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Chinese Rules on Travel to and from Taiwan

Chapter I. General Principles

Article 1. These procedures are formulated in order to ensure contact between people on both sides of the Taiwan Strait, to promote exchanges in various spheres, and to safeguard social order.

Article 2. These procedures apply to Chinese citizens living on the mainland (hereafter referred to as mainland residents) who are travelling to and from the Taiwan area (hereafter referred to as Taiwan), as well as to Chinese citizens living in the Taiwan area (hereafter referred to as Taiwan residents) who are travelling between Taiwan and the mainland.

The relevant laws and regulations will apply to travel-related matters not covered by these procedures.

Article 3. To go to Taiwan, mainland residents must obtain a travel document issued by the entry and exit administrative department of a public security organ, and may travel through open or designated entry and exit ports.

Article 4. Taiwan residents may come to the mainland by relying on travel documents issued by the competent authorities of state, and may travel through open or designated entry and exit ports.

Article 5. Chinese citizens travelling between Taiwan and the mainland must not do anything harmful to state security, reputation or interests.

Chapter II. Mainland Residents Going To Taiwan

Article 6. To go to Taiwan to settle permanently; to visit relatives or friends; to go sightseeing; to inherit or handle property; to handle marriages or funerals; or to take part in economic, scientific and technological, cultural, educational, sports or academic activities, mainland residents must submit an application to the public security bureau of the city or county in which they reside.

Article 7. In submitting an application to go to Taiwan, mainland residents must follow the following procedures:

- (1) Prove their identity and submit a certificate of registered permanent residence;
- (2) Fill in an application to go to Taiwan;
- (3) Personnel holding a job and students must submit a letter giving their units' opinion of their going to Taiwan; personnel not holding a job and non-students must submit a letter of opinion from a police station in the place of their registered permanent residence; and
- (4) Submitted applications must be accompanied by corresponding proof.

Article 8. The proof mentioned in item (4) of Article 7 means:

- (1) An applicant going to settle permanently in Taiwan must submit proof that permission has been granted;
- (2) An applicant going to visit relatives or friends in Taiwan must submit proof of relationship with the relatives or friends;

(3) An applicant going sightseeing must submit proof of possession of sufficient travel expenses;

(4) An applicant going to inherit or handle property must submit notarized proof of having legitimate right to the property;

(5) An applicant going to handle a marriage must submit notarized proof related to the matter;

(6) An applicant going to handle a funeral for relatives and friends must submit the relevant document or notification;

(7) An applicant going to take part in economic, scientific and technological, cultural, educational, sports or academic activities must submit proof of an invitation from the corresponding organs, organizations or individuals in Taiwan, or their approval of the applicant's participation in an activity; and

(8) Applications must submit any other proof deemed necessary by the relevant competent authorities.

Article 9. In handing mainland residents' applications to go to Taiwan, public security organs shall inform the applicants of their approval or refusal within 30 days. In remote areas with poor transport facilities, approval or refusal shall be made within 60 days. Emergency applicants shall be handled immediately.

Article 10. Mainland residents who receive approval to visit Taiwan shall be issued with a travel document or have their travel documents endorsed by public security organs.

Article 11. Mainland residents who receive approval to visit Taiwan must depart within the period of validity of their travel documents and return before their expiry, except for those settling permanently in Taiwan.

Mainland residents who, after arriving in Taiwan, cannot return within the time limit because of illness or other special circumstances, may apply for an extension to the public security organ which issued the travel document, or to relevant organs dispatched or entrusted by the Exit and Entry Administration of the Ministry of Public Security. In special circumstances, application can be made at the public security organ of the entry port.

Article 12. Applications to visit Taiwan by mainland residents in any of the following circumstances shall not be approved:

- (1) Being the defendant or suspect in a criminal case;
- (2) Having been notified by a people's court not to leave the territory because of an unfinished lawsuit;
- (3) Having not completed serving a criminal sentence;
- (4) Undergoing re-education through labour;
- (5) Being held by the relevant authorities of the State Council as posing a danger to national security or causing serious damage to the national interests after leaving the territory; or
- (6) Having engaged in the fraud of forging documents or personal history.

Chapter III. Taiwan Residents Coming to the Mainland

Article 13. In order to visit the mainland, Taiwan residents must apply for travel documents from the following relevant offices:

(1) Taiwan residents applying to visit the mainland directly must submit an application to relevant organs dispatched or entrusted by the Exit and Entry Administration of the Ministry of Public Security; those having a special reason may apply to public security organs at the designated ports.

