

The Regulations Governing the Approval of People of Mainland Restoring the nationality of the Republic of China

1. Enacted and Promulgated on February 27, 2004, by Tai-Nei-Hu-Zi No. 0930063058 Order.
2. Amended and promulgated on September 15, 2008, by Tai-Nei-Hu-Zi No. 0970144165 Order.
3. Amended and promulgated on September 14, 2011, by Tai-Nei-Hu-Zi No. 1000181342 Order.

Article 1 These Regulations are enacted in accordance with Paragraph 2 of Articles 9-2 of the Act Governing Relations between Peoples of the Taiwan Area and the Mainland Area (hereinafter referred to as “this Act”).

Article 2 The Regulation shall apply to People of Mainland who lose the nationality of the Republic of China (hereinafter referred to as the ROC) due to household registration in Mainland or apply for passport of Mainland.

The said applying counterpart does not refer to the people of Mainland who restore the nationality of Mainland after acquisition of the nationality of the ROC.

Article 3 To apply for restoration of the nationality of the ROC, procedures as regulated are as follows:

1. The applicant who has rights to stay in legally or has not exit with invalid household registration of the ROC in the territory of the ROC must apply for restoration of nationality of the ROC to the National Immigration Agency, Ministry of the Interior (hereinafter referred to as the “National Immigration Agency”) in person.
2. The applicant who is in the territory of Mainland must apply for restoration of the nationality of the ROC to branches of official organizations and any private organizations

(hereinafter referred to as the “competent authorities”) with authorization of government of the ROC in Mainland respectively pursuant to this Act Article 4-1 and Article 4-2. In case the said branches are not established in Mainland yet, the spouse or collateral blood relatives within the third degree of relationship in the territory of the ROC may apply for restoration on behalf of the applicant to the National Immigration Agency; in case the applicant does not have a spouse or relative by blood within the third degree of relationship in the ROC, he/she may authorize other person or file an application via registered post to the National Immigration Agency.

3. The applicant in Hong Kong or Macau must apply for restoration to any organizations designated or private organizations authorized by the Executive Yuan in Hong Kong or Macau, the said application will be transferred to the National Immigration Agency upon inspection and approval of in-charge officers at said organizations.
4. The applicant abroad must apply for restoration to embassy, economic and cultural office, office or other authorized organization by the Ministry of Foreign Affairs(hereinafter referred to as the “embassy”). The application shall be inspected by inspecting officers of National Immigration Agency in the said embassy or office if applicable; if case there is no inspecting officers of National Immigration Agency in the said embassy or office, the application will be transferred to the National Immigration Agency from which accepting the said application.

Article 4 The applicant who applies for restoration of the nationality of the ROC in accordance with the preceding Article must submit the application form, as well as certificate as follows:

1. Certificate of annulment of household registration or abandonment of passport of Mainland issued by the competent authorities.
2. Certificate of previous household registration in the territory of the ROC.

3. Other relevant certificates required by the central competent authorities.

The applicant must further submit entry/exit certificate if the application is in accordance with Paragraph 1 of the preceding Article.

The authorized person must submit a Letter of Proxy which is certified by the competent authorities to prove authorization if the application is authorized to other person in accordance with Paragraph 2 of the preceding Article.

Article 5 In case any of the following conditions occur, the application for restoration of the nationality of the ROC may be rejected, and those permitted already may be revoked or annulled:

1. The applicant has a household registration in Mainland or obtains passport of Mainland before November 1, 1987.
2. The applicant files an application with fake, transformed, invalid or revoked documents and photos.
3. The applicant presently serves or positions (or used to serve or position) as a member in any political party, military, administrative or political-oriented institutions, groups in Mainland.
4. The applicant used to or presently does participate or support groups or activities against the internal security of or the external security of the state.
5. The applicant used to or presently participate or support illegal groups or activities engaging to terrorism or violence.
6. The applicant is suspected of great crimes outside territory of the ROC.
7. There exist sufficient evidences to establish that there is a threat to national security or social stability.
8. The applicant involves any serious violation against other laws, regulations or orders.

Article 6 The National Immigration Agency issues certificate of restoration of the nationality of the ROC upon permission of

restoration.

Article 7 The individual permitted to restore the nationality of the ROC, who will apply for restoration of household registration, must apply for a certified copy of certificate of permission of entry to the National Immigration Agency. The said certified copy of certificate is for the purpose of application for household registration to the household registration office in the place where his/her original household was in. In case the applicant does not reside in where his/her original household was, he/she may apply for household registration in the local household registration office in the place he/she presently resides in.

Article 8 The Regulations shall come into force from the date of promulgation.