

Review Directions of Entrepreneur Visa Qualification for Foreign Nationals

2022/10/21 revised

1. These directions have been drawn up in relation to the Executive Yuan's plan for the promotion of Entrepreneur Visa, to regulate the qualification examination for the issuing of Entrepreneur Visa.
2. When a foreign national applies for an Entrepreneur Visa, the examination of the applicant's qualification for the issuing of an Entrepreneur Visa shall be conducted by the Investment Commission, Ministry of Economic Affairs (hereinafter referred to as "the Investment Commission, MOEA") in consultation with other relevant industry competent authorities; other agencies may be invited to participate in joint review where necessary.
3. A foreign national applying for an Entrepreneur Visa must meet the following criteria:
 - (1) An individual applicant should comply with at least one of the following criteria:
 - a. The applicant has secured investment from a domestic or overseas venture capital firm, secured investment from the Executive Yuan National Development Fund Startup Angel Project, or obtained funding of at least NT\$2 million in investment (fund-raising) from a government-approved domestic, foreign, or international startup fund-raising platform.
 - b. The applicant that has been physically stationed within one year, or is physically stationing in, the following parks or startup incubators, and has been recommended by such parks or startup incubators:
 - (i).International start-up parks and projects approved by the central or local governments in Taiwan.
 - (ii).The central or local government-operated startup incubators in Taiwan, or those registered in the MOEA international startup incubators and approved and announced by the MOEA.
 - (iii).Foreign startup incubators recognized by the central or local governments in Taiwan.
 - c. The applicant has been awarded an invention patent in a foreign country or domestic invention or design patents, or can demonstrate other evidence of professional expertise.
 - d. The applicant has obtained plant variety rights, or animal name registration in Taiwan, but does not include those implemented by rights assignment or authorization.

- e. The applicant has won an award in a leading domestic or overseas business start-up or design competition, or has received approval to the project of encouraging overseas entrepreneurs to invest in Taiwan from government. e. The applicant who once stationed or is now stationing accelerator facility that is approved by related government institutions.
- f. The applicant has been shortlisted or awarded in indicative domestic/international fashion shows, film festivals, international style awards.
- g. The applicant possesses such other innovation capability as may be specified or recommended by the central competent authority.
- h. The applicant has already established an enterprise with the amount of investment at least NT\$1 million in Taiwan that meets the *Directions of Recognition for Startups with Innovation Capability*, and been serving as the legal representative, manager or director of that enterprise.

(2) A team or group applicant:

- a. The applicant who has not yet established an enterprise in Taiwan shall meet with at least one of Items a, b, c, d, e, f, g under Paragraph (1) above.
 - b. For the applicant who has already established an enterprise in Taiwan that meets the *Directions of Recognition for Startups with Innovation Capability*, the members of the team or group shall be serving as legal representative, executive officers or managers of the enterprise, and the members of the team or group shall have invested a combined total of at least NT\$1 million in the enterprise.
4. The term *Directions of Recognition for Startups with Innovation Capability* as used in the previous article refers to an enterprise that has been lawfully registered under Taiwan's *Company Act* or *Commerce Registration Act* for less than five years, and meet at least one of the following applies. However, enterprises that have received additional approval from the central competent authority shall not be subject to the aforementioned five-year limit:
- (1) The applicant has secured investment from a domestic or overseas venture capital firm, meets the requirements in Article 23-2 of the *Statute for Industrial Innovation*, secured investment from the Executive Yuan National Development Fund Startup Angel Project, or obtained funding of at least NT\$2 million in investment (fund-raising) from a government-approved domestic, foreign, or

international startup fund-raising platform.

- (2) The enterprise is already listed on the Go Incubation Board for Startup and Acceleration Firms (GISA, TPEx), Taipei Exchange (TPEx).
- (3) The enterprise has either been awarded an invention or design patent in Taiwan, or been transferred or licensed of invention or design patent rights by the holder of a Taiwanese invention or design patentee and been registered with the Intellectual Property Office, MOEA.
- (4) The applicant has obtained plant variety rights, or animal name registration in Taiwan, but does not include those implemented by rights assignment or authorization.
- (5) The applicant that has been physically stationed within one year, or is physically stationing in, the following parks or startup incubators, and has been recommended by such parks or startup incubators:
 - a. International start-up parks and projects approved by the central or local governments in Taiwan.
 - b. The central or local government-operated startup incubators in Taiwan, or those registered in the MOEA international startup incubators and approved and announced by the MOEA.
 - c. Foreign startup incubators recognized by the central or local governments in Taiwan.
- (6) The enterprise or its legal representative has won an award in a leading domestic or overseas business start-up or design competition.
- (7) The enterprise or its legal representative has been shortlisted or awarded in indicative domestic/international fashion shows, film festivals, international style awards.
- (8) The enterprise conforms to such other requirements as may be specified by the central competent authority.

