Content

Title：	Overseas Compatriot Identity Certification Act Ch
Date：	2015.12.23
Legislative：	1.The enacted Act with all 17 Articles was promulgated by Presidential Decree Hua-Zong-Yi-Yi-Zi No.09100243550 on December 18, 2002 2.The amended Articles 4, 5, 7, 10, 11, and 13 as well as Article 15-1 were promulgated by Presidential Decree Hua-Zong-Yi-Yi-Zi No.10400149631 on December 23, 2015
Content：	Article 1 This Act is promulgated for purposes of issuing Overseas Compatriot Identity Certificates and processing of Overseas Compatriot Identity Endorsements. Article 2 The competent authority under this Act is the Overseas Community Affairs Council, ROC (Taiwan). Article 3 This Act applies to Republic of China ("ROC") nationals who reside in a foreign country, provided that it does not apply to persons with Mainland China, Hong Kong or Macau residency status, or persons holding passports issued by Mainland China region. Article 4 A ROC national residing in a foreign country and who satisfies any of the following criteria may apply for the Overseas Compatriot Identity Certificate: 1. He/she currently resides in a country or region with a permanent residency system, and satisfies the following requirements: (1) Has gained permanent residency in such place of overseas residence; (2) Has lived overseas for a cumulative total of at least four (4) years; (3) Has lived continuously at such place of overseas residence for six (6) months, or has spent at least eight (8) months of each year in the preceding two (2) years at such place of overseas residence. 2. He/she currently resides in a country or region where there is no permanent residency system, or where there is a system of permanent residency but it is difficult for foreigners to obtain such permanent residency, and satisfies the following requirements: (1) Has gained temporary residency at such place of overseas residence for four (4) consecutive years, and is eligible for further extensions of residency; (2) Has lived overseas for a cumulative total of at least four (4) years; (3) Has lived continuously at such place of overseas residence for six (6) months, or has spent at least eight (8) months of each year in the preceding two (2) years at such place of overseas residence. 3. Has/had household registration in Taiwan, has departed from Taiwan, has lived legally overseas for ten (10) consecutive years, has been legally employed in the such

place of overseas residence for four (4) years or more, and is eligible for further extensions of residency.
The definition of countries or regions that are difficult for foreigners to obtain permanent residency as referred to in Subparagraph 2 above, as well as recognition of residency qualifications shall be publicly announced each year by the competent authority upon consultation with the Ministry of Foreign Affairs and published in the Executive Yuan Gazette.
For a male who has/had household registration in Taiwan and satisfies the requirements in Paragraph 1 above but has not fulfilled his military service obligations and is close to or of the age eligible for military service, and who is applying for an Overseas Compatriot Identity Certificate for purposes of conscription administration or recognition of identity upon arrival or departure processing, the applicant shall not be subject to restrictions in terms of obtaining an Overseas Compatriot Identity Endorsement under Article 10 or other laws and regulations; and the competent authority shall annotate on such Certificate that the said Certificate is issued for conscription administration purposes only.

Article 5
A person applying for an Overseas Compatriot Identity Certificate shall lodge the application with the competent authority by submitting the following documentation:
1. Application form;
2. Personal identification document;
3. Proof of residency at place of foreign residence;
4. Proof of period of foreign residence;
5. Proof of ROC nationality, or proof of Chinese ethnicity authenticated or issued by Overseas embassies and consulates, representative offices, offices, or other agencies authorized by the Ministry of Foreign Affairs (hereinafter referred to as "Overseas Missions").
6. Other relevant evidentiary documentation.
Rules applying to authentication or issue of proof of Chinese ethnicity referred to in Subparagraph 5 above shall be determined by the competent authority in consultation with other relevant authorities.

Article 6
Where a person applies for an Overseas Compatriot Identity Certificate by submitting a proof of Chinese ethnicity referred to in Paragraph 1, Subparagraph 5 of the preceding Article, the competent authority shall annotate on the Overseas Compatriot Identity Certificate issued the fact that the applicant had lodged the application on the basis of such proof of Chinese ethnicity; the substantive validity of such Overseas Compatriot Identity Certificate shall be as determined by the relevant authority for enterprises of each specific purpose.

Article 7
If so required by a place of foreign residence, the competent authority may authorize the Overseas Missions to process Overseas Compatriot Identity Certificate applications; the relevant procedures and matters be followed to shall be determined by the competent authority.

Article 8
The Overseas Compatriot Identity Certificate is valid for one (1) year from the date

of issue.

Article 9
Where an Overseas Compatriot Identity Certificate is destroyed, lost or damaged, a new application shall be lodged.

Article 10
A ROC national who resides overseas, who holds an ordinary ROC passport, and satisfies the requirements stipulated in Article 4, Paragraph 1 above, may apply for an Overseas Compatriot Identity Endorsement on his/her passport; a male who has not fulfilled his military service obligations and is close to or of the age eligible for military service can be restricted from gaining the Overseas Compatriot Identity Endorsement.
The scope of the aforementioned restriction, conditions, procedure and rules for other matters to be followed will be determined by the competent authority in consultation with the Ministry of the Interior and Ministry of Foreign Affairs.
Where a person applies for the aforementioned Endorsement within ROC, the competent authority shall confirm the overseas compatriot identity of such applicant before transferring the application to the Ministry of Foreign Affairs for processing; where the application is lodged overseas, the Overseas Missions authorized by the competent authority shall directly proceed with confirmation and processing of the application, or shall process the application after requesting confirmation by the competent authority.
Paragraph 1 of Article 5 shall apply mutatis mutandis to documentation required for confirmation of overseas compatriot identity described in the preceding paragraph.

Article 11
Where an application for renewal or replacement of a passport with Overseas Compatriot Identity Endorsement is lodged, the said Endorsement may be transferred after verifying that proof of overseas residency in the place of foreign residence is still valid.

Article 12
Where a person holds a valid passport subject to Overseas Compatriot Identity Endorsement, the valid effect of such Endorsement shall be the same as an Overseas Compatriot Identity Certificate during the validity period of such Endorsement. This does not apply where other laws or regulations requires submission of an Overseas Compatriot Identity Certificate.

Article 13
Adults aged 18 or minors under 18 years old who are married can apply for an Overseas Compatriot Identity Certificate or Overseas Compatriot Identity Endorsement on their own.
Minors who are over 7 years old but under 18 require written consent from their statutory representative when applying for an Overseas Compatriot Identity Certificate or Overseas Compatriot Identity Endorsement.
Minors who are under 7 years old and persons under guardianship should have applications for Overseas Compatriot Identity Certificate or Overseas Compatriot Identity Endorsement carried out on their behalf by their statutory representative.

If there are more than two statutory representatives, the execution of the right of agreement or application as agent can be carried out by one statutory representative; if statutory representative (s) cannot apply in person as an agent, they can appoint a proxy to make the application.

Article 14
A fee shall be charged by the competent authority in respect of processing of Overseas Compatriot Identity Certificate applications pursuant to this Act. The amount of such fee shall be as determined by the competent authority.

Article 15
The format and information to be recorded on Overseas Compatriot Identity Certificates shall be as determined by the competent authority.

Article 15-1
To handle approval of Overseas Compatriot Identity Certificates or Overseas Compatriot Identity Endorsements, the competent authority can request the Ministry of the Interior or Ministry of Foreign Affairs to provide related information by computer connection or other methods.

Article 16
Enforcement Rules in respect of this Act shall be determined by the competent authority.

Article 17
This Act shall enter into force from the promulgation date.

Data Source：Overseas Community Affairs Council, Republic of China (Taiwan) Laws and Regulations Retrieving System