

L-106-V01



Operational Manual for Reviewing Work Permit Application of Foreign, Overseas Chinese and Ethnic Chinese Students Studying in Taiwan



勞動部勞動力發展署

WORKFORCE DEVELOPMENT AGENCY, MINISTRY OF LABOR

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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 L (Part-time job for overseas Chinese, ethnic Chinese and foreign students studying in Taiwan) – submitted by overseas Chinese, ethnic Chinese and foreign students

1. Items of student work permit (please check by actual circumstance):

- (1) Status of overseas Chinese student (code 01): overseas Chinese student enrolled in accordance with Regulations on Study and Counseling Assistance in Taiwan for Overseas Chinese Students.
- (2) Status of ethnic Chinese student (from Hong Kong or Macau or overseas youth vocational training school (code 02): 1. Ethnic Chinese student from Hong Kong or Macau enrolled in accordance with Regulations on Study in Taiwan for Residents from Hong Kong or Macau. 2. Students enrolled in vocational training courses organized by the competent authority in charge of foreign affairs or overseas affairs.
- (3) Status of foreign student (code 03): foreign student enrolled in the public or registered private colleges or universities (universities and two-year colleges) in accordance with Regulations on Study in Taiwan for International Students.

2. Qualifications

Serial No.	Item	Relevant Regulations	Examination Principles
1	Overseas Chinese student	<ol style="list-style-type: none"> 1. Overseas Chinese students enrolled in the public or registered private senior high schools or above according to Subparagraph 2, Article 50 of Employment Service Act. 2. According to Paragraph 1, Article 32 of Regulations on the Permission and Administration of the Employment of Foreign Workers, overseas Chinese students shall meet the student status regulated in the Regulations on Study and Counseling Assistance in Taiwan for Overseas Chinese Students. 	<ol style="list-style-type: none"> 1. The overseas Chinese students include degree seeking students and those who are enrolled at Division of Preparatory Programs for Overseas Chinese Students in National Taiwan Normal University. 2. The work permit application of students at Skill Training Class for Overseas Youths (hereinafter referred to as Class for Overseas Youths) held by Overseas Community Affairs Council shall be treated by regulations relevant to work permit application of overseas Chinese students.
2	Ethnic Chinese student (from Hong Kong or Macau or overseas youth vocational training school)	<ol style="list-style-type: none"> 1. Ethnic Chinese students enrolled in the public or filed private senior high schools or above according to Subparagraph 2, Article 50 of Employment Service Act. 2. According to Paragraph 2, Article 32 of Regulations on the Permission and Administration of the Employment of Foreign 	The overseas Chinese students include degree seeking students and those who are enrolled at Division of Preparatory Programs for Overseas Chinese Students in National Taiwan Normal University and vocational training courses organized by the competent authority in charge of

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		Workers, overseas Chinese students shall meet one of the following requirements: (1) students regulated by the Regulations on Study in Taiwan for Residents from Hong Kong or Macau. (2) Students enrolled in vocational training courses organized by the competent authority in charge of foreign affairs or overseas affairs.	foreign affairs or overseas affairs.
3	Foreign student	<ol style="list-style-type: none"> 1. Foreign students enrolled in the public or registered private colleges or universities according to Subparagraph 1, Article 50 of Employment Service Act. 2. According to Article 30 of Regulations on the Permission and Administration of the Employment of Foreign Workers, foreign students shall meet the foreign student status regulated in the Regulations on Study in Taiwan for International Students. 3. According to Article 31 of Regulations on the Permission and Administration of the Employment of Foreign Workers, should a foreign student been officially enrolled in a school to take courses in a division, department or graduate institute thereof or to take language course(s) for one year or more, and should the school where he/she is enrolled acknowledge the existence of any of the following factual situations, the said foreign student may engage in jobs relevant to the course(s) he/she has take and the language he/she has learned: <ol style="list-style-type: none"> (1) It is proven by concrete evidence that the financial 	<ol style="list-style-type: none"> 1. Foreign students include degree seeking students, those who study Chinese at language center of college or university in Taiwan and exchange students. 2. The college or university refers to universities and two-year colleges. Those foreign students at grade 4 or above in the five-year colleges shall submit employment application as students in the two-year colleges. 3. According to Article 10 of the Regulations on Study in Taiwan for International Students., international students may not apply for Extension Programs at universities/colleges designed for returning education students, continuing education of Master programs, or other programs which are restricted to night classes and classes during holidays. International students who have obtained legal resident status of Taiwan or are enrolled in a program ratified by this Ministry are exempted from this Article. 4. Those students who come to Taiwan for Chinese study at language center in universities or

