

# Guidelines for Foreign Nationals Applying for Permanent Residency

- I. Legal Basis:
  - (I) Article 25 of the Immigration Act (hereinafter referred to as "the Act").
  - (II) Article 41 of Enforcement Rules of the Act.
  - (III) Article 15 of the Regulations Governing Visiting, Residency, and Permanent Residency of Aliens (hereinafter referred to as "the Regulations Governing Residency of Aliens").
  - (IV) Articles 9, 14, 16, and 18 of the Act for the Recruitment and Employment of Foreign Professionals (hereinafter referred to as "the Act for Foreign Professionals").
- II. Application Procedure: Apply at the service station of the National Immigration Agency (hereinafter referred to as "the NIA") located in the place of residence.
- III. Applicable Subjects:
  - (I) Foreign nationals who have legally resided in the Republic of China (ROC) for five (5) consecutive years, with a residence of at least 183 days per year, or have household registration in the Taiwan Area and their foreign spouse or children have legally resided in the ROC for more than ten (10) years, with at least 183 days of residence per year for five (5) years, and meet the following requirements:
    1. Aged eighteen (18) or above.
    2. Have good conduct without any criminal record verified by a police criminal record certificate.
    3. Possess sufficient assets or skills to be self-supporting. However, this requirement does not apply to spouses who have household registration in the Taiwan Area.
    4. Serve the national interests of the ROC.
  - (II) Foreign professionals who have legally resided in the ROC for five (5) consecutive years with an average annual residence of 183 days or more, or specific foreign professionals residing in the ROC for three (3) consecutive years with an average annual residence of 183 days or more, and meet the following requirements:
    1. Aged eighteen (18) or above.
    2. Have good conduct without any criminal record verified by a police criminal record certificate.
    3. Possess sufficient assets or skills to be self-supporting.
    4. Serve the national interests of the ROC.
  - (III) Foreign nationals who legally resided in the ROC for over twenty (20) years before May 31, 2002, with ten (10) years of residing for at least 183 days annually, and who meet the requirements of Items of Subparagraph 1, are eligible.
  - (IV) Paragraphs 3 and 4 of Article 25 of the Act do not impose restrictions on 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 the applicants.

- (V) When the spouse of a foreign national who is a national with household registration in the Taiwan Area dies, and they have actual custody, exercise rights and obligations, or maintain contact with their minor children who are nationals with household registration in the Taiwan Area, they may apply for permanent residency during their lawful residence in the ROC, without being subject to the restrictions regarding the lawful residence period in the ROC stipulated in Subparagraph 1.
- (VI) Foreign professionals employed in specialized works who have been granted permanent residency are eligible to apply for permanent residency for their spouse, minor children, and adult children over the age of eighteen (18) who are unable to live independently due to physical or mental disabilities. These dependents must have legally resided in the ROC for five (5) consecutive years, averaging at least 183 days of residence per year, possess good conduct, have no criminal record verified by a police criminal record certificate, and meet the national interests of the ROC.
- (VII) Foreign professionals employed in specialized works who have been granted permanent residency are eligible to apply for permanent residency for their spouse, minor children, and adult children over the age of eighteen (18) who are unable to live independently due to physical or mental disabilities. These dependents must have legally resided in the ROC for three (3) consecutive years, averaging at least 183 days of residence per year, possess good conduct, have no criminal record verified by a police criminal record certificate, and meet the national interests of the ROC.

IV. Required Documents: The documents to be submitted, if produced overseas, must be authenticated by the overseas mission; if produced domestically by a foreign embassy or authorized institution, they must be authenticated by the Ministry of Foreign Affairs; if produced in Mainland China, they must be authenticated by the Straits Exchange Foundation (hereinafter referred to as "the SEF"). However, concerning the authentication of foreign documents, if they comply with the provisions of Article 15-1 of the Document Legalization Act for the Ministry of Foreign Affairs and Overseas Missions, they shall be processed accordingly.

