

Handbook of Immigration Information for Foreign Spouses In Taiwan

Visa and Entry/Exit



How do foreign spouses apply for visa for stay in Taiwan?



- I Authorized Authority:**
Bureau of Consular Affairs, MOFA
- II Basis of Laws/Regulationms:**
Statute of Foreign Passport Visa and the Enforcement Rules thereof.
- III Procedures of Application:**
Application should be made to R.O.C. embassy or representatives abroad.
- IV Required Documents:**
 - A. Applicant's passport, valid for at least 6 months without remark of "Going to the Republic of China is not allowed".
 - B. Application form, available without charge from R.O.C. embassies, representatives or offices abroad. Applicants should sign the form in person to confirm what he/she declares is true. The form should be affixed with two 2" photos taken within the recent 6 months.
 - C. Transcrip of spouse's domiciliary register, (issued within the recent 3 months with record of marriage registration).
 - D. Certificate of marriage registration, issued by the government of applicant's country. (The certificate should be certified by a R.O.C. embassy or representative abroad).
 - E. Other relevant documents.



How do foreign spouses apply for visa for residence in Taiwan ?



I Authorized Authority:

Bureau of Consular Affairs, MOFA

II Basis of Laws/Regulationms:

Statute of Foreign Passport Visa and the Enforcement Rules thereof.

III Procedures of Application:

Application should be made to ROC embassies or representatives abroad or, after entering Taiwan with the stay visa, made to Bureau of Consular Affairs, MOFA or its branch offices.

IV Required Documents:

- A. Applicant's passport, valid for at least 6 months without remark of "Going to the Republic of China is not allowed".
- B. Application form, available without charge from R.O.C. embassies, consulates, representatives or offices abroad or Bureau of Consular Affairs or its branch offices, or downloaded from the web site of the Bureau (<http://www.boca.gov.tw/form/index.htm>). The applicant should sign the form in person to confirm what he/she declares is true. The form should be affixed with two 2" photos taken within the recent 6 months.
- C. One transcript of R.O.C. domiciliary register issued within the recent 3 months with marriage registration, the nationality and foreign name of spouse recorded in it.
- D. One original photocopy of certificate of marriage registration issued by the government of applicant's country, (certified by a R.O.C. embassy or representative). (If applicant's home country does not have marriage registration system, the certificate of marriage should be delivered.)
- E. Certificate of clean hands record or police clearance certificate, (certified by a R.O.C. embassy or representaticve)
- F. Certificate of passing health examination (valid for 3 months), (the hospital must be the one designated by Department of Health, Executive Yuan for foreiner's health examination) or the certificate of health examination issued by an approved hospital in foreign country and certified by a R.O.C. embassy or representaticve).
- G. Fee for residence visa.



How do foreign spouses apply for extension of visa of stay?



I Authorized Authority:

Foreign Affair Division, National Police Administration (NPA)

II Basis of Laws/Regulations:

Entry/Exist and Immigration Law and the Enforcement Rules thereof, and Regulations for Governing Stay, Residence and Permanent Residence of Foreigners.

III Procedures of Application:

Application should be made to Foreign Affair Division (Section), Police Bureau of Municipal or County (City) Government in the place of stay by surrendering the 60-day, extensible stay visa before expiration.

IV Required Documents:

- A. One copy of application form
- B. Passport
- C. Visa of stay (valid for 60 days, without stamping "Extension not permitted")
- D. Photocopy of spouse's domiciliar register (issued within the recent 3 months with record of marriage registration)



How do the foreign spouses holding Alien Resident Certificate apply for entry permit?



- I Authorized Authority:**
Foreign Affair Division, NPA
- II Basis of Laws/Regulations:**
Entry/Exit and Immigration Law and the Enforcement Rules thereof, and Regulations for Governing Stay, Residence and Permanent Residence of Foreigners
- III Procedures of Application:**
Application should be made to Foreign Affair Division (Section), Police Bureau of Municipal or County (City) Government in the place of residence.
- IV Required Documents:**
 - A. One copy of application form
 - B. Passport
 - C. Alien Resident Certificate
 - D. Transcript of spouse's domiciliary register (issued within the recent 3 months with record of marriage registration)
- V For convenience, this application can be made together with Alien Residence Certificate.**



How do the foreign spouses residing (staying) in Taiwan over the expiration date apply for exit out of this country ?



