

Guidelines for Residency Applications for Foreign Nationals Holding a Visitor Visa or Entering the Republic of China through Visa Exemption

I. Legal Basis:

- (I) Article 23 of the Immigration Act (hereinafter referred to as "the Act").
- (II) Articles 6 and 17 of the Regulations Governing Visiting, Residency, and Permanent Residency of Aliens (hereinafter referred to as "the Regulations").
- (III) Article 12 of the Act for the Recruitment and Employment of Foreign Professionals (hereinafter referred to as "the Act for Foreign Professionals").

II. Applicable Subjects:

- (I) Foreign nationals holding a visa with a duration of sixty days or more, and without restrictions on extension or other limitations imposed by the visa-issuing authority, who meet one of the following conditions may apply for residency to the National Immigration Agency (NIA) under the Ministry of the Interior. Upon approval, the NIA will issue an Alien Resident Certificate (ARC) for Foreign nationals:
 - 1. Spouse is a ROC national currently residing in Taiwan with registered household registration, or a foreign national who has been approved for residency or permanent residency, or a resident of Hong Kong or Macau who has been approved for residency. However, foreign spouses granted residency under Subparagraphs 9 or 10 of Paragraph 1 of Article 23 of the Act, or those permitted by the central competent authority for employment under Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of the Employment Service Act in ROC, are not eligible to apply.
 - 2. Foreign nationals under the age of eighteen (18), whose immediate lineal relatives are ROC nationals with household registration in Taiwan or granted residency, or foreign nationals approved for residency or permanent residency, or residents of Hong Kong or Macau with approved residency, are eligible to apply. In cases where the familial relationship is established through adoption, the adopted individual should reside together with the adoptive parent in Taiwan. However, foreign spouses granted residency under Subparagraphs 9 or 10 of Paragraph 1 of Article 23 of the Act, or those permitted by the central competent authority for employment under Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of the Employment Service Act in ROC, are not eligible to apply.
 - 3. Spouses, minor children under the age of eighteen (18), and children aged eighteen (18) or older unable to live independently due to physical or mental disabilities of a person of the mainland Chinese nationals engaged in investment, operational management, implemented investment, intra-corporate transfers, academic and

technological research, or long-term industrial and technological research activities in Taiwan.

4. Engaged in employment services specified in Subparagraphs 1 to 7 and Subparagraph 11 of Paragraph 1 of Article 46 of the Employment Service Act, or exempted jobs as stipulated in Subparagraphs 1 and 3 of Paragraph 1 of Article 48 of the Employment Service Act, permitted by the central labor authority or the competent authority of the industry concerned; undertaking professional work as defined in Subparagraphs 4 and 5 of Paragraph 4 of Article 4, Article 8, Article 10 of the Act for Foreign Professionals; or obtaining a work permit according to Paragraph 1 of Article 15 of the Act for Foreign Professionals.
 5. Representatives of investors, either individuals or foreign legal entities, who have made investments in ROC above a certain amount, approved or filed for record by the competent central authorities of the industry concerned.
 6. The person in charge of a foreign company within the territory of ROC.
 7. According to the provisions of the preceding three items, those approved for residency or permanent residency include their children aged eighteen (18) or older who are unable to live independently due to physical or mental disabilities.
 8. Overseas compatriot students who return to study in ROC and are distributed by the competent authority of overseas community affairs, then forwarded to various levels of educational administrative agencies for allocation.
 9. The surviving spouse, who was a national with household registration in Taiwan at the time of the spouse's death, and has under-eighteen children with household registration in Taiwan, maintaining care responsibilities, exercising rights and obligations, or having regular interactions.
 10. The former spouse was a national with household registration in Taiwan and had legally resided in Taiwan, and has under-eighteen children with household registration in Taiwan, maintaining care responsibilities, exercising rights and obligations, or having regular interactions.
- (II) Foreign nationals entering the ROC without a visa or holding a visitor visa, who are permitted by the central labor competent authority or the competent authority of the industry concerned to engage in work stipulated in Subparagraphs 1 to 7 and Subparagraph 11 of Paragraph 1 of Article 46 of the Employment Service Act, or work exempted from a permit under Subparagraphs 1 and 3 of Paragraph 1 of Article 48 of the Employment Service Act, or professional work as defined in Subparagraphs 4 and 5 of Paragraph 4 of Article 4, Article 8, and Article 10 of the Act for Foreign Professionals, or obtaining a work permit according to Paragraph 1 of

Article 15 of the Act for Foreign Professionals.

(III) Foreign professionals or specific foreign professionals entering the ROC without a visa or holding a visitor visa, who are permitted or exempted from a permit, according to Article 7 of the Act for Foreign Professionals, to engage in professional work in the ROC.

