

108 年全國大專校院校長會議提案討論單

提案學校	國立成功大學	聯絡人	人事室陳文姿校聘專員
所屬協(進)會	<input checked="" type="checkbox"/> 國立大學校院協會 <input type="checkbox"/> 私立大學校院協進會 <input type="checkbox"/> 國立科技大學校院協會 <input type="checkbox"/> 私立科技大學校院協進會 <input type="checkbox"/> 專科學校教育聯盟		
案由	有關相當簡任第 11 職等以上公務員進入大陸地區申請案雖經許可，嗣後如有行程變更之情形，應依規定事先申請行程變更，其實務運作上有困難，建議如有行程變更之情形經學校同意即可，請討論。		
說明	<p>一、依內政部函，有關相當簡任第 11 職等以上公務員、兼任行政職務教師進入大陸地區之規定如下：</p> <p>(一)申請進入大陸地區(含經由大陸地區機場入境或不入境之轉機)，須依「臺灣地區公務員及特定身分人員進入大陸地區許可辦法」規定，<u>於預定赴陸當日之 2 個工作日(不含申請日、出發當日及國定例假日)前，至「公務人員赴陸許可線上申請系統」向內政部提出申請</u>，經許可後，始得進入大陸地區。(如附件 1、2)</p> <p>(二)內政部移民署審查上開人員進入大陸地區申請案，除針對當事人之身分、法定事由、行程(包含天數及行程內容)、從事之交流活動進行審查外，亦審查當事人赴陸是否有違反兩岸條例相關規定之虞(如：從事妨害國家安全或利益之活動，或未經許可與陸方為政治性內容之合作…等行為)；如當事人預定赴陸之期間、活動內容、接觸對象等行程，與原申請並經許可之行程不符時，應另為變更行程之申請，始符合審查之意旨。<u>爰申請案雖經許可，嗣後如有行程變更之情形，應依規定事先申請行程變更。</u>(如附件 3)</p> <p>二、本校主管反應如遇不可抗力之因素，或臨時提前出國，延後返國，未及於赴陸之 2 個工作日前辦理變更，致產生罰鍰，既不符合實務運作，也將造成教師擔任主管之意願降低，建議如有行程變更之情形，經學校同意即可。</p>		

辦 法	1. 臺灣地區與大陸地區人民關係條例。 2. 臺灣地區公務員及特定身分人員進入大陸地區許可辦法。
教育部 初步說明	
決 議	
備 註	

※ 提案單請於 107 年 9 月 28 日(五)前 e-mail 送交所屬各校院協(進)會，經各校校院協(進)會初審後，於 10 月 12 日(五)前送交國立中興大學秘書室彙整，後續將交由大會進行討論。

大會聯絡人：秘書室石文宜專員，電話：04-22840603 轉 5，e-mail：wenyi451@nchu.edu.tw

行政院大陸委員會 函

地址：10051台北市濟南路一段2之2號15樓
聯絡人：陳文林
聯絡電話：(02)23975589#5026
傳真：(02)23975282
電子信箱：wenlin@mac.gov.tw



受文者：教育部

發文日期：中華民國106年1月26日
發文字號：陸法字第1050401010號
速別：普通件
密等及解密條件或保密期限：
附件：

主旨：有關公務員及特定身分人員赴中國大陸機場轉機至其他國家或地區，無論屬入境轉機或不入境之過境轉機，自即日起均須於赴陸前申請許可或報准，敬請轉知所屬(轄)機關及公務員(暨特定身分人員)遵循，請查照。

說明：

- 一、查「臺灣地區與大陸地區人民關係條例」(以下簡稱兩岸條例)第9條及內政部訂(函)頒之「臺灣地區公務員及特定身分人員進入大陸地區許可辦法」(以下簡稱許可辦法)及「簡任第十職等及警監四階以下未涉及國家安全機密之公務員及警察人員赴大陸地區作業要點」(以下簡稱作業要點)，對於公務員赴陸分別訂有相關管理規定，公務員及特定身分人員進入大陸地區應經內政部(或內政部審查會)許可或向所屬機關(構)報准，合先敘明。
- 二、本案經本會於105年11月10日邀集相關機關召開「研商公務員赴陸轉機是否應經許可或報准事宜」會議，會議結論略以：

(一)中國大陸機場屬兩岸條例第2條所規定之「大陸地區」



及兩岸條例施行細則第3條所稱「中共控制之地區」之涵蓋範圍。

(二)衡酌兩岸條例第9條之規定及維護國家安全與利益之立法本旨，公務員無論從中國大陸機場「入境轉機」或「不入境轉機（過境轉機）」，皆應屬兩岸條例第9條所稱「進入」大陸地區之行為。據此，赴陸前均須依兩岸條例第9條、前開許可辦法及作業要點規定申請許可或報准。