(2) Taiwan residents applying to visit the mainland after arriving in the Hong Kong and Macao area must submit their application to relevant organs dispatched or entrusted by the Exit and Entry Administration of the Ministry of Public Security in the area.

(3) Taiwan residents applying to visit the mainland from a foreign country must, in accordance with the "Regulations of the PRC Governing the Exit and Entry of Citizens", submit their application to the PRC mission, consular office or other organ entrusted by the Ministry of Foreign Affairs in that foreign country.

Article 14. In submitting an application to visit the mainland, Taiwan residents must comply with the following procedures:

(1) Providing a valid identity certificate of their residence in Taiwan and the exit and entry paper.

(2) Filling in an application form.

(3) An applicant visiting the mainland from another region or country must have a valid re-entry permit for that region or country, except for those coming from regions and countries which require no endorsement of travel documents for transit passengers.

(4) An applicant resident in Taiwan coming to the mainland to settle down permanently, to visit relatives and friends, to go sightseeing, to inherit or handle property, or to handle marriages or funerals, must submit a proof relevant to the purpose of coming to the mainland.

(5) An applicant visiting the mainland to take part in economic, scientific and technological, cultural, educational, sports or academic activities must submit proof of an invitation from the corresponding organs, organizations or individuals in the mainland or their approval of the applicant's participation in an activity.

Article 15. Taiwan residents who receive approval to come to the mainland shall be issued with a travel document, or have a slip of paper attached to their travel documents by the competent authorities of state.

Article 16. After arriving on the mainland, Taiwan residents who need to travel to and from the mainland frequently because of their investment, trade and other economic activities, or other business, may apply for a multiple endorsement of their travel documents from local city or county public security organs.

Article 17. Taiwan residents applying to visit foreign countries after coming to the mainland shall submit an application in accordance with the "Regulations of the PRC Governing the Exit and Entry of Citizens" and the detailed rules for enforcing these regulations.

Article 18. Taiwan residents visiting the mainland for a short period should complete temporary residence registration according to the household registration regulations. Visitors staying at guesthouses, hotels, reception centres, inns or dormitories in schools, enterprises, institutions and organizations, must fill in a temporary lodging card; those

staying with relatives or friends must complete the temporary lodging procedures at the local public security substation either in person or through relatives or friends within 24 hours (72 hours in the case of rural areas) after arrival.

Article 19. After arriving in the mainland, Taiwan residents who need to stay for more than three months should apply for temporary residence documents from local city or county public security bureaux.

Article 20. Taiwan residents who wish to settle on the mainland permanently should submit their applications to relevant organs serving as agencies or authorized by the Public Security Administrative Bureau under the Ministry of Public Security before entering the mainland, or have their relatives in the mainland submit the applications with the city or county public security bureaux in the places they plan to settle. Public security organs shall issue permanent residence documents to those being granted approval.

Article 21. Except for those who come to settle permanently, Taiwan residents coming to the mainland must depart within the period of validity of the endorsement on their documents. To extend the expiry date, corresponding proof must be submitted to city or county public security bureaux to show that the extension is truly necessary.

Article 22. Taiwan residents whose applications to visit the mainland shall not be approved fall in any of the following categories:

(1) Applicants considered involved in criminal activities;

(2) Applicants who may be engaged in activities harmful to national security and interests after coming to the mainland;

(3) Applicants who have engaged in the fraud of forging documents or personal history; or

(4) Applicants who suffer from mental illness or serious contagious diseases.

Those being granted entry approval for medical treatment or other special reasons are excluded.

Chapter IV. Entry and Exit Inspection

Article 23. Mainland residents travelling to and from Taiwan and Taiwan residents travelling to and from the mainland should present their papers to the frontier inspection stations at the open or designated entry and exit ports, fill in and submit entry and exit registration cards, and undergo inspection.

Article 24. Frontier inspection stations have the authority to prevent the entry and exit of travellers in any of the following categories:

(1) Those who do not carry travel documents;

(2) Those who hold forged, altered and otherwise invalid travel documents;

(3) Those who refuse to show their travel documents for inspection; or

(4) Those who are not approved for entry and exit pursuant to Article 12 and the Article 22 in these procedures.

Chapter V. Administration of Documents

Article 25. Travel documents of mainland residents travelling to and from Taiwan refer to their passes and other valid travel papers for travelling back and forth to Taiwan.

Article 26. The travel documents of Taiwan residents travelling to and from the mainland refer to their passes and other valid travel papers for travelling back and forth to the mainland.

