

	中文	英文
法規名稱	<a href="#">加強外國人性侵害案件通報機制及相關單位業務聯繫分工與處理原則</a> (民國 114 年 01 月 06 日修正)	<a href="#">Guidelines Governing Improvement of Foreign Nationals' Sexual Assault Case Reporting Mechanism and Communications, Division of Labor and Responses of Relevant Agencies</a> (Amended on January 6, 2025)
<a href="#">1</a>	一、為加強維護外國人人身安全，避免外國人遭受性侵害，並強化相關業務單位之聯繫與分工，維護其相關權益，訂定本處理原則。	1. The Guidelines are adopted in order to improve the protection of foreign nationals' personal safety, prevent foreign nationals from sexual assault, strengthen the communication and division of labor among relevant business units, and maintain their relevant interests and rights.
<a href="#">2</a>	二、本處理原則適用對象為受聘僱從事就業服務法第四十六條第一項第八款至第十一款規定工作之外國人（以下簡稱外國人）。	2. The Guidelines are applicable to the foreign nationals employed to engage in the jobs specified in the Subparagraphs 8 to 11, Paragraph 1, Article 46 of the Employment Service Act (hereinafter referred to as the "foreign nationals").
<a href="#">3</a>	三、有關性侵害案件，依下列規定辦理： （一）通報及處理程序等規定，各單位依性侵害犯罪防治法、性侵害犯罪防治法施行細則等法令規定處理。 （二）涉及外國人相關單位業務聯繫與分工，依本處理原則辦理。 （三）涉及外國人、雇主之權益或罰責，依就業服務法、雇主聘僱外國人許可及管理辦法及勞動基準法等相關規定辦理。	3. The sexual assault cases shall be handled in the following manners: (1) Various units shall handle the reporting and responding procedures in accordance with the Sexual Assault Crime Prevention Act and Enforcement Rules for the Sexual Assault Crime Prevention Act. (2) Any matters involving the communications and division of labor among related units shall be handled in accordance with the Guidelines. (3) Any matters involving the interest and right or penalty of the foreign nationals and employers shall be handled in accordance with the Employment Service Act, Regulations on the Permission and Administration of the

		Employment of Foreign Workers and Labor Standards Act.
<u>4</u>	<p>四、各直轄市、縣（市）主管機關依性侵害犯罪防治法第六條規定，設立性侵害防治中心，並協調相關機關辦理下列防治性侵害犯罪及保護被害人權益事項：</p> <p>（一）提供二十四小時電話專線服務。</p> <p>（二）提供被害人二十四小時緊急救援。</p> <p>（三）協助被害人就醫診療、驗傷及採證。</p> <p>（四）協助被害人心理治療、輔導、緊急安置、法律諮詢及服務。</p> <p>（五）協助被害人辦理居留證延期。</p> <p>外國人在臺工作，尚涉及其在臺工作權益及勞資爭議等事宜，對於遭受性侵害之外國人，各直轄市、縣（市）勞動主管機關應協助下列事項：</p> <p>（一）安排外國人轉換雇主或返國。</p> <p>（二）處理勞資爭議。</p> <p>依犯罪被害人權益保障法第十五條規定，保護機構及分會可協助之偵查、審判中、審判後之必要協助及其他保護措施等事項。</p>	<p>4. The competent authorities of special municipalities and counties (cities) shall establish Sexual Assault Prevention Centers in accordance with Article 6 of the Sexual Assault Crime Prevention Act, and shall coordinate relevant agencies to handle the following matters related to sexual assault crime prevention and protection of victims' interests and rights:</p> <p>(1) Provide a 24-hour hotline service.</p> <p>(2) Provide victims with a 24-hour emergency rescue service.</p> <p>(3) Assist victims in obtaining medical treatment, taking medical examinations, and collecting evidence.</p> <p>(4) Assist victims in obtaining psychological treatment, counseling, emergency placement, and legal consultations and services.</p> <p>(5) Assist victims in applying for an extension of the Alien Resident Certificate.</p> <p>Foreign nationals working in Taiwan may encounter issues regarding their interests and rights to work in Taiwan and also the labor-management disputes. The labor competent authorities of special municipalities and counties (cities) shall help the following matters:</p> <p>(1) Arranging the foreign nationals to transfer to another employer or return back to their countries.</p> <p>(2) Settling the labor-management disputes.</p> <p>According to Article 15 of the Crime Victim Rights Protection Act, protection organization and branches shall provide necessary</p>

		assistance during investigation, trial and after trial, and any other protection measures.