I Authorized authority:

Foreign Affair Division, NPA.

II Basis of Laws/Regulations:

Entry/Exit and Immigration Law and the Enforcement Rules thereof, Rules for Governing Stay, Residence and Permanent Residence of Foreigners, and Investigation Procedures and Penalty Standards for Fine Cases Subject to Entry/Exit and Immigration Law.

III Procedures of Application:

Application should be made to Foreign Affair Division, Police Bureau of Municipal or County (City) Government in the place of residence (stay).

IV Required Documents:

- A. One copy of application form
- B. Passport and visa
- C. Payment of fine

V Notes:

- A. For residence (stay) over a period not exceeding 30 days, fines can be paid and exit can be processed in Aviation Police Bureau or Harbor Police Bureau; for a period exceeding 31 days and more, in the Police Bureau in the place of residence (stay).
- B. Standards of fines imposed upon foreigners who reside (stay) over expiration date are as follows:
 - 1 Over 10 days and less: a fine of NT\$1,000
 - 2 Over 11 ~ 30 days: a fine of NT\$3,000
 - 3 Over 31~ 90 days: a fine of NT\$5,000
 - 4 Over 91 days and more: a fine of NT\$10,000
 - 5 For persons less than 18 years of age: 50% of the above respectively



How to apply for the certificate of loss of foreign passport?



- 一、 **Authorized Authority:**
Foreign Affair Division, NPA
- 二、 **Basis of Laws/Regulations:**
Not applicable
- 三、 **Procedures of Application:**
Application can be made to Foreign Affair Division (Section), Police Bureau of Municipal or County (City) Governments, Aviation Police Bureau or Harbor Police Bureau.
- 四、 **Require Documents:**
 - (一) One copy of application form
 - (二) Two 2" front, bust photos
 - (三) Identity evidencing documents other than passport
- 五、 **Notes:**
 - (一) Applicants should personally made the application for loss of passport, and the application for minors may be made by father, mother or guardians in minors' behalf.
 - (二) Foreigners who loss passports may report the loss to nearby Foreign Affair Division (Section), Police Bureau of Municipal or County (City) Government or Alien Resident Division of Aviation Police Bureau in airports.
 - (三) After reporting loss of passport, take the record to make application to the foreign embassy (consulate) or representative in R.O.C. for new passport or traveling document, then apply to the Police Bureau in the place of residence for exit permit.
 - (四) The foreigners holding Alien Resident Certificate should also apply for change of the information of passport, then apply for reissuing the re-entry permit.

Stay, Residence and Permanent Residence



How do foreign spouses apply for extension of Alien Residence Certificate or Residence Certificate?



- I Authorized Authority:**
Foreign Affair Division, NPA
- II Basis of Laws/Regulations:**
Entry/Exit and Immigration Law and the Enforcement Rules thereof, and Regulations for Governing Stay, Residence and Permanent Residence of Foreigners.
- III Procedures of Application:**
Application should be made to Foreign Affair Division (Section), Police Bureau of Municipal or County (City) Government in the place of stay.
- IV Required Documents:**
 - A. One copy of application form
 - B. Passport
 - C. Residence visa
 - D. Transcript of spouse's domiciliary register (issued within the recent 3 months with record of marriage registration)
 - E. Two 1" front, hatless, bust photo, taken recently
 - F. Fee for certificate (NT\$1,000 for one-year validity)
- V Notes:**
 - A. Foreigners entering Taiwan with residence visa should apply for Alien Resident Certificate within 15 days after the day following entry.
 - B. Who applies for reissuing residence visa in this country should apply for Alien Resident Certificate within 15 days after the day following reissuance of residence visa.
 - C. Who needs continuous residence should apply to the Police Bureau in the place of residence for extension within 15 days before expiration of Alien Resident Certificate.



How do foreign spouses apply for permanent residence in Taiwan ?



