

# **Enforcement Rules of the Household Registration Act**

1. Promulgated on June 25, 1934, by Ministry of the Interior and come into force on July 1, 1934
2. Amended and promulgated on June 21, 1946, by Jie-Jing-(1)-Zi No.2682 Order of Executive Yuan
3. First paragraph of Article 32 amended and promulgated on December 7, 1948, by Executive Yuan
4. Full 60 Articles amended and promulgated on July 10, 1974, by Executive Yuan
5. Amended and promulgated on July 31, 1992, by Tai-(81)-Nei-Zi No.26745 Letter of Executive Yuan
6. Full 35 Articles amended and promulgated on March 4, 1998, by Tai-Nei-Hu-Zi No.8776221 Order of the Ministry of the Interior
7. Amended and promulgated on November 10, 1999, by Tai-(88)-Nei-Hu-Zi No.8882555 Order of the Ministry of the Interior
8. Amended and promulgated on February 25, 2002, by Tai-Nei-Hu-Zi No.0910002780 Order
9. Amended and promulgated on February 4, 2004, by Tai-Nei-Hu-Zi No.0930060231 Order
10. Amended and promulgated on December 19, 2005, by Tai-Nei-Hu-Zi No.0940019817 Order
11. Amended and promulgated on August 6, 2007, by Tai-Nei-Hu-Zi No.0960119184 Order
12. Amended and promulgated on January 7, 2009, by Tai-Nei-Hu-Zi No.0970213623 Order

## **Chapter 1. General Provisions**

Article 1 These enforcement rules are enacted in accordance with Article 82 of Household Registration Act (hereafter referred to as "this Act").

Article 2 The authority in charge of household registration administrations shall be the Civil Affairs Bureau of municipal and county (city) governments.

Article 3 The household is categorized as follows:

1. Common living household: It means the ordinary household of which the residents live together in the same family or place.
2. Common business household: It means the factory, shop, temple, organization, school or any other public or private place engaging in common businesses in the same place and under the same managing person.
3. Independent living household: It means the resident who lives independently in a place.

If there are different households in the same place, the households shall be separated according to the nature of such households. The name of a common business household, if any, shall be indicated.

Article 4 In the common living household, the members are placed in the following order:

- 1.The head of household
- 2.The spouse of the head
- 3.The lineal ascendants of the head
- 4.The lineal descendants of the head
- 5.The side relatives of the head
- 6.Other relatives

## 7.Lodgers

In the common business household, the members are placed in the following order:

- 1.The head of household
- 2.Employees
- 3.Students
- 4.Inmates
- 5.Other members
- 6.Lodgers

If the head has other common living household or independent living household, the address of such household shall be indicated.

Article 5 After receiving notice from immigration authority for a concerned party depart from the country for more than two years, household registration office shall notice the concerned party to apply for Move-out Registration in a certain period of time. In case the concerned party doesn't apply for Move-out Registration in the certain time limit, household registration office may proceed with the Moving-out Registration at its discretion pursuant to the Article 42 of this Act, and then notify the concerned party.

Article 6 In case of applying pursuant to paragraph 2, Article 17 of this Act for Moving-in Registration shall apply to the household registration office in the place where to move into.

Article 7 Authority that needs household registration record may request the household registration authority to provide, or may transcribe and check by itself.

The authority that needs household registration record mentioned in the previous paragraph, which has built computerized information system shall apply by regulation for the linkage with the Household Registration Information System in order to obtain such record.

Article 8 The household registration records mentioned in this Act, refer to household registration application forms, filed documents for certification, booklet, card, and computer storage media.

## **Chapter 2. Household Registration**

Article 9 Household registrations shall be made through applications by applicants. But the Initial Household Registration made after census or those pursuant to Article 37, Article 38, Article 42, the proviso of Paragraph 3 of Article 42, Paragraph 4 of Article 42, Article 50 of this Act, household registration office shall proceed the registration at its discretion based on notice from correction authorities, police authorities, immigration agency, prosecutors, courts, military courts, healthcare administration authorities, central competent authorities, social welfare competent authorities of municipalities/counties (cities) government, house owners, managing authorities of the house, local self-government authorities, or based on authority of household registration office. In case a litigation occurs after registration and a Court's Final Verdict, the concerned party shall apply for a Alteration Registration pursuant to Article 25 of this Act. If the concerned party still don't make a Alteration Registration application upon the writing notice pursuant to Paragraph 3 Article 25 of this Act, household registration office shall proceed the registration directly at its discretion and notify the concerned party after registration.

