

Operational Manual for Reviewing Employment Permit Application of Foreign Sports Coaches and Athletes



勞動部勞動力發展署
WORKFORCE DEVELOPMENT AGENCY, MINISTRY OF LABOR

Published in November 2017

Contents

1. Items of Job.....	2
2. Qualifications.....	2
3. Documents for Application.....	4
4. Other Regulations	12

Manual Instructions:

This operational manual was published to make information public and improve the transparency of reviewing operation. It is compiled in accordance with relevant Laws and Regulations, but the reviewing criteria are still subject to the recent Laws and Regulations. In order to flexibly response various categories of application, it will be continuously added and revised then announced for any incomplete issue.

Category E (Sports coach and athlete)

1. Items of Job

(1) Sports coach (code 01)

(2) Athlete (code 02)

2. Qualifications

Serial No.	Item	Relevant Regulations	Examination Principles
1	Qualifications of foreign sports coach	<p>According to Article 43 of Review Standard, sports coach shall have one of the following qualifications:</p> <ol style="list-style-type: none"> 1. Holding a national sport coach certificate issued by the National Sport Association. 2. Being sports coach more than 2 years and recommended by national (international) single sports association (federation). 3. Holding a Teacher Certificate for Coaching issued by the International Sports Federation and recommended by the federation. 4. Has demonstrated coaching ability, and is recommended by the International Sports Federation (National Sports Association) 5. Specializing in a certain sport, or been recognized by the central competent authority in consultation with the central relevant sports authorities 	<ol style="list-style-type: none"> 1. The job of coach shall meet the sports item on the coach certificate. His/her main job is to train athletes to participate events. As for fitness, yoga and dance coaches who teach the public in the fitness center or classroom, they shall not be in the scope of sports coach. 2. The national sports coach certificate is not limited to be issued by our country only. The sports coach certificate issued by international single sports association (federation) may be recognized as well. 3. The domestic single sports association (federation) shall be the institution registered under Sports Administration, Ministry of Education. For those international single sports associations (federation), we will verify online and will invite the central competent authority with jurisdiction for comment if they don't exist or there is any doubt.

Serial No.	Item	Relevant Regulations	Examination Principles
		<p>agency as a special case for promoting national sports development or due to special circumstances.</p>	
2	Qualificationsof foreign athlete	<p>According to Article 44 of Review Standard, athlete shall have one of the following qualifications:</p> <ol style="list-style-type: none"> 1. Holding participation certificate of international or national sports events. 2. Being athlete more than 1 year and recommended by national (international) single sports association (federation). 3. Specializing in a certain sport, or been recognized by the central competent authority in consultation with the central relevant sports authorities agency as a special case for promoting national sports development or due to special circumstances. 	<ol style="list-style-type: none"> 1. The actual working experiences of athlete shall meet the sports item that he/she applied. For basketball or baseball athletes with working experiences available at relevant websites (e.g.: Major League Baseball, MLB), the document of the working experiences may be recognized. 2. The national single sports association (federation) for recommendation of athletes is not limited to be registered in our country only. 3. The domestic single sports association (federation) shall be the institution registered under Sports Administration, Ministry of Education. For those international single sports associations, we will verify online and will invite the central competent authority with jurisdiction for comment if they don't exist or there is any doubt.
3	Employer qualifications	<p>According to Article 45 of Review Standard, the employer shall have one of the following qualifications:</p> <ol style="list-style-type: none"> 1. School. 2. Government agency. 3. Public welfare sports group. 4. The company with business items relevant to sports. 5. The institution or company 	<ol style="list-style-type: none"> 1. The school includes each public or private elementary school, junior high school, high school, college, university and above. 2. The government agency refers to county (city) government or administrative corporation. 3. The public welfare sports group refers to the non-profit groups that

