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Act for the Recruitment and Employment of Foreign Professionals

General Explanation of the Act for the Recruitment and Employment of Foreign Professionals

In this era of the globalized knowledge economy, sufficiency of high-quality talent is the core of national competitiveness. However, Taiwan is currently facing an external environment in which countries are competing fiercely to attract international talent, while itself falling short in incentives to attract foreign professionals. As a result, its outflow and shortages of talent are growing more serious by the day. International studies show that Taiwan has a severe talent deficit. For example, Oxford Economics' *Global Talent 2021* report forecast that, owing to its aging population and limited scope for heightening gains from education, Taiwan's talent deficit in 2021 will be the largest of all 46 countries surveyed. And in the *IMD World Talent Report 2016* issued by the IMD's World Competitiveness Center, Taiwan was ranked 24th among the 61 countries assessed. These

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Government Services Transformation Program
Promoting Reform of the Financial and Economic Legal System
Deregulation Launched to Eliminate Investment Obstacles
Ease of Doing Business Reforms (EoDB)
Act for the Recruitment and Employment of Foreign Professionals
Startup Regulatory Adjustment Platform
Action Program to Encourage Foreign Graduates and Overseas Chinese Graduates to Work in Taiwan
National Investment Company

strengthen its recruitment of foreign professionals.

Accordingly, this Act has been drawn up to help recruit and attract foreign professionals to come to engage in professional work and live in Taiwan, to fill domestic talent and skill gaps and assist our enterprises to internationalize their positioning, as well as to bolster Taiwan's political and economic relations with other countries, and boost the expansion of our economic and trade diplomacy. It will also be conducive to Taiwan's industrial development and technical advancement, helping to foster the international perspective of our own people and improving their job opportunities. Thus, it will promote the transformation of our economy toward high-tech and high value-added orientation, match the goals of the 5+2 Industrial Innovation Plan and the New Southward Policy, and assist our adaptation to industry's cross-generation, cross-border, cross-field, cross-virtuality, and other such development trends. Under the principle of not changing the employment qualifications and screening criteria for foreign professionals to come to Taiwan, it liberalizes provisions relating to their visas, residence, insurance, tax, retirement and other aspects of their treatment, to make Taiwan's work environment friendlier and thereby encourage foreign professionals to come to Taiwan and remain here.

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1. Relaxation of regulations on work, visa, and residence:

(1) Foreign special professionals are able to apply for “Employment Gold Card”, which is more convenient for foreigners to transfer work or seek jobs; the term of such work permits have been expanded from 3 years to five years.

(2) Foreign freelance artists are allowed to obtain work permits without applying for them through employers.

(3) Cram schools in Taiwan are allowed to hire foreign teachers with expertise or professional skills for teaching.

(4) Foreign professionals looking for jobs in Taiwan are eligible to apply for employment-seeking visa.

(5) The required minimum duration of stay of 183 days per year for maintaining permanent residency is abolished.

2. Easing of provisions concerning stay or residence of parents, spouses, and children

(1) The requirements for spouses, minor children, or disabled adult children of permanent resident foreign professionals applying for permanent residence are eased.

(2) When senior foreign professionals apply for permanent residence in Taiwan, their spouses, minor children, or disabled adult children are eligible to apply simultaneously.

(3) Requirements are eased for foreign professionals' adult children who meet

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employer.

(4) The visitor visas for the lineal ascendants of foreign professionals are extended to allow for a stay of up to one year at a time.

3. Providing benefits on retirement, insurance, and tax

(1) Foreign professionals who have been approved for permanent residence shall be included in the retirement pension system under the Labor Pension Act. A foreign professional who is currently employed as a full-time, qualified, paid teacher in a public school in Taiwan may opt for either a one-time lump sum pension payment or a monthly pension.

(2) The requirement of a full six months of residence in Taiwan for spouses, minor children, or disabled adult children of foreign professionals to participate in National Health Insurance as insured persons is abolished.

(3) Foreign special professionals who work in Taiwan and have salary income of more than NT\$ 3 million a year can deduct half of their salary for taxation for the first 3 years.

The links of relevant regulations and measures

1. MINISTRY OF EDUCATION Notice is hereby given, to commence a period of public comments for drafting "Regulations Governing Work Permits and Administration of Foreign Teachers in Educational Institutions at All Levels"
<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95018&log=detailLog>
2. MINISTRY OF LABOR Notice is hereby given, to commence a period of public comments for drafting "Qualifications and Criteria Standards of the Employment of Foreign Workers Engaging in Professional Knowledge or Skills

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<https://gazette.nat.gov.tw/egFront/detail.do?metaid=94845&log=detailLog>

3. MINISTRY OF THE INTERIOR Notice is hereby given, to commence a period of public comments for drafting "Regulations Governing Employment Gold Card Permits for Specific Professional Foreign Talent" <https://gazette.nat.gov.tw/egFront/detail.do?metaid=95020&log=detailLog>
4. MINISTRY OF THE INTERIOR Notice is hereby given, to commence a period of public comments for drafting "Fee-charging Standards for Employment Gold Card, Employment Pass Card and Entrepreneur Visa" <https://gazette.nat.gov.tw/egFront/detail.do?metaid=94967&log=detailLog>
5. MINISTRY OF FINANCE Notice is hereby given, to commence a period of public comments for drafting "Regulations Governing Reduction or Exemption of Income Tax of Foreign Specific Professionals" <http://gazette.nat.gov.tw/egFront/detail.do?metaid=94874&log=detailLog>
6. MINISTRY OF LABOR Notice is hereby given, to commence a period of public comments for drafting "Regulations on Work Permit and Administration for Foreigners Engaging the Artistic Work" <https://gazette.nat.gov.tw/egFront/detail.do?metaid=94846&log=detailLog>
7. MINISTRY OF FOREIGN AFFAIRS Notice is hereby given, to commence a period of public comments for drafting "Regulations Regarding Qualification Review and Issuance of Job-seeking Visa for Foreign Professionals" <https://gazette.nat.gov.tw/egFront/detail.do?metaid=94933&log=detailLog>
8. MINISTRY OF LABOR Notice is hereby given, to commence a period of public comments for drafting "Fee-charging Standards for Ministry of Labor Approving the Application for Case Review under the Foreigners Professional of Recruiting and Employment Act" <https://gazette.nat.gov.tw/egFront/detail.do?metaid=94847&log=detailLog>

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period of public comments for drafting "Job-seeking Visa Quota for Foreign Professionals"

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95314&log=detailLog>

Qualification of "Foreign special professional" notice

1. Science & Technology (Ministry of Science and Technology) :

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95069&log=detailLog>

2. Economy (Ministry of Economic Affairs) :

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95528&log=detailLog>

3. Education (Ministry of Education) :

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95282&log=detailLog>

4. Culture and Arts (Ministry of Culture) :

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95264&log=detailLog>

5. Sports (Ministry of Education) :

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95659&log=detailLog>

6. Finance (Financial Supervisory Commission) :

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=94993&log=detailLog>

7. Laws and Architectural Design (Ministry of Justice, Ministry of Interior) :

<https://gazette.nat.gov.tw/egFront/detail.do?metaid=95121&log=detailLog>

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Related File(s)

20171031Foreign Professionals Act (Approved by Legislative Yuan)

(386.41KB).pdf



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