I Authorized Authority:

Foreign Affair Division, NPA

II Basis of Laws/Regulations:

Entry/Exit and Immigration Law and the Enforcement Rules thereof, and Regulations for Governing Stay, Residence and Permanent Residence of Foreigners.

III Procedures of Application:

Application should be made to the Foreign Affair Division (Section) of Police Bureau in the place of residence. After examined, the application will be submitted to NPA for review.

IV Required Documents:

- A. One copy of application form
- B. Two 1" front, hatless, bust photos taken recently
- C. Passports (new and old ones)
- D. Alien Resident Certificate or the certificate of lawful period of residence
- E. Certificate of passing health examination
- F. Certificate of payment of (or exemption from) taxes in the recent 3 years
- G. Certificate of property or special talents and skills
- H. Certificates of police records of applicant within the recent 5 years, both of his/her country and this country
- I. Other relevant evidencing documents



How do foreign spouses apply for registration of change of residence address?



I Authorized Authority:

Foreign Affair Division, NPA

II Basis of Laws/regulations:

Entry/Exit and Immigration Law and the Enforcement Rules thereof, and Regulations for Governing Stay, Residence and Permanent Residence of Foreigners

III Procedures of Application:

Application should be made to the Foreign Affair Division (Section) of Police Bureau in the place where the applicant moves in within 15 days after occurrence of the change.

IV Required Documents:

- A. One copy of application form
- B. Passport
- C. Alien Resident Certificate



Can foreign spouses continue to reside in case of death of Taiwan citizen spouse or divorce?



- I Authorized Authority:**
Foreign Affair Division, NPA
- II Basis of Laws/regulations:**
Article 29 of Entry/Exit and Immigration Law and Article 11 of Regulations for Governing Stay, Residence and Permanent Residence of Foreigners
- III Procedures of Application:**
Application should be made to the Foreign Affair Division (Section) of the Police Bureau in the place of residence (stay).
- IV Notes:**
 - A. In case of death of the Taiwan citizen spouse, his/her foreign spouse may apply for continuing to reside in Taiwan by law no matter whether they have children. However, the residence certificate can be withdrawn if any danger to public interest is found.
 - B. The foreign spouse who is divorced loses the reason for residence, therefore, he/she may not reside any more in principle, but for the sake of taking care of child (children), he/she may be allowed to continue to reside based on the reason of "other need for residence".
 - C. In principle, legal problems would not be the reason for continuing to reside after divorce, however, the residence may be extended depending on the need of individual case.



How do foreign spouses apply for police criminal records ?



I Authorized Authority:

Foreign Affair Division, NPA

II Basis of Laws/Regulations:

Statute of Issuing Police Criminal Records

III Procedures of Application:

Application should be made to Foreign Affair Division (Section), Police Bureau of Municipal or County (City) Government.

IV Required Documents:

- A. One copy of application form
- B. Passport, Alien Resident Certificate or Identity evidencing documents
- C. Certificate Fee: NT\$250 each copy

V Note:

Application can be made by mail or through internet.

Nationality and Domiciliary Register



How do foreign spouses apply for naturalization to acquire R.O.C. nationality?



I Authorized Authority:

Ministry of the Interior (MOI) (Population Administration Department)

II Basis of Laws/Regulations:

Nationality Law and the Enforcement Rules thereof

III Terms of Application:

A foreign spouse can apply for naturalization to acquire R.O.C. nationality if -- He/She has a resident place within R.O.C. territory (after obtaining Alien Resident Certificate) and legally resides in this country for a total of 183 and more days per year in 3 and more consecutive years. He/She is full of age of 20 and is a competent person according to R.O.C. and his/her home country laws. He/She is of good moral character without any criminal record. He/She submits evidence of sufficient property or skill to support or protect his/her living, and the evidencing document of loss of original nationality, or non-nationality, certified by a R.O.C. embassy or representative and verified by MOFA. He/She submits the document evidencing unavailability of acquiring the certificate of loss of original nationality due to reasons not attributable to him/her, which is checked and verified by a foreign affair authority.

IV Procedures of Application:

Application should be made in person to the Population Administration Office in the place of residence for submitting to MOI for approval.

