

Addendum 12: Determination of employer qualifications, allocation ratio and number of hired employees for foreign workers employed to engage in work detailed in Article 56

Industry		1. Employer qualification	2. Allocation Ratio	3. Determining number of employees	4. Determining total number of foreign workers
(1) Agriculture and food work	1、Vegetables	Employers who cultivate vegetables and are engaged in growing seedlings, production management, maintenance and management of related tools and machinery, harvesting, planting, picking and packaging work, when the actual scale of production is 1 hectare or more, with greenhouse facilities accounting for an area of 1 hectare or more, and the central competent authority in charge of the target business confirms it to be in compliance with one of the following qualifications: : 1. Complies with the definition of a farmer or farmers' association in Article 3 of the Agricultural Development Act.	(1) In cases where the employer is a natural person who meets the definition of a farmer or farmers' organization, and employs 10 or fewer employees, the number of foreign workers in the initial recruitment application and total number of foreign workers employed cannot exceed the average number of employees per month hired by the employer in the Republic of China in the year preceding the two months prior to the approval letter issued by the central competent authority for the target industry. (2) In cases where the employer is a natural person who meets the definition of a farmer or farmers'	1. The average number of employees hired by an employer is calculated as the monthly average number of employees with labor insurance and included on the same labor insurance certificate number in the one year period prior to the two months before the month in which the confirmation letter is issued by the central competent authority in charge of the target business, plus the following subjects actually engaged in agricultural work at agricultural, forestry, animal husbandry or aquaculture work locations owned by an employer, as confirmed by the central competent authority in charge of the	Confirmation of the total number of foreign workers hired by an employer to engage in animal husbandry, agricultural and food, and aquaculture work, or any other agricultural and forestry work designated by the Central Competent Authority in consultation central competent authority in charge of the target business includes the following: 1. Number of foreign workers included on an initial recruitment application. 2. Number of workers on a recruitment application, number with a recruitment permit and number of employed foreign workers 3. Number of workers impacted by the cancellation of foreign worker recruitment permits and employment

		2. A business entity engaged in the management of the vegetable industry.	organization, and employs over 10 employees, the number of foreign workers in the initial recruitment application and total number of foreign workers employed cannot exceed 35 percent of the average number of employees per month hired by the employer in the Republic of China in the year preceding the two months prior to the approval letter issued by the central competent authority for the target industry.	<p>target business:</p> <p>(1) Individuals enrolled on the farmers' health insurance program.</p> <p>(2) Individuals enrolled on the labor insurance program pursuant to the provisions of Subparagraph 8, Paragraph 1 of Article 6 of the Labor Insurance Act.</p> <p>2. The additional subjects referred to in the previous paragraph are confirmed as employees upon an application made pursuant to the requirements herein, with no double counting between different employers.</p>	permits, for reasons attributable to the employer, in the two years preceding the application
	2、Flowers	Employers involved in the cultivation of ornamental flowers, engaged in the production management, nursery cleaning, harvesting, packing etc. With regards to the aforementioned qualification verification, employers who engage in seed planting as part of their business should include a plant seed enterprise registration certificate.			
	3、Plant seeds	(1) Employers who manage a plant seed enterprise (excluding paddy rice seedling nurseries), have obtained a plant seed enterprise registration certificate in accordance with The Plant Variety and Plant Seed Act, engage in the cultivation, collection and propagation of vegetables, fruit trees, flowers, miscellaneous			
		(3) In cases where the employer is an enterprise actively engaging in industry work (including legal persons and business entities with no legal person status), the number of foreign workers in the initial recruitment application and total number of foreign workers employed cannot exceed 35 percent of the average number of domestic employees per			

		<p>grains, and specialty crop seeds, whose actual production scale is 0.5 hectares or more, and have been verified by the Central Competent Authority as meeting regulations.</p> <p>(2) Employers involved in the management of paddy rice seedling nurseries, engaged in the production management of rice seedlings, organization and preparation of nurseries, seedling soil, seedling trays, seeds etc., as well as the rolling and delivery of rice seedlings, and other related work, whose actual production scale is 3 hectares or more, have obtained a plant seed enterprise registration certificate, participated in the three-stage propagation renewal system for paddy rice seed production in the past three years, and been</p>	<p>month hired by the employer in the Republic of China in the year preceding the two months prior to the approval letter issued by the central competent authority for the target industry.</p> <p>(4) In accordance with the previous two points, the ratio of initial recruitment application foreign workers to the total number of foreign workers employed can be increased by 5 percent, if the employer pays an extra NT\$3,000 employment security fee for each foreign worker per month. However, the total number shall not exceed 40 percent of the average number of employees per month hired by the employer in the year preceding the two months prior to the application.</p>		
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		verified by the central competent authority for the target industry as meeting regulations.			
	4 、 Fruit trees	Employers involved in the cultivation of fruit trees, engaged in production management, harvesting, packing etc, whose actual scale of production is 2 hectares or more, and verified by the central competent authority for the target industry as meeting one of the following qualifications: (1) Meet the definition of farmer or farmers' organization as defined in Article 3 of the Agricultural Development Act (2) An enterprise actively engaged in the fruit tree industry			
	5 、 Miscellaneous grains	Employers involved in the cultivation of miscellaneous grains, engaged in production management, harvesting, packing etc., whose actual			