5	<p>五、外國人遭受性侵害時，除性侵害犯罪防治法第十一條所規定之責任通報人員依法通報外，下列單位知有疑似性侵害犯罪情事者，立即向當地性侵害防治中心通報，至遲不得超過二十四小時：</p> <p>（一）各直轄市、縣（市）性侵害防治中心或 113 保護專線：外國人遭性侵害，逕向各直轄市、縣（市）性侵害防治中心申訴及求助，或逕撥打二十四小時服務之 113 保護專線，即轉由外國人所在地之性侵害防治中心受理。</p> <p>（二）內政部警政署所屬各警察機關或 110 全國報案專線：外國人遭性侵害，可逕向內政部警政署所屬各警察機關申訴報案，或逕撥打 110 全國報案專線，即轉由外國人所在地之警察局受理，該受理警察局立即向當地性侵害防治中心通報，至遲不得超過二十四小時。</p> <p>（三）各直轄市、縣（市）醫院、診所等醫療單位：醫事人員立即向當地性侵害防治中心通報，至遲不得超過二十四小時。</p> <p>（四）各直轄市、縣（市）移工諮詢服務中心：外國人遭受性侵害，可向當地移工諮詢服務中心或撥打各直轄市、縣（市）移工諮詢服務中心服務專線提出申訴，該中心立即向當地性侵害防治中心通報，至遲不得超過二十四小時。</p> <p>（五）各外國人母國駐華機構：外國人遭受性侵害，可向各外國人母國駐華機構或逕撥打該等機構專線提出申訴，該等機構立即向當地性侵害防治中心通報，至遲不得超過二十四小時。</p> <p>（六）各外國人安置單位：外國人遭受性侵害，可向經勞動部勞動力發展署（以下簡稱勞發署）備案之各外國人安置單位或逕撥打</p>	<p>5. When a foreign national is sexually assaulted, the personnel responsible for reporting the case referred to in Article 11 of the Sexual Assault Crime Prevention Act shall report the case pursuant to laws.</p> <p>Meanwhile, the following units shall also report the case to the local assault prevention center immediately and within 24 hours following their awareness of any circumstances suspected to be the sexual assault crime at latest:</p> <p>(1) Sexual assault prevention centers of various special municipalities and counties (cities) or 113 Protection Hotline: Foreign nationals who are sexually assaulted may file a complaint with and seek assistance directly from the sexual assault prevention centers of various special municipalities and counties (cities), or call the 24-hour 113 Protection Hotline directly, and then the case will be referred to the sexual assault prevention centers within the jurisdictions where the foreign nationals are located.</p> <p>(2) Police agencies subordinated to the National Police Agency, Ministry of the Interior, or Emergency Police Hotline 110: Foreign nationals who are sexually assaulted may file a complaint with the police agencies subordinated to the National Police Agency, Ministry of the Interior directly, or call the Emergency Police Hotline 110, and then the case will be referred to the police stations within the jurisdictions where the foreign nationals are located. The police stations shall report the case to the local assault</p>

	<p>該等單位專線尋求協助，該等單位立即向當地性侵害防治中心通報，至遲不得超過二十四小時。</p> <p>（七）勞動部設置之 1955 勞工諮詢申訴專線：外國人遭受性侵害，可向該專線提出申訴，該專線立即通報性侵害防治中心，至遲不得超過二十四小時。</p>	<p>prevention center immediately and within 24 hours at latest.</p> <p>(3) Medical care units in various special municipalities and counties (cities), such as hospitals and clinics: The medical workers shall report the case to the local assault prevention center immediately and within 24 hours at latest.</p> <p>(4) Foreign workers consultation service centers of various special municipalities and counties (cities): Foreign nationals who are sexually assaulted may file a complaint with the foreign workers consultation service centers of various special municipalities and counties (cities), or via the hotlines of the foreign workers consultation service centers of various special municipalities and counties (cities), and then the case will be referred by the centers to the local sexual assault prevention centers immediately and within 24 hours at latest.