subparagraphs 1 to 6 of the Employment Service Act.</p> <p>(2) Work as specified in Article 48 Paragraph 1 Subparagraphs 1 and 3 of the Employment Service Act.</p> <p>(3) Possessing specialized knowledge or skill, and approved by the central competent authority in consultation with the Ministry of Education as a teacher of non-academic classes in a short-term tutorial school registered in accordance with the Supplementary Education Act.</p> <p>(4) Teacher of a subject other than a foreign language in a public or registered private school at senior secondary or lower level.</p> <p>(5) Work in teaching academic courses or foreign language</p>	<p>(1) Work as listed in Article 46 Paragraph 1 Subparagraphs 1 to 6 of the Employment Service Act.</p> <p>(2) Possessing specialized knowledge or skill, and approved by the central competent authority in consultation with the Ministry of Education as a teacher of non-academic classes in a short-term tutorial school registered in accordance with the Supplementary Education Act.</p>	<p>law to also allow the hiring of foreign teachers of other subjects. This serves the purposes of meeting the education needs of the children of talent returning from overseas, and of matching the government's bilingual nation policy and building a living environment in which English has substantial use. Item 5 also specifies that the various kinds of work for which foreign nationals can be recruited under the provisions of the three named acts relating to experimental education come within the scope of professional work for the purposes of this Act.</p>
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<p>courses, teacher education, curriculum development, and activity promotion, as specified in the Enforcement Act for School-based Experimental Education, the Act Governing the Commissioning of the Operation of Public Schools at Senior High School Level or Below to the Private Sector for Experimental Education, and the Enforcement Act for Non-school-based Experimental Education at Senior High School Level or Below.</p>		
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<p>Article 5</p> <p>An employer hiring a foreign professional to engage in professional work in the State, as referred to in Subparagraph 4 of the preceding Article, shall apply for a permit to the Ministry of Labor, submitting the relevant documents therewith, and the application shall be processed in accordance with the provisions of the Employment Service Act. However, for employment in professional work as described in Article 46 Paragraph 1 Subparagraph 3 of the Employment Service Act and in Subparagraph 4 Items 4 and 5 of the preceding Article, the employer shall apply for a permit to the Ministry of Education, submitting the relevant documents therewith.</p> <p>A foreign professional engaging in professional work in the State who meets one of the following conditions shall be exempted from application for a permit as prescribed in the preceding paragraph:</p> <ol style="list-style-type: none"> 1. To be employed as a consultant or researcher 	<p>Article 5</p> <p>An employer hiring a foreign professional to engage in professional work in the State, as referred to in Subparagraph 4 Item 1 of the preceding Article, shall apply for a permit to the Ministry of Labor, submitting the relevant documents therewith, and the application shall be processed in accordance with the provisions of the Employment Service Act. However, an employer of a school teacher as described in Article 46 Paragraph 1 Subparagraph 3 of the Employment Services Act shall apply for a permit to the Ministry of Education, submitting the relevant documents therewith, and shall not be subject to the provisions of Article 48 Paragraph 1 of the Employment Service Act requiring a permit application to the Ministry of Labor.</p> <p>Regulations on qualification, screening criteria, permit application, permit cancellation, employment supervision, and other relevant matters</p>	<ol style="list-style-type: none"> 1. Paragraph 1 is amended to match the amendment of Article 4. 2. In the newly added Paragraph 2, Subparagraphs 1 to 3 reflect the provisions of Article 48 of the Employment Service Act on exemption from applying for a work permit. Subparagraph 4 reflects the provisions of Article 51 Paragraphs 1 and 2 of the same Act, under which foreign nationals who have obtained permanent residency can apply direct to the central competent authority for a work permit to take up employment, and do not need to apply through an employer. But to simplify the related process, and provide a migrant-friendly environment, this new provision stipulates that a foreign professional who has obtained permanent residency does not need to apply for a work permit. 3. The current Paragraph 2 is changed in position to
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<p>at any level of government or its subordinate academic research institute.</p> <p>2. Has married a citizen of the Republic of China with a registered residence in the Republic of China and has been permitted to stay therein.</p> <p>3. To be employed by a public or registered private college/university for lecturing or academic research as approved by the Ministry of Education.</p> <p>4. Has been approved for permanent residency.</p> <p>Regulations on qualification, screening criteria, permit application, permit cancellation, employment supervision, and other relevant matters relating to professional work as referred to in the proviso to Paragraph 1 shall be set by the Ministry of Education.</p> <p>Supervision of the employment of those hired to engage in the professional work referred to in Subparagraph 4 Items</p>	<p>relating to school teachers as referred to in the preceding provision shall be set by the Ministry of Education, and shall not be subject to the provisions of Article 46 Paragraph 2 and Article 48 Paragraph 2 of the Employment Services Act.</p>	<p>Paragraph 3.</p> <p>4. Paragraph 4 is newly added to reflect the provisions currently set out in Article 6 Paragraph 2, stipulating that the supervision of those hired for professional work as referred to in Article 4 Subparagraph 4 Items 2 and 3 shall, in accordance with the proviso in Paragraph 1 of this Article, and except as otherwise prescribed by this Act, be handled according to the provisions of the Employment Service Act that apply to those engaging in the kinds of work listed in Article 46 Paragraph 1 Subparagraphs 1 to 6 of that Act.</p>
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<p>2 and 3 of the preceding Article in accordance with the proviso in Paragraph 1 [of this Article] shall, except as otherwise provided in this Act, be handled according to the provisions of the Employment Service Act relating to those engaging in the work listed in Article 46 Paragraph 1 Subparagraphs 1 to 6 of that Act.</p>		
<p>Article 6</p> <p>An employer may apply to the Ministry of Labor for permission to hire a foreign professional to engage in professional work in the State as referred to in Article 4 Subparagraph 4 Item 3 of this Act. The job qualifications and screening criteria therefor shall be set by the Ministry of Labor in consultation with the relevant central competent authorities.</p> <p>The hiring of foreign nationals under the provisions of the preceding paragraph, besides being governed by other provisions of this Act, shall be conducted in accordance with the provisions of the Employment Service Act</p>	<p>Article 6</p> <p>An employer may apply to the Ministry of Labor for permission to hire a foreign professional to engage in professional work in the State as referred to in Article 4 Subparagraph 4 Item 2 of this Act. The job qualifications and screening criteria therefor shall be set by the Ministry of Labor in consultation with the relevant central competent authorities.</p> <p>The hiring of foreign nationals under the provisions of the preceding paragraph, besides being governed by other provisions of this Act, shall be conducted in accordance with the provisions of the Employment Service Act</p>	<p>The number of the Item mentioned in Paragraph 1 is amended in conformity with the amendment of Article 4.</p>

