

**Notices for the submission of application for Alien Residence Certificate
by the foreigner who enters the state with a visitor visa.**

Article 1: In accordance with the following laws and regulations

- (1) Article 23, 24, 65, 70 and 71 of the Immigration Act.
- (2) Article 3, 6, 9 and 17 of Regulations Governing Visiting, Residency, and Permanent Residency of Aliens.

Article 2: Applicable subjects

- (1) Where an alien who possess a valid visa for a visit for the period of 60 days or up and such a visa is without annotated disapproval of extension or other restrictions marked by the visa issuing authority meets one of the following circumstances, he/she can apply to National Immigration Agency (hereinafter referred to as NIA) for residence. After the NIA permits the application, it shall issue an Alien Resident Certificate to the alien.
 - a. The alien's spouse who holds the nationality of the State ROC resides in the Taiwan Area currently and is with registered permanent residence or permitted to reside in the area. With respect to the alien's spouse being an alien, the spouse is permitted to reside or

permanently reside in the Taiwan area. The alien's spouse being an alien, who is permitted to reside in the area and whose engagement in works stipulated in Subparagraphs 8 to 10 of Paragraph 1 of Article 46 of the Employment and Service Act is permitted by the central authorities in charge of labor affairs, however, cannot apply for the issuance of an Alien Resident Certificate.

- b. An alien is younger than the age of 20 and his/her lineal ascendants are the nationals who hold nationality of the State ROC or have registered permanent residence in the Taiwan Area currently or permitted to reside in the area. With respect to the alien's lineal ascendants being aliens, the lineal ascendants are permitted to reside or permanently reside in the area. In the circumstances the alien is relatively connected to the adopters because he or she is adopted by the adopters, he or she has to live with the adopters in Taiwan area.
- c. One who has been approved to work in the Taiwan Area by the central authorities in charge of labor affairs or the field of his or her employment pursuant to Subparagraphs 1 to 7 or Subparagraph 11 of Paragraph 1 of Article 46 of the Employment and Service Act.
- d. An investor who has made an investment in the Taiwan Area in the amount that is more than a certain amount of capital, and has been

approved or filed for future reference by the central authorities in charge of the investment. A representative of a foreign investor also must have made an investment in the Area in the foresaid amount of capital, and has been proceed for the same purposes as abovementioned by the central authorities in charge of the investment.

- e. A person in charge of a foreign company which is recognized under the Company Act and is located domestically.
- f. An alien's re-issuance of a resident visa is approved on an ad hoc basis by the Ministry of Foreign Affairs.

(2) Those who hold resident visa for 180 days with note "no extension" may file the application. However, those who hold working holiday visa with annotated disapproval of resident visa or residence certificate of Taiwan shall be disallowed for application.

Article 3: Required documents

If the documents are issued or produced in foreign country, they shall be authenticated by the embassies and consulates of the Republic of China, representative offices, or other offices (hereinafter referred to as "overseas missions"). If local overseas missions only authenticate such documents

without Chinese translation, then the Chinese translation shall be notarized by the ROC court (or public notary)

(1) Application form:

- a. Please collect the application from the Service Center of NIA, and copy the form on A4 white paper or download it from website (<http://www.immigration.gov.tw>) and fill the form honestly.
- b. The photo attached shall be without hat taken within latest one year (4.5 cm in length, 3.5cm in width, the length of figure shall not less than 3.2cm or exceed 3.6 cm from the head top to jaw, photo taken front view color photo with white background)

(2) Passport and visitor visa (returned after NIA verification)

(3) The satisfactory health examination report within latest three months:

- a. Those who are belonged to the application cases in accordance with subparagraph 3 to 6 of paragraph 1 of article 23 of the Immigration Act are exempted.
- b. Those who are belonged to the application cases in accordance with subparagraph 3 to 6 of paragraph 1 of article 23 of the Immigration Act and their dependent relatives (including their foreign spouses or their under 20 years old children or grandchildren in accordance with are exempted. It is exempted for application managed in accordance

with subparagraph 1 to 2 of paragraph 1 of article 23 of the Immigration Act) are both come from the visa waiver countries (not including the visa waiver program trial countries) are exempted.

- c. Children under the age of six may use “vaccination certificate” as alternative.
- d. The health examination certificate shall be in accordance with the latest required items for Health Certificate for aliens intending to applying for residence or permanent residence of household registration promulgated by the competent authority, Taiwan Centers for Disease Control of Ministry of Health and Welfare (refer to the website of CDC). The health examination certificate shall be the “form of requirements for health certificate” (doc file) used by all major medical institution and list of additional hospitals (pdf file) (xls file) published by CDC.
- e. For examination made overseas, it shall be authenticated by overseas missions. If the examination items are incomplete, the items not yet been examined shall be supplemented in the State.
- f. The health certificate shall be valid for 3 months from the date of examination and the application shall be filed within the validation period. (Applicants are welcomed to undertake examination at

qualified domestic medical institution as soon as entering the State).

(4) Certificate of criminal record:

- a. Those who are belonged to the application cases in accordance with subparagraph 3 to 6 of paragraph 1 of article 23 of the Immigration Act and those whose age are under 20 years old are exempted.
- b. Those who are belonged to the application cases in accordance with subparagraph 3 to 6 of paragraph 1 of article 23 of the Immigration Act and **their dependent foreign spouses** whose marriage relationship had been existed before entering Taiwan area are exempted. (applicants in accordance with subparagraph 1 of paragraph 1 of article 23 of the Immigration Act)
- c. The national criminal record of applicant has to be within one year from the date of issuance. However, it shall not exceed the expiry date specified in such certificate (the so called national criminal record refers to the national record in applicant's country of origin, e.g. the national criminal record of US citizens shall be issued by US FBI. In the circumstances that the applicant is Vietnamese, the criminal record should be No. 2 judicial record. However when the applicant submit the No. 1 judicial record issued on the date before Dec 1st 2019, it shall be regarded as the satisfactory criminal certificate.)