</p> <p>(5) Foreign countries' institutions in Taiwan: Foreign nationals who are sexually assaulted may file a complaint with various foreign countries' institutions in Taiwan, or via the hotlines of the institutions, and then the case will be referred by the institutions to the local sexual assault prevention centers immediately and within 24 hours at latest.</p> <p>(6) Foreign nationals' placement units: Foreign nationals who are sexually assaulted may file a complaint with various foreign nationals' placement units registered with the Workforce Development Administration of the Ministry of Labor, or via the hotlines of the units, and then the case will be referred by the units to the</p>
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		<p>local sexual assault prevention centers immediately and within 24 hours at latest.</p> <p>(7) 1955 Labor Consultation and Complaint Hotline set up by the Ministry of Labor: Foreign nationals who are sexually assaulted may file a complaint via the Hotline, and then the case will be referred by the Hotline to the sexual assault prevention center immediately and within 24 hours at latest.</p>
<a href="#">6</a>	<p>六、各直轄市、縣（市）性侵害防治中心結合當地勞動主管機關、警察機關、外國人母國駐華機構等單位行政資源，協辦相關勞工事務，並配合下列事項：</p> <p>（一）各直轄市、各縣（市）性侵害防治中心於受理外國人性侵害通報案件後，應依權責指派社工人員直接協助被害外國人，提供相關保護措施，並徵詢外國人需求及意願後，洽請各直轄市、縣（市）勞動主管機關協助被害外國人翻譯、緊急安置、法律諮詢及服務、訟訴補助、安排外國人轉換雇主或返國及處理勞資爭議等事宜，以保障外國人人身安全及相關權益。</p> <p>（二）為使勞發署掌握各直轄市、縣（市）外國人遭受性侵害情形，由衛生福利部定期（按季）提供外國人性侵害案件統計數據予勞發署，以利該署分析及研議外國人管理措施之參考。</p>	<p>6. The sexual assault prevention centers of various special municipalities and counties (cities) integrate the administrative resources of the local labor competent authorities, police agencies and foreign countries' institutions in Taiwan to assist in the related labor affairs and in response to the following matters:</p> <p>(1) Upon receipt of the report on sexual assault cases involving foreign nationals, the sexual assault prevention centers of various special municipalities and counties (cities) shall, subject to their responsibilities, assign social workers to assist the foreign national victims directly and provide them with relevant protection measures. Upon inquiry with the foreign nationals' needs and willingness, they shall ask the labor competent authorities of various special municipalities and counties (cities) to help the victims with translation, emergent placement, legal advice and services, litigation subsidies, arrangements for the foreign nationals to transfer to another employer or return to their home countries, and settlement of the labor-management disputes, in order to protect the foreign nationals' personal safety and related interests and rights.</p>

		<p>(2) In order to enable the Workforce Development Administration to verify the sexual assault suffered by foreign nationals in various special municipalities and counties (cities), the Ministry of Health and Welfare regularly (on a quarterly basis) provides the Administration with the statistics on the foreign nationals' sexual assault cases as the reference to help the Administration analyze and research the foreign nationals' management measures.</p>