Serial No.	Item	Relevant Regulations	Examination Principles
		<p>participates sports events held by national single sports federation or association, and provides document of proof.</p>	<p>were established by law to promote recreational or competition sports (Paragraph 1, Article 8 of National Sports Act and Article 3 of Enforcement Rules of National Sports Act). According to Article 21 of Sports Industry Development Act, those foreign workers who engage in business, guidance and professional show for less than 14 days in the sports industry without employed by any of our employers in the country may not apply for work permit by their visa. Therefore, those foreign workers who come to Taiwan to participate exhibition games shall apply for work permit by regulations.</p> <p>4. The business items in the company or business registration are relevant to sports training, show and competition.</p>

3. Documents for Application

Serial No.	Documents	Review Principles	Notices
1	Original receipt of reviewing fee	<p>1. The reviewing fee receipt may be exempted since relevant info of reviewing fee receipt should be filled in the application form. However, it shall be subject to the case and the employer may be asked to attach it. (According to Announcement No. 10405118501 issued by</p>	<p>1. The reviewing fee for employment of foreign professionals is calculated by unit other than number of applicant. The application from the same company (work permit application for more than 2 foreign workers) is required to pay the reviewing fee \$500 only.</p>

Serial No.	Documents	Review Principles	Notices
		<p>Ministry of Labor on 23 September 2015)</p> <p>2. Reviewing fee is NTD\$500.</p>	<p>2. The new employment and extension shall not be treated as one application. Applicant shall apply separately and pay the supplementary reviewing fee.</p> <p>3. Those who apply for information change do not need to pay reviewing fee. Those who withdraw application will not be refunded.</p> <p>4. Those who overpay or underpay reviewing fee or do not pay it at post office will be asked to repay it and attach original receipt in accordance with regulations.</p> <p>5. The refund method for overpaid (mistakenly paid) reviewing fee: The employer will be asked to fill out application form, check refund type and attach original receipt of overpaid (mistakenly paid) reviewing fee for refund.</p> <p>6. According to Announcement No.0930450078 issued by Ministry of Finance on February 11th, 2004, profit-seeking enterprises or professional practitioners who pay for the reviewing fee for applying work permit for foreign workers with postal GIRO deposit slips may use the receipt as expenses.</p>
2	Application form	<p>1. The field in the application form such as work category, application type, unit name of application, unified business no. of application unit, owner, unit address, mailing address, contacts as well as specific employment reason and positive</p>	<p>1. The application form of new employment and extension shall be separate.</p> <p>2. The field of positive benefits of foreign professional employment shall be specifically entered and relevant to the work. The extension application is excluded.</p>

Serial No.	Documents	Review Principles	Notices
		<p>benefits of foreign worker employment (extension application excluded) are required to fill out.</p> <p>2. The name of application unit shall be consistent with the seal of unit; unit address shall be the same as that in the certificate of company registration or agency filing registration.</p> <p>3. The seal of unit and owner shall be affixed.</p> <p>4. For those who entrust private employment service agency for applying, the name, registration number, professionals, seals of the agency and the owner and contact phone number shall be filled in.</p>	<p>3. The employer will be asked to complete the application if the required fields are not completely entered.</p>
3	Name list of employed foreign workers	<p>1. The field in the name list such as name of application unit, unified business no., name, gender, nationality or area, date of birth, passport number, employment period, education, monthly payroll, title, work and address in Taiwan must not be empty and the photo of foreign worker must be attached.</p> <p>2. The personal information shall be correctly filled in based on passport.</p> <p>3. The period of work and monthly payroll shall be consistent with that of list and contract.</p> <p>4. The working address shall be the address in Taiwan.</p> <p>5. The seal of unit shall be affixed.</p>	<p>1. The field of occupational classification code-may not be entered.</p> <p>2. Monthly payroll shall be entered in accordance with actual amount or employment contract.</p> <p>3. 1” or 2” and color or black photo are all acceptable. The photo which was printed along with the list shall be clear and identifiable.</p>
4	Photocopy of	1. Photocopy of ID. The owner of	1. The passport or residence

