

IMMIGRATION ACT

Chapter 1~Chapter7

Promulgated by President Order *Hua-Tsung (1)-Yi-Tzu* No.09200017690 on February 6, 2003

Chapter 1 General Provisions.

Article 1 The present law is hereby enacted to unify entry and exit control, safeguard national security, regulate immigration matters, and implement immigration guidance. Matters which the present law does not prescribe shall be governed by other relevant laws.

Article 2 The Authority that enforces the present law is the Ministry of the Interior.

The Ministry of the Interior anticipates establishing the "Bureau of Immigration" to manage the entry, exit, and immigration matters regulated by the present law. The Bureau of Immigration and the National Police Administration shall jointly conduct checks on overstayed visits, residence and illegal entry.

Article 3 The terms used in the present law are defined as follows:

1. Nationals: people who reside in the Taiwan Areas and have their permanent residence registered at a household registry or people who reside overseas and have the nationality of the Republic of China (hereafter to be called the State) ;

2. Airports and seaports: the airports and seaports designated by the Executive Yuan as the ports of arrival and departure;

3. Taiwan Areas: Taiwan, Penhu, Kinmen, Matsu and other territories under the control of the government of the State;

4. Nationals without registered permanent residence in the Taiwan Areas: nationals who have the nationality of the State and are Currently residing abroad, or nationals who have acquired or restored The nationality of the State but have never registered their permanent residence at any household registry in the Taiwan Areas;

5. Transit: a brief stay made by an alien in the State before returning to his own country or entering another country, or region through any airport or seaport of the State;

6. Visit: a visit in the Taiwan Areas for less than six months;

7. Residence: residence in the Taiwan Areas for more than six months;

8. Registered permanent residence: permanent residence in the Taiwan Areas, which is registered at a household registry;

9. Immigration service organizations: companies that act as an agent to handle immigration matters in accordance with the present law.

Article 4 People who enter or exit the State shall be inspected and failure to be inspected may lead to denial of permission to enter and/or exit the State.

The Authority shall enact regulations to govern such inspections.

Chapter 2 Nationals' Entry and Exit

Article 5 Nationals shall apply to the Authority for permission to enter and/or exit the State; nationals may not enter and/or exit the State without permission. Nationals with registered permanent residence may enter and/or exit the State without permission after the present law has gone into effect for one year.

Military personnel shall have the advance approval of the National Defense Ministry or any departments authorized by the ministry for exiting the State.

The Authority shall enact the regulations that govern the entry and/or exit stated in the first paragraph.

Article 6 Nationals shall be denied or banned from exiting the State if they:

1. Have been sentenced to punishments of imprisonment or greater after exhaustion of their appellate rights and have not served or have not completed the term of sentence; or
2. Have been wanted or have been restricted from exiting the State at the request of the civilian or military judicial authorities; or
3. Have been strongly suspected, on the basis of sufficient factual evidence, to endanger national security or social stability; or
4. Have been strongly suspected to be involved in rebellion or treason and have been restricted from exiting the State at the request of the authorities concerned; or
5. Have been strongly suspected to be involved in major economic crimes or major criminal cases and have been restricted from exiting the State at the request of the authorities concerned; or
6. Have been waiting for conscription or have not completely fulfilled their military service obligation except if permitted to exit the State in accordance with law; or
7. Have used a passport, flight crew I.D., seaman service book, or entry and exit permit that has been illegally acquired, counterfeited, or tampered with, or that belongs to another person; or

8. Have failed to have their passports, flight crew IDs, seaman service books, or entry and exit permits inspected in accordance with Article 4; or

9. Have been restricted or banned from exiting the State by other laws.

The subparagraph one and nine of the preceding paragraph do not apply to individuals under protective control who have been allowed to go abroad by the juvenile court judge or the prosecutor.

Nationals denied or banned from exit pursuant to paragraph one shall be notified in writing of the reasons for denial or ban the notification that someone is now wanted by the police should be promulgated publicly, effective upon the publication of the notice. Yet the notification that a juvenile is being wanted by the police must not be announced publicly.