<p>relating to those engaging in work as set out in Article 46 Paragraph 1 Subparagraphs 1 to 6 of that Act.</p> <p>For those granted permission by the Ministry of Labor to engage in professional work in the State under the provisions of Paragraph 1 herein, their stay, residency and permanent residency, besides the application of other provisions of this Act, shall be processed in accordance with the provisions of the Immigration Act.</p>	<p>relating to those engaging in work as set out in Article 46 Paragraph 1 Subparagraphs 1 to 6 of said Act.</p> <p>For those granted permission by the Ministry of Labor to engage in professional work in the State under the provisions of Paragraph 1 herein, their stay, residency and permanent residency, besides the application of other provisions of this Act, shall be processed in accordance with the provisions of the Immigration Act.</p>	
<p>Article 7</p> <p>Foreign nationals who are graduates of the world's top 500 universities as announced by the Ministry of Education may engage in specialized or technical work in the State, as referred to in Article 46 Paragraph 1 Subparagraph 1 of the Employment Service Act, without being subject to the requirement of having at least two years of work experience as stipulated in the relevant work qualifications and review standards prescribed by the Ministry of Labor in</p>		<ol style="list-style-type: none"> 1. This Article is newly added. 2. To attract high-caliber young foreign nationals to Taiwan, this provision relaxes the law to allow graduates of the world's top 500 universities to come to Taiwan to take up specialized or technical work as referred to in Article 46 Paragraph 1 Subparagraph 1 of the Employment Service Act, and frees them from the requirement of having at least two years' relevant work

<p>accordance with Article 46 Paragraph 2 of the Employment Service Act.</p>		<p>experience.</p>
<p>Article 8</p> <p>The employment permit of a foreign special professional hired to engage in professional work shall be for a term of up to five years. When continuation of the employment is necessary at the expiration of that term, the employer may apply for an extension, of up to five years each time.</p> <p>Where a foreign special professional as referred to in the preceding paragraph has obtained approval to reside from the National Immigration Agency, Ministry of the Interior, their Alien Resident Certificate shall be valid for a period of up to five years starting from the day after the date of said approval. When there is need for</p>	<p>Article 7</p> <p>The employment permit of a foreign special professional hired to engage in professional work shall be for a term of up to five years. When continuation of the employment is necessary at the expiration of that term, the employer may apply for an extension, of up to five years each time, and this will not be subject to the limitation prescribed in Article 52 Paragraph 1 of the Employment Service Act.</p> <p>Where a foreign special professional as referred to in the preceding paragraph has obtained approval to reside from the National Immigration Agency, Ministry of the Interior, his/her Alien Resident Certificate shall be valid for</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. The reference to the Employment Service Act at the end of Paragraph 1 is deleted. 3. The stipulation of “over 20 years old” in the current Paragraph 2 reflects Article 12 of the Civil Code, which states that “Majority is attained upon reaching the 20th year of age.” However, since this is going to be amended to change the age of majority to 18, the age of majority for the children of foreign professionals as referred to in this paragraph is adjusted accordingly. But to avoid any misunderstanding as to the applicable age of majority under the law