V Required Documents:

- A. Application form for naturalization
- B. Original copy and Chinese translation copy of the document evidencing loss of original nationality or non-nationality, certified by a ROC embassy or representative (Chinese translation copy may certified by a notary); or according to the proviso of Article 9 of this Law, the original and Chinese translation copies of document issued by a foreign affair authority certifying that the declaration is verified true. (Chinese translation copy may be certified by a notary).
- C. Valid Alien Resident Certificate or Alien Permanent Residence Certificate

- D. Original copy of documents evidencing the number of years and days of residence in Taiwan (which must comply with the number of days of legal residence for 183 and more days per year in 3 and more consecutive years). The documents are: Alien Resident Certificate issued by police authority and the certificate of entry/exit dates issued by Bureau of Entry/Exit, NPA, MOI, proving compliance with the number of years mentioned in this Law.
 - E. Police criminal record issued by home country government or other relevant evidencing documents (not necessary for such person whose cause of residence shown in Alien Resident Certificate is " dependent spouse") and the police criminal record during residence in Taiwan.
 - F. Certificate of sufficient property or skill to support and protect living
 - G. Transcript of domiciliary register with registration of marriage. If the transcript is unavailable, submit the documents evidencing marriage and the nationalities/identities of foreign spouse and ROC national spouse. However, in case of getting married in Taiwan, the certificate of single status of foreign spouse, together with the Chinese translation copy thereof, certified by a ROC embassy or representative should be otherwise submitted.
 - H. Three 2" bust photos
 - I. Certificate fee (chargeable according to current standards)
- VI** For "Flow of Foreign Spouses' Naturalization by Marriage, Residence and Domicile Registration", refer to the schedule hereinafter.



How do foreign spouses applying for naturalization by marriage with Taiwan citizens apply for naturalization for the minor children they bore with foreigners previously?



I Authorized Authority:

MOI (Population Administration Department)

II Basis of Laws/Regulations:

Nationality Law and the Enforcement Rules thereof

III Terms of Application:

Minors of foreign nationality or non-nationality having R.O.C national parents or foster parents may also be allowed to apply for naturalization, notwithstanding they reside legally in R.O.C. territory for less than 3 consecutive years and in compliance with the requirements of good moral character, clean hands record and sufficient property or skill to support their living.

IV Procedures of Application:

Application should be made by minors' parents or legal representatives or guardians to the Population Administration Office in the place of residence for submitting to MOI for approval.

V Required Documents:

- A. Application form for naturalization
- B. Original copy and Chinese translation copy of certificate of loss of original nationality or non-nationality certified by a R.O.C embassy or representative and further verified by MOFA (Chinese translation copy may be certified by a notary), or according to the proviso of Article 9 of this Law, the original copy of document and Chinese translation copy issued by a foreign affair authority certifying that the declaration is verified true. (Chinese translation copy may be certified by a notary.)
- C. Valid Alien Resident Certificate or Alien Permanent Residence Certificate
- D. Police criminal record or other relevant certificates issued by home country government and Taiwan government during residence in Taiwan. (Not necessary for children under 14.)
- E. Letter of consent of parents or legal representative
- F. Certificate of R.O.C. nationalities of parents or foster parents
- G. Birth certificate and document evidencing parent-child

relationship child

H. Three 2" bust photos

I. Certificate fee (chargeable according to current standards)



How do the foreign spouses who marry Taiwan citizens apply for registration of marriage?



- I Authorized Authority:**
MOI (Population Administration Department)
- II Basis of Law:**
Article 17 of Domiciliary Registration Law
- III Procedures of Application:**
 - A. Application should be made by the person concerned to the Population Administration Office in the domicile place of the national of R.O.C.
 - B. If the person concerned can not make the application in person, he/she should submit a letter of attorney requesting Population Administration Office to approve, then proceed with the application. (The letter of attorney should be certified by a R.O.C. embassy or representative if made abroad).
- IV Required Documents:**
 - A. Marriage in Taiwan:
 - 1 Household list, ID card and chop of the R.O.C. national
 - 2 Certificate of marriage
 - 3 Foreign spouse's ID certificate and the single status certificate certified by a R.O.C. embassy or representative
 - B. Marriage abroad:
 - 1 Household list, ID card and chop of the R.O.C. national
 - 2 Marriage-evidencing document certified by a R.O.C. embassy or representative, or the original copy and Chinese translation copy of marriage registration filed with the foreign government.
- V Foreign spouses should use Chinese names for marriage registration; the family name should comply with the usage of R.O.C. nationals.**



How do foreign spouses apply for registration of divorce?