Article 27. Mainland residents' passes for travelling to and from Taiwan and Taiwan residents' passes for travelling to and from the mainland shall be kept by pass holders and are valid for five years. Article 28. Endorsements on mainland residents' passes for travelling to and from Taiwan and on Taiwan residents' passes for travelling to and from the mainland are granted case by case and are available in single round-trip format and multiple round-trip format.

Article 29. When travel documents are lost, mainland residents should report to the original public security organs issuing the documents. Corresponding travel documents may be reissued if the report proves to be true after investigation.

Article 30. When losing their travel documents on the mainland, Taiwan residents should report the loss to local city or county public security organs. They are allowed to reapply for and receive corresponding travel documents or receive exit passes which will be cancelled after use, if the report proves to be true after investigation.

Article 31. Should mainland document holders travelling to and from Taiwan and Taiwan document holders travelling to and from the mainland be found to be in one of the circumstances described in Article 12 and Article 22 of these procedures, their documents shall be revoked or declared invalid.

Article 32. Organs examining, approving and issuing travel documents have the authority to revoke or declare invalid any travel documents which have been issued. The Ministry of Public Security may alter the endorsement, revoking or declaring invalid travel documents when necessary.

Chapter VI. Penalties

Article 33. Anyone found attempting to leave or enter the territory of China by using a forged, altered or invalid travel document, or by using another person's travel document shall be subject to a fine of between 100 and 500 yuan, in addition to punishment in accordance with Article 23 of the Rules for the Implementation of the Law of the People's Republic of China for the Administration of its Citizens Leaving and Entering the Territory of China.

Article 34. Anyone found guilty of forging, altering, transferring or selling travel documents for profit shall be subject to a fine of between 500 and 3,000 yuan, in addition to punishment in accordance with Article 24 of the Rules for the Implementation of the Law of the People's Republic of China for the Administration of its Citizens Leaving and Entering the Territory of China.

Article 35. Anyone found guilty of faking a circumstance, providing false certificates, or obtaining a travel document through bribery shall be subject to a fine of between 100 and 500 yuan, in addition to punishment in accordance with Article 25 of the Rules for the Implementation of the Law of the People's Republic of China for the Administration of Its Citizens Leaving and Entering the Territory of China.

The exit and entry applications of persons guilty of offences mentioned in the previous paragraph will not be

accepted within six months of the execution of their punishment.

Article 36. Government offices, organizations, enterprises and institutions found guilty of faking a circumstance and issuing false certificates to help an applicant get a travel document shall have their authority to issue certificates suspended temporarily; if the case is serious, their issuing authority shall be revoked; personnel directly responsible for the misconduct shall be subject to a fine of 500 to 1,000 yuan, in addition to punishment in accordance with the Rules for the Implementation of the Law of the People's Republic of China for the Administration of Its Citizens Leaving and Entering the Territory of China.

Article 37. Anyone who fails to complete temporary residence registration or to obtain a temporary residence certificate in violation of Articles 18 and 19 of these procedures shall be served a warning or subject to a fine of between 100 and 500 yuan.

Article 38. Those who illegally remain on the mainland after the expiry of their permits shall be served a warning or be subject to fine of 100 yuan for each day they have overstayed.

Article 39. A penalized person who does not agree with the penalty meted out by a public security organ may, within 15 days after receiving the penalty notice, appeal to a higher-level public security organ for re-examination. The higher-level public security organ shall make the final ruling. The party involved may also submit its appeal directly to a people's court.

Article 40. After coming to the mainland, if Taiwan residents violate the provisions of these procedures or commit other crimes, they shall be subject to punishment in accordance with the provisions of these procedures and those of other laws and regulations. In addition, the relevant public security organ may shorten their stay, order them to depart within a period of time, or have them deported.

Taiwan residents whose applications have been rejected on the grounds of belonging to one of the categories mentioned in Article 22 of these procedures shall be immediately deported.

Article 41. Any state functionaries responsible for implementing these procedures who extort or accept bribes by abusing their power or who are guilty of negligence of duty in violation of law shall be given administrative punishment by competent authorities if their offences are minor ones; if their offences are serious and constitute a crime, they shall be liable for punishment in accordance with the provisions of the Criminal Law of the People's Republic of China.

Article 42. Property obtained through violation of these procedures shall be seized or the person involved shall be ordered to return it or pay compensation for it. Personal property used to assist criminal activities shall be confiscated.

Fines and confiscated property shall be handed over to the state treasury.

Chapter VII. Supplementary Articles

Article 43. The Ministry of Public Security shall be responsible for explaining these procedures.

Article 44. These procedures shall take effect on 1st May 1992.

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