(IV) Spouses, minor children under the age of eighteen (18), and children aged eighteen (18) or older unable to live independently due to physical or mental disabilities of applicants under the preceding two paragraphs, entering the country without a visa or holding a visitor visa.

Foreign nationals applying for residence whose reasons for residence align with the purpose of the visitor visa they originally held upon entry, and meet one of the following conditions:

1. Overseas compatriot students permitted to study in the ROC by educational administrative agencies at various levels, universities, or overseas joint admission committees formed by universities.
2. Students permitted to study in the ROC by schools approved by educational administrative agencies at various levels to admit international students.
3. Students who have studied for a minimum of four (4) months at Mandarin teaching institutions affiliated with higher education institutions accredited by the Ministry of Education and continue their registration for more than three (3) months.

III. Application Procedure: Submit the application to the service stations of the NIA located in each jurisdiction of direct municipalities, counties (cities), or apply online (For applicants specified in Item 4 of Subparagraph 1 and Subparagraphs 2 to 4 of the second point, applications can be made through the “Online Application System for Foreign Professionals and Their Dependents” of the NIA; for applicants specified in Item 8 of Subparagraph 1 of the second point and Subparagraph 5, applications should be submitted through the “Online Application System for Residency Permits, Extensions, or Modifications for Foreign and Overseas Chinese Students” of the NIA). But for applicants who apply based on a relationship with a national or according to Subparagraphs 9 and 10 of Paragraph 1 of Article 23 of this Act, they should apply to the service center of the NIA at their current place of residence.

IV. Required Documents:

- (I) Application form for foreign nationals' residence (stay) cases.
- (II) A recent, color, uncovered head photo taken within the last two (2) years (following the same specifications as a national ID photo).
- (III) Original and photocopy of passport and visitor visa (original to be returned after verification). However, applicants entering by visa-exempt means, according to Subparagraphs 2 to 4 of the second point, do not need to submit a copy of the visitor visa.
- (IV) Health examination certificate issued within the last three (3) months, proving the applicant's fitness:
 1. Applicants under Items 4 to 8 of Subparagraph 1, and Subparagraphs

- 2 to 4 of the second point are exempted from this requirement.
2. Exempted for foreign spouses, children under the age of eighteen (18), and children aged eighteen (18) or older unable to live independently due to physical or mental disabilities who hold a valid Employment Gold Card.
 3. Children aged six or below may submit a "vaccination certificate" instead.
 4. The health examination certificate must comply with the health check items announced by the competent authority, the Ministry of Health and Welfare. For examinations conducted domestically, individuals must visit the designated hospitals for health checks on foreigners as announced by the Ministry of Health and Welfare. If the examination is conducted overseas, it should be verified by the embassy, representative office, or office (hereinafter referred to as "the overseas mission") abroad. If the examination items are incomplete, individuals must supplement the unexamined items domestically.
- (V) Criminal Record Certificate:
1. Applicants under Items 4 to 8 of Subparagraph 1, and Subparagraphs 2 to 5 of the second point are exempted from this requirement. However, for spouses under Item 4 of the second point, if the marital relationship was established after the entry into the ROC in this instance, it is still required to be submitted.
 2. A criminal record certificate from the applicant's home country issued within one (1) year from the date of issuance. However, the certificate must not exceed the validity period indicated in the document. The term "home country criminal record certificate" refers to a nationwide record from the applicant's country of origin. For example, if the applicant is a U.S. citizen, the criminal record certificate must be issued by the Federal Bureau of Investigation (FBI). If the applicant is a Vietnamese citizen, the criminal record certificate should be the Vietnamese "Bản Kê Khai Tư Pháp số 2" (Judicial Record No. 2).
 3. The criminal record certificate must include records from the last five (5) years.
 4. Applicants who were previously granted residency in ROC and reapply for residency cases by entering with a visitor visa within three (3) months of leaving the ROC are not required to submit a criminal record certificate from their home country.
- (VI) Proof of current residence (such as a lease agreement, photocopy of property ownership deed, or photocopy of both sides of the identity card of a national property owner with a statement of consent, or other sufficient documents to prove the actual residential address of the applicant).
- (VII) For individuals born in mainland China and originally holding Chinese citizenship, in addition to providing supporting documents according to Article 7 of the Act Governing Relations between the People of the

Taiwan Area and the Mainland Area, proving residence overseas for more than four (4) years (such as passport entry and exit records and a certificate of entry and exit issued by the competent authority at the place of residence), one of the following proof documents should be submitted:

1. The original certificate verified by the Straits Exchange Foundation (SEF) proving that the individual is not registered in mainland China.
2. The original certificate of cancellation of mainland China household registration verified by the SEF.
3. The document certifying the loss of mainland China citizenship, verified by the overseas mission.
4. Other documents sufficient to prove the loss of mainland China citizenship.

(VIII) Original and photocopy of relevant supporting documents for the purpose of application (originals will be returned after verification).