Article 10 A case involving two and more registrations shall be separately registered.

Article 11 The household ID number, full name of the household head, birthday of concerned party, and full name, national ID number, address, application date of concerned party and applicant, shall be recorded in the household registration forms.

Article 12 Recorded date of a household registration by household registration office shall consistent with the date of the incident. In case the date of the incident is inconsistent with Taiwan area and the applicant raises proving documents, household registration office may make a note in Notes column of household registration record.

Article 13 For the following registrations, the applicant shall furnish original proving documents when making application:

1. Birth Registration
2. Registration of Parentage
3. Adoption and Adoption Termination Registration
4. Marriage and Divorce Registration, however, for marriage before May 22, 2008(included), that both concerned parties and two witnesses appear on the wedding site make the registration personally, the marriage proving documents may be exempted.
5. Registration of Legal Guardianship
6. Assistance Registration
7. Registration of exercising responsibility of the right and obligation for the minor children
8. Registration of Death and Presumption of Death
9. Initial Household Registration
10. Registration of Movement: the registration that creates a new household.
11. Household Separation (Combination) Registration
12. Birthplace Registration
13. Alteration, Revocation, or Annulment Registration
14. Correction Registration, not for transcription errors.

The preceding Subparagraph 6 will come into force from November 23, 2009

Article 14 The original copies of proving documents mentioned above, except those of Birth, Death and Initial Household Registrations, shall be retained in the household registration office after examination. For the rest documents, the photocopies thereof may be kept for filing.

The raised documents by applicants pursuant to preceding article and Article 47 of this Act, that are produced in foreign country, shall be certified by an ROC embassy, representative office, liaison office or any other organization authorized by the Ministry of Foreign Affairs (MOFA) (hereinafter referred to as ROC Embassy or Mission Abroad). The documents produced in Mainland China, Hong Kong or Macau shall be certified by an organization established, or a private organization entrusted by Executive Yuan. The documents produced in our country by foreign consulate or authorized agency shall be re-verified by MOFA.

In case the abovementioned documents are written in foreign language, Chinese version verified by ROC Embassy or Mission Abroad or certified by domestic notary are required.

Article 15 Any error or omission item recorded in the household registration owing to process mistake by household registration office, shall be identified and corrected by the current household registration office, and inform the concerned party or the original applicant.

Article 16 Owing to the applicant made mistake when applying to the registration, the applicant should submit one of the following proving documents and apply to the household registration office where the domicile place is registered for correction:

1. Household registration record, either of the first household registration or before of that household registration in Taiwan.
2. Original national identification card issued by government authority and with the seal of the issuing authority.
3. Document can prove graduated from or study at every general school, army or police school, or every training

class, group or team.

4. Birth certificate issued by public or private medical institutions or qualified maternity nurse.
5. Stop military service, clear military service, general discharge certificate or soldier domicile information certificate issued by the Ministry of Defense or the Army, Navy, Air force, Joint Service Force, Armed Forces Reserve Command, Military Police Command.
6. Court's Final Verdict, Nolle Prosequi by prosecutor, or the public or certified certification by the domestic notary, that can verify the fact.
7. Documents issued by other authority or institute are sufficient to prove the truth.

Article 17 To submit each one of the various proving documents listed except in the case Paragraph 1 and 6 of preceding Article, to correct the birth date of the household registration should be limited to the certificate issuing date or document established date prior to the issued date of the first household registration proving document in Taiwan. However, in case the certificate issuing date is later than the issuing date of household registration documents first registered in Taiwan, it should attach the copy of the original documents issued by related office which established prior to the issuing date of those documents first registered in Taiwan.

Article 18 The age shown on the submitted certificate for correcting the birth date of household registration should be counted according to chronological age of country calendar. As to the certificate only with age, should use the certificate issuing date or ROC year minus the age to presume its birth year. However, the person born before the country establishing year should use the age on the certificate minus the year issued certificate or year established plus one to count his age.

Article 19 The notification mentioned in the Paragraph 2 and Paragraph 3 of Article 48 of this act shall have a time limit of no less than 7 days; such notification shall be sent to the person who shall make the application.

The notification issued by household registration office shall indicate that if the application is not filed within the notified time limit, the registration shall be filed pursuant to Paragraph 4 of Article 48 of the Act directly. After the household registration office files the registration directly pursuant to Paragraph 3 and Paragraph 4 of Article 48 of this Act, it shall notify the applicant who shall file the registration.