(I) Joint Documents:

1. Application for Permanent Residence by Foreign Nationals.
2. One color photograph (same specifications as National ID Card).
3. Original and photocopy of new and old passport (original returned after verification).
4. Original and photocopy of Alien Resident Certificate (ARC) (original returned after verification). However, in accordance with Paragraph 5 of Article 25 of the Act, accompanying applicants are exempt from this requirement.
5. A certificate of health examination clearance (The health examination form must use the "List of items to be examined in the health examination certificate" (Form B) currently used by major medical centers and newly added medical examination hospitals announced by

the Ministry of Health and Welfare). However, applicants who travel abroad for periods of less than three (3) months during their lawful continuous residence for permanent residency application are exempted from this requirement.

6. Proof of one of the following circumstances of assets or skills: However, spouses of nationals with registered permanent residence in the Taiwan Area, individuals allowed to continue residence under Subparagraphs 1 to 4 of Paragraph 4 of Article 31 of the Act after the death or divorce of spouses of nationals, applicants applying under Paragraphs 3 and 4 of Article 25 of the Act and their accompanying applicants, or applicants applying under Subparagraphs 4, 6, and 7 of the preceding point are exempt. For those who apply within two (2) years as stipulated in Subparagraph 2 of Point 7, and whose reasons for residence have changed, proof of assets or skills for the last year of residence conditions should be submitted:
  - (1) In the past year (referring to the twelve (12) months prior to the application month or the period from January to December of the preceding year), if the average monthly income in the ROC exceeds twice the announced minimum wage by the Ministry of Labor (MOL) (For those with withholding tax certificates or tax payment certificates spanning multiple years, the calculation of twice the basic wage is based on the most recent year's basic wage announced by the MOL; for calculations based on the period preceding the application date, the basic wage announced by the MOL for the previous year is used as the calculation standard), the applicant may provide one of the following documents, to be determined by the NIA:
    - A. Individual Income Tax Return for Foreign Residents (For online filers, completion of the online filing process with an electronic seal from the National Taxation Bureau is required).
    - B. Statement of Individual Income Tax.
    - C. Tax certificates showing various types of income.
    - D. Salary withholding statements issued by the employer.
  - (2) Total value of personal property and real property exceeding NTD 5 million.
  - (3) Official documents issued by the ROC government agencies equivalent to professional or technical certifications at the higher education level or above or Grade B or above skill certifications.
  - (4) Other documents as determined by the NIA.
7. A national criminal record certificate issued by the police authority of the applicant's home country for the past five (5) years (e.g., for US citizens, an FBI criminal record certificate is required, valid for one (1) year from the date of issue, including a Chinese translation), along with completion of one of the following procedures. However, applicants

who travel abroad for periods of less than three (3) months during their lawful continuous residence for permanent residency application are exempted from this requirement:

- (1) The original foreign-language police criminal record certificate issued by the applicant's home country and its Chinese translation, both verified by the overseas mission of the ROC (if necessary, may be sent for re-verification by the Ministry of Foreign Affairs).
  - (2) The original foreign-language police criminal record certificate issued solely by the applicant's home country, verified by the overseas mission (if necessary, may be sent for re-verification by the Ministry of Foreign Affairs), with its Chinese translation authenticated by either a court notary or a private notary in the ROC.
  - (3) The original foreign-language police criminal record certificate issued (or verified) by the embassy or institution in the applicant's home country should be re-verified by the Ministry of Foreign Affairs, with its Chinese translation authenticated by either a court notary or a private notary in the ROC.
8. The police criminal record certificate from the ROC issued within the last five (5) years (valid within three (3) months from the date of issue). However, in accordance with Paragraph 5 of Article 25 of the Act, accompanying applicants are exempt from this requirement.
  9. For individuals born in mainland China and originally holding Chinese citizenship, in addition to providing supporting documents according to Paragraphs 1 and 2 of Article 7 of the Act Governing Relations between the People of the Taiwan Area and the Mainland Area, one of the following proof documents should be submitted:
    - (1) The original certificate verified by the SEF indicating that the applicant has 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.
  10. If submitting the application through a representative, a letter of authorization should be provided.

