

Guidelines for the Ministry of Foreign Affairs and Diplomatic Missions of the Republic of China (Taiwan) Regarding Interviews with Foreigners Applying for Entry into Taiwan on the Basis of Marriage to ROC Citizens

Promulgated on June 9, 2010

Amended on October 25, 2013

1. These Guidelines have been promulgated to serve as reference for the Ministry of Foreign Affairs (hereinafter referred to as the “Ministry”) and embassies, consulates, representative offices, offices (hereinafter referred to as “diplomatic missions”) of the Republic of China (hereinafter referred to as “ROC”) with regard to interviews with foreign nationals who are applying for document authentication and the visa entering Taiwan on the basis of marriage to ROC citizens. The purpose of these guidelines is to maintain border security, prevent human trafficking, and make sure foreigners do not engage in activities in Taiwan that are not consistent with the main purpose listed on their visa applications. In addition, consideration shall also be given to such relative rights as reunion and living together of families consisting of ROC citizens and foreign nationals.
2. Citizens of selected countries appearing on a certain list of the Ministry shall undergo an interview when applying for entry into Taiwan. To create such a list, which also specifies where interviews shall be conducted, the Ministry may take into account the ROC’s national interests, international convention and practice, the relations between the home countries of the applicants and the ROC, and the overall visa status of other countries’ nationals in Taiwan. The Ministry will review and modify this list when necessary.
3. Citizens of selected countries, who are married to ROC citizens and are applying for document authentication and the visa entering Taiwan, must submit the following documents to the ROC diplomatic mission in their country or another designated location before they can apply for an interview:
 - (1) A letter explaining the history of the relationship between the foreign national and the ROC citizen.
 - (2) New and old passports of the foreign national.
 - (3) Personal identification documents besides passport, as well as the birth certificate of the foreign national.
 - (4) Marriage status certificate and a certificate confirming the single status of

the foreign national before the marriage.

- (5) ID card and passport of the ROC citizen.
- (6) A complete family household registration transcript of the ROC citizen issued within the past three months.
- (7) Documents that are required by the home country of the foreign national when citizens of that country marry foreigners.
- (8) The marriage certificate or marriage registration issued by the home country of the foreign national (including a Chinese or English translation) and authenticated by that country's competent authorities.
- (9) Other supplementary documents that can prove the genuineness of the marriage.

The ROC citizen and the foreign spouse must attend the interview in person at an ROC diplomatic mission or other specified location. Applicants who meet any of the conditions in Article 7 of these Guidelines are exempted from the interview.

The ROC diplomatic mission can not reject to the interview application unless the ROC citizen and the foreign spouse unable to provide completed documents required in Article 3 Section 1.

4. Interviewers shall be designated by the Ministry or ROC diplomatic missions. The interviewer shall not employ improper interview techniques that involve violence, threats, extortion, fraud, or are excessively fatiguing.
5. An audio recording shall be made of the whole interview, and a video recording shall be made if necessary.
The interviewer shall make concise written notes during the interview. Following the interview, the interviewees shall review these notes and confirm their veracity by adding their signatures.
6. In order to protect the privacy of applicants, the interview shall not be made public, and the interviewer shall not disclose any details of the interview. Applicants are not allowed to bring audio and video equipment into the interview room.
7. If any of the following conditions applies, the genuineness of a marriage is considered to be beyond doubt, and applicants may be exempted from the interview:

- (1) The applicant has been married to the ROC citizen for more than a year, and has a biological child with the ROC citizen.
 - (2) The applicant has been married to the ROC citizen for more than three years and can prove that he/she lives together with the ROC citizen.
 - (3) The ROC citizen has resided in the country of the foreign spouse for more than three years and has obtained legal residency of that country.
 - (4) The ROC citizen and the foreign spouse have both legally resided in a third country for more than three years and have been married there.
 - (5) A sufficient number of facts are presented testifying to the genuineness of the marriage, which are accepted by the Ministry.
8. If the Ministry or ROC diplomatic missions have any doubts regarding the authenticity of documents submitted by the ROC citizen and the foreign spouse, they shall request confirmation from the issuing authorities through official letters. In addition, they shall inform applicants of a delay in the application process. The application process will resume after a confirmation from the issuing authorities has been received.
9. After the interview, the Ministry or ROC diplomatic missions may request the applicants to provide relevant supplementary documents within one month to further prove the genuineness of the marriage. If the applicants fail to submit the requested documents within one month, they will not pass the interview stage of the application procedure.
10. If doubts exist regarding the background of the concerned persons or the motivations behind their marriage, ROC diplomatic missions may write in a request to the National Immigration Agency to investigate the family background, economic situation, physical and psychological conditions of the ROC citizen. This background check will be used as reference for the application. The applicant shall be informed of a delay in the application procedure.
11. If the Ministry or the ROC diplomatic missions consider a re-interview is necessary, the Ministry or the ROC diplomatic missions shall give a written notice with comments to notify the ROC citizen and the foreign spouse to provide relevant supplementary evidential documents and then arrange for the re-interview.
- After receiving the written notice, the ROC citizen and the foreign spouse may

submit their re-interview applicaiton with the relevant supplementary evidential documents that can prove the genuineness of marriage.

The Ministry or the ROC diplomatic missions shall arrange a re-interview within two months after receiving the applicants' application.

12. If any of the following occurs during or after the interview, the Ministry or the ROC diplomatic missions shall decline the application:

- (1) Any of the applicants admits to marriage fraud.
- (2) The applicants make different statements regarding important facts of their marriage, or make false statements.
- (3) Documents provided by any of the applicants are found to be forged or counterfeited.
- (4) Other facts emerged prove the marriage is not genuine.

13. If the Ministry or the ROC diplomatic missions reject the application, the Ministry or the ROC diplomatic missions shall write in the rejectable reasons to the applicants with the procedures for administrative remedies.