Serial No.	Documents	Review Principles	Notices
	owner ID	<p>civil associations shall attach valid certificate of election.</p> <p>2. For the owner who is foreign worker, his/her passport or photocopy of residence certificate shall be provided.</p>	<p>certificate shall still be valid during application.</p> <p>2. It shall be consistent with that in the company registration or institution establishment certificate.</p>
5	Company registration (business registration) or institution registration certificate	<p>1. Government agency and public school may not attach it.</p> <p>2. The company shall attach company establishment, company change or business registration and operation items shall meet Article 45 of Review Standard (see employer qualifications in the qualifications for details).</p>	<p>For those employers such as banks, insurers and <u>others in accordance with relevant laws</u> who are unable to register sports as operation item, they may issue statement as replacement.</p>
6	Photocopy of passport or ARC (Alien Resident Certificate) of the employed foreign worker.	<p>1. The passport or ARC shall be valid at the commencement date of employment.</p> <p>2. The personal information page and shall be complete, clear and identifiable.</p> <p>3. It is not admitted for the resident of mainland China to work in Taiwan except those from Hong Kong and Macau.</p>	<p>1. Principally, the passport with words such as travel document, identify certificate or not passport shall not be recognized.</p> <p>2. The British passport with overseas mark is for resident in Hong Kong.</p> <p>3. The empty page of passport or previous passport may not be attached.</p> <p>4. If the passport number was changed after issuance of approval letter, the application of information change shall be made separately.</p>

Serial No.	Documents	Review Principles	Notices
7	Photocopy of employment contract	<ol style="list-style-type: none"> 1. The name, work, location, employment period and payroll of employed foreign worker shall be specified in the employment contract with signature of employer and employee. 2. The work shall meet with the nature of athlete or sports coach. 3. The employment period shall be consistent with work period of application (the employment period in the contract can be longer). 	The labor contract shall meet regulations of R.O.C. Any labor contract against them shall be invalid.
8	Training program during work in Taiwan	It <u>shall</u> be attached for application of sports coach.	The training program shall include training object, time, location and courses and shall meet the nature of applied work.
9	Certificate of sports coach	<ol style="list-style-type: none"> 1. National sports coach certificate. 2. Certificate of being sports coach more than 2 years and reference letter by national (international) single sports association. 3. Holding a Teacher Certificate for Coaching issued by the International Sports Federation and a recommendation letter by the federation. 	<ol style="list-style-type: none"> 1. For foreigners who had a work permit, when applying for new employment in the same work category / work type and the same sport category (for example, tennis, gymnastics) by a new employer or apply for new employment by the same employer because of the interruption of

Serial No.	Documents	Review Principles	Notices
		<p>4. A recommendation letter issued by the International Sports Federation (National Sport Association) stating that such person has the abilities for exercise demonstration.</p> <p>5. Specializing in certain sport and has been recognized by the central competent authority in consultation with the central relevant sports agency as a special case for promoting sports development in Taiwan or due to special circumstances.</p>	<p>employment, the documents listed on the left can be exempted.</p> <p>2. Single case consultation (referring to Subparagraph 5, Article 43 of Review Standards) means employers need not to submit proof documents 1-4 after being approved in consultation.</p>
10	Certificate of athlete	<p>1. Participation certificate of international or national sports events.</p> <p>2. Certificate of being athlete more than 1 year and reference letter by national (international) single sports association (federation).</p> <p>3. Specializing in a certain sport, or been recognized by the central competent authority in consultation with the central relevant sports authorities agency as a special case for promoting national sports development or due to special circumstances.</p>	<p>1. For foreign workers who had a work permit, when applying for new employment in the same work category / work type and the same sport category (for example, tennis, gymnastics) by a new employer or apply for new employment by the same employer because of the interruption of employment, no need to submit the documents listed on the left.</p> <p>2. Case consultation (for review standards, please refer to Subparagraph 5, Article 43) means employers shall apply for each case and need not to submit proof documents 1-4 if approved in</p>

