

# *Immigration Guide*

## Taiwan

*PwC International Assignment Services*



### *Entry Visa*

Citizens from countries which have negotiated a visa waiver for entry to Taiwan are permitted to stay for a period of 30 or 90 days. Nationals of countries that do not have a visa-waiver concession must apply for an appropriate visa prior to entry.

Additional information can be found on the website of the Bureau of Consulate Affairs, Ministry of Foreign Affairs of Taiwan.

### *Business Visitor*

Foreigners who fall within the visa waiver concession can enter Taiwan without the need to apply for a separate visa or permit to participate in activities including meetings with potential clients, exploring business opportunities, attending conferences, and conducting inspection tours.

Nationals from non-visa-waiver countries participating in the same business activities must apply for a Visitor Visa and indicate that the visit is for business purposes.

Applications can be made through the nearest Taiwan Embassy or Taipei Economic and Cultural Office in the individual's country of residence.

### *Work Permit*

A Work Permit must be obtained where work is to be performed in Taiwan. This will apply regardless of whether a foreigner (excluding PRC National) is directly engaged by a Taiwanese employer or assigned by a foreign legal entity to fulfil contract obligations in Taiwan.

In certain circumstances, foreigners working on assignment in Taiwan for no more than 30 days to fulfil contract obligations for specialised or technical work may not be required to apply for a Work Permit. This is on the basis that the individual's approved Entry Visa may be deemed to also constitute a work permit for this limited duration. This provision would also apply to visa-waiver nationals.

## ***Family Members***

A Work Permit holder's spouse and unmarried children under the age of 20 are eligible to apply for a Visitor Visa (for stays of up to six months) or Resident Visa (for stays of more than six months) to enable them to reside with the main permit holder in Taiwan.

Unmarried partners would be eligible to apply for a different category of Visitor Visa, but would not be eligible for a Resident Visa.

Same-sex relationships are not recognised by the immigration authorities in Taiwan.

A family member who intends to take up employment in Taiwan must obtain a Work Permit in his or her own right.

## ***Application Process***

A Work Permit application must be made by the sponsoring entity in Taiwan to the Workforce Development Agency. The application can be submitted in advance of the foreigner's arrival in Taiwan.

The maximum duration that can be applied for is three years for specialised or technical work. However, the duration granted will be subject to the actual assignment period and the discretion of the approving Agency.

Following approval of the Work Permit, the foreigner as well as accompanying family members must apply for a Visitor Visa or Resident Visa. The type of visa required will vary according to the term of the Work Permit and duration of stay. The approving authority may also vary according to the individual circumstances and nationality of the Work Permit holder and accompanying family members.

## ***Alien Resident Certificate***

A foreigner who has been granted a Resident Visa to stay in Taiwan for more than six months is also required to apply for an Alien Resident Certificate (ARC) at the National Immigration Agency in Taiwan. The Resident Visa only provides a single entry visa, whereas the ARC has the function of a re-entry permit and must be presented for entry and departure purposes at the immigration checkpoints in Taiwan.

Holders of a Visitor Visa are not required to apply for an ARC.

## ***Documentation***

Supporting documents required for a Work Permit application will typically include education certificates, reference letters for related previous/current work experience, passport ID pages, and registration documents from the employer/sponsor in Taiwan.

The marriage certificate and children's birth certificates of accompanying family members are required to be legalised by a relevant government agency of the country where they are issued and authenticated by the Taiwan Embassy or Taipei Economic and Cultural Office in that location. The appropriate government agency varies according to territory, and should be confirmed prior to submission of the visa application.

## *Timeline*

The Work Permit processing time is approximately two weeks from the date of submission, provided all documents are in order.

The subsequent processing time for the Visitor Visa or Resident Visa can vary from one day to one week.

The ARC processing time is approximately 10 working days.

## *Additional Points to Note*

Application requirements vary for PRC nationals (excluding Hong Kong and Macau residents) to enter Taiwan. Relevant information will be provided on a case-by-case enquiry basis.

## *Alternative Immigration Options*

All PRC Nationals (excluding Hong Kong and Macau residents) are required to apply for Taiwan Entry Permit to enter Taiwan in accordance with their purposes (i.e. business activities). Relevant information will be provided on a case-by-case basis.

Please note that in general, the applications must be submitted by the inviter in Taiwan unless the individuals are travelling to Taiwan for leisure and tourism purposes.

The Entry Permit application for PRC Nationals may take from two weeks up to months and subject to the approval of National Immigration Agency in Taiwan.

### ***Visa for Investment***

Subject to certain criteria, foreign investors with investments in Taiwan of more than US\$200,000 are eligible to apply for a Resident Visa of more than six months' duration.

### ***Resident Visa for Entrepreneur***

In order to promote innovation and business opportunities in Taiwan, starting from July 31, 2015, foreign entrepreneur (including Hong Kong and Macau Residents) can apply for Resident Visa for Entrepreneur if certain criteria are met to start a business in Taiwan. For example, the eligibility includes securing investment from a domestic or overseas venture capital enterprise, or obtained funding of at least NT\$2 million from a government-approved international fund-raising platform. The applications can be submitted by individuals or by team/group. Relevant information will be provided on a case by case enquiry basis.

The applicant is required to submit the application at the Taiwan Embassy or Taipei Economic and Cultural Office abroad before travelling to Taiwan. The Visa will be reviewed and issued by the Investment Commission, Ministry of Economic Affairs in consultation with other relevant industry competent authorities; other agencies may be invited to participate for reviewing purposes. The current quota for issuing Entrepreneur Visa is limited to 2,000 a year.

Please be advised after foreign individual enters Taiwan with approved Resident Visa for Entrepreneur, the individual is required to apply for an ARC within 15 days from the next day of arrival.

The approved applicant will be granted a visa up to one year in the first year of application; however, if the individual meets certain criteria afterwards, Visa can be extended for another two years.

### *Non-Compliance*

Non-compliance with Taiwan immigration regulations may result in a fine and/or jail term. Foreigners found in violation of the regulations may be immediately ordered to depart from Taiwan and banned from engaging work there.

For PRC Nationals, if the individuals have exceeded their stay or have been discovered to hold Entry Permit that is inconsistent with their purposes may be immediately ordered to depart from Taiwan and banned from applying new applications for one to four years with a fine from NT\$2,000 to NT\$10,000. For the “inviter” (i.e. Taiwan Company), if the PRC Nationals have exceeded their stay, lied about their purposes, itinerary and inviter, the “inviter” will be banned from “inviting” PRC Nationals for six months to five years. In addition, if the inviter has been discovered for applying inappropriate Entry Permit for the individuals, the Taiwan entity will be fined from NT\$200,000 to NT\$1 million.

### *Contact*

This Guide is intended to provide a general overview of the immigration requirements and options available to foreigners seeking to reside and work in Taiwan. For advice relating to a specific immigration matter please contact:

<b>Name</b>	<b>Email</b>	<b>Telephone</b>
Li-Li Chou	li-li.chou@tw.pwc.com	+886 2 2729 6566
Jiun-Lin Tsai	jiun-lin.tsai@tw.pwc.com	+886 2 2729 6666 ext 23437
Jenny E Chen	jenny.e.chen@tw.pwc.com	+886 2 2729 6666 ext 23434

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