<p>their residence to continue, an application for extension shall be made to the National Immigration Agency before the current time limit on their residence expires, and an extension of up to five years at a time may be granted. Where such foreign special professional’s spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, have obtained approval to reside from the National Immigration Agency, the same conditions shall apply to the duration of validity and the duration limit for extension of their Alien Resident Certificate.</p>	<p>a period of up to five years starting from the day after the date of said approval. When there is need for his/her residence to continue, an application for extension shall be made to the National Immigration Agency, Ministry of the Interior, before the current time limit on his/her residence expires. An extension of up to five years at a time may be granted, and this shall not be subject to the limitations prescribed in Article 22 Paragraph 3 and Article 31 Paragraph 2 of the Immigration Act. Where such foreign special professional’s spouse and minor children, and children over twenty years old who are unable to live independently due to physical or mental disability, have obtained approval to reside from the National Immigration Agency, Ministry of the Interior, the same conditions shall apply to the duration of validity and the duration limit for extension of their Alien Resident Certificates.</p>	<p>of this country, Paragraph 2 is amended to change “minor children” to “children under 18 years old” and change “children over 20 years old” to “children aged 18 or older.”</p>
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<p>Article 9</p> <p>A foreign special professional who plans to engage in professional work within the State may apply to the National Immigration Agency for a four-in-one Employment Gold Card that combines work permit, resident visa, Alien Resident Certificate and re-entry permit. Before the National Immigration Agency issues an Employment Gold Card, it shall conduct screening jointly with the Ministry of Labor and the Ministry of Foreign Affairs. However, a foreign special professional who applies for an Employment Gold Card when having already entered the State shall be exempted from applying for a resident visa.</p> <p>An Employment Gold Card as referred to in the preceding paragraph shall be valid for a duration of one to three years. Before its expiration, a holder who meets specified conditions may apply for its extension.</p> <p>Regulations on the application procedure, screening, specific requirements for extension</p>	<p>Article 8</p> <p>A foreign special professional who plans to engage in professional work within the State may apply to the National Immigration Agency, Ministry of the Interior, for a four-in-one Employment Gold Card that combines work permit, resident visa, Alien Resident Certificate and re-entry permit. Before the National Immigration Agency, Ministry of the Interior, issues an Employment Gold Card, it shall conduct screening jointly with the Ministry of Labor and the Ministry of Foreign Affairs, and the limitations prescribed in Article 43 and Article 53 Paragraph 1 of the Employment Service Act shall not apply.</p> <p>An Employment Gold Card as referred to in the preceding paragraph shall be valid for a duration of one to three years. Before its expiration, a holder who meets specified conditions may apply for its renewal.</p> <p>Regulations on the application procedure, screening, specific requirements for renewal</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. To simplify the residency application process for foreign professionals coming to work in Taiwan, Paragraph 1 is amended by adding the proviso that foreign special professionals who have already entered the country (including those entering with a visa exemption or a visitor visa) do not need to apply for a resident visa when applying for an Employment Gold Card. The paragraph is also amended by removing the reference to the Employment Service Act. 3. Paragraph 2, regulating the duration of validity of the Employment Gold Card, is amended in accordance with the provisions of the Immigration Act to provide for holders to apply for extension rather than renewal of the card before it expires. Also, in the provisions of Paragraph 3 mandating the setting
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<p>applications, and other matters pertaining to the Employment Gold Card, as referred to in the preceding two paragraphs, shall be set by the Ministry of the Interior in consultation with the Ministry of Labor and the Ministry of Foreign Affairs.</p> <p>The National Immigration Agency will impose a charge for applications for an Employment Gold Card under Paragraph 1 or Paragraph 2, the charging standards for which will be set by the Ministry of the Interior in consultation with the Ministry of Labor and the Ministry of Foreign Affairs.</p>	<p>applications, and other matters pertaining to the Employment Gold Card, as referred to in the preceding two paragraphs, shall be set by the Ministry of the Interior in consultation with the Ministry of Labor and the Ministry of Foreign Affairs.</p> <p>The National Immigration Agency, Ministry of the Interior will impose a charge for applications for an Employment Gold Card under Paragraph 1 or Paragraph 2, the charging standards for which will be set by the Ministry of the Interior in consultation with the Ministry of Labor and the Ministry of Foreign Affairs.</p>	<p>of relevant regulations, “renewal applications” is changed to “extension applications.”</p>
<p>Article 10</p> <p>Where a foreign professional engaging in professional work in the State, or a foreign special professional who has obtained an Alien Resident Certificate under the provisions of Article 8 or an Employment Gold Card under the provisions of Article 9, before the</p>		<ol style="list-style-type: none"> 1. This Article is newly added. 2. According to the provisions of the Regulations Governing Visiting, Residency, and Permanent Residency of Aliens, the Regulations Governing Nationals without Registered Permanent Residence in the Taiwan Area Applying for the Entry

<p>duration of validity of their residency or Employment Gold Card has expired, still has need to reside, they and their spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, who have obtained approval to reside, may submit a written explanation of reasons to the National Immigration Agency requesting an extension of residency.</p> <p>Where an application for extension of residency as referred to in the preceding paragraph is approved, and an Alien Resident Certificate issued, the Alien Resident Certificate shall be valid for a period of six months starting from the day following the expiration of the original Alien Resident Certificate or Employment Gold Card; if needed, before this period expires, they may apply again for one further extension, for a total extension of residency up to a maximum of one year.</p>		<p>Permit, Residence Certificate and Permanent Residence Certificate for Household Registration, and the Directions on the Submission of Documents by Residents of Hong Kong and Macau Applying for Residence in the Taiwan Area, overseas compatriot and foreign students, and students from Hong Kong and Macau, who come to attend school in Taiwan, and foreign nationals who come to take up employment in professional work in Taiwan, may apply to the NIA for an extension of residence before their currently permitted period of residence expires, for up to a total maximum extension of one year, to stay in Taiwan for the purpose of seeking employment. Those originally permitted to reside as dependent relatives of foreign nationals coming to Taiwan to take up professional</p>
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		<p>employment may also apply for extension of residence. Considering that unhired foreign special professionals and freelance artists also possess excellent talents need by Taiwan, and based on consideration of equity, this newly added Article provides for such foreign professionals to also apply for extension of residence for up to a total of one year, and likewise for their dependent relatives.</p>
<p>Article 11</p> <p>Starting from the year in which this Act comes into effect, where a foreign special professional who has not established household registration, who is approved to reside in the State for the purpose of work for the first time, and who meets specified conditions, engages in professional work, or has obtained an Employment Gold Card under the provisions of Article 9, and during the period of validity of the Employment Gold Card is employed to</p>	<p>Article 9</p> <p>Starting from the year in which this Act comes 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 Employment Gold Card under the provisions of the previous Article, and during the period of validity of the Employment Gold Card is employed to conduct</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Taking into account that, under the provisions of Article 8, the work permit for hiring a foreign special professional to engage in professional work has a maximum duration of up to five years, Paragraph 1 is amended to extend the period for utilization of the tax benefit to five years, thereby also enhancing the incentive for talent of such grade to stay in Taiwan long-term.

<p>conduct professional work, then within five years starting from the tax year in which they for the first time meet the conditions of residing in the State for a full 183 days of the year and having salary income of more than three million NT dollars, the part of their salary income above three million NT dollars in each such tax year in which they reside 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>Regulations on the specified conditions referred to in the preceding paragraph, the procedure for applying to utilize the benefit, the requisite documentary proofs, and other relevant matters, will be set by the Ministry of Finance in consultation with related authorities.</p>	<p>professional work, then within three years starting from the tax year in which said person for the first time meets the conditions of residing in the State for a full 183 days of the year and having salary income of more than three million NT dollars, the part of said person's salary income above three million NT dollars in each such tax year in which said person 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</p>	<p>Moreover, since the purpose of this Article is to help recruit and attract foreign special professionals needed by Taiwan's industries by giving them a tax concession to alleviate an increased tax burden resulting from their being hired to work in Taiwan and becoming resident here, thus making them more willing to come to work in our country, and therefore foreign special professionals should be required to meet the conditions of not having established household registration in Taiwan and coming to reside in Taiwan to work for the first time, regardless of whether they have obtained employment permits or Employment Gold Cards to come to Taiwan to engage in professional work, so the wording is amended to make this clear, as well as to reflect the terminology relating to household registration as used in the Immigration Act.</p>
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	<p>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, the tax benefit may be deferred for no more than five years starting from the year in which the person first meets the requirements stipulated in the preceding 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, shall be set by the Ministry of Finance in consultation with related authorities.</p>	<p>3. Since the period allowed for utilizing the tax benefit is extended to five years, and the taxpayer who meets the applicable conditions can utilize the benefit through this period, the current provisions in Paragraph 2 related to allowing deferred use of the three years of the benefit to within five years is deleted.</p> <p>4. The current Paragraph 3 is changed to Paragraph 2, and the wording amended as appropriate.</p>
<p>Article 12</p> <p>A foreign professional who works as an artist may, without applying through an employer, apply direct to the Ministry of Labor for a permit to engage in artistic work in the State. Such</p>	<p>Article 10</p> <p>A foreign professional who works as an artist may, without applying through an employer, apply direct to the Ministry of Labor for a permit to engage in artistic work in the State,</p>	<p>The Article number is changed, and the reference to the Employment Service Act is deleted.</p>

