

Organization Act of the National Immigration Agency, Ministry of the Interior

Article 1

The Ministry of the Interior shall establish the National Immigration Agency (hereinafter referred to as “the agency”) to unify border control of entry/exit, regulate immigration affairs, implement immigration assistance and guidance, protect human rights and prevent human trafficking.

Article 2

The Agency shall be in charge of the following matters:

1. Formulating, coordinating and implementing policies regulations regarding border control of entry/exit, immigration and human trafficking prevention.
2. Processing entry applications of people from the Mainland China Area, residents of Hong Kong or Macau and nationals without household registration in the Taiwan Area.
3. Handling inspection of travel document, forensic examination, admission of passenger and investigation of border entry and exit document.
4. Reviewing and admission of the cases relating to visits, residence and registered permanent residency for naturalization.
5. Inspection, detaining, compulsory exiting and deporting of cases relating to violating regulations of entry, exit and immigration related affairs.
6. Promoting the cooperation and interchange of information concerning entry, exit and

immigration affairs among countries.

7. Coordinating immigrant assistance and guidance, implementing and protecting immigrant rights.
8. Planning, coordinating and supervising family assistance to foreign and Chinese spouses.
9. Determining the status of potential refugees, and handling matters regarding refugee asylum and sheltering.
10. Investigating and collecting information regarding border security and immigration.
11. Planning and managing matters related to entry, exit and immigration information.
12. Handling other affairs related to entry, exit and immigration.

If anything mentioned in the subparagraph 10 of the previous paragraph is related to national security issues, it shall be guided, coordinated, and supported by National Security Bureau, R.O.C.

Article 3

The Agency shall have one Director-General who shall be a civil servant ranked Senior Grade 13; and two Deputy Directors-general, who shall be civil servant ranked Senior Grade 12.

Article 4

The Agency shall have one Chief-Secretary who shall be a civil servant ranked Senior Grade 11.

Article 5

If necessary, the Agency shall be permitted by Executive YUAN [Republic of China (Taiwan)], and may dispatch staff members to work in the R.O.C. Overseas Missions in pursuance of the Organization Act of Diplomatic Missions of the Republic of China (Taiwan).

Article 6

The official ranks, grades and numbers of the staff at the Agency shall be governed by a separate organization chart.

Article 7

The National Immigration Agency staff members who transferred to the Agency in accordance with the Act in effect on January 2, 2007 had passed the special examination under his/her previous governmental organizations. Those staff members are not obligated to follow all the regulations in the Civil Servant Examination Act, Civil Servant Employment Act, and the regulations under the Civil Servant Special Examination; however, if a staff member requests transfer from the National Immigration Agency to another governmental organization, his/her job duties are limited to the duties performed in his/her previous governmental organizations and the affiliated governmental organizations which held the special examination (which the staff member had passed prior to being transferred to the Agency) and the National Immigration Agency.

Article 8

The date of the Act will go into effect shall be determined by order of the Executive Yuan.