Serial No.	Item	Relevant Regulations	Examination Principles
		<p>situation of the said foreign student is unable to continuously sustain his/her studies and cost of living.</p> <p>(2) The teaching or researching unit of the school where the said foreign student is enrolled is in need of his/her assistance and participation in teaching or researching work.</p> <p>(3) The said foreign student has to engage in off-campus practical training related to the course(s) he/she is taking.</p> <p>4. Foreign students who meet one of the following qualifications are not restricted by the provisions as referred to in the preceding paragraph:</p> <p>(1) Foreign students with exceptional specialty in a foreign language, with the ad hoc approval by the Ministry of Education, after his/her enrollment in the school, to work on a part-time basis as a teacher in that language in a subsidiary language center affiliated with a University/College or with a foreign culture and education organization stationed in the Republic of China.</p> <p>(2) Foreign students enrolled in a graduate institute and have been approved by the school where the said foreign students are enrolled in to conduct relevant research work.</p>	<p>colleges shall take language courses more than one year with transcript for the entire year to submit application.</p> <p>5. Foreign students shall attach certificate of work approval issued by enrolled school and included one of regulations in Article 31 of Regulations on the Permission and Administration of the Employment of Foreign Workers with seal of school.</p>

3. Documents for application

Serial No.	Documents	Review Principles	Notices
1	Original receipt of reviewing fee	<ol style="list-style-type: none"> 1. The receipt may be exempted. However, it shall be subject to the case and overseas Chinese and foreign students may be asked to attach it. (Announcement No. 10405118501 on 23 September 2015 by Ministry of Labor) 2. Reviewing fee is NTD\$100. 	<ol style="list-style-type: none"> 1. NT\$100 for new and replacement application. 2. Those who apply for information change do <u>not</u> need to pay reviewing fee. Those who withdraw application will not be refunded. 3. Those who overpay or underpay reviewing fee or do not pay it at post office will be asked to repay it in accordance with regulations. 4. The refund method for overpaid (mistakenly paid) reviewing fee: The overseas Chinese and foreign student will be asked to fill out application form, check refund type and attach original receipt of overpaid (mistakenly paid) reviewing fee for refund.
2	Application form	<ol style="list-style-type: none"> 1. The field in the application form such as application category, application type, name of applicant, gender, nationality, passport number, residence certificate number, birth date, contact phone number, enrolled school, department and grade, address, period of employment application, and emergency contact and phone number are required to fill out. 2. Applicant shall sign and seal in person. 3. The seal of school counselling unit and officer 	<ol style="list-style-type: none"> 1. The school will be asked for verification of identity of overseas Chinese and foreign student if there is any doubt. 2. The field of signature and seal of head of school counselling unit in the application form shall not be affixed on behalf of school clerk without authorization of unit head. "PP" shall be noted beside seal if this field was affixed by school clerk or staff.

Serial No.	Documents	Review Principles	Notices
		<p>shall be affixed (the counselling unit includes department, student counselling unit and administrative unit).</p>	
3	Photocopy of front and back of student ID	<ol style="list-style-type: none"> 1. It shall be attached on the application form with registration seal of the latest semester. The registration seal shall set out school year and semester. 2. For student ID is IC card, registration certificate shall be affixed (noted) on the photocopy of student ID by registration unit of school. 3. Certificate of Enrollment shall be attached for the photocopy without seal (notice). 4. If the no. of registration seal (certificate) is different from no. of semesters attended due to dropping-out of school, transferring to another school, study period or class, a Certificate of Enrollment shall be attached. 	<ol style="list-style-type: none"> 1. The study period of the Class for Overseas Youths is limited to 2 years with 4 semesters. The first semester begins at March. Due to its semester is <u>opposite</u> to that of degree seeking student, it shall be recognized by case or school. 2. The semester of language center shall be recognized by the study period of individual one.
4	Photocopy of passport	<ol style="list-style-type: none"> 1. The passport shall still be valid at the commencement date of employment application. 2. The information page and signature page shall be complete, clear and identifiable. 3. It is not admitted for the resident of mainland China to work in Taiwan except those from Hong Kong and 	