Serial No.	Documents	Review Principles	Notices
			consultation.
11	Original employment approval letter	<ol style="list-style-type: none"> 1. The extension application shall be in continuous with the previously approved employment period. 2. For extension application or info change application, original employment approval letter shall be attached. 	The extension application, according to Article 8, “Regulations on the Permission and Administration of the Employment of Foreign Workers”, requests, shall be submitted within 4 months before the expiration of employment approval letter. For employment period of less than 6 months, the employer shall submit the application after 2/3 of the employment period passed. Any application submitted earlier will be returned.
12	Legal representative consent	For foreign worker under 20 years old, legal representative consent and his/her passport shall be attached.	<ol style="list-style-type: none"> 1. The calculation of under 20 years old is made from the commencement date of employment other than application date. For foreign worker under 20, the document shall be attached. 2. If legal representative couldn't attach passport, other document such as local ID or driving license which is enough to proof his/her identity can be alternative one.

4. Other Regulations

Serial No.	Item	Relevant Regulations and Description	Notice
1	Validity period of the work permit	According to Article 52 of Employment Service Act, the longest validity period of work permit is 3 years. The validity of work permit shall be approved based on the above regulation, application by the employer and the signed contract.	Ministry of Labor may decide it on the basis of the application of employer and circumstance of the case as well as visit or activate consultation mechanism when necessary.
2	Declaration of picking up in person	For those would like to pick up in person, please fill out and submit your declaration of picking up in person at the counter in the Ministry of Labor. Registered mail is not accepted.	
3	Principle of affixing with seal	For the copied document attached in the application, the words of “in conformity with the original” shall be noted with the seal of application unit and owner.	Principally, the document attached by the employer shall be affixed with the seal of application unit and owner. However, except that the application and list <u>shall</u> be affixed with official seal, the seal for other documents in the application from government agency or school may be replaced by the seal of unit or department.
4	Document for employment transfer	According to Article 53 of Employment Service Act, new employer will be required to ensure whether the foreign worker replaces employer if he/she was employed by other employers during employment application: 1. Yes: please provide termination certificate between the foreign worker and original employer or ask original employer have termination treatment. 2. No: it will be regarded as part time work and documents may be	

Serial No.	Item	Relevant Regulations and Description	Notice
		exempted.	
5	Translation of Documents	Translated Chinese version for documents submitted by the employer shall be attached if the documents are not made in Chinese or English. (Order No. 10605185961 issued by Ministry of Labor on October, 11th, 2017)	
6	Verification of Documents	If the attached documents are issued or made in Nigeria, Afghanistan, Algeria, Cuba, Bangladesh, Bhutan, Iran, Iraq, Lao People's Democratic Republic, Myanmar, Nepal, Sri Lanka, Somalia, Syria, Pakistan, The Philippines, Thailand, Vietnam, Malaysia, Cambodia and Indonesia, shall be verified by the representative office of R.O.C. in these countries. (According to Order No. 1040508120 issued by Ministry of Labor July 21, 2015.)	
7	The Principle of Handling Late Extension	Please refer to Article 46-1, Regulations on the Permission and Administration of the Employment of Foreign Workers	<ol style="list-style-type: none"> 1. In principle, the extension application submitted after the original employment period expires shall be proceed as new application. 2. Exception: the employer re-applies within 15 days from the previous employment period expiry (a letter of explanation shall be attached and it is limited to once only) in accordance to Article 46-1 of Regulations on the Permission and Administration of the

Serial No.	Item	Relevant Regulations and Description	Notice
			Employment of Foreign Workers, such application shall be approved and the employment period shall be traced (Notes should be left on the system so that such re-application won't be accepted again.)