		<p>scale of production is 10 hectares or more, and verified by the central competent authority for the target industry as meeting one of the following qualifications:</p> <p>(1) Meet the definition of farmer or farmers' organization as defined in Article 3 of the Agricultural Development Act</p> <p>(2) An enterprise actively engaged in the miscellaneous grains industry</p>			
	6、Specialty crops	<p>Employers involved in the cultivation of specialty crops, engaged in production management, harvesting, preliminary processing, packing etc., whose actual scale of production is 2 hectares or more, and verified by the central competent authority for the target industry as meeting one of the following qualifications:</p> <p>(1) Meet the definition of</p>			

		<p>farmer or farmers' organization as defined in Article 3 of the Agricultural Development Act</p> <p>(2) An enterprise actively engaged in the specialty crops industry</p>			
	7、 Facility cultivation	<p>Employers involved in protected agriculture cultivation, engaged in production management, harvesting, cultivation waste treatment, packing etc., and whose actual scale of production is 0.5 hectares or moree, or 225,000 bags and above., and the central competent authority in charge of the target businessconf irms it to be in compliance with one of the following qualifications:</p> <p>(1) Complies with the definition of a farmer or farmers' association in Article 3 of the Agricultural Development Act.</p>			

		(2) An enterprise actively engaging in protected agriculture cultivation.			
(2)Forestry work		<p>An employer involved in forestry or directly engaged in growing seedlings (including seed collection), afforestation, silviculture, logging (including bucking, yarding, and transporting), etc. and verified by the central competent authority for the target industry as meeting one of the following qualifications :</p> <p>(1) An enterprise actively engaging in forestry that meets the following qualifications: :</p> <p>A 、 Legally registered company, with a business that includes cultivating seeds, afforestation, silviculture and logging.</p> <p>B 、 Undertaken government agency-related contract forestry work over the past three years, with a</p>			

	<p>minimum of five more cases.</p> <p>(2) A government accredited non-profit private organization, agricultural enterprise or institution, or private forest owner (natural person) managing a forest area of 30 hectares or more.</p>			
(3) Aqua-culture work	<p>Employers with an aquaculture business license or caged aquaculture businesses zone designated fishing industry license issued by the competent authority in charge of the target business or a caged aquaculture businesses entry certificate issued by an exclusive fishing rights holder, who completed the reporting of stocking capacity for the previous year or the current year, and the central competent authority in charge of the target business confirms it to be in compliance with relevant regulations.</p>	<p>(1) If the employer is a natural person, the number of foreign workers in an initial recruitment application and total number of foreign workers employed cannot exceed the average number of employees per month hired by the employer in the Republic of China in the year preceding the two months prior to the approval notice issued by the central competent authority for the target industry, and cannot exceed 10 people.</p> <p>(2) If the employer is a legal person, the number of foreign workers in an initial</p>		

(4) Animal husbandry work	Employers with an animal husbandry farm registration certificate or livestock and poultry breeding registration certificate acquired pursuant to the provisions of the Animal Industry Act, who raise cattle, sheep, horses, pigs, deer, rabbits, chickens, ducks, geese, turkeys, or other live-stock and poultry designated by the central competent authority in charge of the target business, engaging in feeding management, breeding, milking, egg collection, animal husbandry farm environment management and disinfection, waste disposal and reuse, feed preparation, disease prevention and other related manual work determined by the central competent authority in charge of the target business to be in compliance with existing regulations.	recruitment application and total number of foreign workers employed cannot exceed 35 percent of the average number of employees per month hired by the employer in the Republic of China in the year preceding the two months prior to an approval letter issued by the central competent authority for the target industry. (3) In accordance with the two previous points the ratio of foreign workers in an initial recruitment application to the total number of foreign workers employed can be increased by 5 percent, if the employer pays an extra NT\$3,000 employment security fee for each foreign worker per month. However, the total number shall not exceed 40 percent of the average number of employees per month hired by the employer in the year preceding the two months		
(5)Livestock	Employers with a			

manure composting work	commissioned manure composting area who have obtained a livestock manure composting site operational permit issued by the central competent authority for the target industry, engaging in the processing and reuse of livestock manure and other waste, including the operation, transportation and other related manual work, and verified by the central competent authority for the target industry as meeting regulations.	prior to the application.		
(6) Other work in the fields of agriculture, forestry, animal husbandry, and aquaculture designated by the Central Competent Authority in consultation with relevant central	Employers engaged in the fields of agriculture, forestry, animal husbandry, or aquaculture and directly involved in manual work, as publicly announced by the Central Competent Authority in consultation with the central competent authority in charge of the target business.	The allocation ratio for the number of workers on an employer's initial recruitment application and number of foreign workers employed will be announced by the Central Competent Authority in consultation with the central competent authority in charge of the target business.	The average number of employees hired by an employer will be announced by the Central Competent Authority in consultation with the central competent authority in charge of the target business.	

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