


Content

Title :	Revision of the Directions on Granting Consolation Money for the Deceased or Missing Employed Foreign Crew Members 
Date :	2024.10.14
Legislative :	<p>1.The full text amended on 7 September 2022 by COA, under Order No . Nung-yu-tzu 1111335916, and entry into force on 20 May 2022.</p> <p>2.The full text amended and entry into force on 3 October 2023 by MOA, under Order No . Nong-Sou-Yu-Tsu 1121394290.</p> <p>3.The name of Regulations amended to “Regulations for Fishing Vessels Conducting Squid Jigging Fishery” on 14 October 2024 and entry into force on 16 October 2024 by MOA, under Order No . Nong-Sou-Yu-Tsu 1131555755.</p>
Content :	<p>Article 1 The Ministry of Agriculture, Executive Yuan (hereinafter referred to as “this Ministry”) promulgated these Directions for the implementation of matters on granting consolation money for the deceased or missing employed foreign crew members (hereinafter referred to as “consolation money”)</p> <p>Article 2 The competent authority of these Directions is this Ministry. The relevant matters will be implemented by the Fisheries Agency of this Ministry.</p> <p>Article 3 The terms used in these Directions are defined as follows: (1)Foreign Crew Members: Refers to the following three types of crew members. i. Domestic Employment of Foreign Crew Members: Refers to foreign crew members employed in accordance with the Employment Service Act. ii. Overseas Employment Foreign Crew Members: Refers to foreign crew members employed overseas in accordance with the Regulations on the Authorization and Management of Overseas Employment of Foreign Crew Members. iii. Mainland China Crew Members: Refers to crew members from Mainland China employed in accordance with the Regulations for Permission and Administration of the Taiwanese Fishing Vessel Owners Employing Outer-Boundary, Transporting and Settling down the Mainland China Crews. (2)The term “missing” as referred in the paragraph means that a crew member has fallen overboard during the service period and cannot be found after the search has been conducted for three days or more since the incident.</p> <p>Article 4 In the event that any foreign crew member employed by the operators of fishing vessels of the Republic of China is deceased or missing during his/her service period, the consolation money may be granted as follows: (1) Domestic Employment of Foreign Crew Members: In addition to the maximum consolation money of 100 thousand New Taiwan Dollars per person issued by the Ministry of Labor within its functional authorities, this Ministry will also grant an additional 100 thousand New Taiwan Dollars per person as consolation money. (2) Overseas Employment Foreign Crew Members and Mainland China Crew Members: A consolation money of 200 thousand New Taiwan Dollars may be granted for each person. The consolation money for the deceased or missing crew member will be granted only once per person.</p> <p>Article 5 During the term of the employment contract, the designated beneficiaries of labor or life insurance for the employed foreign crew member shall be the receiver of the consolation money. In case that there is no designated beneficiary, the order of the consolation money receiver shall be as follows: (1) Spouse; (2) Lineal descendants by blood;</p>

- (3) Parents;
- (4) Sibling(s);
- (5) Grandparents.

Where the number of designated receivers referred to in subparagraph (2) to (5) of the preceding paragraph is two or more, they may collectively authorize one person to submit the application for the consolation money, and the application must bear the signatures of all receivers.

The application for consolation money from the receivers should be submitted within two years from the date of the foreign crew member's death or disappearance. The application submitted after this deadline will not be accepted.

Article 6

In the event that the situation stipulated in Article 4 occurs regarding employed foreign crew members, the receiver(s) who meet the provisions of Article 5 may submit the application to the Fisheries Agency of this Ministry, enclosing the personal identification document of the crew member's family, proof of kinship, bank account information, and a receipt (in the format shown in the attachment). The consolation money may be granted after review and approval.

The receiver may authorize another person, a fisheries operator, or an employment agent to apply as stipulated in the preceding paragraph, and a power of attorney must be provided.

The personal identification document, proof of kinship, and other documents referred to in paragraph 1, along with the power of attorney mentioned in the preceding paragraph, must be verified using the following methods:

(1) Documents from a foreign country should be verified by the Republic of China's embassy, consulate, representative office, or other agencies authorized by the Ministry of Foreign Affairs, or by the representative office of the home country in Taiwan.

(2) Documents from Mainland China should be notarized by a local notary office authorized to handle Taiwan-related affairs (issued by a Mainland China Notary Office), and the original notarization must be submitted for authentication to the Straits Exchange Foundation (SEF).

In the event that the personal identification document, proof of kinship, power of attorney, and other documents referred to in paragraphs 1 and 2 are not in English or Chinese, translated copies in Chinese must also be enclosed.

Article 7

The consolation money shall not be granted if the receiver is found to be under any of the following conditions; in the event that the consolation money has already been granted and received, the approval will be revoked and the consolation money must be returned within a time limit as informed:

- (1) False information is provided or the information is incomplete.
- (2) Consolation money is received in a deceptive or other illegitimate manner.

Article 8

The expenses required pursuant to these Directions shall be covered by the budget of the Fisheries Agency of this Ministry under the Fisheries and Human Rights Action Plan. In the event that the funds for the current year are exhausted, priority shall be given to appropriating from the budget of the subsequent year.

Files : Revision of the Directions on Granting Consolation Money for the Deceased or Missing Employed Foreign Crew Members.odt