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		Macau.	
5	Transcript	Those foreign students who enrolled in the language center of universities or colleges shall attach the photocopy of transcript for the entire year of language courses.	For courses started monthly or by season in the language center, the information lasted 12 months shall be attached. For language center with first/second semester, the transcript for the first/second semester shall be attached.
6	Certificate of work approval from enrolled school	Those foreign students shall attach certificate of work approval issued by enrolled school with seal of school unit.	<p>1. The certificate shall include one of these facts regulated in the Article 31 of Regulations on the Permission and Administration of the Employment of Foreign Workers:</p> <ol style="list-style-type: none"> (1) It is proven by concrete evidence that the financial situation of the said foreign student is unable to continuously sustain his/her studies and cost of living. (2) The teaching or researching unit of the school where the said foreign student is enrolled is in need of his/her assistance and participation in teaching or researching work. (3) The said foreign student has to engage in off-campus practical training related to the course(s) he/she is taking. (4) Foreign students with exceptional specialty in a foreign language, with the ad hoc approval by the Ministry of Education, after his/her enrollment in the school, to work on a part-time basis as a teacher

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			<p>in that language in a subsidiary language center affiliated with a University/College or with a foreign culture and education organization stationed in the Republic of China.</p> <p>(5) Foreign students enrolled in a graduate institute and have been approved by the school where the said foreign students are enrolled in to conduct relevant research work.</p> <p>2. The training mentioned in the (3) above is not subject to mandatory/selective courses.</p>

4. Other Regulations

Serial No.	Item	Relevant Regulations and Description	Notice
1	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.	
2	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 or signature of applicant.	
3	Discretion standard for validity of work permit	1. The validity of work permit applied at the first semester is 31 March at the second semester. The validity of work permit applied at the second semester is 30 September at the same year.	The part-time job of overseas Chinese ethnic Chinese and foreign student shall meet Paragraph 1, Article 34 of Regulations on the Permission and Administration of the Employment of Foreign Workers that the validity of work permit(s) of type C foreign

Serial No.	Item	Relevant Regulations and Description	Notice
		<p>However, the following circumstances are not subject to it:</p> <ol style="list-style-type: none"> (1) The shorter period of work permit shall be taken precedence. (2) If the period of work permit will cover two semesters, and the school presents registration seal (registration certificate) of the next semester under application period, the longest approved period is still 6 months. <p>2. The validity of permit for new graduate of high school and university (graduate with postpone graduation included) is 30 June at the year. However, it can be extended to 30 September for one of the following events:</p> <ol style="list-style-type: none"> (1) New graduate or graduate with postpone graduation requires summer courses or postpone graduation with relevant certificate issued by the school, department or institute. (2) Those overseas Chinese, ethnic Chinese and foreign students who were admitted to university or graduate school shall attach certificate relevant to registration from the school showing the 	<p>worker(s) shall not be longer than six months.</p>

Serial No.	Item	Relevant Regulations and Description	Notice
		<p>registration had been completed.</p> <p>3. The validity of application for new graduate of Master program (grade 4) and Ph.D. program (grade 7) is 31 July at the same year.</p> <p>4. For foreign students who are under the condition in the Subparagraph 3, Paragraph 1, Article 31 of Regulations on the Permission and Administration of the Employment of Foreign Workers, if the internship period which was set out in the document issued by the school is shorter than that of application, it shall take precedence principally.</p> <p>5. In principle, the validity of work permit for the last Class of Overseas Youths is 31 December. However, it shall be recognized by the actual graduation date if the study period noted on the student ID or graduation date verified by the school is later than it.</p> <p>6. The “registration period” on the back of student ID of language center shall be the basis of application period.</p>	
4	Weekly working hours	The part-time job of overseas Chinese, ethnic Chinese and foreign student shall meet Article 50 of Employment Service Act that with the exception of the winter and summer vacations, their sum of working hours shall not exceed 20 hours per week.	