<p>work permit shall have a maximum duration of three years, and when necessary, said person may apply for an extension of up to three years at a time.</p> <p>Regulations on work qualifications, screening criteria, application for and cancellation of the permit, employment management, and other relevant matters will be set by the Ministry of Labor in consultation with the Ministry of Culture.</p>	<p>without being subject to the restriction prescribed in Article 43 of the Employment Service Act. Such work permit shall have a maximum duration of three years, and when necessary, said person may apply for an extension of up to three years at a time.</p> <p>Regulations on work qualifications, screening criteria, application for and cancellation of the permit, employment management, and other relevant matters shall be set by the Ministry of Labor in consultation with the Ministry of Culture.</p>	
<p>Article 13</p> <p>A foreign professional or foreign special professional who enters the State with a visa exemption or holding a visitor visa and who, having obtained a work permit or with exemption from obtaining a work permit, engages in professional work in the State, may apply for residency to the National Immigration Agency, and if approved, shall be issued with an Alien Resident Certificate.</p> <p>Where a foreign</p>		<ol style="list-style-type: none"> 1. This Article is newly added. 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 the country with a visa exemption or holding a visa for a visit of less than 60 days, still needs to go to the Ministry of Foreign Affairs to change their visa before they may apply for an Alien

<p>professional engages in professional work in the State and is approved for residency, their Alien Resident Certificate shall be valid for a duration of up to three years starting from the day after the date of said approval. When there is need for their residency to continue, an application for extension may be made to the National Immigration Agency before the current time limit on their residency expires, and an extension of up to three years at a time may be granted.</p> <p>Where a foreign professional or foreign special professional has been approved for residency or permanent residency, their spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, having entered the State with a visa exemption or holding a visitor visa, may apply for residency to the National Immigration Agency, and if approved, shall be issued with an Alien Resident Certificate. Their Alien</p>		<p>Resident Certificate. To simplify the application procedure for such people to come to work and reside in Taiwan, Paragraph 1 relaxes the law by prescribing that foreign nationals who enter the country with a visa exemption or holding a visitor visa, and who have obtained a permit or are exempted from requiring a permit to engage in professional work in Taiwan, may apply direct to the NIA for an ARC. The Article also makes the same provision for such foreign professionals' dependent relatives who enter the country with a visa exemption or visitor visa, who may also apply direct to the NIA for an ARC.</p> <p>3. Under the current provisions of the final clause of Article 2 of this Act, matters not covered by this Act are governed by the provisions of the Employment Service Act, the Immigration Act, and other relevant</p>
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<p>Resident Certificate shall have the same duration of validity and extension as those of the person to whom they are attached as dependent relatives, and if such person is a permanent resident, their Alien Resident Certificate shall be valid for no longer than three years.</p> <p>Where a person as referred to in Paragraph 1 or the preceding paragraph applies for residency or modification of reasons for residency and meets one of the circumstances set out in any subparagraph of Article 24 Paragraph 1 of the Immigration Act, the National Immigration Agency may decline to give approval; and where approval has already been given, may revoke or terminate such approval, and cancel said person's Alien Resident Certificate.</p>		<p>laws and regulations. However, the reasons for which the NIA may refuse an application for residence as prescribed in Article 24 Paragraph 1 of the Immigration Act are limited to applications submitted under the provisions of Article 23 of that Act. Therefore, Paragraph 4 specifies that where a foreign professional, foreign special professional or such person's dependent relative applies for residence or modification of reasons for residence, the NIA may deny the application for any of the reasons set out in Article 24 Paragraph 1 of the Immigration Act, and may revoke approval and cancel such person's ARC for the same reasons.</p>
<p>Article 14</p> <p>A foreign professional who has legally and continuously resided in the State for five years, or a foreign special professional who has legally and continuously resided in the</p>		<ol style="list-style-type: none"> 1. This Article is newly added. 2. Under the provisions of Article 25 Paragraph 1 of the Immigration Act, a foreign national who meets the specified requirements must have

<p>State for three years, having resided for an average of more than 183 days each year, may apply to the National Immigration Agency for permanent residency if they meet the following requirements:</p> <ol style="list-style-type: none"> 1. Is 18 years old or above. 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 in keeping with the national interests of the State. <p>Periods of residence in the State approved for reasons set out in any of the following subparagraphs, except in the circumstances specified 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 listed in Article 46 Paragraph 1 Subparagraphs 8 to 10 		<p>legally and continuously resided in Taiwan for five years, for more than 183 days each year, before they may apply for permanent residency. However, considering that foreign professionals and foreign special professionals frequently 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 in Taiwan 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.</p> <ol style="list-style-type: none"> 3. Considering that, where persons have resided in Taiwan as students, or
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<p>of the Employment Service Act.</p> <p>3. Permitted to reside as a dependent relative of a person as referred to in the two 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 in the State 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, but the two may not be counted together. 2. Foreign special professional: Obtaining a doctoral degree counts as one year. 		<p>to do the kinds of work listed in Article 46 Paragraph 1 Subparagraphs 8 to 10 of the Employment Service Act, and also where they have resided as dependent relatives, they would not have been engaged in professional work at such times, 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 of this Article prescribes accordingly.</p> <p>4. 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 time spent studying for such degrees in Taiwan can be partially included in calculating the length of their continuous residence for the</p>
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		purpose of applying for permanent residency.
Article 15 Foreign professionals who are hired to engage in	Article 11 Foreign professionals who are hired to engage in	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Under the revision of