三、本案敬請轉知所屬(轄)機關及公務員(暨特定身分人員)遵循，以確保公務員權益。

正本：總統府、國家安全會議、立法院、司法院、考試院、監察院、行政院、行政院各部會行總處署院、臺灣省諮議會、各省市及縣市政府、各直轄市、縣市議會、財團法人海峽交流基金會

副本：銓敘部、行政院人事行政總處、內政部移民署、法務部廉政署

電 2017-01-26
交 18:40:49 章

內政部 函

機關地址：10066臺北市廣州街15號(移民署)

聯絡人：視察 蔡政杰

聯絡電話：(02) 23889393分機2685

傳真電話：(02) 23897154

電子信箱：cctsai@immigration.gov.tw

受文者：國立成功大學

發文日期：中華民國107年7月4日

發文字號：內授移字第1070943060號

速別：普通件

密等及解密條件或保密期限：

附件：

主旨：請轉知貴校所屬相當簡任第11職等以上兼任行政職教育人員，赴陸應經申請許可，並請落實申請作業，請查照。

說明：

- 一、依據「臺灣地區與大陸地區人民關係條例」第9條第3項及「臺灣地區公務員及特定身分人員進入大陸地區許可辦法」（以下簡稱赴陸許可辦法）第4條第1項等規定，簡任或相當簡任第11職等以上公務員，應向主管機關申請，經許可後，始得進入大陸地區。
- 二、查教育部96年7月20日台人(二)字第0960910045A號函略以，簡任或相當簡任第11職等以上之公立各級學校校長、兼任行政職務之教師等人員進入大陸地區，以其兼任之行政職，有公務員服務法之適用，爰為赴陸許可辦法之適用對象。因此，旨揭教育人員進入大陸地區，應依上揭說明一之法令規定辦理，合先敘明。
- 三、請貴校提醒旨揭人員進入大陸地區須依規定向貴校提出申請，由貴校於申請人預定赴陸當日之2個工作日前，至「公務人員赴陸許可線上申請系統」向本部提出申請，經許可後，始得赴陸。



正本：國立臺灣大學、國立政治大學、國立臺灣師範大學、國立成功大學、國立中興大學、國立清華大學、國立中央大學、國立交通大學、國立中山大學、國立空中大學、國立中正大學、國立臺灣海洋大學、國立陽明大學、國立東華大學、國立暨南國際大學、國立臺北大學、國立嘉義大學、國立高雄大學、國立彰化師範大學、國立高雄師範大學、國立臺灣科技大學、國立臺北科技大學、國立雲林科技大學、國立屏東科技大學、國立臺灣藝術大學、國立臺北藝術大學、國立虎尾科技大學、國立宜蘭大學、國立聯合大學、國立臺中科技大學、國立勤益科技大學、國立澎湖科技大學、國立臺南藝術大學、國立臺北教育大學、國立臺中教育大學、國立臺南大學、國立臺東大學、國立體育大學、國立臺灣體育運動大學、國立臺北護理健康大學、國立高雄餐旅大學、國立金門大學、國立臺灣戲曲學院、國立屏東大學、國立臺北商業大學、國立高雄科技大學、臺北市立大學、國立高雄第一科技大學、國立高雄應用科技大學、高雄市立空中大學、國防大學、中央警察大學、國防醫學院、空軍航空技術學院、陸軍軍官學校、海軍軍官學校、空軍軍官學校

副本：教育部、本部移民署



內政部 函

機關地址：10066臺北市廣州街15號(移民署)

聯絡人：專員 胡維麟

聯絡電話：(02) 23889393分機2688

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受文者：國立成功大學

發文日期：中華民國108年1月4日

發文字號：內授移字第1080930440號

速別：普通件

密等及解密條件或保密期限：

附件：如說明七(附件1 A09540000Q0000000_108D003941_108D2000799-01.doc)