The Authority shall organize a review committee composed of generally recognized impartial people to review cases decided pursuant to subparagraphs 3 and 4 of the first paragraph and allow the nationals concerned to exit the State, provided that the committee approves it after the review. The organization of the committee and its agenda shall be determined by the relevant authorities.

Standards for determining the definitions of major economic crimes or criminal cases mentioned in subparagraph five of paragraph one shall be established by the relevant authorities in collaboration with the Ministry of Justice.

Article 7 Nationals without registered permanent residence in the Taiwan Areas shall be denied or banned from entering the State if they:

1. Have joined a rebellious organization or its activities; or
2. Have joined a violent or terrorist organization or its activities; or
3. Have been strongly suspected to be involved in rebellion or treason; or
4. Have been suspected to be involved in major crimes or to be habitual criminals; or
5. Have used a passport or entry permit that is illegally acquired, counterfeited, or tampered with, or that belongs to another person.

The nationals prescribed in the preceding paragraph who concurrently possess a foreign nationality but have never registered their permanent residence at any household registry in the Taiwan Areas may be denied or banned from entering the State pursuant to any of the subparagraphs of the preceding paragraph or the first paragraph of Article 17.

Chapter 3 Visits, Residence, and Registered Permanent Residence Of Nationals without Registered Permanent Residence in the Taiwan Areas

Article 8 Nationals without registered permanent residence in the Taiwan Areas who have applied for a visit in the Taiwan Areas may be granted a three-month visit which may be extended once but totally shall not exceed six months, beginning from the day after arrival.

The visit may be further extended and the number of extensions may be increased if it is proved that the nationals:

1. Have been pregnant for more than seven months, have given birth, or have had a miscarriage for less than two months; or
2. Have been hospitalized for diseases and may endanger their own lives if going abroad; or
3. Have a spouse, lineal blood relative, collateral blood relative within the third degree, a relative by marriage within the second degree with registered permanent residence in the Taiwan Areas who are hospitalized or decreased in the Taiwan Areas because of serious illnesses or critical injuries.
4. Have met forces majeures or other inevitable incidents.

Each extension of a visit pursuant to subparagraph 1 or 2 of the preceding paragraph shall not exceed two months. The extension of a visit pursuant to subparagraph 3 shall not exceed two months after the occurrence of the cause. The extension of a visit pursuant to subparagraph 4 may not exceed one month.

As the visits stated in the two preceding paragraphs expire, an immediate exit is mandatory unless residence or registered permanent residence is granted in accordance with the present law.

Article 9 Nationals without registered permanent residence in the Taiwan Areas may apply for residence in the Taiwan Areas if they:

1. Have a lineal blood relative, spouse, sibling, or spouse's parent, who has registered permanent residence in the Taiwan Areas. If the relationship is a result of adoption, the adopted person shall be younger than ten years old and the adoption is limited to one person; or
2. Have joined an overseas Chinese organization and have made contributions to overseas Chinese affairs, which the Overseas Chinese Affairs Commission has confirmed in writing after consulting with the Ministry of Foreign Affairs and other departments concerned; or
3. Have made an investment in the Taiwan Areas, an investment that is more than a certain amount of capital, and have been approved or filed for future reference by the central authorities in charge

of the investment; or

4. Are overseas students who have applied to reside in the Taiwan Areas pursuant to the following eighth subparagraph and have returned to their host countries to work for two years after graduation; or

5. Have special skills and experiences and have been invited back to the State by the central authorities that are in charge of the field of their employment; or

6. Have been appointed or employed by government departments, public or private universities or colleges besides those stated in the preceding subparagraph; or

7. Have been approved to work in the Taiwan Areas by the central authorities in charge of labor affairs or the field of their employment pursuant to subparagraphs 1-6 or subparagraph 9 of paragraph 1 of Article 43 of the Employment & Service Act; or

8. Are overseas students who have been approved to study in the State by the central authorities in charge of the fields concerned; or

9. Are trainees who have been approved to take vocational training by the central authorities in charge of the fields concerned; or

10. Have been approved to work in the Taiwan Areas by the central authorities in charge of labor affairs in accordance with subparagraph 7 or 8 of paragraph 1 of Article 43 of the Employment & Service Act.

