Content

Title：	Guidelines for the Ministry of Foreign Affairs and Overseas Missions of the Republic of China (Taiwan) Regarding Interviews with Foreigners Applying for Entry into Taiwan on the Basis of Marriage to an ROC Citizen Ch
Date：	2019.05.10
Legislative：	1.Promulgated by the Ministry of Foreign Affairs by Order Wai Shou Ling Er Zi No. 0996800492 on June 9, 2010, taking effect on the same day. 2.Amended by the Ministry of Foreign Affairs by Order Wai Shou Ling Er Zi No. 1026801341 on October 25, 2013. 3.Articles 3, 7, and 10 amended by the Ministry of Foreign Affairs by Order Wai Shou Ling Er Zi No. 1086800517 on May 10, 2019.
Content：	1. These Guidelines have been promulgated to serve as reference for the Ministry of Foreign Affairs (hereinafter referred to as the “Ministry”) and overseas missions of the Republic of China (Taiwan) with regard to interviews with foreign nationals who are applying for document authentication and visas to Taiwan on the basis of marriage to an ROC citizen. The purpose of these Guidelines is to maintain border security, prevent human trafficking, and prevent foreign nationals from using spousal status to enter Taiwan under false pretenses to engage in activities that are inconsistent with the purpose of their visa applications. In addition, consideration shall also be given to the reunion and cohabitation rights of families consisting of ROC citizens and foreign nationals. 2. The Ministry may create a list of designated countries for foreign spouse who shall under the aforementioned interview process and specified locations where interviews shall be conducted, taking into account the ROC’s national interests, international convention and practice, relations between the ROC and other countries, and the general situation regarding nationals of such countries who are visiting or residing in Taiwan. The Ministry shall review and modify the list when necessary. 3. Nationals of designated countries, who are married to an ROC citizen and are applying for document authentication and visas to Taiwan, must submit the following documents to the ROC overseas mission in their country or another designated location before they can apply for an interview:

(1) A letter explaining the history of the relationship between the foreign national and the ROC citizen.

(2) New and old passports of the foreign national.

(3) Personal identification documents besides passports, as well as the birth certificate of the foreign national.

(4) Marriage status certificate and a certificate confirming the single status of the foreign national before the marriage.

(5) National ID Card and passport of the ROC citizen.

(6) A complete family household registration transcript of the ROC citizen issued within three months.

(7) Documents that are required by the home country of the foreign national when citizens of that country marry foreigners.

(8) The marriage certificate or marriage registration issued by the home country of the foreign national (including a Chinese or English translation) and authenticated by that country's competent authorities.

(9) Proof of no criminal record issued by the home country of the foreign national and authenticated by that country's competent authorities.

(10) Other supplementary documents that can prove the genuineness of the marriage.

The ROC citizen and the foreign spouse must attend the interview in person at an ROC overseas mission or other specified location. Applicants who meet any of the conditions in Article 7 of these Guidelines are exempted from the interview. The ROC overseas mission may not refuse to interview applicants unless they are unable to provide documents required in Article 1.

4. Interviewers shall be designated by the Ministry or ROC overseas mission. The interviewer shall not employ interview techniques that involve violence, threats,

inducement, deception, exhausting interrogation, or other improper means.

5. An audio recording shall be made of the whole interview and a video recording shall be made if necessary.

The interviewer shall make concise written notes during the interview. Following the interview, the interviewees shall review these notes and confirm their veracity by adding their signatures.

6. In order to protect the privacy of applicants, the interview shall not be made public and the interviewer shall not disclose any details of the interview. Applicants are not allowed to carry audio and video equipment into the interview room.

7. If any of the following conditions applies, the genuineness of a marriage is considered to be beyond doubt, and applicants may be exempted from the interview; however, applicants of the same marriage who have previously not passed the interview stage do not qualify for this provision:

(1) The applicant has been married to the ROC citizen for more than a year and has a biological child with the ROC citizen.

(2) The applicant has been married to the ROC citizen for more than two years and can prove that he/she lives together with the ROC citizen.

(3) The ROC citizen has resided in the country of the foreign national for more than two years and has obtained legal residency of that country.

(4) The applicants have both legally resided in a third country for more than two years and have been married there.

(5) The foreign national has previously taken an academic degree at a university or college in Taiwan, has successfully applied for work in Taiwan after graduation and has held an ROC Alien Resident Certificate for the purpose of employment for one year or more, and has been in a relationship with the ROC citizen during that period.

(6) A sufficient number of facts are presented testifying to the genuineness of the marriage, which are accepted by the Ministry.

8. If the Ministry or ROC overseas mission has any doubts regarding the authenticity of documents submitted by the applicants, it shall request verification from the issuing authorities through official letters. In addition, it shall inform applicants of the delay in the application process. The application process shall resume after confirmation from the issuing authorities has been received.

9. After the interview, the Ministry or ROC overseas mission may request the applicants to provide relevant supplementary documents within one month to further prove the genuineness of the marriage. If the applicants fail to submit the requested documents within one month, they shall not pass the interview stage of the application procedure.

10. If doubts exist regarding the background of the concerned persons or the motivations behind their marriage, the ROC overseas mission may send a request via an official letter to the National Immigration Agency to investigate the family background, economic situation, and physical and psychological conditions of the ROC citizen. This background check shall be used as reference for the application. The applicant shall be informed of the delay in the application procedure.

11. If the Ministry or ROC overseas mission considers a second interview is necessary, it shall send a written notice to the applicants to explain the initial assessment, request relevant supplementary documents, and ask them to apply for a second interview.

After receiving the aforementioned written notice, the applicants shall provide an explanation with additional evidence that can prove the genuineness of their marriage and apply for a second interview.

The Ministry or ROC overseas mission shall arrange a second interview within two months of the applicants' request.

12. If any of the following arises during or after the

	interview, the Ministry or the ROC overseas mission shall reject the application: (1) Any of the applicants admits to marriage fraud. (2) The applicants make inconsistent statements regarding important facts about their marriage or make false statements. (3) Documents provided by any of the applicants are found to be forged or counterfeited. (4) Other facts emerged to prove the marriage is not genuine. 13. If the Ministry or ROC overseas mission refuses to accept an application for document authentication or rejects a visa application after the interview, it shall send the applicants a written explanation and enclose information on remedy procedures.
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