Regarding the applicable scope of Items b, e, and f of Paragraph (1) of Article 3, and of Paragraphs (5) to (7) of the preceding Articles, please refer to the *Directions of Recognition for Startups with Innovation Capability* and the attachments thereto.

5. The concerning documents of Articles 3, 4 and 7, and the industry competent authorities that must be invited to participate in qualification examination, are shown in Appendix.

6. Applicant applying for an Entrepreneur Visa and Alien Resident Certificate shall submit the application via Internet transmission to the Foreign Professionals Online Application Platform (hereinafter referred to as the “Foreign Professionals Application Platform”) established by the National Immigration Agency of the Ministry of the Interior (hereinafter referred to as “the NIA”) in accordance with the following rules:

(1) Attach color scanned e-file(s) of the following documents:

- a. Passport with at least 6-month validity remaining.
- b. 2-inch hatless facial color photo taken within 6 months.
- c. The concerning documents specified in Appendix.

(2) Choose the validity period of the Alien Resident Certificate and pay the stipulated fees.

After the Investment Commission, MOEA has reviewed the application for compliance with eligibility, the NIA shall notify the applicant to bring the Passport Submission Notice and his/her passport (original) to an overseas embassy, representative office, or office of the Ministry of Foreign Affairs (or the Bureau of Consular Affairs of the Ministry of Foreign Affairs if the applicant has entered the ROC) for visa application within six months; after entering the ROC, the applicant shall register with the Service Center of the NIA to receive the Alien Resident Certificate; at each stage of the procedure, the disposition to approve or reject shall be made by each competent authority according to its respective jurisdiction.

Where an application is submitted by a team or group, the application shall be submitted by team member(s) who jointly conform to one of the requirements specified in Paragraph (2) of Article 3 above via Foreign Professionals Application Platform, and, after receiving the application number, the rest of the team member(s) shall submit their applications with the application number; if each of the team member respectively conforms to the requirements for a single-person application, then each of them may submit a single-person application on presentation of a Memorandum of Understanding (MoU); the number of persons that may be included in a team or group application may not exceed three persons, except in cases where special permission being given by a joint-agency approval.

7. Initial validity for an approved Entrepreneur Visa and Alien Resident Certificate shall be two years; however, when the applicant’s business enterprise in Taiwan meets at least one of the criteria listed below, the applicant may apply for an extension within four months before the expiry date of his/her Alien Resident Certificate and submit the

qualification review documents specified in Appendix via Foreign Professionals Application Platform. The maximum permitted period of each extension may not exceed two years:

- (1) The sales revenue of the applicant's enterprise for the most recent year, or the average for the most recent three years, is at least NT\$3 million.
- (2) The operating expenses of the applicant's enterprise for the most recent year, or the average for the most recent three years, is at least NT\$1 million.
- (3) The applicant's enterprise employs at least three full-time Taiwanese nationality employees.
- (4) The applicant's enterprise can demonstrate some other category of operational performance that leads the industry competent authority to determine that the enterprise is making a positive contribution to Taiwan's economic development.

After the NIA accepted the extension application, the Investment Commission, MOEA shall review whether the application meets one of the criteria listed in the preceding Paragraph, and the NIA may reject an application that does not meet the criteria.

Foreign nationals holding Alien Resident Certificate issued according to Paragraph (1) who are eligible for the criteria listed in Article 4 Subparagraph 2 of the Act for the Recruitment and Employment of Foreign Professionals may apply for an Employment Gold Card via Foreign Professionals Application Platform before the expiry date of his/her Alien Resident Certificate.

8. The provisions of these Directions shall apply mutatis mutandis to the provision of assistance by the MOEA for the examination of applications for resident visas in order to engage in entrepreneur activity that are submitted by residents of Hong Kong or Macao to the Ministry of the Interior or to the Mainland Affairs Council offices in Hong Kong and Macao.

