

Amended Articles 7, 31 and 36 of the Regulations on the Permission and Administration of the Employment of Foreign Workers

Article 7

Employers who apply to hire type A foreign workers are required to provide the following documentation:

1. Application form.
2. Photocopies of the National ID card, passport or Alien Resident Certificate (ARC) of the applicant or person in charge of the company, company registration, business registration certificate, factory registration certificate and franchise license. However those exempted from providing factory registration certificates or franchise licenses are not subject to the above provision.
3. Photocopy of the employment contract.
4. A list of employed foreigners, including photocopies of their passports or ARCs and graduation certificates. Those foreigners who enter Taiwan to engage in work detailed in Subparagraph 2, 5 and 6, Paragraph 1, Article 46 of the regulations are exempted from providing a photocopy of their graduation certificate.
5. Original copy of review fee receipt.
6. Other documents required by central competent authorities.

Applications for foreigners to enter Taiwan to engage in work listed in Paragraph 3, Article 51 of the regulations requires the submission of documentation detailed in Subparagraphs 1, 5 and 6 in the aforementioned paragraph in addition to the following:

1. Photocopy of the hiring contract, sale and purchase contract or technical cooperation contract etc.
2. Certified registration documents for contracted local or overseas legal instruments.
3. Certified documents detailing issuance of assigned work to foreign legal instrument.
4. Certified documents showing the registration or accreditation of the applicant. Franchise businesses are required to submit photocopies of their license certificate and the company owner's National ID, passport, or ARC.
5. List of contracted foreigners, as well as photocopies of their passports or ARCs and graduation certificates. However, where the combined contracted work period within a year of the date of application and current applied for work period do not exceed 90 days a photocopy of the graduation certificate is not required.

When the documents provided for the above two items are from overseas, the central competent authority should have them verified by a Republic of China overseas mission.

When the employer is a civic organization other than having to provide the documents detailed in Subparagraph 1 and 3-6, Paragraph 1, organization accreditation documents and photocopies of the organization responsible person's National ID, passport or ARC must also be provided.

Article 31

When foreign students in Taiwan detailed in the previous article work they must observe the following regulations:

1. They must be officially enrolled to study a junior college, university or graduate school, or be attending a language program for longer than one year.
2. When the attended school confirms the following:
 - (1) A student does not have the financial resources to continue his/her studies or cover the living expenses, providing concrete evidence of the aforementioned.
 - (2) A teaching or research department at the attended school requires the foreign student to undertake work.

The aforementioned regulations do not apply to foreign students with the following qualifications:

1. Students who specialize in languages and to whom one of the following conditions pertains, who receive approval from the Ministry of Education:
 - (1) Students who after enrolling work part time as foreign language teachers at a college affiliated language center or at a foreign cultural and educational foundation affiliated language center in Taiwan.
 - (2) Students who after enrolling assist with school based language expertise related teaching activities.
2. Students who attend graduate school and with the agreement of the attended school engage in study-related research work.

Article 36

Employers who apply to hire type D foreign workers are required to provide the following documentation:

1. Application form.
2. Photocopies of the National ID card, passport or Alien Resident Certificate (ARC) of the applicant or company responsible person, company registration, business registration certificate, factory registration certificate and franchise license. In accordance with related legal provisions this does not apply to those not required to apply for factory registration certificates and government licensed business permits
3. Photocopy of the employment contract or labor contract.
4. Photocopy of the passport of the employed foreigner.
5. Photocopy of the ARC or Permanent Resident Permit of the employed foreigner.
6. Original copy of review fee receipt.
7. Other documents required by competent central government agencies.

When the employer is a civic organization other than having to provide the documents detailed in Subparagraph 1 and 3-7, Paragraph 1, organization accreditation documents and photocopies of the group owner's National ID, passport or ARC must also be provided.