The spouses and minor children of the nationals stated in the subparagraphs of the preceding paragraph except subparagraphs 8-10 may apply with the nationals; the spouses and minor children who have not applied with the nationals may apply after the nationals have entered the State to begin residence. When the nationals' right to residence is revoked in accordance with paragraph 2 of Article 11 of the present law, the right of the nationals' spouses and minor children to reside shall also be revoked at the same time.

The Authority may draw up and promulgate an annual Quota of residence that is divided among nations and districts and stated in the first paragraph after judging the condition of residence in the Taiwan Areas and having the ratification of the Executive Yuan. However, people who have minor children with registered permanent residence in the Taiwan Areas or have been married for four years shall be exempt from the limit of the quota.

Article 10 Nationals without registered permanent residence in the Taiwan Areas may apply for it if they meet

one of the following conditions:

1. They, who are the applicants, the applicants' spouses or minor children as stated in subparagraphs 1-7 of paragraph 1 of the preceding Article, have been granted residence and their original qualifications for residence remain unchanged after having continuously resided or having resided in the Taiwan Areas for a certain period of time;
2. They, who have entered the State with a ROC passport or an Entry Permit, are incumbent central government officials;
3. They, whose father or mother was a national with registered permanent residence in the Taiwan Areas when they were born and who are under the age of twelve, have entered the State with a ROC passport or an Entry Permit;
4. People, whose parents were nationals with registered permanent residence in the Taiwan Areas when they were born abroad or who were born out of wed-lock by a woman with registered permanent residence in the Taiwan Areas and who are under the age of twelve, have entered the State with a foreign passport;

A person, who has acquired ROC nationality in the State and has continuously resided in the State for a certain period of time, may apply for registered permanent residence in the Taiwan Areas.

A person, who has applied for registered permanent residence in the Taiwan Areas pursuant to subparagraph 1 of paragraph 1 or the preceding paragraph, shall have been married for three years and over if his qualification results from marriage. He may not be exempted from the preceding requirement unless his children have been born during the marriage.

A national without registered permanent residence in the Taiwan Areas, who has entered the State with a ROC passport and is subject to imminent conscription to serve in the standing army in accordance with law, shall immediately apply for registered permanent residence. Before discharge from the military, his relatives shall not apply for residence in the Taiwan Areas pursuant to subparagraph 1 of paragraph 1 of the preceding Article.

The third paragraph of the preceding Article may apply to the number of people who apply for registered permanent residence in the Taiwan Areas pursuant to the second paragraph.

An application for registered permanent residence in the Taiwan Areas shall be made within two years after the completion of the required residence as stated in subparagraph 1 of paragraph 1 or paragraph 2.

Article 11 Nationals without registered permanent residence who apply for residence or registered permanent

residence may be denied if they:

1. Have been strongly suspected, on the basis of sufficient factual evidence, to endanger national security or social stability; or
2. Have criminal records; or
3. Have entered the State without permission; or
4. Have used another person's identity, or have applied with illegally acquired, counterfeited, or altered documents; or
5. Have assisted other people to illegally enter and/or exit the State or have provided other people with identification documents for the same purpose; or
6. Are believed, on the basis of sufficient factual evidence, to have conspired with another person to have a false marriage or adoption; or
7. Have failed to pass a medical check; or
8. Have been involved in activities or employment that are different from the purposes of their entry; or
9. Have overstayed a visit.

If a person has been determined to be subject to any of the subparagraphs stated in the preceding paragraph or if his work permit is revoked, the permission for his residence or registered permanent residence shall be revoked. If the person has registered his permanent residence at a household registry, the registration shall be revoked.