I Authorized Authority:

MOI (Population Administration Department)

II Basis of Laws/Regulations:

Article 17 of Domiciliary Registration Law

III Procedures of Application:

A. Divorce in Taiwan

1 Divorce by consent

(1) Application should be made by both parties concerned to the Population Administration Office in the domicile place of the R.O.C. national.

(2) If the person concerned can not make the application in person, he/she should submit a letter of attorney requesting approval from Population Administration Office, then proceed with the application.

(3) The effective date of divorce will be the day on which the registration of divorce is completed in the Population Administration Office.

2 Divorce by decree of court

(1) Application should be made by both parties or one party concerned to the Population Administration Office in the domicile place of the R.O.C. national.

(2) If the person concerned can not make the application in person, he/she should submit a letter of attorney requesting approval from the Office, then proceed with the application.

(3) The effective date of divorce will be the day on which the decree is made by the court.

B. Divorce abroad

- 1 Application should be made by both parties or one party concerned (limited to the divorce by decree) to the Population Administration Office in the domicile place of the R.O.C. national.
- 2 If the person concerned can not make the application in person, he/she should submit a letter of attorney requesting approval from the Office, then proceed with the application. (The letter of attorney should be certified by a R.O.C. embassy or representative if made abroad).

IV Required Documents:

A. Divorce in Taiwan

- 1 Household list of the R.O.C. national
- 2 Divorce agreement or the divorce decree and decision of court

B. Divorce abroad

- 1 Household list of the R.O.C. national
- 2 Original copy and Chinese translation copy of certificate of divorce certified by a R.O.C. embassy or representative, or registration of divorce filed with the foreign country government



How do the children of foreign spouse and R.O.C. national apply for registration of birth?



I Authorized Authority:

MOI (Population Administration Department)

II Basis of Laws/Regulations:

Article 4, 14, 31, 44, 46, 47 and 53 of Domiciliary Registration Law and Article 10 of Entry/Exit and Immigration Law

III Procedures of Application:

- A. Born in Taiwan: Application should be made by father, mother, grandfather, grandmother, head of household, cohabitant or rearer to the Population Administration Office in the place of residence.
- B. Born abroad: Application should be made by surrendering the residence certificate, (made to Bureau of Entry & Exit, NPA, MOI according to Entry/Exit and Immigration Law), by the head of household or legal representative to the Population Administration Office in the domicile place for initial registration of domiciliary register.
- C. If the person concerned can not make the application in person, he/she should submit a letter of attorney requesting approval from Population Administration Office, then proceed with the application. approved by the Office. (The letter of attorney should be certified by a R.O.C. embassy or representative if made abroad.)

IV Required Documents:

- A. Born in Taiwan
 - 1 Household list, applicant's ID card and chop
 - 2 Birth certificate
- B. Born abroad
 - 1 Household list of the applicant who applies for initial domicile registration, ID card and chop of the head of household or legal representative
 - 2 Residence certificate
- C. If the person concerned can not make the application in person, he/she should submit a letter of attorney requesting approval from Population Administration Office, then

proceed with the application. (The letter of attorney should be certified by a R.O.C. embassy or representative if made abroad.)

V Notes:

- A. After promulgation of Nationality Law, as amended, on Feb. 9, 2000, the children the female R.O.C. national and male foreigner bore in Taiwan during the existance of marriage may apply for birth registration in the domicile place of the biological mother. However, the minors of the time of promulgation of this amended Law, i.e. the children born before Feb. 10, 1980, may make the application to Bureay of Entry & Exit for residence certificate, based on which the application for initial domicile registration can be made.
- B. The name of children used in birth or initial domicile registration should comply with the usage of name commonly adopted in this country.

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