1. For applicants applying based on spouse status according to Item 1 of Subparagraph 1 of the second point and Subparagraph 4:

- (1) The applicant, as the foreign spouse of the foreign national residing in the ROC with permission, is exempt from submitting a marriage certificate verified by an overseas mission if the relationship, spouse's name, and identification number have already been annotated in the visa note field based on the code table. The submission of the identification documents of the sponsoring relative is sufficient for the application. If the visa is exempted or holding a visitor visa with the note field indicating only "P" (for purposes such as tourism, visit, or family reunion) without specifying the relationship, name, and identification number or residence permit number with the sponsoring relative, it is still necessary to submit a verified document confirming the family relationship by the overseas mission.

- (2) If the applicant is a foreign spouse of a registered ROC national, and the marriage has been registered in the household registration, submit the identification documents of the sponsoring relative.

- (3) If the applicant is the spouse of a foreign national residing in ROC with a mid-level technical job permit, proof must be provided that the sponsoring relative's average monthly total income for the past year is at least NTD 53,000.

2. Applicants applying for the status of minor children under the age of eighteen (18) or children aged eighteen (18) or older who are unable to live independently due to physical or mental disabilities, as stipulated in Items 2 and 7 of Subparagraph 1 and Paragraph 4 of the second point:

- (1) Original household registration transcript or ARC for the entire household, valid within the last three (3) months, for direct lineal

- ascendants.
- (2) Proof of family relationship, such as a birth certificate or court-issued adoption certificate. Foreign nationals under the age of eighteen (18) applying for family reunification with their lineal ascendants, if the relationship, family member's name, and ID (or residence permit) number are already noted in the visa annotation column, only need to submit the identity documents of the family member when applying.
 - (3) Applicants who are children under the age of 18 and foreign nationals residing in the ROC with a mid-level technical job permit must provide proof that the sponsoring relative's average monthly total income for the past year is at least NTD 53,000.
 - (4) Applicants who are 18 or older unable to live independently due to physical or mental disabilities must provide a diagnosis certificate. The document should sufficiently prove their condition, such as paralysis, inability to care for oneself, or the need for complete assistance in daily life. Alternatively, a Barthel Index score assessed by a physician should be thirty (30) points or below.
3. Applicants applying under Item 3 of Subparagraph 1 of the second point:
 - (1) The original copy of the valid multiple Entry/Exit Permits for the sponsoring relative in Taiwan (to be returned after verification).
 - (2) Documents proving relationship.
 4. Applicants applying under Item 4 of Subparagraph 1, Subparagraphs 2 and 3 of the second point:
 - (1) Approval letter from the central labor competent authority or the competent authority of the industry concerned. The approval letter must have a period of employment validity of at least six (6) months.
 - (2) An employee certificate valid within one (1) month (exempt for those with individual work permits without an employer).
 - (3) Applicants who meet the requirements of Article 48 of the Employment Service Act are not required to apply for a work permit from the Ministry of Labor. They can submit the approval letter from the competent authority of the industry concerned for processing.
 5. Applicants applying under Item 5 of Subparagraph 1 of the second point:
 - (1) Approval letter from the competent authority of the investment enterprise (investment amount must be USD 200,000 or more). The approval letter must be issued by the competent authority of the investment enterprise within the last three (3) months.
 - (2) List of directors and supervisors.
 - (3) Company Change Registration Form.

6. Applicants applying under Item 6 of Subparagraph 1 of the second point:
 - (1) Approval letter from the Department of Commerce, Ministry of Economic Affairs.
 - (2) Foreign Company (Change) Registration Form or Branch Office Establishment (Change) Registration Form.
 - (3) If the representative or litigious and non-litigious agent of the foreign company's branch office also serves as the manager of the branch office, in addition to the documents listed in Items 1 and 2, a work permit issued by the Ministry of Labor must also be provided.
7. Applicants applying under Item 8 of Subparagraph 1 of the second point shall provide proof of enrollment or proof of current enrollment (including student ID).
8. Applicants applying under Item 9 of Subparagraph 1 of the second point:
 - (1) The marriage certificate verified by the overseas mission is exempted for those whose marriage has been registered in the household registration record.
 - (2) The original death certificate of the spouse or the household registration record indicating the completion of the death registration is required.
 - (3) The household registration record of the child under the age of eighteen (18) who has been registered in the ROC is required (the child must be in the ROC).
 - (4) Proof of guardianship or interaction with children under the age of eighteen (18) registered in the ROC, including judicial orders allowing interaction or custody, affidavits from village chiefs, national spouses or their relatives, government agencies (such as social affairs, health affairs, civil affairs, police affairs, veterans service offices, etc.), schools, or other documents (such as payment receipts for tuition, health insurance premiums, alimony, etc.), communication records, photos of interactions, etc., should be provided.
9. Applicants applying under Item 10 of Subparagraph 1 of the second point:
 - (1) The marriage certificate verified by the overseas mission is exempted for those whose marriage has been registered in the household registration record.
 - (2) The household registration record of the child under the age of eighteen (18) who has been registered in the ROC is required (the child must be in the ROC).
 - (3) Proof of guardianship or interaction with children under the age of eighteen (18) registered in the ROC, including judicial orders allowing interaction or custody, affidavits from village chiefs,