主旨：有關相當簡任第11職等以上公務員進入大陸地區申請相關事項宣導案，請查照並轉知所屬。

說明：

- 一、依據「臺灣地區與大陸地區人民關係條例」（以下簡稱兩岸條例）第9條第3項及「臺灣地區公務員及特定身分人員進入大陸地區許可辦法」（以下簡稱赴陸許可辦法）第3條第2項規定，相當簡任第11職等以上公務員，應向本部申請許可，始得進入大陸地區。
- 二、次依教育部96年7月20日台人(二)字第0960910045A號函所示，兼任行政職教師等人員進入大陸地區，以其兼任之行政職務，有公務員服務法之適用，渠等人員相當公務人員職等之認定，以其所兼任行政職務支領主管加給之職務等級為認定標準。爰前開相當簡任第11職等以上人員如欲進入大陸地區，應依兩岸條例及赴陸許可辦法等相關規定，向本部申請許可。
- 三、赴陸許可辦法第8條規定略以，申請進入大陸地區之人員，應填具進入大陸地區申請表及檢附必要佐證資料，並詳閱公務員及特定身分人員進入大陸地區注意事項後簽章，由所屬機關（構）審核其事由，並附註意見後，



以網際網路方式向主管機關申請。

- 四、按上開赴陸申請案之審查，除針對當事人之身分、法定事由、行程（包含天數及行程內容）、從事之交流活動進行審查外，亦審查當事人赴陸是否有違反兩岸條例相關規定之虞（如：從事妨害國家安全或利益之活動，或未經許可與陸方為政治性內容之合作…等行為）；如當事人預定赴陸之期間、活動內容、接觸對象等行程，與原申請並經許可之行程不符時，應另為變更行程之申請，始符合審查之意旨。爰申請案雖經許可，嗣後如有行程變更之情形，應依規定事先申請行程變更。
- 五、另簡任或相當簡任第11職等以上未涉及國家機密人員申請赴陸，應於預定赴陸當日之2個工作日前，向主管機關申請，前揭工作日均不含申請日、出發當日及國定例假日。
- 六、為免貴校因內部簽核流程致延誤前開申請工作日之規定（如假單尚未批准或校長尚未報經教育部核准等），可先於線上系統送件申請，並於「申請機關審查意見」欄備註說明，另致電本部移民署承辦人（電話：02-23889393分機2672）初審後先予退（補）件，嗣再補正相關資料，以利掌握申請時效。
- 七、為因應慣用英語習慣之申請人需要，檢附「政務人員、直轄市長、涉及國家機密人員（含上開三類退離職人員）、縣（市）長或簡任（或相當簡任）第十一職等以上公務員進入大陸地區申請表」英文版1份，請視實際需求提供申請人使用。

正本：中央警察大學、國立臺北大學、國防大學、國立臺灣大學、國立政治大學、國立臺灣師範大學、國立成功大學、國立中興大學、國立清華大學、國立中央大學、國立交通大學、國立中山大學、國立中正大學、國立臺灣海洋大學、國立陽明大學、國立空中大學、國立東華大學、國立暨南國際大學、國立嘉義大學、國立高雄大學、國立彰化師範大學、國立高雄師範大學、國立臺灣科技大

學、國立臺北科技大學、國立雲林科技大學、國立屏東科技大學、國立臺灣藝術大學、國立臺北藝術大學、國立虎尾科技大學、國立宜蘭大學、國立聯合大學、國立臺中科技大學、國立勤益科技大學、國立澎湖科技大學、國立臺南藝術大學、國立臺北教育大學、國立臺中教育大學、國立臺南大學、國立臺東大學、國立體育大學、國立臺灣體育運動大學、國立臺北護理健康大學、國立高雄餐旅大學、國立金門大學、國立臺灣戲曲學院、國立屏東大學

副本：教育部、行政院人事行政總處、本部移民署

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Application Form for Entry to the Mainland Area by Political Appointees, Special Municipality Mayors, Personnel Involved in National Secrecy (Including Former Holders of the Aforesaid Three Kinds of Office), County Executives & City Mayors, or Senior Civil Servants with the 11th Grade or Above (Equivalent Ranks Included)

Date (yy) (mm) (dd)

 Applicant's status	<input type="checkbox"/> Political appointee <input type="checkbox"/> Former political appointee <input type="checkbox"/> Person involved in national secrecy as per Article 9 Paragraph 4 of the Act Governing Relations Between the People of the Taiwan Area and the Mainland Area <input type="checkbox"/> Person formerly involved in national secrecy as per Article 9 Paragraph 4 of the Act Governing Relations Between the People of the Taiwan Area and the Mainland Area <input type="checkbox"/> Special municipality mayor <input type="checkbox"/> Former special municipality mayor <input type="checkbox"/> County executive or city mayor <input type="checkbox"/> Senior civil servant with the 11 th grade or above (equivalent ranks included) (without above-listed status) <input type="checkbox"/> Educator equivalent to senior civil servant ranked with 11 th grade or above <input type="checkbox"/> Personnel of the National Security Bureau, Ministry of National Defense, or Ministry of Justice Investigation Bureau, without civil servant status
Reason for application	<input type="checkbox"/> 43 Pay visit <input type="checkbox"/> 79 Work-related activity <input type="checkbox"/> 80 Attend meeting <input type="checkbox"/> 03 Visit relative <input type="checkbox"/> 64 Visit patient <input type="checkbox"/> 35 Funeral <input type="checkbox"/> 33 Tourism <input type="checkbox"/> 182 Other reason : _____
Chinese name	
Date of birth (yyyy/mm/dd)	
ID No.	
Current (former) service unit	
Current or last grade	(If no grade, write "None".)
Current or last position title	
Phone no. of agency's responsible office	
Applicant's contact address	
Applicant's contact phone no.	