7	<p>七、為加強相關單位業務聯繫及處理外國人性侵害案件責任明確，各直轄市、縣（市）性侵害防治中心、勞動主管機關、警政主管機關、衛生主管機關、外國人母國駐華機構、外國人安置單位、私立就業服務機構及勞發署等單位配合辦理下列主、協辦事項。</p> <p>（一）就醫診療：</p> <p>1.主辦：視遭受性侵害外國人需求，由社工人員協助陪同前往醫院、診所進行一般或緊急醫療（主辦單位：各直轄市、縣（市）性侵害防治中心）。</p> <p>2.協辦：外國人醫療費用不足協助處理（協辦單位：外國人母國駐華機構、私立就業服務機構）。</p> <p>（二）驗傷：</p> <p>1.主辦：視遭受性侵害外國人需求，由社工人員協助驗傷（主辦單位：各直轄市、縣（市）性侵害防治中心）。</p> <p>2.協辦：協助翻譯（協辦單位：各直轄市、縣（市）移工諮詢服務中心、外國人母國駐華機構、外國人安置單位）。</p> <p>（三）報案、採證：</p> <p>1.主辦：視遭受性侵害外國人需求，由社工人員陪同前往至各直轄市、縣（市）警察局報案、陪同偵訊，各直轄市、縣（市）警察局依規定進行偵訊、製作偵訊筆錄、協助驗</p>	<p>7. In order to improve the communications for and responses to the foreign nationals' sexual assault cases among related units, the sexual assault prevention centers of various special municipalities and counties (cities), labor competent authority, police administration competent authority, health competent authority, foreign countries' institutions in Taiwan, foreign nationals' placement units, private employment service agencies, and the Workforce Development Administration are required to respond to the following matters as organizers or co-organizers.</p> <p>(1) Obtaining medical treatment:</p> <p>1. Organizer: Subject to the needs of the foreign nationals who are sexually assaulted, social workers will accompany them to seek the general or urgent treatment from hospitals or clinics (Organizer: the sexual assault prevention centers of various special municipalities and counties (cities)).</p> <p>2. Co-organizer: Providing assistance in the case of insufficient medical expenses for the foreign nationals (Co-organizer: the foreign countries' institutions in Taiwan and private employment service agencies).</p>

<p>傷、採證，並將驗傷證明、證物等移送法辦（主辦單位：各直轄市、縣（市）性侵害防治中心、各直轄市、縣（市）警察局）。</p> <p>2. 協辦：</p> <p>（1）協助翻譯（協辦單位：各直轄市、縣（市）移工諮詢服務中心、外國人母國駐華機構、外國人安置單位）。</p> <p>（2）於偵查期間，各直轄市、縣（市）警察局配合提供回復確認是否受理偵辦及偵結移送情形公文書予各直轄市、縣（市）勞動主管機關，俾該單位轉送勞發署據以辦理外國人轉換雇主（協辦單位：各直轄市、縣（市）警察局）。</p> <p>（四）心理治療、輔導：</p> <p>1. 主辦：指派社工人員協助進行心理治療或輔導（主辦單位：各直轄市、縣（市）性侵害防治中心）。</p> <p>2. 協辦：協助翻譯（協辦單位：各直轄市、縣（市）移工諮詢服務中心、外國人母國駐華機構、外國人安置單位）。</p> <p>（五）緊急安置：</p> <p>1. 主辦：依遭受性侵害外國人之意願提供緊急安置或協調各直轄市、縣（市）勞動主管機關協助安置（主辦單位：各直轄市、縣（市）性侵害防治中心）。</p> <p>2. 協辦：各直轄市、縣（市）勞動主管機關得協助安置或由外國人安置單位協助被害人安置事宜，並依受聘僱從事就業服務法第四十六條第一項第八款至第十一款規定工作之外國人臨時安置作業要點第八點規定之通報程序辦理（協辦單位：各直轄市、縣（市）勞動主管機關、外國人安置單位、外國人母國駐華機構）</p> <p>（六）法律諮詢及服務：</p> <p>1. 主辦：提供法律訴訟、諮詢及經費補助等事宜（主辦單位：各直轄市、縣（市）性侵害防治中心）。</p>	<p>(2) Taking medical examination:</p> <p>1. Organizer: Subject to the needs of the foreign nationals who are sexually assaulted, social workers will assist them in taking medical examination (Organizer: the sexual assault prevention centers of various special municipalities and counties (cities)).</p> <p>2. Co-organizer: Helping the translation (Co-organizer: foreign workers consultation service centers of various special municipalities and counties (cities), foreign countries' institutions in Taiwan and foreign nationals' placement units).</p> <p>(3) Reporting cases and collecting evidence:</p> <p>1. Organizer: Subject to the needs of the foreign nationals who are sexually assaulted, social workers will accompany them to report cases and undergo investigation at the police stations of various special municipalities and counties (cities). The police stations of various special municipalities and counties (cities) conduct the investigation, produce the investigation record, help the medical examination, collect evidence, and also transfer the certificate of medical examination and evidence (Organizer: the sexual assault prevention centers of various special municipalities and counties (cities), and police stations of various special municipalities and counties (cities)).</p> <p>2. Co-organizer:</p> <p>(1) Helping the translation (Co-organizer: foreign workers consultation service centers of various special municipalities and counties (cities), foreign countries' institutions in Taiwan and foreign nationals' placement units).</p>