- d. The criminal record shall include records in latest 5 years.
- e. In the cases that the applicant who formerly had been granted ARC and ever resided in Taiwan and had not left the State longer than 3 months submits the residence application with a visitor visa, his or her national criminal record is exempted.

(5) Certificate of current domicile:

Relevant supporting documents such as residential lease agreement, in the circumstances that the landlord agreed to offer the tenant to live for free charge the copy of the land ownership certificate or the copy of front side and back side of the landlord's ID card and the statement of the landlord agreement should be needed to submit, or any other reasonably clear and proper proofs capable of indicating the applicant's actual domicile.

(6) Certificates in related with reasons for application (the original documents are needed for verification and will be returned after verification nevertheless the copy documents will be collected):
(referring to the paragraph 1 of article 23 of the Immigration Act)

- a. For application in accordance with paragraph 1: marriage certificate.
 - (a) In the circumstances that the applicant's visa being annotated with the husband and wife relationship , spouse's full name and ID

number will be regarded as the supporting documents as marriage certificate, the authenticated marriage certificate shall be exempted. In the circumstances that the applicant's visa being annotated with "P" (categorized as tourist or visitor or visiting family member), and with annotation with family relationship, full name and ID number, should submit the certificate of marriage authenticated by overseas missions.

(b) In the circumstances that the foreign spouse who applies for residence depending ROC citizen with household registration and their marriage had been registered in the domestic household registration office, the marriage certificate shall be exempted.

b. For application in accordance with paragraph 2:

(a) The transcript of entire household registration or original of alien's residence certificate of lineal ascendants valid for 3 months. (returned upon verification) ◦

(b) Certificate of relative relationship (e.g. the birth certificate or the adoption adjudicated by the court). In the circumstances that the under 20 years old foreigner who applies residence depending lineal ascendant and the applicant's visa being annotated with the relative relationship, the relative's full name and ID or ARC number,

the certificate of relative relationship shall be exempted.

c. For application in accordance with paragraph 3:

(a) The approval letter of Ministry of Labor or the central competent authorities for the employment of foreign professional personnel (the employment shall be valid for six months in the approval letter)

(b) Employee service certificate effective within one month.

(c) Those who are exempted from the application to Ministry of Labor for working permit pursuant to article 48 of Employment Service Act may enclose the approval letter of competent industrial or institutional authority.

d. For application in accordance with paragraph 4:

(a) The approval letter of the central competent authorities (the investment amount shall be at least US\$200,000)

(b) List of directors and supervisors.

(c) Registration of change of the Company.

e. For application in accordance with paragraph 5:

(a) Approval letter of Department of Commerce, MOEA.

(b) Foreign Company (Change) Registration Form.

(c) Registration form for branch of foreign company.

(d) Certificate of profit seeking enterprise. For representative of branch of foreign company or litigation or non-litigation agent also serving as manager of the branch, the working permit issued by Ministry of Labor shall be enclosed other than preceding documents.

f. For application in accordance with paragraph 6: the approval letter of competent authority shall be enclosed.

(7) Certificate fee: NT\$1,000 for alien residence certificate per case valid for one year, however, additional NT\$2,200 is required for applicant entering the State with visitor visa.

(8) Other supporting or supplementary certificates.

Article 4: Application methods:

Apply to service centers of the NIA in municipal cities, counties and cities.

In the circumstances that the applicant applies for residence depending ROC citizen has to submit the application at the exact service center of the NIA where his or her domicile located.

Article 5: Relevant cautions.

(1) For application in accordance with subparagraph 1 of paragraph 1 of

article 23 of the Act, it may be filed within 30 days prior to the expiration of the visitor visa.

(2) For application managed in accordance with subparagraph 2 to subparagraph 5 of paragraph 1 of article 23 of the Act, it may be filed within 15 days prior to the expiration of the visitor visa.

(3) The validation period of alien residence certificate shall be calculated from the date of approval.

(4) The first-time applicant of residency based on the marriage to the citizen of ROC national may only apply for alien residence certificate valid for one year, and the spouse must be accompanied for the application.

(5) A national with registered permanent residence in Taiwan Area enters the State with foreign passport shall make moving out registration at household registration office before applying to the NIA for residence. With respect to the applications stated in the preceding paragraph, the NIA shall not accept the application filed by a draft-age or near draft-age male whose military service obligation has not been completed under one of the following conditions:

a. Having neither an Overseas Compatriot Identity Certificate for the purpose of military service nor a notation of Overseas Chinese Status

marked on his ROC passport.

b. Being an overseas Chinese draftee who has resided in the Taiwan Area for over one year.

c. Having been subjected to conscription in accordance with the law and is being restricted from leaving the country.

(6) The applicant who cannot acquire alien residence certificate must leave the county before the expiration of visitor visa.

(7) The application of applicant who leaves the country during application process will be closed and filed away (ending the review). The applicant shall file application all over again pursuant to notices herein if circumstances as set forth in subparagraphs of paragraph 1 of article 23 of the Immigration Act are satisfactory for the second entry.