Appendix

Qualification Requirement		Documents to be Submitted	Agencies Participating in Review
Single individual, Team	1.1 The applicant has secured investment from a domestic or overseas venture capital firm, secured investment from the Executive Yuan National Development	Submit one of the following 1 to 5 : 1. Yet-to-be-established startup : (1)An investment commitment letter or similar documentary evidence signed by the promoter and the domestic or overseas venture capital firm(s). (2)A photocopy of the corporate registration document (or the legal certification	Ministry of Economic Affairs (Industrial Development Bureau, Department of Commerce, and

Qualification Requirement		Documents to be Submitted	Agencies Participating in Review
	Fund Startup Angel Project, or obtained funding of at least NT\$2 million in investment (fund-raising) from a government-approved domestic, foreign, or international startup fund-raising platform.	<p>document issued by the authority), or document confirming amendment of the corporate registration document, of the domestic or overseas venture capital firm(s).</p> <p>2. From the legal representative of a newly-established startup (in existence for less than one year) in which a domestic venture capital firm(s) has invested:</p> <p>(1) A detailed breakdown of share subscriptions paid by shareholders issued no more than two months prior to the date of submission of application (the “Shareholders” field must give the name of the investing domestic venture capital firm).</p> <p>(2) A photocopy of the corporate registration document (or equivalent written evidence of lawful establishment), or document confirming amendment of the corporate registration document, of the domestic venture capital firm.</p> <p>3. From the legal representative of a newly-established startup (in existence for less than one year) in which an overseas venture capital firm(s) has invested:</p> <p>(1) A detailed breakdown of share subscriptions paid by shareholders issued no more than two months prior to the date of submission of application (the “Shareholders” field must give the name of the investing overseas venture capital firm, such as “XXX Venture Partners” or “XXX Venture Capital”).</p> <p>(2) A photocopy of a document issued by an overseas competent authority (or agency commissioned to issue such documents by an overseas competent authority) authorizing the overseas venture capital firm to undertake investment activity (the areas in which the firm is permitted to invest much include the business area of the start-up being invested in).</p> <p>4. Acquired documentary evidence verifying the securing of funding from a government-approved domestic, foreign, or international startup fund-raising platform.</p> <p>5. Documentary evidence of receiving investments from the Executive Yuan National Development Fund Startup Angel Project.</p>	Investment Commission); National Development Council; National Development Fund Management Committee, Executive Yuan.

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	<p>1.2 The applicant that has been physically stationed within one year, or is physically stationing in, the following parks or startup incubators, and has been recommended by such parks or startup incubators:</p> <p>(i). International start-up parks and projects approved by the central or local governments in Taiwan.</p> <p>(ii). The central or local government-operated startup incubators in Taiwan, or those registered in the MOEA international startup incubators and approved and announced by the MOEA.</p> <p>(iii). Foreign startup incubators recognized by the central or local governments in Taiwan.</p>	<p>1. A photocopy of the collaboration documents, such as cooperation contract, MoU, or plan signed by the applicant and the park or incubator.</p> <p>2. A recommendation letter of the park or startup incubator.</p> <p>3. A startup proposal that must state the innovation and entrepreneurship plan content, objectives, feasibility etc.</p>	<p>National Development Council; Ministry of Economic Affairs (Small and Medium Enterprise Administration); Ministry of Science and Technology; and the relevant central or local government authorities</p>
	<p>1.3 The applicant has been awarded an invention patent in a foreign country or domestic invention or design patents, or can demonstrate other evidence of professional expertise.</p>	<p>Submit one of the following :</p> <p>1. A photocopy of a patent certificate issued by Taiwan's Intellectual Property Office, MOEA.</p> <p>2. A photocopy of a patent certificate issued by a patent issuing agency in a foreign country.</p> <p>3. Other evidence of professional expertise.</p>	<p>Ministry of Economic Affairs (Intellectual Property Office, Small and Medium Enterprise Administration, Industrial Development Bureau, Department of Commerce, and Department of Industrial Technology); and other central industry competent authorities</p>
	<p>1.4 The applicant has</p>	<p>The documents of certification issued by</p>	<p>Council of</p>

