

Regulations Governing Permits for Hong Kong and Macao Residents Entering the Taiwan Area and Setting up Residence or Registered Permanent Residence in R.O.C

On June 30, 1997, the Ministry of the Interior (86) Order No. 8680202 issued a full text of 38 Articles

On May 31, 1999, the Ministry of the Interior (88) Order no. 8871358 issued a full text of 39 Articles

On December 30th, 2000, the Ministry of the Interior (89) Order No. 8981810 issued the amendment of Articles 15, 28, 34, 35, 38

On August 6, 2001, the Ministry of Interior (90) Order No. 9088084 issued the amendment of Article 9

On March 6, 2002, the Ministry of the Interior (91) Order No. 0910078595 issued the amendment of Article 8, 9, 13, 16, 22, 24, 25, 29, 30, 35, 38; and the addition of new clauses for Article 5.1, 5.2

On June 10, 2002, the Ministry of the Interior Order No. 0910078060 issued the amendment of Article 9

On November 12, 2004, the Ministry of the Interior Order No. 0930108673 issued the amendment of Article 16, 23, 25.

On December 30, 2004, the Ministry of the Interior Order No. 0930109374 issued the amendment of Article 9

On December 22, 2006, the Ministry of the Interior Order No. 095091396 issued the amendment of Article 18

On February 25, 2009, the Ministry of the Interior Order No. 0990932730 issued a full text

On September 7, 2010, the Ministry of the Interior Order No. 0990932730 issued the amendment to certain provisions

On January 16, 2012, the Ministry of Internal Affairs Order No. 1010931529 issued the revision to certain provisions.

On August 2, 2013, the Ministry of the Interior Order No. 1020263622 issued a full text

On December 9, 2013, the Ministry of the Interior Order No. 1020958276 issued the amendment to Article 24

On June 10, 2014, the Ministry of the Interior Order No. 1030952142 issued partial amendments

On July 13, 2015, the Ministry of the Interior Order No. 1030952142 issued the amendment to Article 17, 26, 30

On February 6, 2018, the Ministry of the Interior Order No. 10709414832 issued a full text of 39 Articles.

Chapter 1 General Provisions

Article 1 These Regulations are governed by the provisions stipulated in Paragraph 2 Article 11 and Paragraph 1 Article 12 of the Laws and

Regulations Regarding Hong Kong & Macao Affairs. (hereinafter referred to as "the Act")

Article 2 The competent authority governing this Act is the Ministry of the Interior.

Article 3 Hong Kong or Macao residents shall enter and exit the country with valid entry and exit documents and Hong Kong passports, British National (overseas) passports or Macao passports with a validity period for more than three months through the inspection at the airport or port. However, those who hold the Taiwan Area Resident Certificate or the Residency Exit & Entry Permit may enter the country with valid passports.

Hong Kong or Macao residents shall fill in Arrival Cards before entering the country in accordance with the provisions of this Regulations. The airport or port entry inspection units shall collect them at the time of entry inspection and send them to the National Immigration Agency of the Ministry of the Interior (hereinafter referred to as "NIA"). However, those who hold the Taiwan Area Resident Certificate or other notices approved by NIA are exempt from filling Arrival Cards at the time of entry.

Article 4 If the entry and exit documents issued in accordance with these Regulations are defaced or lost, the following documents shall be prepared to apply to NIA for reissue:

1. Application form.
2. Defaced documents or certificate of lost documents

Article 5 Hong Kong or Macao residents applying to enter Taiwan for stay or residence whose information is inconsistent or lacking shall provide the missing information within three months from the day of written notice issued by NIA.

If the amendment is not made within the prescribed period of the preceding paragraph or if the amendment is still not in compliance, the application shall be rejected.

Article 6 A Hong Kong or Macao resident applying to enter Taiwan for stay or residence, whose identity do not comply with Article 16.1, 16.2, 29.1 or Article 4.1, 4.2 shall not be accepted; those who have been accepted shall have their applications rejected.

Chapter 2 Entry and Exit

Article 7 Hong Kong or Macao residents applying to enter Taiwan shall prepare the following documents:

1. Application form.
2. Hong Kong passport or Macao passport with a validity period of more than three months or Permanent Resident Certificate

3. Other relevant documents.

Article 8 Hong Kong or Macao residents may apply to the following institutions for entering Taiwan:

1. Those who are in Hong Kong or Macao: Apply to the institutions designated or established by the Executive Yuan or private organizations entrusted by the Executive Yuan, and transfer the application to NIA. Those who apply for the second time or more may apply to NIA or issued by NIA officers stationed in Hong Kong and Macao.
2. Those who are overseas: Apply to the R.O.C. embassies and consulates, representative offices, offices or other authorized agencies of the Ministry of Foreign Affairs, and transfer the application to NIA upon review by NIA officers stationed overseas.