After the household registration office files the registrations pursuant to Paragraph 1 of Article 50 of this Act, it shall transfer the domicile of whole household to the household registration office temporarily with address indicated, and notify police department.

Article 20 For incompleteness of household registrations, the household registration office shall notify for correction at a time.

Article 21 When accepting household registration, the household registration office shall examine the applicant's National Identification Card and Household Certificate. However, for foreigner, stateless person, national without household registration, the people of mainland China, Hong Kong or Macao resident, the household registration office should check his/her passport or entry/exit permit.

When accepting household registration, the household registration office shall register the information of registration accepted into computer system, print out the application forms for the registration, and make necessary notes in relevant columns of the household certificate. The forms and photocopies or original copies of proving documents kept shall be bound into volumes by year and village for filing in the household registration office.



Article 22 The entries of household registration shall be registered in the relevant columns or households, with causes and dates indicated. In case the head of household is the party concerned of a registration of household head Alteration, Death or Presumption of Death, Moving-out, Household Separation (Combination), Address Alteration, Household Revocation, Household Annulment, such household shall be listed as cancelled and the household record thereof shall be copied for retention.

In the preceding paragraph, household is cancelled due to household head alteration, death or presumption of death, moving-out, address alteration, household revocation, household annulment, and the household still has other member registered, the household registration applicant shall choose one member to be the new household head. If all the rest household member registered has no or is limited in capacity to make juridical acts, the eldest member shall be the new household head.

In case the head of household is the party concerned of a registration of Death or Presumption of Death, Moving-out, Address Alteration, Household Revocation or Household Annulment pursuant to Article 42 or Paragraph 4 of Article 48 of this Act, such household shall be listed as cancelled and choose one new household from the rest household member pursuant to preceding Paragraph.

### **Chapter 3. Census and Household Statistics**

Article 23 The areas and periods of census shall be prescribed by municipal and county (city) governments, and shall be submitted to the central competent authority for examination and filing.

Article 24 The date of census shall be stipulated by municipal and county (city) governments.

- Article 25 When making census, the household registration offices shall issue household labels according to the sequence of households in each Neighborhood, marking the village and door plate No. of household. From the day of census, the offices shall assign personnel to proceed with the census in the households one by one, and fill out the census papers. The census papers, which may be substituted with the household registration application forms, shall be filled out by the census personnel, but shall be signed or affixed with chops of the heads of households or the agents of the persons who receive census. For the common business households, the papers may be issued to them for filling out.
- Article 26 The census shall be conducted on household basis. The households shall be grouped according to village, neighborhood and door plate No.
- Article 27 After completing the census and re-checking, the household registration office shall process the household registration immediately, and produce result statistics, which shall be submitted to the central competent authority.
- Article 28 When processing initial household registration in a domiciliary registration area, the household registration office shall input the information obtained from census into computer system, with copies bound into volume by village sent to the municipal or county (city) government for examination and filing.
- Article 29 All forms and lists for processing census and household registrations shall be produced by the household registration offices or municipal and county (city) governments. In any alteration made to the entries of the census or household registration forms and lists there shall be affixed with the chop of the person who makes the alteration.
- Article 30 For the census and household registration, there shall check and record the household in which existing residents have resided or are expected to reside for three and more months.

- Article 31 When the household registration office makes the census on every household and every member of household, the chief of each village and neighborhood, as well as the clerks of each village and policemen of each police precinct shall provide the office with assistance.
- Article 32 Any person refuses to accept checking or correction of the entries of household registration without any due reason, the household registration office shall notify him/her to make them up when he/she applies for household registrations or various certificates.
- Article 33 When checking the educational degree pursuant to Article 72 of this Act, the household registration office may make the entry of such background at its discretion in accordance with the register of graduates' educational degree furnished by different levels of middle schools and above, the proving documents surrendered by the parties concerned, or the results that the census personnel obtains verbally. When making the entry of educational background as mentioned above, the titles of school and department may be exempted.
- Article 34 The forms, methods and dates of production of household statistics shall be stipulated by the central competent authority.

#### **Chapter 4. Supplementary Provisions**

- Article 35 The implementation procedures or supplementary requirements prescribed by each municipal and county (city) government for census and registrations shall be submitted to the central competent authority for examination and filing.
- Article 36 These Enforcement Rules shall come into force from the date of their promulgation unless otherwise determined.