The period of the denial pursuant to subparagraphs 8 and 9 of the preceding paragraph shall be at least one year from the day after his last exit from the State.

Article 12 Nationals without registered permanent residence in the Taiwan Areas who have entered the State with a foreign passport or stateless travel document shall exit the State with the foreign passport or the stateless travel document and may not apply for residence or registered permanent residence unless they meet the requirements of subparagraph

4 of the first paragraph or the second paragraph of Article 10.

Article 13 Nationals without registered permanent residence in the Taiwan Areas may have their permits revoked, if during their visits in the State, they:

1. Have been considered, on the basis of sufficient factual evidence, to endanger national security or social stability; or

2. Have been sentenced to imprisonment or graver punishment and have served their terms of sentence, have been pardoned, or have been placed under probation.

Article 14 Nationals without registered permanent residence in the Taiwan Areas shall be ordered to exit the State within a certain time, if permission for their visits, residence, registered permanent residence, or registration of permanent residence has been revoked.

Nationals without registered permanent residence in the Taiwan Areas shall exit the State within 10 days after receiving the preceding order to exit the State.

Article 15 Nationals without registered permanent residence in the Taiwan Areas may be directly and forcibly deported from the State and restricted from reentry if they have entered the State without permission or have overstayed their visits, residence, or the deadline of a mandatory exit.

People who are to be forcibly deported from the State as stated in the preceding paragraph may be temporarily detained and ordered to do labor service before exiting the State.

The provisions stated in the two preceding paragraphs shall also apply to people who enter the State before the present law goes into effect.

The Authority shall enact regulations that govern the forcible deportation stated in paragraph 1.

The provisions of paragraphs 2-4 of Article 36 and Article 37 shall apply to the detention stated in paragraph 2.

Article 16 Nationals without registered permanent residence in the Taiwan Areas who have to acquire residence or registered permanent residence in the Taiwan Areas due to the special situation which has occurred in the location of their overseas residence shall be exempt from the restrictions set forth in Articles 9-10. The Authority shall enact regulations according to the needs of particular nations and districts to govern the residence or registered permanent residence and send the regulations to the Executive Yuan for approval.

Stateless persons from Thailand, Myanmar or Indonesia shall be granted residence, provided that they have entered the State before the present law goes into effect.

Chapter 4 Alien Entry and Exit

Article 17 Aliens may be banned from entering the State if they:

1. Do not carry their passports or refuse to submit them for inspection; or

2. Have used an illegally acquired, counterfeited, or altered passport or visa; or
3. Have used another person's passport or a fraudulently claimed passport; or
4. Have used a passport that is invalid, lacks a required visa, or a passport that bears an invalid visa;
or
5. Have made a false statement or hidden important facts about their purposes to apply for entry into the State; or
6. Have carried contraband; or
7. Have criminal records in the State or foreign countries; or
8. Have suffered from contagious, mental, or other diseases that may jeopardize public health or social peace; or
9. Are believed, on the basis of sufficient factual proof, to be incapable of making a living in the State; or
10. Have used a visitor visa but do not have an air or steamer ticket for a return trip or a trip to the next destination or have not secured an entry visa for the next destination; or
11. Have been denied entry, ordered to leave within a certain time, or deported from the State; or
12. Have overstayed their visits or residence or have worked illegally; or
13. Are believed to endanger national interests, public security, public order, or the good customs of the State.

If a foreign government bans ROC nationals from entry pursuant to reasons other than those set forth in the various subparagraphs of the preceding paragraph, the Authority may use the same reasons to ban that country's nationals from entering the State and shall inform the Ministry of Foreign Affairs of such a ban.

The Authority shall organize a review committee composed Of generally recognized impartial people to review the cases decided pursuant to subparagraph 13 of the first paragraph and allow the aliens concerned to enter the State, provided that the committee approves it after the review.