Article 9 Hong Kong or Macao residents who apply to enter Taiwan may not be permitted entry in the event of one of the following circumstances; those who have already entered may have their entry revoked and their Exit & Entry Permit abolished:

1. Those who had entered the country without permission.
2. Those who have (had) entered the country with permission and exceeded the period of stay or period of residence.
3. Those who have (had) engaged in activities that are inconsistent with the purpose of the Exit & Entry Permit.
4. Those who are found to have (had) engaged in criminal activities.
5. Those who are currently working in the administrative, military, political, or other public service agencies in Mainland China Area or those who are currently working in investment institutions or news media in Hong Kong and Macao.
6. Former nationals of Mainland China Area who have not lived outside Mainland China Area for four consecutive years.
7. Those who have (had) engaged in the fraudulent use of identity or entered the country with forged or altered documents.
8. Those who have (had) made fraudulent statements or concealed important facts when applying in accordance with the provisions for these Regulations.
9. Those who have (had) no records of known whereabouts in Taiwan for more than two months.
10. Those who have (had) endangered national interests, public safety, public order, good customs or engaged in terrorist activities.
11. Those who have (had) been restricted or denied entry under other laws and regulations.

The period of denied entry mentioned in the preceding paragraph is as follows. However, those who fail to apply for extension on the period of stay due to one of the circumstances mentioned in Article 12.1, and have overstayed in the country for less than ten days following the expiration of the validity period, are not included.

1. Item 1, Item 7, Item 8: two to five years.

2. Item 2, Item 3, Item 9: one to three years.

3. Item 4: one to five years.

The period of denied entry mentioned in the preceding paragraph for those who have entered the country shall be calculated from the day of departure; The period of denied entry mentioned in the preceding paragraph for those who have not entered the country shall be calculated from the day following the abolishment of the Exit & Entry Permit.

Hong Kong and Macao residents who are victims of cross-country (border) human trafficking and have the need to enter Taiwan to assist in investigation or trial as determined by the prosecutor or judge, are not subjected to the two preceding paragraphs.

Item 5 and Item 10 in the first paragraph shall be reviewed by NIA in conjunction with the National Security Bureau, Mainland Affairs Council, and other relevant authorities.

Article 10 Hong Kong or Macao residents who apply to enter Taiwan shall be issued a Single Entry & Exit Permit with a validity period of six months from the day following the issuance; those who frequently enter or exit Taiwan shall be issued Renewable Entry & Exit Permits or Multiple Entry & Exit Permits with a validity period of one or three years from the day following the issuance.

Those who are issued a Single Entry & Exit Permit may enter and exit the country once during the validity period; those who fail to enter the country during the validity period may apply to NIA for a one-time extension before the expiration of the Single Entry & Exit Permit. The validity period of the extension is six months from the day following the expiration of the original validity period.

Those who obtained Renewable Entry & Exit Permits may enter or exit the country within the validity period after the application is processed; the validity period of is six months from the day following the issuance. However, it may not exceed the validity period of the Renewable Entry & Exit Permit.

Those who are issued Multiple Entry & Exit Permit may enter and exit the country multiple times during the validity period.

Hong Kong or Macao residents born locally or have ever entered Taiwan or hold the entry and exit documents as mentioned in Paragraph 1, may apply for a temporary entry with a validity period of 30 days. They shall present Hong Kong, British (overseas), or Macao passports with a validity period of more than 3 months, booking information of return flight (ferry) tickets or departing flight (ferry) tickets, and apply to NIA for a Temporary Entry Permit at the time of entry; those who hold the entry and exit documents mentioned in the first paragraph will not have their visas revoked.

Hong Kong or Macao residents born locally or have ever entered Taiwan or hold the entry and exit documents as mentioned in Paragraph 1, may apply for a Temporary Entry Permit online in accordance with the provisions stipulated in the preceding paragraph. The validity period

is three months from the day following the issuance. Those who are issued Temporary Entry Permits may enter and exit the country one time during the validity period.

Hong Kong or Macao residents who are issued Temporary Entry Permits shall exit the country at the expiration of the temporary stay period. However, those who meet one of the circumstances as mentioned in Article 12.1 may prepare documents mentioned in Article 7 and apply for Entry & Exit Permit at the expiration of the temporary stay period.

Article 11 The period of stay for Hong Kong or Macao residents who enter Taiwan shall not exceed three months from the following day of entry, and may be extended once for a period not exceeding three months.