Applicant's email	(Please fill in accurately, and keep checking mail. Notifications concerning document supplementation, approval or rejection of the application, or relevant reminders, will all be transmitted by email. Before heading to the Mainland, make sure that the approval process has been fully completed. Failure to read an email will not excuse an applicant from applicable liability.)
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Summary of activity:

Scheduled to start on	Scheduled to end on	Place(s) of stay	Itinerary	Invited by/ Paying visit to	Contact phone no. in Mainland	Remarks

Applicant's signature/seal

The following is to be completed by the applicant's central authority (institution), special municipality, county or city government, or agency so empowered thereby.

Agency review & opinions	<input type="checkbox"/> Approve <input type="checkbox"/> Not approve Remark : (If any particular opinion, please specify.)
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- The applicant is also approved to depart from the country under Article 26 of the Classified National Security Information Protection Act as concurrently having the status of personnel who handle classified information or exercise classification authority (including former holders of such office or those handling the transfer of classified information).
- The applicant is also approved to depart from the country under Article 5 of the Immigration Act as concurrently having the status of personnel involved in national security.

<input type="checkbox"/> Approve <input type="checkbox"/> Not approve Provision of the itinerary in accordance with Article 7 of the Freedom of Government Information Act.
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Please note:
 When the (former) service agency receives from the Ministry of the Interior via the online system notification concerning document supplementation, granting or rejection of approval, or pertinent reminders, it shall be responsible for promptly relaying this to the applicant, in order to protect the applicant's rights and interests.

Phone no. for contacting the National Immigration Agency of the Ministry of the Interior: (02) 2388-9393 ext. 2687 or 2645.

Related Penalties:

1. Under the provisions of Article 9 Paragraph 3 and Article 91 Paragraph 2 of the Act Governing Relations Between the People of the Taiwan Area and the Mainland Area, a senior civil servant with the 11th grade or above (equivalent ranks included), who is not involved in secrecy and who enters the Mainland Area without the approval of the Ministry of the Interior, shall be subject to a fine of between 20,000 and 100,000 NT dollars; and under the provisions of Article 9 Paragraph 4 and Article 91 Paragraph 3 of the same Act, a political appointee, a person involved in secrecy, a special municipality mayor, a person who was formerly one of the three aforesaid and is still within the period of restriction, or a county executive or city mayor, who enters the Mainland Area without the approval of the Ministry of the Interior, shall be subject to a fine of between 200,000 and 1,000,000 NT dollars.
2. Under the provisions of Article 26 Paragraph 1 and Article 36 of the Classified National Security Information Protection Act, a person who handles classified information or exercises classification authority (including a former holder of such office or a person handling the transfer of classified information) who departs from the country without the approval of his/her (former) service agency or designated agency (the head of an agency should obtain such approval from the authority above his/her agency), or who goes beyond the approved destination, shall be subject to imprisonment for up to two years, criminal detention, and/or a fine of up to 200,000 NT dollars.
3. Under the provisions of Article 5 and Article 77 of the Immigration Act, a person involved in national security who departs from the country without the approval of his/her service agency (the head of an agency should obtain such approval from the authority above his/her agency) shall be subject to a fine of between 100,000 and 500,000 NT dollars.