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<p>2. 協辦：</p> <p>(1) 協助提供法律諮詢、陪同出庭、翻譯、聘請義務律師及補助律師費用、訴訟費用等事宜，或轉介各地財團法人犯罪被害人保護協會提供偵查、審判中及審判後之法律協助或扶助（協辦單位：各直轄市、縣（市）移工諮詢服務中心、外國人母國駐華機構、各地財團法人犯罪被害人保護協會）。</p> <p>(2) 依外國人意願協助代辦民事賠償事宜（協辦單位：外國人母國駐華機構）。</p> <p>(七) 其他事宜：</p> <p>1. 主辦：</p> <p>(1) 提供醫療、心理復健費用補助等事宜。（主辦單位：各直轄市、縣（市）性侵害防治中心）。</p> <p>(2) 協助聯繫外國人家屬（主辦單位：外國人母國駐華機構、私立就業服務機構）。</p> <p>(3) 派員慰問及致贈慰問金（主辦單位：勞發署、各直轄市、縣（市）勞動主管機關、外國人母國駐華機構、私立就業服務機構）。</p> <p>(4) 依犯罪被害人權益保障法第十五條規定可提供之其他保護措施（主辦單位：各地財團法人犯罪被害人保護協會）。</p> <p>性侵害案件屬非告訴乃論罪，在未偵訊完成前或起訴仍有出庭之必要，各相關單位不得有使該外國人與雇主或被看護者或其他共同生活之親屬（以下簡稱雇主）私下和解或逕自安排該外國人返國等情事。為妥善處理協助該外國人轉換雇主或安排其返國等事宜，各直轄市、縣（市）性侵害防治中心、勞動主管機關、警政主管機關、外國人母國駐華機構、外國人安置單位等，依規定配合辦理。</p> <p>(一) 安排外國人轉換雇主：</p> <p>1. 主辦：</p> <p>(1) 遭受性侵害外國人如有轉換雇主需要，各直轄市、縣（市）勞動主管機關檢送雇主</p>	<p>(2) During the investigation period, the police stations of various municipalities and counties (cities) will cooperate in replying and confirming whether they accept and investigate the cases, and communicating the investigation results in writing to labor competent authorities of various special municipalities and counties (cities) to help the authorities transfer the case to the Labor Development Administration for the transfer of the foreign nationals to another employer (Co-organizer: police stations of various special municipalities and counties (cities)).</p> <p>(4) Obtaining psychological treatment and counseling:</p> <p>1. Organizer: Assigning social workers to assist them in obtaining the psychological treatment or counseling (Organizer: the sexual assault prevention centers of various special municipalities and counties (cities)).</p> <p>2. Co-organizer: Helping the translation (Co-organizer: foreign workers consultation service centers of various special municipalities and counties (cities), foreign countries' institutions in Taiwan and foreign nationals' placement units).</p> <p>(5) Emergent placement:</p> <p>1. Organizer: Subject to the willingness of the foreign nationals who are sexually assaulted, the organizer shall provide emergent placement services or coordinate with the labor competent authorities of various special municipalities and counties (cities) to help the placement (Organizer: the sexual assault prevention centers of various special municipalities and counties (cities)).</p>
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<p>承認犯罪行為文件，或經直轄市、縣（市）政府依職權認定雇主有犯罪行為之虞之相關文書，或檢察官起訴書。尚在偵查期間，需檢送警察機關移送司法機關偵辦之移送書或其證明公文書、及經受害外國人單方主張與雇主終止勞動契約之書面通知（如存證信函）及已送達雇主之證明文件（如存證信函回執聯）等相關資料送勞發署辦理外國人轉換雇主（主辦單位：各直轄市、縣（市）勞動主管機關）。</p> <p>（2）勞發署依上述資料據以核處外國人轉換雇主事宜，另於電腦註記暫予管制該雇主外國人申請案，俟法院判決雇主無罪或不起訴處分時，檢具相關證明後始解除申請外國人管制（主辦單位：勞發署）。</p> <p>2. 協辦：為利於勞動主管機關處理遭受性侵害外國人轉換雇主所需</p> <p>，各直轄市、縣（市）警察機關配合回復確認是否受理偵辦及偵結移送情形予各直轄市、縣（市）勞動主管機關（協辦單位：各直轄市、縣（市）警察機關）。</p> <p>（二）協助人口販運被害人申請工作許可：</p> <p>1. 主辦：</p> <p>（1）遭受人口販運性剝削侵害之外國人，經鑑別為人口販運被害人，獲內政部移民署核發居留許可或已持有合法有效之居留許可者，可由各外國人安置單位協助外國人檢附申請書、未逾效期之臨時居留許可或合法有效之居留許可影本、足資證明經司法警察機關鑑別為人口販運被害人之文件影本等資料，送勞發署申請核發工作許可（主辦單位：外國人安置單位）。