<p>professional work, and who have been approved for permanent residence by the National Immigration Agency under the provisions of this Act, shall from the date of said approval 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 enforcement of the amendment of this Act on ____ [DATE] ____ and are still serving in the same business entity, provided that, within six months of the date of said approval, 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 proviso of the preceding paragraph, may not thereafter change to opting for inclusion in the retirement pension system</p>	<p>professional work, and who have been approved for permanent residence by the National Immigration Agency, Ministry of the Interior, shall from the date of enforcement 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 enforcement of this Act and are still serving in the same business entity, provided that, within six months of the date of enforcement 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>Foreign professionals as referred to in the preceding paragraph who obtain permission for permanent residency after the enforcement 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</p>	<p>the Labor Pension Act that went into effect on May 17, 2019, all foreign nationals who obtain permanent residency under the Immigration Act are included in the coverage of the Labor Pension Act's retirement pension system, which is not limited to foreign professionals alone. To distinguish them from foreign nationals who have already obtained permanent residency and become covered by the retirement pension system under the provisions of the Immigration Act and the Labor Pension Act, this Article is amended to limit its application to foreign professionals who have obtained permanent residency under the provisions of this Act, with corresponding amendment of the point of time for application and the related text.</p>
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<p>under the Labor Pension Act.</p> <p>For those included in the retirement pension system under the Labor Pension Act as provided for in Paragraph 1, their seniority prior to their inclusion in said system shall be treated in accordance with the provisions of Article 11 of that Act.</p> <p>To include a foreign professional in the retirement pension system under the Labor Pension Act, their 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 Paragraph 1.</p> <p>The provisions of the preceding four paragraphs shall not apply to foreign professionals as referred to in the first paragraph who were already covered by the Labor Pension Act prior to the enforcement of the amendment of this Act on ____ [DATE] ____, or who had made to their</p>	<p>prior to the enforcement of this Act and are still serving in the same business entity, provided that, within six months of the date 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>For 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</p>	
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<p>employer as prescribed by law a declaration to remain in the retirement pension system under the Labor Standards Act, who will still be subject to the said provisions of law.</p>	<p>said Act.</p> <p>To include a foreign professional in the retirement pension system under the Labor Pension Act, his/her 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 Paragraphs 1 and 2.</p> <p>The provisions of the preceding five paragraphs shall not apply to foreign professionals as referred to in the first paragraph who were already covered by the Labor Pension Act prior to the enforcement of this Act.</p>	
<p>Article 16</p> <p>A foreign professional who is currently employed as a full-time, qualified, paid teacher and researcher within the authorized manning strength of a public school in the State, or who is currently employed as a full-time, qualified, paid researcher within the authorized manning strength of a government institution or</p>	<p>Article 12</p> <p>A foreign professional who is currently employed as a full-time, qualified, paid teacher within the authorized manning strength of a public school in the State, and who has been approved for permanent residency by the National Immigration Agency, Ministry of the Interior, shall have matters concerning his/her</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Considering that foreign nationals who are currently employed as full-time, qualified, paid researchers within the authorized manning strength of public schools in Taiwan, and foreign nationals who are currently employed as full-time, qualified, paid researchers within

<p>its subsidiary academic research institute, shall have matters concerning their retirement governed, <i>mutatis mutandis</i>, by the 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 has received a monthly pension as referred to in the preceding paragraph, and said person's permanent residence permit has been revoked or repealed by the National Immigration Agency, their right to claim the monthly pension shall be forfeited. However, this restriction shall not apply if the permanent residence permit was revoked or repealed due to regaining nationality of the State, obtaining nationality of the State, or concurrently possessing nationality of the State.</p>	<p>retirement governed, <i>mutatis mutandis</i>, by the retirement regulations for public school teachers, and may opt for either a one-time lump sum pension payment or a monthly pension.</p> <p>Where a retired foreign teacher has received a monthly pension as referred to in the preceding paragraph, and said person's permanent residence permit has been revoked or repealed by the National Immigration Agency, Ministry of the Interior, 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 repealed due to regaining nationality of the State, obtaining nationality of the State, or concurrently possessing nationality of the State.</p>	<p>the authorized manning strength of government institutions or their subsidiary academic research institutes, have matters concerning their retirement governed, <i>mutatis mutandis</i>, by the retirement regulations for public school teachers, and that those who have obtained permanent residency, have done so with the purpose of developing their lives and careers in Taiwan as their permanent home, it follows that they should be accorded parity of treatment with ROC citizens, to safeguard them in their old age. Hence, Paragraph 1 is amended to include such people as entitled to opt for either a one-time lump sum pension payment or a monthly pension, and the wording of Paragraph 2 is amended correspondingly.</p>
<p>Article 17</p> <p>Where a foreign special professional or foreign senior professional engages</p>	<p>Article 13</p> <p>Where a foreign special professional is hired to engage in professional</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Considering that foreign special professionals

<p>in professional work in the State, and has been approved for residence or permanent residence by the National Immigration Agency, their lineal ascendants may apply to the Ministry of Foreign Affairs or one of its overseas missions for the issuance of a visitor visa, valid for one year, for multiple entry, for a stay of up to six months, without annotation by the visa-issuing authority of a restriction disallowing extension or other limitation. In case of need to continue the stay, then prior to the expiration of the time limit on the stay, they may apply for an extension to the National Immigration Agency, without having to leave the State. The total duration of such stay is limited to a maximum of one year at a time, and is not subject to the six-month limitation of stay prescribed in Article 3 Subparagraph 7 of the Immigration Act.</p>	<p>work, and has been approved for residence or permanent residence by the National Immigration Agency, Ministry of the Interior, a lineal ascendant of said person may apply to the Ministry of Foreign Affairs or one of its overseas missions for the issuance of a visitor visa, valid for one year, for multiple entry, for a stay of up to six months, without annotation by the visa-issuing authority of a restriction disallowing extension or other limitation. In case of need to continue the stay, then prior to the expiration of the time limit on the stay, said person may apply for an extension to the National Immigration Agency, Ministry of the Interior, without having to leave the State. The total length of such stay is limited to a maximum of one year at a time, and is not subject to the six-month limitation of stay prescribed in Article 3 Subparagraph 7 of the Immigration Act.</p>	<p>who obtain the Employment Gold Card do not necessarily need to be employed to engage in professional work, the wording in this Article is amended from “is hired to engage in professional work” to “engages in professional work.” Additionally, considering that foreign senior professionals are also actively targeted for recruitment by our country, they are also included with those covered by this Article.</p>
<p>Article 18 Foreign professionals as listed below, their own</p>	<p>Article 14 Where a foreign professional is hired to</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Foreign special