Points of Attention for Political Appointees, Special Municipality Mayors, Personnel Involved in National Secrecy (Including Former Holders of the Aforesaid Three Kinds of Office), County Executives & City Mayors, or Senior Civil Servants with the 11th Grade or Above (equivalent ranks included)-Entering the Mainland Area

1. While in the Mainland Area, place primary emphasis on protecting personal safety. You should be accompanied when going out to visit or travel, should not go alone to locations that are strange to you or where there is cause for concern about who you may encounter, and you should avoid accepting inappropriate gifts or hospitality or entering inappropriate premises.
2. To ensure your health and safety, you should not without necessity go to parts of the Mainland Area where there is a major epidemic, as a precaution against infection. For relevant information, please refer to the website of the Ministry of Health and Welfare's Centers for Disease Control (www.cdc.gov.tw).
3. While engaging in activities in the Mainland Area, you should insist on social activities under the principle of equality and dignity. If you apply to enter the Mainland Area for non-official purposes, you must not become involved in activities related to official business.
4. Please comply with relevant laws and regulations, and do not engage in activities that are harmful to national security or interests. You should heighten your guard against requests from Mainland people, and take care to protect national secrets and ordinary official secrets, strictly preventing the leakage or transmission of documents, drawings, information, articles or news which the law requires to be kept confidential.
5. Civil servants going to the Mainland Area should scrupulously conduct the leave request procedure, fully and accurately reporting the purpose and place of the trip, and factually presenting the request. They may not make an unrequested and unauthorized visit to the Mainland Area or transfer to the Mainland Area from a third area. Violations will be penalized according to the applicable provisions of the law.
6. While engaging in activities in the Mainland Area, you must not do any of the following:
 - (1) Contravene Article 5-1 or Article 33-1 Paragraph 1 of the Act Governing Relations Between the People of the Taiwan Area and the Mainland Area by concluding an agreement or entering into any other form of cooperation with any individual, juristic person, organization, or other authorities or

institution of the Mainland Area without due authorization.

- (2) Enroll in school for advanced studies, elective credits, topical research, or any other type of further education activity. (Applies only to persons currently in office.)
 - (3) Anything else that is prohibited by law or for which the requisite approval of the relevant competent authority has not been obtained.
7. You should heighten your guard in the event that the arrangement of your trip is deliberately changed by the Mainland Area unit which invited you to visit, or you are given special or abnormal treatment by an official unit. If for any reason you are subjected to violence, intimidation, inducement or other means, such as to render a threat of violation of relevant laws and regulations, you should report it to the head of your agency, commissioning agency, or supervising agency, and when necessary request the Ministry of Justice Investigation Bureau to provide assistance .
 8. In order to assist each agency to establish a complete internal management and assistance-handling platform, within one week after returning to work in Taiwan, you must fill in the requisite form for reporting on a visit to the Mainland Area. Current personnel should submit the form for reference filing to the authority (or institution) to which they belong, heads of agencies should submit it to the next-level authority above that to which they belong, city mayors and county executives should submit it to the National Immigration Agency of the Ministry of the Interior, special municipality mayors should submit it to the Executive Yuan, commissioned personnel should submit it to the commissioning authority, and former personnel under restriction of entry to the Mainland Area should submit it to their former service authority (institution) or commissioning authority.
 9. When a visit to the Mainland Area has a change of itinerary or is cancelled, please request your (former) service agency to apply to the National Immigration Agency of the Ministry of the Interior in accordance with the stipulated procedure.

The applicant has truly complied with factually filling in and carefully reading the above application form and points of attention.

Applicant's signature/seal: _____

Little reminders:

1. Make sure to keep your passport safe.
 - (1) If you lose your passport in the Mainland Area, request an airline at your place of departure to help arrange your return to Taiwan.
 - (2) If you lose your Mainland Travel Permit for Taiwan Residents, contact a public security bureau (110) to obtain a certificate of report, and apply to the Mainland's entry and exit agency for the issuance of a temporary replacement Mainland Travel Permit for Taiwan Residents.
2. If you experience an emergency situation in the Mainland Area (injury/illness, traffic accident, robbery, etc.), you can call the following for assistance:
 - (1) Straits Exchange Foundation Cross-Strait Emergency Service Center: 00-886-2-25339995.
 - (2) Phone numbers of relevant Mainland agencies: Public security bureau police report hotline (110); ambulance hotline (120); for Tourism Administration offices and Taiwanese business associations in each location, obtain phone numbers from directory enquiries (114 for directory assistance within area code; 116 for domestic long-distance calls).
3. If a civil servant in the Mainland Area is subjected to violence, intimidation, inducement or other means, such as to render a threat of violation of relevant laws and regulations, he/she should immediately or within one month after returning to Taiwan report this to a senior official of his/her service agency, commissioning agency or supervising agency. When necessary, seek assistance from the Ministry of Justice Investigation Bureau (toll-free hotline: 02-29161295).
4. If it is your first time to visit the Mainland, before going you are advised to attend the relevant study course on Regulations and Procedures for Visits to the Mainland Area, or log onto the government e-learning website to read the lessons posted for "Civil servant, how much do you know about visiting the Mainland?"