Hong Kong or Macao residents who enter Taiwan with the intention to engage in professional work and seek long-term employment in accordance with the provisions stipulated in Article 20 and Article 19 of the Act for the Recruitment and Employment of Foreign Professionals (hereinafter referred to as the "Foreign Talent Act") may apply for a multiple entry visa with a three-month validity period and a six-month stay period. The maximum duration of stay is six months in total.

Hong Kong or Macao residents who are granted residence in Taiwan in accordance with the provisions stipulated in Article 20, Article 7, and Article 8 of the Foreign Talent Act may apply for the issuance of a multiple entry visa for their lineal ascendants, with a validity period of one year and a stay period of six months. The multiple entry visa may be extended one time, for a period not exceeding six months. The maximum duration of stay is one year in total.

Those who have obtained the entry and exit visa in accordance with the provisions stipulated in the second paragraph shall not apply for the entry and exit visa within three years upon the expiration of the maximum stay period.

Article 12 Hong Kong or Macao residents who have extended their stay in Taiwan in accordance with the provisions stipulated in the preceding Article may further extend their stay under the following circumstances:

1. Those who have been pregnant for more than seven months or had a miscarriage for less than two months.
2. Those who are afflicted with a disease, whose lives are at risk if they are forced to exit the country.
3. Those whose spouses, direct blood relatives, collateral relatives by blood within three generations, or in-laws within two generations are hospitalized or dead due to serious illness or injury.
4. Those who encounter natural disasters or other inevitable circumstances.
5. Those who are victims of cross-country (border) human trafficking and have the need to stay in Taiwan for assistance in

investigations or trials as determined by the prosecutor or judge. The period of extended stay in accordance with the provisions stipulated in Item 1 or Item 2 of the preceding paragraph shall not exceed two months at a time; The period of extended stay in accordance with the provisions stipulated in Subparagraph 3 shall not exceed two months from the date of occurrence of the event; The period of extended stay in accordance with the provisions stipulated in Subparagraph 4 shall not exceed one month; The period of extended stay in accordance with the provisions stipulated in Subparagraph 5, depending on the circumstances of the investigation or trial, shall not exceed six months at a time.

Article 13 Hong Kong or Macao residents who are applying for an extension of stay in accordance with the provisions stipulated in the two preceding two Articles shall prepare the following documents and apply to NIA before the expiration of the stay period:

1. Application form.
2. Entry and Exit Permit.
3. Return flight (ferry) ticket.
4. Other relevant documents.

Paragraph 1 and Paragraph 5 of Article 9 shall be observed when Hong Kong or Macao residents apply for an extension of stay in accordance with the provisions stipulated in the two preceding Articles.

Article 14 Hong Kong or Macao residents who are required to enter Taiwan due to special accidents as supported by certified documents shall prepare the documents mentioned in Article 7 and apply to organizations mentioned in Article 8. The Entry Certificate will be issued upon inspection by the receiving units.

Hong Kong or Macao residents who enter Taiwan with an Entry Certificate should apply to NIA for entry and exit procedures at the time of entry before the inspection and entry.

Hong Kong or Macao residents who transfer from Taiwan by an aircraft or ship and cannot exit the country with the original aircraft or ship due to illness, disaster or other special accidents, may apply to NIA for an entry notice in advance and complete the entry and exit procedures through their airline, legal representative, shipping company, or shipping agency.

Article 15 Hong Kong or Macao resident who is a crew member or flight attendant of a civil aircraft flying to Taiwan Area, entering the Taiwan Area due to a flight mission and without any valid Entry and Exit Permit, may apply to NIA for a temporary stay permit through his/her airline or legal representative; the duration of stay shall not exceed 7 days from the following day of entry.

Hong Kong or Macao residents who enters the country on a temporary stay or transit through the country as a crew member on a ship shall present a letter of guarantee from their respective shipping company

or shipping agency and apply to NIA for a temporary stay permit. Those who enter the country on a temporary basis in accordance with the regulations stipulated in the two preceding paragraphs, and cannot exit the country due to illness, disaster or other special accidents, shall apply to NIA for entry and exit procedures through their airline, legal representative, shipping company, or shipping agency. Relevant supporting documents shall be attached. The period of stay is calculated in accordance with the provisions stipulated in Article 11.1.

