

法規名稱：MEMORANDUM OF UNDERSTANDING BETWEEN THE TAIPEI ECONOMIC AND CULTURAL OFFICE, AUSTRALIA AND THE AUSTRALIAN COMMERCE AND INDUSTRY OFFICE, TAIPEI RELATING TO WORKING HOLIDAY VISAS

簽訂日期：民國 93 年 07 月 15 日

生效日期：民國 93 年 11 月 01 日

THE TAIPEI ECONOMIC AND CULTURAL OFFICE, AUSTRALIA AND THE AUSTRALIAN COMMERCE AND INDUSTRY OFFICE, TAIPEI

IN A SPIRIT of promoting closer co-operation between the territories they represent;

DESIROUS of providing wider cultural and people-to-people contacts and for the youth to appreciate the culture and general way of life of the other for the purpose of promoting mutual understanding;

WISHING to provide reciprocal arrangements in relation to working holidays which are intended to make it possible for holders of passports issued on authority from Taipei to enter Australia, and for holders of passports issued on authority from Canberra to enter Taiwan, primarily for a holiday for an extended period and also to engage in employment as an incidental aspect of that holiday in order to supplement their travel funds;

HAVE REACHED the following understandings:

1. GENERAL

This Memorandum of Understanding (hereinafter referred to as "Memorandum") expresses the understandings and intentions of the Australian Commerce and Industry Office, Taipei (ACIO) and the Taipei Economic and Cultural Office, Australia (TECO) (hereinafter referred to as "the Parties") in relation to granting Australian working holiday visas and Taiwan visitor visas for working holiday makers (hereinafter both referred to as "visas for working holiday makers") from November 1, 2004.

2. TERMS OF ISSUE OF VISAS

(a) From November 1, 2004, the Parties will process and evidence, according to their respective laws, multiple entry visas for working holiday makers for a period of twelve (12) mont-

hs to persons who satisfy each of the following requirements
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- (i) are eligible holders of valid passports issued on authority from Canberra or Taipei;
 - (ii) intend primarily to holiday in Taiwan or Australia for a specified period;
 - (iii) are aged between eighteen (18) and thirty (30) years inclusive at the time of application for the visa;
 - (iv) are persons who are not accompanied by dependent children ;
 - (iv) have not previously taken part in the Working Holiday scheme;
 - (v) possess a valid passport and a return travel ticket or sufficient funds with which to purchase such a ticket;
 - (vii) possess reasonable funds for their maintenance during the period of initial stay in Taiwan or Australia; and
 - (viii) have good health and a sound background.
- (b) Further details on how the Working Holiday Arrangement will operate are set out in the Annex.

3. Persons who have entered Australia or Taiwan on a visa for working holiday makers under this Memorandum will be required to comply with all local laws, statutes and regulations, and not engage in employment that is contrary to the purpose of the working holiday scheme.

4. SUSPENSION

Either Party may temporarily suspend the foregoing provisions in whole or in part for reasons of public policy. Any such suspension will be notified immediately to the other Party in writing.

5. AMENDMENT

Amendments to this Memorandum may be made at any time by a written arrangement between the Parties.

6. COMMENCEMENT AND DURATION

6.1 This Memorandum will come into effect from November 1, 2004 and will continue in effect until terminated by either Party



by three months written notice to the other Party.

6.2 Notwithstanding any termination or any suspension of this Memorandum or of any provisions of this Memorandum, unless otherwise agreed by the Parties, any person who at the date of such termination or suspension already holds a valid visa for working holiday makers will be permitted to enter and/or remain in Taiwan or Australia, and to engage in activities in accordance with such visa until such visa expires.

SIGNED in duplicate at Taipei on the fifteenth day of July 2004 in the English and Chinese languages, each text being equally valid.

FOR THE TAIPEI
ECONOMIC AND
CULTURAL OFFICE,
AUSTRALIA

FOR THE AUSTRALIAN
COMMERCE AND
INDUSTRY OFFICE,
TAIPEI

Mr. Yang, Chin-Tien
Representative

Ms. Frances Adamson
Representative

Annex to the Memorandum of Understanding Relating to Working Holiday Visas

This Annex confirms the arrangements under which the Memorandum of Understanding between the Australian Commerce and Industry office, Taipei and the Taipei Economic and Cultural Office, Australia relating to visas for working holiday makers will operate

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- (1) Participants from Australia must be eligible holders of valid passports (other than Certificates of identity or other documents of identity) issued on authority from Canberra. Participants from Taiwan must be eligible holders of valid passports issued on authority from Taipei, who have household registration in Taiwan.
 - (2) For both Australia and Taiwan, the principal purpose of vis-



- its under the Working Holiday Maker arrangement is a holiday with work being incidental to the holiday. It is policy that the working holiday makers not work for the full twelve (12) months of the visit.
- (3) Applications for visas for working holiday makers from eligible holders of passports issued on authority from Canberra may be lodged directly at the Taipei Economic and Cultural Offices (TECOs) in Australia.
 - (4) Applications for visas for working holiday makers from eligible holders of passports issued on authority from Taipei may be lodged directly at the Australian Commerce and Industry Office (ACIO), Taipei.
 - (5) In Australia, a visa for working holiday makers will automatically allow the visa holder to work and reside in Australia for a period of twelve months.
 - (6) Visas for working holiday makers issued by the TECOs to Australian working holiday makers will be valid for one year and allow for multiple entry to Taiwan. The visa will allow for an initial period of stay of 180 days, which may be renewed for up to another 180 days provided that the visa is still valid. The visa will automatically permit the holders to engage in paid employment. The permitted work period should not exceed the validity of the visa.
 - (7) In Taiwan, working holiday makers must not be employed by any one employer for more than three (3) months.
 - (8) In Australia, working holiday makers must not be employed by any one employer for more than three (3) months without the permission of the Secretary of the Department of Immigration and Multicultural and Indigenous Affairs in Australia.
 - (9) In both Australia and Taiwan, there will be no restrictions on the type of employment working holiday makers may undertake. Employment in a profession in both Taiwan and Australia, however, is dependent upon recognition of qualifications and any rules of registration for practice in that profession.

- (10) In Australia, working holiday makers will not be permitted to engage in any studies or training for more than three (3) months.
- (11) In Taiwan, working holiday makers will not be permitted to undertake any formal courses other than Chinese language courses and for no more than three (3) months.
- (12) For both Australia and Taiwan, applicants may not be accompanied by dependent children. Any spouse would need to apply for a visa independently under the scheme.
- (13) For both Australia and Taiwan, there will be a requirement to show evidence of funds of AUD5,000 and NT\$100,000 respectively and either a return ticket or evidence of sufficient funds for a return or onward flight.
- (14) For both Australia and Taiwan, applicants will be interviewed when necessary by representatives of each of the Parties to determine their eligibility for the grant of a visa.
- (15) The Taipei Economic and Cultural Offices in Australia will facilitate the issuance of up to 1,000 visas for working holiday makers per annum to eligible Australian applicants.
- (16) For the purpose of this Annex and above Memorandum of Understanding, the terms "issued on authority from Canberra" and "issued on authority from Taipei" do not mean the issuing office must be located (respectively) in Canberra and Taipei.