Article 18 Aliens who are on board an aircraft, vessel, or any other means of transport, may be granted a temporary entry, through the application of the concerned captain of the aircraft or vessel, transport

service proprietor, or the rescue department, or the captain of an rescue aircraft or vessel if they:

1. Are catching a connecting flight, vessel, or any other means of transport; or
2. Have been suffering from disease, seeking refuge or going through any other exceptional accidents; or
3. Have made a forced landing, entered a harbor for an emergency, gone through an accident, or been caught in a disaster; or
4. Have other justifiable reasons.

The Authority may issue a temporary stay permit, limit the time and the place for such a visit, or set additional conditions pursuant to the preceding paragraph; the regulations that govern temporary entry permission shall be enacted by the Authority.

Article 19 Passengers who are transported by an aircraft, vessel, or any other means of transport and have to check into an overnight lodging in the State because of being in transit may apply for permission from the Authority through the concerned captain of the aircraft or vessel, or transport service proprietor.

The passengers stated in the preceding paragraph may not leave the overnight lodging without permission; the Authority shall enact regulations that govern the overnight lodging.

Article 20 Aliens shall be banned from exiting the State if they:

1. Have been banned from exiting the State at the request of a judicial authority; or
2. Have been banned from exiting the State at the request of a tax authority.

Aliens who are under investigation for other cases in accordance with law may be banned from exiting the State after the concerned authorities have requested the imposition of such a ban.

The Authority shall notify the concerned aliens in writing with reasons for the banned exit.

Chapter 5 Alien Visits, Residence, and Permanent Residence

Article 21 Aliens who possess a valid passport with a Visitor Visa or a Resident Visa, or a valid travel document, may acquire the right to stay or reside after having been inspected, and then allowed to enter the State.

The Authority may draw up and promulgate an annual quota of residence that is divided among nations and regions and stated in the preceding paragraph, after judging national interests and having the ratification of the Executive Yuan. All those who reside in the State for investment,

employment, or studies shall be exempt from the limitation set by the quota.

Article 22 Aliens shall apply for an Alien Resident Certificate from The Authority within fifteen days after acquiring the right to reside.

The Authority shall inform the departments concerned after issuing an Alien Resident Certificate.

Article 23 Aliens, who have legally and continuously resided in the State for seven years, or the alien spouse and/or children of a national with registered permanent residence in the Taiwan Areas who have legally and continuously resided in the State for five years or have legally resided in the State for more than ten years, during which period they have actually resided in the State for more than one hundred and eighty three days each year for five years, may apply to the Authority for permanent residence if they:

1. Are at the age of twenty and over;
2. Have a decent character;
3. Have considerable property, skills or talents that enable them to make a living on their own;
4. Have resided in the State for over 183 days each year during their legal and continuous residence in the State; and
5. Are beneficial to the national interests of the State.

Aliens who had legally resided in the State for over twenty years before 31 May 2000, during which period they had resided in the State over 183 days each year for ten years, and have met the requirements as specified in subparagraphs 1-3 and 5 of the preceding paragraph may apply to the Authority for permanent residence.

Aliens who have not satisfied the requirements as specified in the first paragraph but have met one of the following conditions may apply for permanent residence:

1. Having made exceptional contributions to the State; or
2. Having possessed the high technology needed by the State.

The Authority shall organize a review committee composed of members recognized as impartial persons by the public to examine and check the preceding conditions. Applicants whose condition has passed the review shall be granted the permanent residence.

Applicants as stated in the preceding paragraphs 1-3 who concurrently have ROC nationality shall

not apply for permanent residence.

The Authority shall issue applicants Alien Resident Certificates and inform the related departments after granting them the status of a permanent resident.

The Authority, after weighing national interests, may draw up an annual quota of permanent residence as prescribed in the first paragraph for each nation and region and submits it to the Executive Yuan for approval and promulgation.

Applications for permanent residence shall be made within two years after the completion of the required residence as stated in paragraph 1.

