

## Ministry of Labor Ordinance

Issue Date: May 1, 2015

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Attachment: Announcement section 2

The Ministry hereby elaborates the term of recognition under Item 5 of Article 36 as used in the Qualifications and Criteria Standards for foreigners undertaking the jobs specified under Article 46.1.1 to 46.1.6 of the Employment Service Act, which refers to employers meeting any of the following criteria:

1. Business entities within the Free Economic Pilot Zones shall provide the valid business registration certificates and documents issued by the central competent authority.
2. Business entities complying with definitions of “startup with innovation capability” listed in the HeadStart Taiwan program shall provide the relevant certificates of the establishment of the business not exceeding five years and documents at the MOEA’s Intellectual Property Office (TIPO) (see attachment 1).
  - i The business entities have obtained funds amounting to over NT\$2 million from venture capitalists inside or outside the country.
  - ii The business entities have completed registration at the Go Incubation Board for Startup and Acceleration Firms (GISA) of the GreTai Securities Market.
  - iii The business entities have obtained an invention patent from the Republic of China (Taiwan) or have obtained the patent rights through authorization or transfer of control with registration completed at the MOEA’s Intellectual Property Office (TIPO).
  - iv The business entities have set up the offices at the Taipei Expo Park which is assigned as a new cluster for startups by the Executive Yuan, the incubators managed by or in partnership with the Ministry of Economic Affairs (see attachment 2), and the incubators rated excellent

by the Ministry Oof Economic Affairs within three years (see attachment 3).

- v The applying business entities or their person in charge has ever won any of the venture or design contests inside or outside the country (see attachment 4).

This interpretation shall take effect on this day.

The Order of the Council of Labor Affairs dated January 7, 2014 (Ref. No. Lao-Zhi-Gui-Zi-1039801680) shall cease to apply on this day.

Minister Chen Hsiung wen

**Attachment 1**

The list of documents required for the qualified startups:

Numbers	Required basic documents
1	Business registration certificate
2	A certified copy of business registration
Numbers	Documents required for startups for recognition
1-1-1	The registration form (or a copy of a valid registration certificate) of a new establishment (or change) of a venture capital firm.
1-1-2	Summary of shareholders and stock subscription in cash issued by the competent authorities within two months of application for recognition as a startup.
1-2-1	The photocopy of the letter of investment approval issued by competent authorities supervising foreign nationals investing within the territory of the Republic of China or its commissioned authorities.
1-2-2	Summary of shareholders and stock subscription in cash issued by the competent authorities within two months of application for recognition as a startup.
2	The photocopy of the letter of approval to register at the Go Incubation Board for Startup and Acceleration Firms (GISA) issued by the GreTai Securities Market.
3-1	The photocopy of the Certificates of Invention Patent issued by the government of the Republic of China.
3-2	The photocopy of the authorization or transfer of the control and approval of registration whose original copy is issued by MOEA's TIPO.
4-1	The photocopy of the letter of cooperation including the service of stationing assistance between the Incubation Center of Industrial

	Technology Research Institute (ITRI) and the startup.
4-2	The photocopy of a stationing agreement between the Innovative DigiTech-Enabled Applications & Services Institute (IDEAS) and the applied company.
4-3	The photocopy of the letter of agreement between National Chiao Tung University and the applied company over the operations and cultivations.
4-4	The photocopy of the letter of agreement between the Center of Innovative Incubator, National Tsing Hua University and the applied company over management consulting service.
4-5	The photocopy of the letter of agreement between the Business Incubation Center, National Taiwan University of Science and Technology and the applied company over management consulting service.
4-6	The photocopy of the letter of agreement between Chung Yuan University Innovation & Incubation Center and the applied company over joint development.
4-7	The photocopy of the letter of agreement between Business Incubation Center of Feng Chia University and the applied company over the operations and cultivations.
4-8	The photocopy of the letter of agreement between Chung-hua University Innovation & Incubation Center and the applied company over the operations and cultivations.
4-9	The photocopy of the letter of agreement between Footwear & Recreation Technology Research Institute Incubation Center and the applied company over the operations and cultivations.
5-1	The photocopy of the award documents of the Best Startups in the program of Innovation & Startups conducted by the Ministry of Science

	and Technology.
5-2	The photocopy of the award documents of the Best Startup Businesses issued by SMEA, Ministry of Economic Affairs.
5-3	The photocopy of the Best Startup Team in the second phase of the U-Start Startup Program designed for college graduates conducted by the Youth Development Administration, Ministry of Education.
5-4	The photocopy of award certification of Demo God Awards.
5-5	The photocopy of award certification of Red Dot Award.
5-6	The photocopy of award certification of iF DESIGN AWARD founded by Deutsche Messe AG.
5-7	The photocopy of award certification of G-Mark Award founded by Japan's Ministry of International Trade and Industry.
5-8	The photocopy of award certification of Industrial Design Excellence Award (IDEA).

**Attachment 2**

Name list of incubators evaluated as excellent which are managed by or working with the Ministry of Economic Affairs (MOEA) in three years:

Number	Names
Incubators managed by the MOEA or in partnership with the ministry	
1.	NanKang Biotech Incubation Center
2.	Nangang Software Incubator in SMEA, MOEA
3.	Kaohsiung Software Incubator in SMEA, MOEA
4.	The SME Incubator at Taiwan Science Park
5.	Hsinchu Biomedical Science Park Incubation Center, SMEA (in preparation)
6.	Industrial Technology Research Institute (ITRI) Innovation Incubator
7.	National Chiao Tung University SME Innovation & Incubation Center
8.	Chung Yuan University Innovation & Incubation Center
9.	Institute for Information Industry SME Innovation & Incubation Center
10.	NanKang IC Design Incubation Center
11.	Southern Taiwan IC Design Incubation Center of Industrial Development

**Attachment 3**

Name list of incubators evaluated as excellent by the Ministry of Economic Affairs (MOEA) in three years (from 2011 to 2013):

Number	Names
Incubators rated excellent by the MOEA from 2011 to 2013	
1.	Center of Innovative Incubator, National Tsing Hua University
2.	National Chiao Tung University SME Innovation & Incubation Center
3.	Business Incubation Center, National Taiwan University of Science and Technology
4.	Innovation & Incubation Center, National Taipei University of Technology
5.	Innovation & Incubation Center, National Central University
6.	Innovation & Incubation Center, National Chung Cheng University
7.	Innovation and Incubation Center, National Kaohsiung University of Applied Sciences
8.	The Tamkang University Champion Incubator Center
9.	Ming Chuan University Enterprise Incubation Center
10.	Chung Yuan University Innovation & Incubation Center
11.	Chung-hua University Innovation & Incubation Center
12.	Business Incubation Center of Feng Chia University
13.	Innovation Incubation Center Chaoyang University of Technology
14.	Far East University Innovation Incubation Center
15.	Footwear & Recreation Technology Research Institute Incubation Center

**Attachment 4**

Name list of the well-accepted startup and design contests inside and outside the country based on the rule of recognition made by the MOEA:

Category	Name of the Contest
Startup contest	Innovation & Startups in Taiwan
	Business Startup Award, SMEA, MOEA
	U-Start in Taiwan
	International Data Group(IDG)DEMO Show in the U.S.
Design contest	Red Dot Award in Germany
	IF design Award in Germany
	G-Mark Award in Japan
	IDEA Award in the U.S.