<p>person, spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, having obtained documentary proof of residence, 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> <ol style="list-style-type: none"> 1. Foreign professionals hired to engage in professional work. 2. Those who are foreign special professionals or foreign senior professionals, and who are qualified to be insured persons as employers or self-employed business owners under Article 10 Paragraph 1 Subparagraph 1 Item 4 of the National Health Insurance Act. 	<p>conduct professional work, said person's spouse and minor children, and children over twenty years old who are unable to live independently due to physical or mental disability, having obtained documentary proof of residence, 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>professionals who obtain the Employment Gold Card and foreign senior professionals are all urgently needed by our country, but such people may be engaged in professional work in Taiwan without being in employment, and need to stay in Taiwan continuously for six months before they can participate in the National Health Insurance program. Considering that such people are developing and contributing their strengths in our country as employers or self-employed business owners, and their economic contribution is no less than that of employed foreign professionals, and may even be creating more job opportunities or spurring possibilities for the development of emerging technologies in our country, this Article is amended to prescribe that such people are qualified to be insured as employers or self-employed</p>
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		<p>owners of business as referred to in Article 10 Paragraph 1 Subparagraph 1 Item 4 of the National Health Insurance Act, that their dependent relatives also share their coverage under the NHI system, and that they are not subject to the requirement of residing in Taiwan for a full six months.</p> <p>3. "Minor children" is amended to "children under 18 years old" and "children over 20 years old" is amended to "children aged 18 or older," for the same reasons as set out in the third point of explanation for the amendment to Article 8.</p>
<p>Article 19</p> <p>Where a foreign senior professional applies for permanent residency under the provisions of Article 25 Paragraph 3 Subparagraph 2 of the Immigration Act, their spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to</p>	<p>Article 15</p> <p>Where a foreign senior professional applies for permanent residency under the provisions of Article 25 Paragraph 3 Subparagraph 2 of the Immigration Act, said person's spouse and minor children, and children over twenty years old who are unable to live independently due to</p>	<p>1. The Article number is changed.</p> <p>2. Considering that a foreign senior professional may have their permanent residence permit revoked or repealed due to their regaining, acquiring, or concurrently holding ROC nationality, causing</p>

<p>physical or mental disability, may apply for permanent residency with said person.</p> <p>Where the permanent residence permit of a foreign senior professional as referred to in the preceding paragraph is revoked or repealed under the provisions of Article 33 Subparagraphs 1 to 3 and 8 of the Immigration Act, the permanent residence permits of their spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, shall be revoked or repealed together therewith.</p>	<p>physical or mental disability, may apply for permanent residency with said person.</p> <p>Where the permanent residence permit of a foreign senior professional as referred to in the preceding paragraph is revoked or cancelled under the provisions of Article 33 of the Immigration Act, the permanent residence permits of said person's spouse and minor children, and children over twenty years old who are unable to live independently due to physical or mental disability, shall be revoked or cancelled at the same time.</p>	<p>their dependent relatives to also have their permanent residence permits revoked or repealed, which is inconsistent with the purposes of the enactment of this law for talent recruitment and retention, Paragraph 2 of this Article is accordingly amended to prescribe that the dependent relatives of a foreign senior professional will only have their permanent residence permits revoked or repealed together with the foreign professional's if the foreign professional's permanent residence permit is revoked or repealed for the reasons set out in Article 33 Paragraph 1 Subparagraphs 1 to 3 and 8 of the Immigration Act.</p> <p>3. In Paragraphs 1 and 2, "minor children" is amended to "children under 18 years old" and "children over 20 years old" is amended to</p>
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		<p>“children aged 18 or older,” for the same reasons as set out in the third point of explanation for the amendment to Article 8.</p>
<p>Article 20</p> <p>After a foreign professional or foreign special professional has been approved for permanent residency by the National Immigration Agency, their spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, having met one of the requirements listed 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 National Immigration Agency 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 	<p>Article 16</p> <p>After a foreign professional hired to conduct professional work has been approved for permanent residence by the National Immigration Agency, Ministry of the Interior, said person’s spouse and minor children, and children over twenty years old who are unable to live independently due to physical or mental disability, who have resided in the State lawfully and continuously for five years, have stayed in the State for more than 183 days in each of those years, and have behaved properly in compliance with the national interests of the State, may apply for permanent residency to the National Immigration Agency, Ministry of the Interior.</p> <p>Where the permanent residence permit of a foreign professional as</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Considering that artistic workers or foreign special professionals who have obtained the Employment Gold Card may not be working under employment, so that their dependents who meet the conditions for duration of residence will not be able to utilize this Act, Paragraph 1 is accordingly amended to lift the applicable condition of their being hired to engage in professional work. Also, the requirements of time spent residing in Taiwan for their dependent relatives to apply for permanent residence are prescribed to match those for the subjects of their dependency. 3. Furthermore, considering that a