Qualification Requirement		Documents to be Submitted	Agencies Participating in Review
	obtained plant variety rights, or animal name registration in Taiwan, but does not include those implemented by rights assignment or authorization.	Council of Agriculture, Executive Yuan.	Agriculture, Executive Yuan
	1.5 The applicant has won an award in a leading domestic or overseas business start-up or design competition, or has had an application approved to participate in a government project to encourage overseas entrepreneurs to invest in Taiwan.	Submit one of the following : 1. A photocopy of a Ministry of Science and Technology Innovation & Startups Award of Excellence certificate. 2. A photocopy of a Small and Medium Enterprise Administration (MOEA) Taiwan Innovation Competition (TIC) award certificate. 3. A photocopy of a DEMO God Awards award certificate. 4. A photocopy of a Red Dot Awards award certificate. 5. A photocopy of an iF Design Awards award certificate. 6. A photocopy of a Good Design Awards (G-Mark awards) award certificate. 7. A photocopy of an IDEA award certificate. 8. A proposal for an entrepreneur venture in Taiwan that has been approved by the Taiwanese government. 9. Documentary evidence of another award of a type approved by the central industry competent authority.	Ministry of Science and Technology; Ministry of Economic Affairs (Small and Medium Enterprise Administration, Industrial Development Bureau, Department of Commerce and Department of Industrial Technology); National Development Council; and other central industry competent authorities
	1.6 The applicant has been shortlisted or awarded in indicative domestic/international fashion shows, film festivals, international style awards.	The documents of shortlisted or awarded certification issued by the film authorities.	Ministry of Culture
	1.7 The applicant possesses such other innovation capability as may be specified or recommended by the central competent authority.	Such documentary evidence as may be specified by the central industry competent authority.	The relevant central industry competent authorities.
2. Single individual.	The applicant has established an enterprise in Taiwan that has been in existence for less than five years shall meet one of the following: 1. The Single individual	1. An investment authorization letter, and a letter confirming the amount of investment, issued by the government agency responsible for approving foreign investment (or another agency commissioned with authority). 2. The corporate registration document (or document confirming amendment thereof) or	Ministry of Economic Affairs (Department of Commerce, and Investment Commission)

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	<p>applicant who is serving as the legal representative, manager, or director of the enterprise, and has invested at least NT\$1 million in the enterprise.</p> <p>2. The Team applicant that members of the team are serving as the legal representative, manager, or director of the enterprise, and the members of the team have invested a combined total of at least NT\$1 million in the enterprise.</p>	<p>permit allowing establishment of a foreign-owned company (or document confirming amendment thereof).</p> <p>3. Documentary evidence of the applicant team members' employment in the Taiwan-based enterprise.</p>	
	<p>2.1 The applicant has secured investment from a domestic or overseas venture capital firm, meets the requirements in Article 23-2 of the Statute for Industrial Innovation, secured investment from the Executive Yuan National Development Fund Startup Angel Project, or obtained funding of at least NT\$2 million in investment (fund-raising) from a government-approved domestic, foreign, or international startup fund-raising platform.</p>	<p>Submit one of the following 1 to 4 :</p> <p>1. Where the start-up has received investment from a domestic venture capital firm (and the start-up is structured as a corporation limited by shares or as a limited corporation):</p> <p>(1) A detailed breakdown of share subscriptions paid by shareholders issued no more than two months prior to the date of submission of application (the "Shareholders" field must give the name of the investing domestic venture capital firm).</p> <p>(2) A photocopy of the corporate registration document (or equivalent written evidence of lawful establishment), or document confirming amendment of the corporate registration document, of the domestic venture capital firm.</p> <p>2. Where the start-up has received investment from an overseas venture capital firm (and the start-up is structured as a corporation limited by shares or as a limited corporation):</p> <p>(1) A detailed breakdown of share subscriptions paid by shareholders issued no more than two months prior to the date of submission of application (the "Shareholders" field must give the name of the investing overseas venture capital firm, such as "XXX Venture Partners" or "XXX Venture Capital").</p> <p>(2) A photocopy of a document issued by an overseas competent authority (or agency commissioned to issue such documents by an overseas competent authority) authorizing the overseas venture capital firm to undertake investment activity (the areas in which the firm is permitted to invest much include</p>	<p>Ministry of Economic Affairs (Industrial Development Bureau, Department of Commerce, and Investment Commission); National Development Council; National Development Fund Management Committee, Executive Yuan.</p>