Chapter 3 Residence

Article 16 Hong Kong or Macao residents may apply for residency in Taiwan under one of the following circumstances:

1. The direct blood relative or the spouse of the applicant has a household registration in Taiwan. However, in the case of adoption, the kinship should last for more than two years prior to application.
2. The applicant has received overseas education or employment and made special contributions before the end of United Kingdom's and Portugal's governance in Hong Kong and Macao, respectively, which are reviewed and approved by the Ministry of Education or the Mainland Affairs Council in conjunction with relevant authorities.
3. The applicant has special achievements related to application engineering in special fields.
4. The applicant possesses technical skills and has obtained a certificate of practice from the Hong Kong or Macao government, or has special achievements in the fields of academic, science, culture, news, finance, insurance, securities, futures, transportation, postal service, telecommunications, meteorology or tourism.
5. The applicant has an investment of NT\$6 million or more in Taiwan, which is reviewed and approved by the central competent authority; or the innovation and entrepreneurship in Taiwan is examined and approved by the central competent authority.
6. The applicant is teaching abroad, researching emerging academics or having special skills and experience, which is approved by the central competent authority.
7. The applicant has been approved by the central competent authority of the central government to attend school in Taiwan; or has returned to Hong Kong or Macao for two years upon graduation.
8. The applicant has been approved by the central labor authority or the competent authority the work in Taiwan, and meet the qualifications and criteria standards for foreigners undertaking the jobs specified under Article 46.1.1 to 46.1.7 or Article 11 of the Employment Services Act, or meet the management and approval regulations for Hong Kong and Macao residents with overseas Chinese

I.D., or meet the qualifications and criteria standards for foreigners undertaking the jobs specified under Article 20, Article 5, Article 6.1, Article 8, and Article 10 of the Act for the Recruitment and Employment of Foreign Professionals.

9. The applicant has been appointed or employed by government agencies or public and private colleges and universities.
10. The applicant has contributed to the government's efforts to promote its policies and objectives toward Hong Kong and Macao, and received a certificate issued by the institutions designated or established by the Executive Yuan or private organizations entrusted by the Executive Yuan. The abovementioned certificate shall be transferred to the Mainland Affairs Council for review and approval.
11. The applicant meets the circumstances as mentioned in Article 18 of the Act, which are reviewed and approved by the Mainland Affairs Council in conjunction with relevant authorities.
12. The applicant has legally stayed in Taiwan for more than five years, spending more than 270 days each year, and has made special contributions to social or charitable cause, which are reviewed and approved by the competent authority in conjunction with relevant authorities.
13. The applicant meets the qualifications and criteria standards for foreigners undertaking the jobs specified under Article 46.1.1 to 46.1.8 of the Employment Services Act.
14. The applicant's spouse is an unregistered national, a foreigner who has been granted residence or registered permanent residence in Taiwan, or a resident from Mainland China Area who has been approved for long-term residence. However, the applicant may not apply if his/her spouse has been approved to work jobs specified under Article 46.1.1 to 46.1.8 of the Employment Services Act or has been approved by the central competent authority of the central government to attend school in Taiwan.
15. The applicant is traveling to Taiwan to preach or promote religious teachings, which is reviewed and approved by the competent authority in conjunction with relevant authorities.
16. The accredited personnel of the Hong Kong or Macao government and their dependents, which are authorized by the Executive Yuan.

In accordance with the provisions stipulated in Item 1 to 6, latter part of Item 7, Item 8 to 12, and Item 15 of the preceding paragraph, the spouse and underage children accompanying the applicant may apply for residency together. Family members of the applicant who apply for residency separately must wait for the applicant to be granted entry and residence; children over 20 years of age whose physical and mental disabilities prevent them for taking care of themselves may apply for residency together with Hong Kong or Macao residents who meet the circumstance of Item 8 of the preceding paragraph, and are applying for residency in accordance with the provisions stipulated in Article 20, Article 5, Article 6.1, Article 7, Article 8, and

Article 10 of the Act for the Recruitment and Employment of Foreign Professionals. Those who apply for residency separately must wait for the applicant to be granted entry and residence; underage children of applicants who meet the circumstance of Item 14 of the preceding paragraph may apply for residency together. Those who apply for residency separately must wait for the applicant to be granted entry and residence; The dependents of accredited personnel as mentioned in Item 16 of the preceding paragraph shall be granted residence by the Mainland Affairs Council. Under the circumstances as mentioned in Item 3 and Item 4 in the preceding paragraph, residency shall be reviewed and approved by the central competent authority; the audit form shall be determined in consultation with the central competent authority.

Article 17 Hong Kong or Macao residents applying to NIA for residence in Taiwan shall prepare the following documents:

1. Resident Application Form.
2. Hong Kong or Macao Permanent Resident Certificate.
3. Letter of Guarantee. Those who meet the requirements of Subparagraph 7 Paragraph 1 Article 16, and is approved by the central competent authority, or the requirements of Subparagraph 16 Paragraph 1 Article 16, are exempt.
4. Police Criminal Record Certificate in the last five years. Those who have been granted permission by NIA are exempt.
5. Health Examination Certificate.
6. Other relevant documents.

The health examination certificate mentioned in Subparagraph 5 of the preceding Paragraph shall include items on the checklist as prescribed by the central health authority.