</p> <p>（2）勞發署依上述申請資料據以核發人口販運被害人工作許可事宜，並副知內政部移民署（主辦單位：勞發署）。</p> <p>2. 協辦：已獲核發工作許可之人口販運被害人，其合法有效之居留許可如經廢止，內政</p>	<p>2. Co-organizer: The labor competent authorities of various special municipalities and counties (cities) shall assist in the placement or allow foreign nationals' placement units to help the placement of victims, and also follow the reporting procedures under Clause 8 of the Directions Governing Temporary Placement of Foreign Nationals Engaged in the Jobs Specified in the Subparagraphs 8 to 11, Paragraph 1, Article 46 of the Employment Service Act (Co-organizer: labor competent authorities of various special municipalities and counties (cities), foreign nationals' placement units and foreign countries' institutions in Taiwan).</p> <p>(6) Legal advice and services:</p> <p>1. Organizer: Providing legal litigation services and legal advice, and financial assistance, etc. (Organizer: the sexual assault prevention centers of various special municipalities and counties (cities)).</p> <p>2. Co-organizer:</p> <p>(1) Assist in providing legal advice, accompanying them to attend hearings, translating, retaining volunteer lawyers, and subsidizing attorney fees and costs of actions, or referral of local associations for victims support to provide the legal aid or assistance during investigation, trial and after trial (Co-organizer: foreign workers consultation service centers of various special municipalities and counties (cities), foreign countries' institutions in Taiwan and local associations for victims support).</p> <p>(2) Assisting foreign nationals in handling civil claims subject to the foreign nationals'</p>
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<p>部移民署應通知勞發署（協辦單位：內政部移民署各地服務站）。</p> <p>（三）廢止雇主許可：雇主對其聘僱之外國人，有刑法第二百二十一條至第二百二十九條規定，經警察機關移送、檢察機關起訴或司法機關一審判決有罪者，勞發署應依法廢止雇主招募許可及聘僱許可（主辦單位：勞發署）。</p> <p>（四）安排外國人返國：</p> <p>1. 主辦：外國人經司法機關偵查終結，無配合須經司法程序出庭之必要，而有返國意願者，由當地直轄市、縣（市）勞動主管機關安排返國事宜（主辦單位：各直轄市、縣（市）勞動主管機關）。</p> <p>2. 協辦：協助安排外國人返國事宜（協辦單位：外國人母國駐華機構、外國人安置單位、私立就業服務機構）。</p> <p>（五）勞資爭議處理：處理外國人與雇主、私立就業服務機構間之薪資、服務費、借款、儲蓄金、所得稅等勞資爭議事宜（主辦單位：各直轄市、縣（市）勞動主管機關）。</p> <p>（六）雇主涉嫌違反刑事罰部分：依刑法第二二一條規定，性侵害犯罪屬非告訴乃論罪，經移送偵辦後，依刑事訴訟結果處分雇主或其他加害人（主辦單位：法院）。</p> <p>（七）雇主涉嫌違反就業服務法部分：</p> <p>1. 法院未判決前，勞發署依各直轄市、縣（市）政府所送雇主承認犯罪行為文件或經各直轄市、縣（市）政府依職權認定雇主有犯罪行為相關文書，或檢察官起訴書，或警察機關移送司法機關偵辦之移送書或其證明公文書，及經受害外國人單方主張與雇主終止勞動契約之書面通知（如存證信函）及已送達雇主之證明文件（如存證信函回執聯）等相關資料，依就業服務法第五十九條第四款規定，不可歸責於外國人之理由，同意外</p>	<p>willingness (Co-organizer: foreign countries' institutions in Taiwan).</p> <p>(7) Other matters:</p> <p>1. Organizer:</p> <p>(1) Provide subsidies for medical and psychological rehabilitation expenses, etc. (Organizer: the sexual assault prevention centers of various special municipalities and counties (cities)).</p> <p>(2) Assisting in contacting the foreign nationals' family members (Organizer: the foreign countries' institutions in Taiwan and private employment service agencies).</p> <p>(3) Sending personnel to offer condolences and present condolence money (Organizer: Labor Development Administration, labor competent authorities of various special municipalities and counties (cities), foreign countries' institutions in Taiwan, and private employment service agencies).</p> <p>(4) Other protection measures made available under Article 15 of the Crime Victim Rights Protection Act (Organizer: local associations for victims support).