(II) Individual Documents:

1. Dependent:
  - (1) Proof of family relationship (including marriage certificate or birth certificate, and identification documents of the family member being depended upon).
  - (2) Relevant documentation for adult children who are unable to live independently due to physical or mental disabilities.
2. Employment:

- (1) Work Approval Letter.
  - (2) Proof of Employment issued within one (1) month.
  - (3) Applicants without an employer during the job search period, and those holding an Employment Gold Card are exempt from providing a Work Approval Letter and Proof of Employment.
3. Missionary:
- (1) Guarantee letter issued by the religious organization stating that the foreign national will serve in an unpaid capacity and ensure their safety and well-being during their service in the ROC.
  - (2) Certificate of incorporation or temple registration of the religious organization (the organization or temple must have been registered for over five (5) years, and its total registered assets or the balance of the bank account opened under the name of the temple should be over NTD 5 million).
  - (3) Proof of Employment issued by the religious organization within one (1) month.
4. Investment:
- (1) Approval letter from the Department of Investment Review, Ministry of Economic Affairs and investment proof dated within the last three (3) months.
  - (2) Application for Establishment (Change) Registration of Company (investment amount must be over USD 200,000).
5. Responsible Persons:
- (1) Approval letter from the Ministry of Economic Affairs.
  - (2) Foreign Company (Change) Registration Form or Branch Office Establishment (Change) Registration Form.
6. Innovative entrepreneur:
- (1) Approval letter from Department of Investment Review, Ministry of Economic Affairs.
  - (2) Operational proof documents within the past year.
- V. Review duration: Fourteen (14) days (excluding the time it takes to send an application between the special municipality and county/city service centers and the NIA, for submitting supporting documentation, for interviews, or for requesting relevant agencies to examine documents).
- VI. Fees: NTD 10,000.
- VII. Notes:
- (I) The period of residence (stay) in the ROC for applicants under Subparagraphs 1 and 2 of Point 3 shall not be counted for the following reasons:
    1. For those who are studying or those who are extending their residency in accordance with Subparagraph 3 of Paragraph 1 of Article 23, Subparagraphs 1 and 2 of Article 26, Subparagraphs 5 to 8 of Paragraph 4 of Article 31 of the Act, and Article 11 of the Regulations Governing Residency of Aliens.
    2. Residency shall not be counted for individuals authorized by the central

competent labor authority to work in the ROC under Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of the Employment Service Act, and for those extending their residency in accordance with Subparagraph 5 of Paragraph 4 of Article 31 of the Act.

3. Those approved for residence as dependents according to the preceding two Items.
  - (II) According to Subparagraphs 1 to 3, 6, and 7 of Point 3, applicants for permanent residency should apply within two (2) years after the expiration of their residence and stay period.
  - (III) Foreign nationals who also possess ROC citizenship are not eligible to apply for permanent residency.
  - (IV) During the period of permanent residency, if the average annual residence does not reach 183 days in the most recent five (5) years, the permanent residency permit may be revoked or invalidated, and the Alien Permanent Resident Certificate will be canceled. However, this provision does not apply to individuals stipulated in Article 19 of the Act for Foreign Professionals or those authorized by the NIA. The calculation of "year" begins from January 1 of the year following the issuance of the Alien Permanent Resident Certificate. Additionally, individuals whose Alien Permanent Resident Certificate has been revoked according to Paragraph 4 of Article 33 of the Act, yet still retain residency eligibility, may apply for residency within thirty (30) days from the date of revocation.
  - (V) If an individual's permanent residency permit is revoked or invalidated according to the Act for Foreign Professionals, or according to Subparagraphs 1 to 3 or Subparagraph 8 of Article 33 of the Act, the permanent residency permit of accompanying applicants shall be simultaneously revoked or invalidated.
  - (VI) During the period of permanent residency, if a foreign national changes their foreign nationality, they must present the passport issued after the change of nationality for inspection upon entry and provide sufficient evidence to prove their identity. Only then can they apply for the change of nationality, with a processing fee of NTD 1,000.
  - (VII) Foreign professionals and specific foreign professionals who, in accordance with Article 14 of the Act for Foreign Professionals, utilize a master's degree or higher obtained from a university in the ROC to offset the requirement for continuous residency, must present the original Chinese diploma for verification. Upon verification, the original diploma will be returned to the applicant, and a copy will be retained for records.
  - (VIII) Applicants who are children aged eighteen (18) or older unable to live independently due to physical or mental disabilities under Subparagraphs 4, 6 and 7 of Point 3 should attach 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.