Those who are applying for the Employment Gold Card for Foreign Special Professionals in accordance with Article 20 and Article 8 of the Act for the Recruitment and Employment of Foreign Professionals are exempt from providing the documents as mentioned from Subparagraph 3 to Subparagraph 5 of Paragraph 1.

Article 18 Residents of Hong Kong or Macao who apply for residence in Taiwan shall have the guarantee of a proper resident with a household registration in Taiwan, whether it is a blood relative, a spouse, or a citizen with a proper occupation, and a letter of guarantee shall be issued by the guarantor. However, this is not the case for those who are approved by the central competent authority to attend schools in accordance with Subparagraph 7 or Subparagraph 16 of Paragraph 1 Article 16 are not exempt.

Citizens with proper occupation who meet the requirements of the preceding paragraph shall not guarantee more than five people per year.

The letter of guarantee mentioned in Paragraph 1 shall be signed by the guarantor and checked by NIA.

Article 19 The responsibility of the guarantor mentioned in the preceding Article is as follows:

- 1.To ensure that the identity of the sponsored person is not under false pretense.
- 2.To be responsible for the daily life of the sponsored person during their stay.
- 3.If the sponsored person is forced to exit the country according to the law, the guarantor shall assist the relevant authorities.

If the guarantor cannot uphold the responsibility after the sponsored person has completed the resident visa application, the applicant shall replace the guarantor within one month.

If the guarantor fails to perform the obligations specified in Paragraph 1 or has untruthful assurances, the competent authority may, depending on the circumstances, disapprove his or her qualification to be the guarantor for other applicants for three to five years.

Article 20 Residents of Hong Kong or Macao who apply for residence in Taiwan shall apply to and have relevant documents produced in Hong Kong, Macao, or overseas verified by the following institutions:

- 1.Those who are in Hong Kong or Macao: Apply to the institutions designated or established by the Executive Yuan or private organizations entrusted by the Executive Yuan, and transfer the application to NIA. Those who apply for the second time or more may apply to NIA or issued by NIA officers stationed in Hong Kong and Macao.
- 2.Those who are overseas: Apply to the R.O.C. embassies and consulates, representative offices, offices or other authorized agencies of the Ministry of Foreign Affairs, and transfer the application to NIA upon review by NIA officers stationed overseas.

Article 21 Those who are applying to enter the Taiwan Area in accordance with the provisions of Chapter 2 and meet the conditions stipulated in Article 16 during their stay, must prepare documents specified in Paragraph 1 Article 17, and apply to NIA for residence in Taiwan.

Residents of Hong Kong or Macao who apply for residence in Taiwan and meet other reasons of residency during their stay may provide the following documents and apply to NIA for a change of residency; spouses and children over 20 years of age unable to take care of themselves due to physical and mental disabilities may also be included in the application:

- 1.Resident Application Form.
- 2.Taiwan Area Resident Certificate or Residency Entry & Exit Permit in the Taiwan Area.
- 3.Other relevant documents.

Article 22 Residents of Hong Kong or Macao who apply to reside in Taiwan may not be permitted under any of the following circumstances:

1. Those who have (had) the following conditions:
 - 1.1. Entry without permission.
 - 1.2. Engage in activities that are inconsistent with the purpose of the visa.
 - 1.3. Those who are found to engage in criminal acts with evidence.
 - 1.4. Engage in acts that conflict with national interest, public safety, public order or engage in terrorist activities.
 - 1.5. Participate in or finance civil disorder, unrest fomented by foreign enemies or conceal the involvement of such activities.
 - 1.6. Participate in or finance terrorist or violent illegal organizations or conceal the involvement of their activities.
 - 1.7. Those who are suspected of a major crime or are found to have a history of criminal habits.
2. There is evidence recognized as conspiracy to fake adoption.
3. Former residents of Mainland China Area who have not lived outside of the area for four consecutive years.
4. Fraudulent use of forged or altered documents or Entry Permit for the present (previous) application.
5. Those who have (had) fraudulent statements or concealed important facts when applying in accordance with the provisions for these Regulations.
6. Those who have (had) no records of known whereabouts in Taiwan for more than three months.
7. Marriage with Taiwanese resident that is found to be invalid or recognized as conspiracy to false marriage.
8. Unqualified health examination.
9. Those who overstays the authorized duration of residency in the Taiwan Area. However, those who meet the Act of Article 14, Section 2, or have the obligation to underage children who are residents of Taiwan, are exempt.

The period of denied entry mentioned in the preceding paragraph is as follows:

1. Item 1 Subparagraph 1, Subparagraph 4, and Subparagraph 5: two to five years.
2. Item 2 Subparagraph 1, Subparagraph 2, Subparagraph 6, Subparagraph 7, and Subparagraph 9: one to three years.