national spouses or their relatives, government agencies (such as social affairs, health affairs, civil affairs, police affairs, veterans service offices, etc.), schools, or other documents (such as payment receipts for tuition, health insurance premiums, alimony, etc.), communication records, photos of interactions, etc., should be provided.

10. Applicants applying under Subparagraph 5 of the second point (verification of original document, submission of photocopy):
 - (1) Items 1 and 2: Proof of enrollment or proof of current enrollment (including student ID).
 - (2) Item 3: Proof of enrollment and registration (Proof of enrollment must indicate completion of at least four (4) months of study and continuous registration for at least three (3) months, with attendance records showing a minimum of fifteen (15) hours of classes per week from Monday to Friday, with absences, including leave hours, not exceeding one-fourth of the total class hours).

(IX) Other supporting documents.

Documents produced in overseas areas must be certified by the overseas embassies. If the required documents are made, notarized, authenticated, or certified by foreign missions or authorized institutions in the Republic of China, they shall be certified by the Ministry of Foreign Affairs. If the documents are in a foreign language, the NIA may request the applicant to provide a Chinese translation verified by the overseas mission or notarized by a domestic notary public.

- V. Fees: The Alien Resident Certificate (ARC) is charged at NTD 1,000 per item per year of validity. However, for applicants entering the ROC via visa-exempt entry or holding a visitor visa, an additional fee of NTD 2,200 is charged.
- VI. Processing Time: Ten (10) working days (excluding the time for document return, supplementation, and interview). Applicants with incomplete or insufficient documents must rectify the issue within fifteen (15) days from the day of notification. For those who need to apply from overseas, mainland China, Hong Kong, or Macau, the rectification period is extended to three (3) months. Failure to rectify or incomplete rectification by the deadline will result in the rejection of the application. After rectification, the processing time will be recalculated, starting from the date of resubmission, with a duration of ten (10) working days.
- VII. Notes:
 - (I) A visitor visa is valid for 180 days, and those marked with 'No Extension' may apply. Those entering the ROC through trial exemptions, visa on arrival, individuals from Southeast Asian countries checking online in advance, APEC Business Travel Card (ABTC) holders, working holiday visa holders, and those with visas marked as ineligible for resident visa or resident certificate in the ROC, unless otherwise specified, are not eligible to apply.

- (II) Applicants applying in accordance with Subparagraphs 1, 9, and 10 of Paragraph 1 of Article 23 of the Act may submit their application up to thirty (30) days before the expiration of their stay period.
- (III) Applicants applying in accordance with Subparagraphs 2 to 8 of Paragraph 1 of Article 23, Paragraph 4, and in accordance with Article 12 of the Act for Foreign Professionals for visa-exempt entry may submit their application up to fifteen (15) days before the expiration of their stay period.
- (IV) The validity period of the Alien Resident Certificate (ARC) shall commence from the day following its approval.
- (V) Foreign nationals marrying nationals with registered permanent residence in the Taiwan Area and applying for the first time for residence based on family ties are restricted to applying for a one-year validity Alien Resident Certificate (ARC), and must apply accompanied by their spouse.
- (VI) Any ROC national residing in the Taiwan Area with a registered household, who has entered the ROC with a foreign passport and is applying for an extension of stay, residency or an extension of residency, shall first apply to a household registration office for household de-registration before the NIA may accept his/her application. The NIA will not process applications from males approaching military service age who have not yet fulfilled their military service obligation or from those who are of military service age and meet any of the following circumstances:
 - 1. The applicant does not possess a military service-related Overseas Compatriot Identity Certificate or an ROC passport with an alien resident identity.
 - 2. The overseas compatriot male has resided in the ROC for over one (1) year.
 - 3. He is subject to conscription and restricted from leaving the ROC in accordance with the law.
- (VII) The maximum validity period for the Alien Resident Certificate (ARC) of those studying Mandarin, undergoing training approved by the educational or other competent authorities in the ROC, and missionaries shall not exceed one (1) year.
- (VIII) Applicants who are unable to obtain an Alien Resident Certificate (ARC) before the expiration of their stay period shall leave the ROC within the prescribed period.
- (IX) If the applicant leaves the ROC during the application process, the application will be closed and archived (no further processing). If the applicant re-enters the ROC and meets the requirements stipulated in paragraphs of Article 23 of the Act, they may reapply according to the Guidelines.