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		<p>the business area of the start-up being invested in).</p> <p>3. Acquired documentary evidence verifying the securing of funding from a government-approved domestic, foreign, or international startup fund-raising platform.</p> <p>4. Documentary evidence of meeting requirements in Article 23-2 of the Statute for Industrial Innovation or receiving investments from the Executive Yuan National Development Fund Startup Angel Project.</p>	
	2.2 The enterprise is already listed on the Go Incubation Board for Startup and Acceleration Firms (GISA), Taipei Exchange.	A photocopy of the letter issued by the Taipei Exchange agreeing to the listing of the enterprise on the Go Incubation Board for Startup and Acceleration Firms (GISA).	Financial Supervisory Commission.
	2.3 The enterprise has been awarded an invention or design patent in Taiwan, or the holder of a Taiwanese invention or design patent has transferred or licensed its patent rights to the enterprise and this has been registered with the Intellectual Property Office, MOEA.	<p>Submit one of the following :</p> <p>1. A photocopy of the patent certificate issued by the Intellectual Property Office, MOEA.</p> <p>2. A photocopy of a patent certificate issued by a patent issuing agency in a foreign country.</p>	Intellectual Property Office, Ministry of Economic Affairs
	2.4 The applicant has obtained plant variety rights, or animal name registration in Taiwan, but does not include those implemented by rights assignment or authorization.	The documents of certification issued by Council of Agriculture, Executive Yuan.	Council of Agriculture, Executive Yuan
	2.5 The applicant that has been physically stationed within one year, or is physically stationing in, the following parks or startup incubators, and has been recommended by such parks or startup incubators: (i). International start-up parks and projects approved by the central or local governments in Taiwan.	<p>1. A photocopy of the collaboration documents, such as cooperation contract, MoU, or plan signed by the applicant and the park or incubator.</p> <p>2. A recommendation letter of the park or startup incubator.</p> <p>3. A startup proposal that must state the innovation and entrepreneurship plan content, objectives, feasibility etc.</p>	National Development Council; Ministry of Economic Affairs (Small and Medium Enterprise Administration); Ministry of Science and Technology; and the relevant central or local government

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	<p>(ii).The central or local government-operated startup incubators in Taiwan, or those registered in the MOEA international startup incubators and approved and announced by the MOEA.</p> <p>(iii).Foreign startup incubators recognized by the central or local governments in Taiwan.</p>		authorities
	2.6 The enterprise or its legal representative has won an award in a leading domestic or overseas business start-up or design competition.	<p>Submit one of the following :</p> <ol style="list-style-type: none"> 1. A photocopy of a Ministry of Science and Technology Innovation & Startups Award of Excellence certificate. 2. A photocopy of a Small and Medium Enterprise Administration (MOEA) Taiwan Innovation Competition (TIC) award certificate. 3. A photocopy of a DEMO God Awards award certificate. 4. A photocopy of a Red Dot Awards award certificate. 5. A photocopy of an iF Design Awards award certificate. 6. A photocopy of a Good Design Awards (G-Mark awards) award certificate. 7. A photocopy of an IDEA award certificate. 8. Documentary evidence of another award of a type approved by the central industry competent authority. 	Ministry of Science and Technology; Ministry of Economic Affairs (Small and Medium Enterprise Administration, Industrial Development Bureau, Department of Commerce, and Department of Industrial Technology); National Development Council ;and other central industry competent authorities
	2.7 The enterprise or its legal representative has been shortlisted or awarded in indicative domestic/international fashion shows, film festivals, international style awards.	The documents of shortlisted or awarded certification issued by the film authorities.	Ministry of Culture
	2.8 The enterprise conforms to such other requirement as may be specified by the central competent authority.	Such documentary evidence as may be specified by the central competent authority.	The relevant central industry competent authorities.

Qualification Requirement		Documents to be Submitted	Agencies Participating in Review
3. Extension of period of residence (for an enterprise in Taiwan)	3.1 The sales revenue of the applicant's enterprise for the most recent year, or the average for the most recent three years, is at least NT\$3 million.	The Profit-seeking Enterprise Annual Income Tax Return or Declaration of Sales and Business Tax by a Business Entity for either the most recent year or the most recent three years.	Ministry of Economic Affairs (Investment Commission); other relevant industry competent authorities
	3.2 The operating expenses of the applicant's enterprise for the most recent year, or the average for the most recent three years, is at least NT\$1 million.	1. The Profit-seeking Enterprise Annual Income Tax Return or Declaration of Sales and Business Tax by a Business Entity for either the most recent year or the most recent three years. 2. A detailed breakdown of expenditure on R&D, and supporting documentary evidence.	
	3.3 The applicant's enterprise employs at least three full-time Taiwanese nationality employees.	A register of employees, and documentary evidence of employees' Labor Insurance and National Health Insurance coverage.	
	3.4 The applicant's enterprise can demonstrate some other category of operational performance that leads the industry competent authority to determine that the enterprise is making a positive contribution to Taiwan's economic development.	1. Documentary evidence of the enterprise's annual purchasing in Taiwan, sales in Taiwan, or imports into or exports from Taiwan, etc. 2. Such other documents as may be required by the industry competent authority.	