The period of denied entry mentioned in the preceding paragraph for those who has entered the country shall be calculated from the date of departure; the period of denied entry mentioned in the preceding paragraph for those who have not entered the country shall be calculated from the following day of the abolishment of the Entry & Exit Permit.

Hong Kong or Macao residents who are permitted to enter the country, overstaying less than 30 days and having the limitation of the quota for his or her application will be extended one year each time for the issue date of approval in accordance with the regulations. However, those who have not extended their residency under one of the circumstances of each Subparagraph of Paragraph 1 of Article 12.

Article 23 Those who apply for the Taiwan Area Resident Certificate in accordance with the procedures stipulated in Article 20 shall receive issuance of the Entry Permit and a duplicate of the Taiwan Area Resident Certificate from NIA, which will be forwarded to the applicant by an authorized institution.

Applicants in the preceding paragraph shall, within 15 days from the date of entry, renew their Taiwan Area Resident Certificate with a duplicate of the Taiwan Area Resident Certificate

Those who apply for the Taiwan Area Resident Certificate in accordance with the procedures stipulated in Article 21 shall receive their resident visa from NIA.

Those who are granted residence in Taiwan in accordance with the provisions of the preceding paragraph may apply to NIA for a Residency Entry & Exit Permit in the Taiwan Area.

Article 24 The validity of the Entry Permit and the duplicate of the Taiwan Area Resident Certificate is six months and shall be calculated from the day of issuance. Those who have not entered the country during the valid period may apply to NIA for an extension. Applicants shall fill out an application form and attach the Entry Permit and a duplicate of the Taiwan Area Resident Certificate. The validity of the extension is six months and shall be calculated from the day following the expiration of the original permit or certificate. Each applicant is limited to one extension.

Article 25 The Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area is an identification document for the period of residence in Taiwan. The validity is from eighteen months to three years and shall be calculated from the following day of the date of entry. Those who are granted residence in accordance with the provisions stipulated in Subparagraph 5 Paragraph 1 Article 16 may reside in Taiwan for one to three years; the validity of the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area shall be calculated from the following day of the date of issuance for those who applied for residency in accordance with the procedures stipulated in Article 21.

The validity of the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area for applicants who meet the qualifications and criteria standards for foreigners undertaking the jobs specified under Subparagraph 1 to Subparagraph 7 or Subparagraph 11 of Paragraph 1 Article 46 of the Employment Services Act in accordance with the provisions stipulated in Subparagraph 8 Paragraph 1 Article 16, applicants who meet the management and approval regulations for Hong Kong and Macao residents with overseas Chinese I.D., applicants with a spouse or underage children who are granted residence in accordance with Subparagraph 9 Paragraph 1 Article 16 and Subparagraph 13 Paragraph 1 Article 16, shall be in accordance

with the provisions of the preceding paragraph. However, it shall not exceed the employment period of the applicant.

The validity of the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area shall be up to five years for Hong Kong or Macao residents who are granted residence in accordance with the provisions stipulated in Article 20 and Article 7 of the Act for the Recruitment and Employment of Foreign Professionals; the valid period of residency is the same for the spouse, underage children and children over the age of 20 who are unable to take care of themselves due to physical and mental disabilities. However, the validity shall not exceed the employment period of the applicant.

The validity of the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area shall be up to three years for Hong Kong or Macao residents who are granted residence in accordance with the provisions stipulated in Article 20, Article 5, Paragraph 1 Article 6, Article 8, and Article 10 of the Act for the Recruitment and Employment of Foreign Professionals; the valid period of residency is the same for the spouse, underage children and children over the age of 20 who are unable to take care of themselves due to physical and mental disabilities. However, the validity shall not exceed the employment period of the applicant.

The validity of the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area for applicants and their underage children who are granted residence in accordance with the provisions stipulated in Subparagraph 14 Paragraph 1 Article 16 shall be the same as their spouse. However, the valid period of residence shall not exceed the employment period of the spouse.

Article 26 If the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area is expired, and the original reason for stay still exists, the subject may apply for an extension along with the subject's spouse and underage children. Each extension may not exceed two years at a time; those who are granted residence in accordance with the provisions stipulated in Subparagraph 1 Paragraph 1 Article 16, who direct blood relative or spouse is dead, may still apply for an extension.