Article 24 A person shall apply for an Alien Resident Certificate within 15 days, starting from the day after he:

1. Has lost his ROC nationality and has not yet acquired a foreign nationality; or
2. Has lost his original nationality while having not yet acquired ROC nationality; or
3. Is born as an alien in the State; or
4. Has switched to the application for a Resident Visa after entering the State.

Article 25 The following aliens are exempt from applying for an Alien Resident Certificate for their residence in the State:

1. Diplomats who are posted in the State, their dependents and entourages.
2. Officials who perform the official duties of a foreign or international organization set up in the State, their dependents and entourages.
3. Aliens who have been granted a Courtesy Visa on an ad hoc basis by the Ministry of Foreign Affairs.

The Ministry of Foreign Affairs may make a list of the names of the aliens stated in the preceding paragraph and send a copy of it to the Authority.

Article 26 Aliens, at the age of fourteen and over, who have entered the State for a visit, residence or permanent residence, shall always carry their passports, Alien Resident Certificates, or Alien Permanent Resident Certificates.

The Authority or authorized government employees in compliance with the Act while performing official duties may demand aliens to produce the documents stated in the preceding paragraph.

Article 27 Aliens who are visiting or residing in the State may not engage in activities or employment that are different from the purposes of their visits or residence.

Article 28 The Authority may restrict aliens' residence locations, activities, or inform them of the rules they have to comply with in order to maintain public order or substantial interests when special situations arise.

Article 29 Aliens shall apply to the Authority for an extension before their visits or residence expires if they have to continue their visits or residence in the State.

Aliens whose supporting relatives have died during their residence may apply to continue their residence.

Aliens who have changed their domiciles or places of employment during their residence shall register the change with the Authority.

Article 22 may apply to the three preceding paragraphs.

Article 30 A person's Alien Resident Certificate shall be revoked or cancelled if he:

1. Has submitted false or untruthful information for his application; or
2. Has used illegally acquired, counterfeited, or altered documents; or
3. Has been sentenced to punishments of imprisonment for one year or greater by a judicial authority; or
4. Has restored ROC nationality; or
5. Has acquired ROC nationality; or
6. Has concurrently had ROC nationality and has applied for entry and exit permits as a ROC citizen; or
7. Has acquired an Alien Permanent Resident Certificate; or
8. Has been deported from the State; or
9. Has his work permit revoked and has been ordered to exit the State within a certain time.

Article 31 A person's Alien Permanent Resident Certificate shall be revoked or cancelled if he:

1. Has submitted false or untruthful information for his application; or
2. Has used illegally acquired, counterfeited or altered documents; or
3. Has been sentenced to punishments of imprisonment for one year or greater by a judicial

authority, whereas an involuntary offender is exempt; or

4. Has not resided for 183 days for each year during his permanent residence in the State, whereas he shall be exempt if he has the approval of the Authority to study abroad, to seek medical treatment, or for other special reasons; or

5. Has restored ROC nationality; or

6. Has acquired ROC nationality; or

7. Has concurrently had ROC nationality and has applied for entry and exit permits as a ROC citizen; or

8. Has been deported from the State.

Article 32 Aliens shall apply for a reentry permit from the Authority in advance if they have to exit prior to reentering the State during their residence. The aliens who have acquired permanent residence shall be exempt from such a requirement.

Article 33 The Authority shall enact the regulations that govern alien visits, residence, and permanent residence in the State.

Chapter 6 Deportation

Article 34 Aliens may be forcibly deported if they:

1. Have violated the first paragraph of Article 4 by entering the State without being inspected; or

2. Have entered the State and have been found violating any of the provisions of Article 17 that bans entry into the State; or

3. Have violated the first paragraph of Article 18 by temporarily entering the State without permission; or have failed to observe the set restrictions on the time and place of visits or the additional conditions in accordance with the second paragraph of the same article; or

4. Have violated paragraph 2 of Article 19 by leaving an overnight lodging without permission; or

5. Have violated Article 27 by engaging in employment or activities that are different from the purposes of their visits, or residence; or

6. Have violated Article 28 by failing to observe the set restrictions on domiciles and activities, or the rules that have to be followed; or

7. Have violated the first paragraph of Article 29 by failing to extend their visits or residence ; or

8. Have violated subparagraphs 1-3 or subparagraph 9 of Article 30 and as a result have their Alien Resident Certificates revoked or cancelled; or

9. Have violated subparagraphs 1-3 of Article 31 and as a result have their Alien Permanent Resident Certificates revoked or cancelled.

