

## 擬任（現職）人員在中國大陸設有戶籍、領用中國大陸護照、身分證、定居證或居住證情形具結書

114.10.1版，115.1.1實施

茲就本人在中國大陸設有戶籍、領用中國大陸護照、身分證、定居證或居住證情形具結如下，如有不實，願負法律責任：

一、是否在中國大陸設有戶籍、領用中國大陸護照、身分證、定居證情形（如未填寫或拒絕填寫，將無法進用、送審、締約、換約或核派）：

☐ 本人沒有在中國大陸設有戶籍、領用中國大陸護照、身分證、定居證。

☐ 本人在中國大陸設有戶籍，領用中國大陸護照、身分證、定居證：（請接續勾選以下選項，可複選）

☐ 有中國大陸戶籍及身分證。

☐ 有中國大陸護照。

☐ 有中國大陸定居證。

二、是否領用中國大陸「居住證」及處理情形（如未填寫或拒絕填寫，應由各用人機關造冊列管）：

（一）領用情形

☐ 從來沒有領用。（勾選此項者以下免填）

☐ 曾經領用（證號\_\_\_\_\_）【已遺失者免填證號】，取得時間：

\_\_\_\_\_年\_\_\_\_\_月\_\_\_\_\_日；取得原因：\_\_\_\_\_

（二）處理情形

☐ 該證件已失效（有效期限至\_\_\_\_\_年\_\_\_\_\_月\_\_\_\_\_日止），本人承諾日後不再向中國大陸領用居住證。

☐ 該證件已遺失，本人承諾日後不再向中國大陸領用居住證。

☐ 該證件已剪角並由服務機關（構）學校收繳留存，本人承諾日後不再向中國大陸領用居住證。

☐ 其他（請簡要說明）：\_\_\_\_\_

具結人：

國民身分證統一編號：

服務機關（構）學校：

擬任職務（現職）：

中 華 民 國

年

月

日

備註：

一、請具結人依實際情形分別於具結書□欄內打「✓」。

二、辦理依據：

(一)臺灣地區與大陸地區人民關係條例相關規定：

1. 第9條之1規定：臺灣地區人民不得在大陸地區設有戶籍或領用大陸地區護照。違反上述規定在大陸地區設有戶籍或領用大陸地區護照者，除經有關機關認有特殊考量必要外，喪失臺灣地區人民身分及其在臺灣地區選舉、罷免、創制、複決、擔任軍職、公職及其他以在臺灣地區設有戶籍所衍生相關權利，並由戶政機關註銷其臺灣地區之戶籍登記。
2. 第21條第1項：大陸地區人民經許可進入臺灣地區者，除法律另有規定外，非在臺灣地區設有戶籍滿10年，不得登記為公職候選人、擔任公教或公營事業機關（構）人員及組織政黨；非在臺灣地區設有戶籍滿20年，不得擔任情報機關（構）人員，或國防機關（構）之下列人員：①志願役軍官、士官及士兵。②義務役軍官及士官。③文職、教職及國軍聘雇人員。

(二)大陸委員會114年4月16日陸法字第1140400361號令：臺灣人民領有中共居民身分證或定居證，均屬違反臺灣地區與大陸地區人民關係條例第9條之1規定。

(三)行政院秘書長114年5月19日院臺法長字第1140610014、1140610014A 號函：禁止現職軍公教人員申領持用中國大陸居住證，倘現職軍公教人員違反規定申領持用居住證，亦未於服務機關（構）學校清查據實以告，經發現後應由各用人機關（構）學校，本於權責予以適當處置。

(四)大陸委員會114年8月12日陸法字第1140400971號函：軍公教人員常態化、制度化查核機制於115年1月1日正式施行；各用人機關（構）學校應依「常態化、制度化查核人員範圍表」辦理相關查核作業。

三、行政院大陸委員會105年10月27日陸法字第1059909480號函：關於各機關（構）、學校之臨時人員（按：現有約用人員），非屬臺灣地區與大陸地區人民關係條例第21條之規範範圍，不受在臺灣設有戶籍滿10年之限制；惟各用人機關（構）、學校於進用相關人員時，仍應遵守其他有關法令規定，並應審酌其機關性質及工作內容，審慎考量評估是否適宜進用。

四、所指「領用」包含申領（換領、補領）、持用各種中國大陸相關身分證件。

五、所領用之中國大陸居住證已失效者，無需由所服務機關（構）學校收繳留存。

# **Affidavit on Mainland China Household Registration and Identity Documents**

(For Prospective or Current Appointees)

Version issued on October 1, 2025; effective January 1, 2026

I hereby truthfully declare whether I have established household registration in Mainland China or have applied for, obtained, or held a Mainland China passport, national identity card, settlement permit, or residence permit. Should any declaration herein be false, I shall bear full legal responsibility in accordance with applicable laws and regulations.