In the case of the preceding paragraph, those who are granted residence in accordance with the provisions stipulated in Article 20 and Article 7 of the Act for the Recruitment and Employment of Foreign Professionals may apply for an extension with a maximum length of five years. The same extension shall be granted to the accompanying spouse, underage children, and children over the age of 20 who are unable to take care of themselves due to physical and mental disabilities; those who are granted residence in accordance with the provisions stipulated in Article 20 and Article 5, Paragraph 1 Article 6, Article 11 of the Act for the Recruitment and Employment of Foreign Professionals may apply for an extension with a maximum length of three years. The same extension shall be granted to the

accompanying spouse, underage children, and children over the age of 20 who are unable to take care of themselves due to physical and mental disabilities; Those who hold the Employment Gold Card for Foreign Special Professionals in accordance with the provisions stipulated in Article 20 and Article 8 of the Act for the Recruitment and Employment of Foreign Professionals may not apply for an extension. Accompanying spouse, underage children, and children over the age of 20 who are unable to take care of themselves due to physical and mental disabilities also may not apply for an extension. Applicants of the two preceding paragraphs shall prepare the following documents to apply to NIA for extension within 30 days before the expiration of the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area.

1. Application form.
2. Taiwan Area Resident Certificate or Residency Entry & Exit Permit in the Taiwan Area.
3. Other relevant documents.

The provisions stipulated in Article 22 shall apply to this Article.

Article 27 Hong Kong or Macao residents who are permitted to reside in Taiwan shall present the Entry & Exit Permit application form and the Taiwan Area Resident Certificate when they need to enter or exit the country during their stay and apply for an Entry & Exit Permit with NIA. However, those who hold the Residency Entry & Exit Permit in the Taiwan Area may enter or exit the country with said document.

Article 28 Hong Kong or Macao residents who are permitted to reside in Taiwan may have their residency granted under the provisions stipulated in Article 23, and the Taiwan Area Resident Certificate or the Residency Entry & Exit Permit in the Taiwan Area canceled or abolished, under the following circumstances:

1. Those who meet one of the provisions stipulated in Paragraph 1 Article 22.
2. Those who provide invalid documents.
3. Those who provide documents that are revoked or abolished or deemed forged or altered by competent authority.
4. The reason for residency is eliminated. However, the direct blood relative or spouse of the applicant was dead or applied for their residency by their spouse who is a national with registered household in the Taiwan Area, who has divorced the applicant prior to the completion of registered permanent residence application, and who has produced underage children and has exercised the burden and the obligation of the child's rights, are not subjected.
5. Those whose guarantor cannot undertake responsibility for guarantee have not replaced the guarantor before the application procedure of the registered permanent residence completed.
6. Those accompanying the applicant in accordance with the provisions stipulated in Paragraph 2 Article 16, whose applicant's residency

is revoked or abolished.

If the residency is revoked or abolished in accordance with the provisions of the preceding paragraph, NIA shall notify relevant institutions that have approved, appointed, or hired the applicant.

Chapter 4 Registered Permanent Residence

Article 29 Hong Kong or Macao residents may apply for registered permanent residence in Taiwan under the following circumstances:

1. Applicants and their accompanying spouses and underage children who are granted residence in accordance with the provisions stipulated in Subparagraph 1 to Subparagraph 6 of Paragraph 1 Article 16, latter part of Subparagraph 7 Paragraph 1 Article 16, Subparagraph 9 to Subparagraph 12 of Paragraph 1 Article 16, with a period of stay in the Taiwan Area, hold the requirement to apply for registered permanent residence. Those who are granted residence in accordance with the provisions stipulated in Subparagraph 1 Paragraph 1 Article 16, whose direct blood relatives or spouse is dead, may still apply for registered permanent residence.
2. Those under the age or 12, who entered the country with an Entry & Exit Permit, whose father or mother has a household registration in Taiwan.
3. Those who meet the requirements prescribed in Article 17 of the Act.
4. Those who are permitted by the central competent authority to enter Taiwan for school, upon graduation, living five consecutive years in accordance with the provisions stipulated in Subparagraph 8 Paragraph 1 Article 16, living in Taiwan for more than 183 days each year and receiving a salary that is twice the average monthly income as announced by the central labor authority.

The term "period of stay" as mentioned in the preceding paragraph refers to the calculation of a consecutive residency tracing back to one year ago from the date of application, or a continuous residence for two years and an annual residence of more than 270 days in Taiwan. However, those who are granted residence in accordance with the provisions stipulated in latter part of Subparagraph 5 Paragraph 1 Article 16, the period of stay refers to five consecutive years and an annual residence of more than 183 days.

Those who are granted residence in Taiwan in accordance with the provisions stipulated in Subparagraph 1 Paragraph 1 of this Article, whose duration of kinship which is acquired through marriage or adoption shall be more than three years. However, those who give birth to a child in the duration of their marriage, are not subject to this restriction.