<p>the State for three years, staying an average of more than 183 days per year.</p> <p>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> <p>Where the permanent residence permit of a foreign professional or foreign special professional as referred to in the preceding paragraph is revoked or repealed under the provisions of Article 33 Subparagraphs 1 to 3 and 8 of the Immigration Act, the permanent residence permits of their spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, shall be revoked or repealed together therewith.</p>	<p>referred to in the preceding paragraph is revoked or cancelled in accordance with the provisions of this Act or of Article 33 of the Immigration Act, the permanent residence permits of said person's spouse and minor children, and children over twenty years old who are unable to live independently due to physical or mental disability, shall be revoked or cancelled together therewith.</p>	<p>foreign professional may have their permanent residence permit revoked or repealed due to their regaining, acquiring, or concurrently holding ROC nationality, causing their dependent relatives to also have their permanent residence permits revoked or repealed, which is inconsistent with the purposes of the enactment of this law for talent recruitment and retention, Paragraph 2 of this Article is accordingly amended to prescribe that the dependent relatives of a foreign senior professional will only have their permanent residence permits revoked or repealed together with the foreign professional's if the foreign professional's permanent residence permit is revoked or repealed for the reasons set out in Article 33 Paragraph 1 Subparagraphs 1 to 3</p>
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		<p>and 8 of the Immigration Act.</p> <p>4. Reference to "minor children" is amended to "children under 18 years old" and reference to "children over 20 years old" is amended to "children aged 18 or older," for the same reasons as set out in the third point of explanation for the amendment to Article 8.</p>
<p>Article 21</p> <p>Where a foreign professional, foreign special professional or foreign senior professional has been approved for permanent residency, their children aged 18 and above may apply direct to the Ministry of Labor for a work permit to engage in work within the State, and need not apply through an employer, provided such children have obtained confirmation from the National Immigration Agency of having met one of the conditions listed below:</p> <p>1. Having lawfully accumulated ten years of residence in the</p>	<p>Article 17</p> <p>Where a foreign professional is hired to conduct professional work and has been approved for permanent residence by the National Immigration Agency, Ministry of the Interior, an adult child of said person may apply direct to the Ministry of Labor for a work permit to engage in work within the State, and need not apply through an employer, provided such child has obtained confirmation from the National Immigration Agency, Ministry of the Interior, of having met one of the conditions listed below, and in such case shall not be subject to the</p>	<p>1. The Article number is changed.</p> <p>2. Amendments to Paragraph 1: (1) Foreign special professionals and foreign senior professionals are added as subjects of these provisions. Also, considering that artistic workers, foreign special professionals who have obtained the Employment Gold Card, and foreign senior professionals may in some cases not need to be hired by an employer, thus rendering their children unable to</p>

<p>State, and having stayed in the State for more than 270 days in each of those years.</p> <p>2. Having entered the State before the age of 14, and having stayed in the State for more than 270 days each year.</p> <p>3. Having been born in the State, and having lawfully accumulated ten years of residence in the State, and having stayed in the State for more than 183 days in each of those years.</p> <p>Where an employer hires a child aged 18 and above, as referred to in the preceding paragraph, to engage in work, they shall 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 Service Act, and shall be exempt from payment of the employment security fees as prescribed in Article 55 of that Act.</p> <p>Where a child of a</p>	<p>limitations prescribed in Article 43:</p> <p>1. Having lawfully accumulated ten years of residence in the State, and having stayed in the State for more than 270 days in each of those years.</p> <p>2. Having entered the State before the age of sixteen, and having stayed in the State for more than 270 days each year.</p> <p>3. Having been born in the State, and having lawfully accumulated ten years of residence in the State, and having stayed in the State for more than 183 days in each of those years.</p> <p>Where an employer hires an adult child, as referred to in the preceding paragraph, to engage in work, they shall 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 Service Act,</p>	<p>utilize the provisions of this Article, the condition of being hired to engage in professional work is accordingly deleted.</p> <p>(2) The reference to “adult child” in Paragraph 1 is amended to “child aged 18 and above”, for the same reasons as set out in the third point of explanation for the amendment to Article 8. Also, in consideration of the need to keep together the families of foreign professionals who are engaged in professional work in Taiwan and have obtained permanent residency here, this Article provides that their adult children who have a relatively close connection with this country, as established by meeting the conditions set out in one of the subparagraphs of</p>
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<p>foreign professional as referred to in Paragraph 1 entered the State before the age of 16 prior to the enforcement of the amendment of this Act on ____ [DATE] ____, they may utilize the provisions in force after the amendment, and shall not be subject to the limitation relating to entering the state before the age of 14 in Subparagraph 2 of that paragraph.</p> <p>A spouse, child under 18 years old, or child aged 18 or older who is unable to live independently due to physical or mental disability, of a foreign professional, foreign special professional or foreign senior professional, having been approved for permanent residency, may engage in work in the State without being required to apply to the Ministry of Labor or Ministry of Education for a permit.</p>	<p>and shall be exempt from payment of the employment security fees as prescribed in Article 55 of that Act.</p>	<p>Paragraph 1, may apply to the Ministry of Labor for a personal work permit, to facilitate their taking up work in Taiwan. To match the forthcoming revision of Article 12 of the Criminal Code that will lower the age of majority to 18, the condition of “having entered the State before the age of 16” in Paragraph 1 Subparagraph 2 is amended to “having entered the State before the age of 14”, so that upon reaching adulthood at the age of 18, they will already have spent upwards of four years in Taiwan, and with the condition of having stayed in Taiwan for more than 270 days each year, will satisfy the test of having a relatively close connection with this country, and be in balance with the periods of residence stipulated</p>
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		<p>in the other subparagraphs.</p> <p>3. In Paragraph 2, “adult child” is amended to “child aged 18 and above”, for the same reasons as set out in the third point of explanation for the amendment to Article 8.</p> <p>4. To protect the rights of children of foreign professionals who entered Taiwan before the age of 16 prior to the effective date of this amendment, provision is added in Paragraph 3 to stipulate that such persons may utilize this Article after the amendment goes into effect, and will not be subject to the requirement in Paragraph 1 Subparagraph 2 of having entered the State before the age of 14.</p> <p>5. To simplify the relevant procedure, and provide a migrant-friendly environment, provision is added in Paragraph 4 to stipulate that the dependent relatives of foreign professionals,</p>
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		<p>foreign special professionals, and foreign senior professionals, having been approved for permanent residency, may engage in work in Taiwan without being required to apply to the Ministry of Labor or Ministry of Education for a permit.</p>
<p>Article 22</p> <p>Where a foreign professional, foreign special professional or foreign senior professional, or their spouse, child under 18 years old, or child aged 18 or older who is unable to live independently due to physical or mental disability, after having obtained approval for permanent residence from the National Immigration Agency, leaves the State for more than five years without re-entering, the National Immigration Agency may revoke their permanent residence permit and cancel their Alien Permanent Resident Certificate.</p>	<p>Article 18</p> <p>Where a foreign professional, after having obtained approval for permanent residence from the National Immigration Agency, Ministry of the Interior, leaves the State for more than five years without re-entering, the National Immigration Agency, Ministry of the Interior, may revoke said person's permanent residence permit and cancel said person's Alien Permanent Resident Certificate, and the provisions of Article 33 Paragraph 1 Subparagraph 4 of the Immigration Act do not apply.</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Considering that, under the provisions of Article 33 Paragraph 1 Subparagraph 4 of the Immigration Act, a foreign special professional or foreign senior professional who has obtained permanent residency may have their permanent residence permit revoked if they do not reside in Taiwan for 183 days each year, this Article is amended to broaden its application to foreign special and senior professionals. Also, since international talent tends to spend long periods working across borders, and