Article 35 The Authority may request concerned departments or organizations to provide assistance or necessary information in order to investigate aliens who have violated any of the subparagraphs of the preceding article. The requested departments or organizations may not reject such a request unless they have justifiable reasons.

When aliens who have violated any of the subparagraphs of the preceding article and have to serve prison terms have finished serving their prison terms or are to be released for other reasons, prisons and vocational training facilities shall notify the Authority.

Article 36 Aliens may be subject to mandatory detention if they:

1. Are to be deported as a penalty but have not yet completed the procedure for exiting the State; or
2. Have illegally entered the State or overstayed their visits or residence; or
3. Have been wanted by a foreign government; or
4. Have been considered, on the basis of facts, to be in need of temporary protection.

The detention stated in the preceding paragraph shall not exceed fifteen days, but may be prolonged for additional fifteen-day periods if necessary.

Any detainee or his spouse, lineal relative, legal representative, sibling, attorney, or guarantor may file a petition to the Authority against detention within seven days after the detention.

When the aliens who are to be deported from the State as stated in the first subparagraph of the preceding first paragraph can not be deported, the Authority may lift the detention after limiting their domiciles or adding other conditions.

Article 37 The Authority may set up or designate appropriate places for the detention of aliens; the Authority shall enact the regulations that govern the detention.

Chapter 7 The Responsibilities of the Captain of An Aircraft or Vessel, and Transport Service Proprietor

Article 38 The captain of an aircraft, vessel, or the proprietor of other means of transport service shall assist the Authority when it is performing its official duties in accordance with the present law and other laws and decrees concerned.

The captain of an aircraft or vessel, or transport service proprietor stated in the preceding paragraph may not use his aircraft, vessel, or other means of transport to carry passengers without documents needed to enter the State. This provision, however, does not apply to persons from nations whose citizens are granted a Landing Visa or Visa Exemption by the State.

Article 39 Before an aircraft, vessel, or any other means of transport arrives at or departs from an airport or a seaport, its captain, or transport service proprietor shall notify the Authority in advance of the time of its scheduled arrival and departure, a list of the names of its flight crew or sailors, and passengers, and of other matters concerned.

Article 40 The captain of an aircraft or vessel, or the transport service proprietor stated in the preceding article shall report flight crew, sailors, or passengers to the Authority if they have no passports, flight crew IDs, seaman service books or have been involved in various illegal matters, such as being deported or denied entry by other countries or illegal entry.

When an aircraft, vessel, or any other means of transport departs from the State, its captain, or transport service proprietor shall send the Authority a list of names of the flight crew or sailors, and passengers, who have entered the State to make an temporary stay.

Article 41 The captain of an aircraft or vessel, or the transport service proprietor shall be responsible for arranging transport on the day in question or of the earliest run to deport passengers, sailors, or flight crew on board his aircraft, vessel, or other means of transport, if they:

1. Have been banned from entering the State pursuant to the subparagraphs of the first paragraphs of Articles 17 and 7; or
2. Have made an temporary entry into the State pursuant to the first paragraph of Article 18; or
3. Have stayed for an overnight lodging pursuant to the first paragraph of Article 19; or
4. Have no document needed to enter the State pursuant to paragraph 2 of Article 38.

During the time in which the people enumerated in the subparagraphs of the preceding paragraph are waiting for deportation, the Authority shall designate shelters and/or be responsible for looking after them. Except for the provisions prescribed in the first subparagraph, the concerned transport service proprietor shall pay for the expenses.