The period of consecutive residence in accordance with Paragraph 2 of this Article, permits the applicants to exit the country for 30 days in one year; the times of exits shall not be restricted, and the date of departure shall be calculated from the following day of exit. The departure of those who exit and enter the country on the same day

shall be counted as one day; the period of departure of those who are dispatched by the government agency to exit the country with proof of documents shall not be accrued, and it will not be counted in the period of residence.

The period of stay for those who applies for change of residence in accordance with the provisions stipulated in Paragraph 2 Article 21 will be calculated from the day following the approval of the change. Those who have deposited NT\$5 million or more for one year, with proof of documents from foreign exchange banks, within three years before the implementation of this Article on June 10, 2003, may be subjected to the regulations and provisions regarding residence and registered permanent residence before the implementation of the Article.

Article 30 Hong Kong or Macao residents applying to NIA for registered permanent residence in Taiwan shall prepare the following documents:

1. Registered Permanent Residence Application Form.
2. Hong Kong or Macao Permanent Identity Card.
3. Relevant document providing proof of R.O.C. nationality.
4. Taiwan Area Resident Certificate or Residency Entry & Exit Permit in the Taiwan Area.
5. Health examination certificate. Those who exit the country less than three months during each period of stay are not required to provide the health examination certificate.
6. Other relevant documents.

The health examination certificate as mentioned in Subparagraph 5 in the preceding Paragraph shall include the health inspection checklist prescribed by the central health authority.

Article 31 Hong Kong or Macao residents who meet one of the circumstances as mentioned in Paragraph 1 Article 22 may be disapproved of applying for registered permanent residence in Taiwan.
Paragraph 2 and Paragraph 3 of Article 22 shall apply to this Article.

Article 32 Hong Kong or Macao residents applying for registered permanent residence in Taiwan shall be issued a Permanent Resident Certificate upon approval. They shall, within 30 days from the date of issuance, register with the household registration office as notified by NIA. If the household registration is not completed within the given timeframe, the registered permanent residence shall be revoked and the Permanent Resident Certificate shall be abolished.

If the applicant in the preceding paragraph does not reside in the intended address of the household registration, he/she shall register with the household registration office of the current residence. After the household office accepts the application, it shall notify the household registration office where intended address is located.

If Hong Kong or Macao residents register their household registration in Taiwan, they shall apply with the household registration office if

they need to correct the household registration. If the name of the applicant is to be corrected, apart from a mistake made by the office clerks, the household registration office shall send the corrected duplicate of the household registration application and the photocopy of the Resident Certificate to NIA.

Article 33 Hong Kong or Macao residents who need to apply for Entry & Exit Permit shall apply as a national of Taiwan after being granted residence in Taiwan and having registered with the household registration office.

Article 34 Hong Kong or Macao residents who are granted residence in Taiwan may have their registered permanent residence permit revoked or their Registered Permanent Residence Certificate in Taiwan Area issued under Article 32 abolished; those who have completed household registration may have their household registration revoked or abolished by government agencies as notified by NIA under the following circumstances:

1. Those who marry Taiwanese residents, whose marriage is deemed a conspiracy and found to be invalid or false.
2. Those who provide invalid documents.
3. Those who provide documents that are revoked or abolished or deemed forged or altered by competent authority.

Chapter 5 Related Terms

Article 35 Hong Kong or Macao residents who meet one of the following circumstances will be issued an Exit Permit by NIA, and will be forced to exit the country within 10 days:

1. The Entry & Exit Permit is revoked or abolished in accordance with the provisions stipulated in Paragraph 1 Article 9.
2. The residency is revoked or abolished in accordance with the provisions stipulated in Paragraph 1 Article 28.
3. The registered permanent residence is revoked or abolished in accordance with the provisions stipulated in the preceding Article.

The Exit Permit as mentioned in the preceding paragraph shall be valid for 10 days from the day following the issuance.

Article 36 Applications in accordance with the provisions of these Regulations that are handled by third parties shall include a letter of authorization. However, applications handled by travel agencies will include the stamps of the travel agency and authorized personnel who acts as the applicant, and a letter of authorization is not required. Third party applicants who conceal or file inaccurate information are not permitted to handle the applications of residence or registered permanent residence for Hong Kong and Macao residents for one year.

Article 37 For Hong Kong or Macao residents who enter Taiwan under the

circumstances as mentioned in Article 45 of the Act, NIA shall attach a copy of the entry and exit application form or a copy of relevant documents providing proof of application, submitted to the High Court or its branch inspection office for future reference.

Article 38 Those who apply for residence or registered permanent residence in Taiwan have been determined to be disapproval or rejected shall receive a refund of the application fee; those who have their Entry & Exit Permit documents revoked will not receive a refund of the registration fee.

Article 39 These Regulations shall be implemented as of the date of publication.