## **I. Status of Household Registration and Identity Documents in Mainland China**

- ☐ I do not have household registration in Mainland China and have not applied for, obtained, or held a Mainland China passport, national identity card, or settlement permit.
- ☐ I do have household registration in Mainland China and/or have applied for, obtained, or held the following documents:
  - ☐ Household registration and national identity card of Mainland China
  - ☐ Passport of the People's Republic of China
  - ☐ Mainland China settlement permit

## **II. Status of Mainland China Residence Permit and Disposition**

### **(1) Residence Permit Status**

- ☐ I have never applied for or held a Mainland China residence permit.
- ☐ I have previously applied for or held a Mainland China residence permit.

### **(2) Disposition of Residence Permit**

- ☐ The permit has expired, and I will not apply again.
- ☐ The permit has been lost, and I will not apply again.
- ☐ The permit has been collected by the employing institution.
- ☐ Other:

Declarant (Signature):

National Identification Number (R.O.C.):

Employing Institution:

Prospective / Current Position:

Date:

## Notes

The declarant shall check (✓) the appropriate boxes in the affidavit based on actual circumstances.

### Legal Basis:

#### **(1) Act Governing Relations between the People of the Taiwan Area and the Mainland Area:**

##### **Article 9-1:**

Persons of the Taiwan Area may not establish household registration in the Mainland Area or apply for, obtain, or hold a passport of the Mainland Area. Any person who violates the foregoing provisions by establishing household registration in the Mainland Area or holding a Mainland Area passport shall, unless special considerations are recognized by the competent authorities, lose his or her status as a person of the Taiwan Area, as well as all rights derived from household registration in the Taiwan Area, including the rights to vote, recall, initiate, and referendum, and the eligibility to serve in the military, public office, or other positions. The household registration authority shall cancel the individual's household registration in the Taiwan Area.

##### **Article 21, Paragraph 1:**

Persons of the Mainland Area who are permitted to enter the Taiwan Area shall not, unless otherwise provided by law, register as candidates for public office, serve as public officials, educators, or employees of public enterprises, or organize political parties unless they have established household registration in the Taiwan Area for at least ten (10) years. Furthermore, unless they have established household registration in the Taiwan Area for at least twenty (20) years, they shall not serve in intelligence agencies or in the following positions within national defense agencies:

- ① Volunteer military officers, non-commissioned officers, and enlisted personnel
- ② Conscription officers and non-commissioned officers
- ③ Civilian staff, teaching staff, and contracted personnel of the armed forces

#### **(2) Mainland Affairs Council Order dated April 16, 2025 (Lu-Fa-Zi No. 1140400361):**

Taiwan citizens who hold a Mainland China resident identity card or settlement permit are deemed to be in violation of Article 9-1 of the Act Governing Relations between the People of the Taiwan Area and the Mainland Area.

#### **(3) Executive Yuan Secretary-General Letter dated May 19, 2025 (Yuan-Tai-Fa-Chang Nos. 1140610014 and 1140610014A):**

Active-duty military personnel, civil servants, and public school educators are prohibited from applying for or holding a Mainland China residence permit. If such personnel violate the regulations by applying for or holding a residence permit and fail to truthfully disclose such information during institutional verification, the employing agency (institution/school) shall take appropriate action within its authority upon discovery.

#### **(4) Mainland Affairs Council Letter dated August 12, 2025 (Lu-Fa-Zi No. 1140400971):**

A normalized and institutionalized verification mechanism for military, civil service, and education personnel shall be formally implemented on January 1, 2026. Employing agencies (institutions/schools) shall conduct relevant verification procedures in

accordance with the “Scope Table for Normalized and Institutionalized Personnel Verification.”

**(5) Mainland Affairs Council Letter dated October 27, 2016 (Lu-Fa-Zi No. 1059909480):**

Temporary personnel of government agencies (institutions) and schools (i.e., currently contracted personnel) are not subject to the restrictions under Article 21 of the Act Governing Relations between the People of the Taiwan Area and the Mainland Area and are therefore not required to have established household registration in the Taiwan Area for ten (10) years. However, employing agencies (institutions/schools) shall still comply with other applicable laws and regulations and shall carefully assess the suitability of such personnel based on the nature of the institution and the content of the position.

(6) The term “apply for or hold” includes application, replacement, re-issuance, and possession or use of any Mainland China-related identity document.

(7) If a Mainland China residence permit previously held by the declarant has expired, the employing agency (institution/school) is not required to collect and retain the expired permit.