		<p>their dependent relatives need to accompany them, this amendment also allows the dependent relatives to spend more time outside Taiwan without losing their permanent residency, with the same conditions as apply to the three kinds of foreign professionals. The reference to the Immigration Act is deleted accordingly.</p>
<p>Article 23</p> <p>A foreign professional 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.</p> <p>A person who obtains a visitor visa under the provisions of the preceding paragraph may not reapply for a visitor visa under the same provisions within three years starting from the date of expiration of</p>	<p>Article 19</p> <p>A foreign professional 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.</p> <p>A person who obtains a visitor visa under the provisions of the preceding paragraph may not reapply for a visitor visa under the same provisions within three years starting from the date of expiration of</p>	<p>The Article number is changed, the content is not amended.</p>

<p>the total time limit for their stay.</p> <p>The number of persons to whom visitor visas are issued under the provisions of Paragraph 1 shall be decided by the Ministry of Foreign Affairs jointly with the Ministry of the Interior and in consultation with the Competent Authority and the relevant central competent authorities, in light of the demand for such personnel and the status of applications as annually announced.</p> <p>Regulations on the conditions, procedure, screening and other relevant matters pertaining to applications under Paragraph 1 shall be set by the Ministry of Foreign Affairs jointly with the Ministry of the Interior and in consultation with the relevant central competent authorities, in light of demand for such personnel.</p>	<p>the total time limit for his/her stay.</p> <p>The number of persons to whom visitor visas are issued under the provisions of Paragraph 1 shall be decided by the Ministry of Foreign Affairs jointly with the Ministry of the Interior and in consultation with the Competent Authority and the relevant central competent authorities, in light of the demand for such personnel and the status of applications as annually announced.</p> <p>Regulations on the conditions, procedure, screening and other relevant matters pertaining to applications under Paragraph 1 shall be set by the Ministry of Foreign Affairs jointly with the Ministry of the Interior and in consultation with the relevant central competent authorities, in light of demand for such personnel.</p>	
<p>Article 24</p> <p>Residents of Hong Kong or Macau engaging in professional work or seeking employment in the Taiwan Area are subject,</p>	<p>Article 20</p> <p>Residents of Hong Kong or Macau engaging in professional work or seeking employment in the Taiwan Area are subject,</p>	<ol style="list-style-type: none"> 1. The Article number is changed. 2. Amends the provisions of the Act that apply, <i>mutatis mutandis</i>, to residents of Hong Kong

<p><i>mutatis mutandis</i>, to the provisions of Article 5 Paragraph 1, Paragraph 2 Subparagraphs 1-3, Paragraph 3 and Paragraph 4, Article 6 Paragraphs 1 and 2, Articles 7 to 12, Article 18 and Article 23. Matters concerning their entry, stay and residence shall be handled by the Ministry of the Interior in accordance with the provisions of the Act Governing Relations with Hong Kong and Macau and its related regulations.</p>	<p><i>mutatis mutandis</i>, to the provisions of Article 5, Article 6 Paragraphs 1 and 2, Articles 7 to 10, Article 14 and Article 19. Matters concerning entry, stay and residence shall be conducted by the Ministry of the Interior in accordance with the provisions of the Act Governing Relations with Hong Kong and Macau and its related regulations.</p>	<p>or Macau who engage in professional work or seek employment in the Taiwan Area.</p>
<p>Article 25</p> <p>A citizen of the State who concurrently holds foreign citizenship and has not established household registration in the State, and who comes to the State to engage in professional work or seek employment as holder of a foreign passport, shall be dealt with in accordance with the provisions of this Act pertaining to foreign professionals.</p>	<p>Article 21</p> <p>A citizen of the State who concurrently holds foreign citizenship and has not established household residence in the State, and who comes to the State to engage in professional work or seek employment as holder of a foreign passport, shall be dealt with in accordance with the provisions of this Act pertaining to foreign professionals.</p>	<p>The Article number is changed, the content is not amended.</p>
<p>Article 26</p> <p>Where a foreign professional, foreign special professional or foreign</p>		<ol style="list-style-type: none"> 1. This Article is newly added. 2. This Article is added to provide that, when a

<p>senior professional is approved to naturalize as a citizen of the State, visitor visas for their lineal ascendants, permanent residency for their spouse, children under 18 years old, and children aged 18 or older who are unable to live independently due to physical or mental disability, and work permits for their children aged 18 and above, are subject, <i>mutatis mutandis</i>, to the provisions of Article 17 and Articles 19 to 22.</p>		<p>foreign professional, foreign special professional or foreign senior professional is approved to naturalize as a citizen of the ROC, their dependent relatives and lineal ascendants can still enjoy the preferential treatment conferred by the relevant provisions of this Act.</p>
<p>Article 27 The effective date of this Act shall be decided by the Executive Yuan.</p>	<p>Article 22 The effective date of this Act shall be decided by the Executive Yuan.</p>	<p>The Article number is changed, the content is not amended.</p>