Content

Title：	Regulations for the Approval and Management of Employment of Foreign Nationals by Embassies, Consulates, Foreign Offices, International Organizations, and their Personnel in the Republic of China (Taiwan) Ch
Date：	2018.12.25
Legislative：	Promulgated March 31, 1993 Amended September 10, 1993 Amended December 25, 2018
Content：	Article 1 These regulations are issued in accordance with Article 49 of the Employment Service Act (hereafter “the Act”). Unless otherwise specified in another treaty, agreement, or law, the approval and management of employment of foreign nationals by embassies, consulates, foreign offices, international organizations, and their personnel in the Republic of China (Taiwan) shall be carried out in accordance with these regulations. Article 2 In these regulations, the following terms shall be defined thus: 1. The term “foreign office in the Republic of China (Taiwan)” means any foreign office established in the Republic of China (Taiwan) with the authorization of the Ministry of Foreign Affairs in accordance with Article 2 of the Statute Governing the Privileges and Immunities of Foreign Offices and their Personnel in the Republic of China (Taiwan). 2 2. The term “official staff member” means any personnel of an embassy, consulate, foreign office, or international organization who enjoys diplomatic privilege. 3. The term “foreign employee” means any foreign staff employed exclusively in the service of an embassy, consulate, foreign office, or international organization. 4. The term “foreign attendant” means any foreign national employed exclusively in the service of the head of an embassy, consulate, foreign office, or international organization, and who shares the same nationality as the employer. 5. The term “foreign member of the private staff” means any foreign national member of the private staff employed exclusively in the service of an official staff member of an embassy, consulate, foreign office, or international organization. Article 3 The number of foreign employees, foreign attendants, and foreign members of the private staff that may be employed by an embassy, consulate, foreign office, international organization, and its personnel thereof shall be determined in accordance with the following guidelines: 1. Foreign employees: the Ministry of Foreign Affairs shall approve the employment of a reasonable number of foreign employees according to its assessment of the practical needs of an embassy, consulate, foreign office, or international organization. 3 2. Foreign attendants and foreign members of the private staff: A head of an embassy, consulate, foreign office, or international organization shall be allowed a maximum of

two foreign attendants and foreign members of the private staff, and other official staff members shall each be allowed one member of the private staff. Actual authorized employment quotas shall be defined according to the principle of mutual reciprocity.
Article 4 One month before hiring a foreign national to undertake work, an embassy, consulate, foreign office, international organization, or its personnel in the Republic of China (Taiwan) shall submit to the Ministry of Foreign Affairs a note verbale or letter, together with the following documents, for issuance of an employment permit:
1. A copy of the employment contract.
2. A health certificate, issued either by a foreign hospital approved by an overseas mission of the Republic of China (Taiwan) or by a domestic hospital designated by the Republic of China (Taiwan), indicating the prospective employee is in good health. A prospective employee who, in accordance with the applicable regulations, is exempt from carrying out a health examination need not provide such a health certificate.
3. Two 2-inch photographs of the prospective employee showing the face and top of the shoulders.

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4. A photocopy of the prospective employee's identification document.
5. Other documents as required.
The copy of the employment contract specified in Item 1 of the preceding paragraph shall include the following items:
1. The name of the employing organization or individual.
2. The prospective employee's name, date of birth, nationality, passport number, and residential address abroad.
3. The proposed title of the prospective employee and the nature of the job to be undertaken.
4. The beginning and end dates of the prospective employee's employment.
5. A statement indicating that the employer will take responsibility for payment of all travel expenses that may be incurred by departure of the prospective employee from the Republic of China (Taiwan).
6. Instructions from the employer to the prospective employee that the employee shall, upon receipt of salary, be responsible for paying all required taxes to the relevant authority.
Article 5 Within three days after a prospective employee requiring a health examination enters the Republic of China (Taiwan), the employer shall arrange for the individual to undergo a health examination at a designated hospital in the Republic of China (Taiwan). The employer shall submit the results of that

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examination to the municipal or county department of health of the municipality or county in which the employer resides.
When applying for an employment permit in accordance with these regulations, the Regulations Governing Management of the Health Examination of Employed Aliens shall apply mutatis mutandis in determining the parameters of the health certificate to be obtained before or after the prospective employee's entry into the Republic of China (Taiwan), the items comprising the health examination, and the hospitals designated to carry out health examinations after entry into the Republic of China (Taiwan).
Article 6 An employment permit issued under these regulations shall have a one-year term of validity from the date of issuance. If it becomes necessary to extend the term of employment of a foreign employee beyond the expiration date of the

employment permit, an application for extension must be submitted within one month prior to the expiration of the permit to the Ministry of Foreign Affairs, and must include a copy of the current employment permit, a copy of the renewed employment contract, and proof or waiver of tax payment. No extension of a term of employment may exceed one year.

Article 7 The Ministry of Foreign Affairs shall issue to each foreign attendant who is employed under these regulations a residence visa and an identification card for a foreign attendant to the head of a diplomatic mission/foreign office, which shall have a maximum term of validity of one year.

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Article 8 An embassy, consulate, foreign office, international organization, and its personnel thereof shall notify the Ministry of Foreign Affairs in writing within three days to cancel the employment permit of a foreign national employed in accordance with these regulations in event of any one of the circumstances below. Those who possess an identification card for a foreign attendant to the head of a diplomatic mission/foreign office must also return the identification card.

1. The employee has been truant and out of contact for three days.
2. The employer-employee relationship has been terminated.
3. The employment term has been fulfilled.
4. The employer leaves his or her position.

Foreign nationals who have had employment permits cancelled as above must leave the country unless the Ministry of Foreign Affairs approves the transfer of their employment.

Article 9 The Ministry of Foreign Affairs may deny the application for the employment or employment extension of a foreign national by an embassy, consulate, foreign office, international organization, or its personnel thereof due to one of the following circumstances:

1. A violation of the Act or these regulations.
2. Failure to provide supplemental documents in a timely fashion after notification of the need to provide them because previously provided documents are unclear or fail to meet regulations.

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3. A serious violation of another law or regulation.
4. The applicant has been denied a visa by the relevant authority and is thus prohibited from entering the country or required to leave the country within a certain time frame.

Article 10 A foreign national hired in accordance with the subparagraphs of Paragraph 1, Article 48 of the Act by an embassy, consulate, foreign office, international organization, or its personnel shall not be subject to the employment quotas in Article 3 of these regulations, to the employment permit term limit in Article 6, or to Subparagraph 2 of Article 8 of these regulations.

Article 11 When completing employment and leaving the country, a foreign national employed under these regulations shall complete the exit procedures with the relevant authority and, if in possession of an identification card for a foreign attendant to the head of a diplomatic mission/foreign office, return the identification card.

Article 12 After approving an application by an embassy, consulate, foreign office, international organization, or its personnel to employ a foreign national, the Ministry of Foreign Affairs shall send copies of the employment permit to the Ministry of Labor Affairs, National Immigration Agency, National Taxation Bureau, and other related agencies. Copies shall also be sent after the approval of applications to extend or terminate the employment of such foreign nationals.

	Article 13 These regulations shall take effect upon promulgation.
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