</p> <p>Sexual assault cases are not cases actionable only upon complaint. An indictment might still be initiated before the investigation is completed and, therefore, it is necessary to attend hearings. Relevant agencies shall not allow the foreign nationals to reach settlement employers, the cared persons or other family members co-living with them (hereinafter referred to as the employer) privately or arrange the foreign nationals to return to their home countries directly. In order to assist the foreign nationals in transferring to another employer or arrange them to return to their</p>
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	<p>國人轉換雇主，並於電腦註記暫予管制該雇主後續外國人申請案。另可依雇主承認犯罪行為文件或檢察官之起訴廢止雇主招募許可及聘僱許可（主辦單位：勞發署）。</p> <p>2.經法院判決雇主確定違法後，依雇主違反就業服務法第五十四條 第一項第十六款其他違反保護勞工之法令情節重大者之規定，及依法廢止雇主許可，並依違反雇主聘僱外國人許可及管理辦法第二十八條規定，不予同意雇主後續外國人申請案。（主辦單位：勞發署）。</p> <p>3.經法院判決雇主不起訴處分或無罪，由雇主檢具法院判決文書等相關文件，勞發署據以解除其申請外國人管制，並同意辦理後續外國人申請案（遞補、招募外國人許可等）。另該外國人尚未轉換雇主，並仍在臺者，應予廢止其得轉換雇主之同意函，並令其返國，又該外國人轉換雇主，取得聘僱許可者，應廢止其許可，並令其返國（主辦單位：勞發署）。</p>	<p>home countries, the sexual assault prevention centers of various special municipalities and counties (cities), labor competent authority, police administration competent authority, health competent authority, foreign countries' institutions in Taiwan and foreign nationals' placement units shall comply with the relevant requirements.</p> <p>(1) Arranging the foreign nationals to transfer to another employer:</p> <p>1. Organizer:</p> <p>(1) Where the foreign nationals who are sexually assaulted need to transfer to another employer, the labor competent authorities of various special municipalities and counties (cities) shall submit the employer's written confession, or related instrument issued by the special municipality or county (city) governments ex officio determining that the employer is guilty, or the bill of indictment issued by the prosecutor. During the investigation, it is also necessary to submit the referral paper about the transfer of the case from the police agency to the judicial agency or the certificate thereof, the written notice showing the foreign national victim's unilateral claim of the termination of the employment contract with the employer (e.g. the legally-attested letter) and certificate of service to the employer (e.g. the acknowledgment receipt of the legally-attested letter) to the Labor Development Administration for the transfer of the foreign nationals to another employer (Organizer: the labor competent authorities of various special municipalities and counties (cities)).</p>
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		<p>(2) The Labor Development Administration will authorize the foreign nationals' transfer to another employer based on said information. Meanwhile, it will also note in the computer that any further application filed by the employer for employment of foreign nationals shall be under control preliminarily, which will be lifted only after the court finds the employer not guilty or renders a ruling not to prosecute with related evidence (Organizer: Labor Development Administration).</p> <p>2. Co-organizer: In order to facilitate the labor competent authorities' response to the application for transfer to another employer by the foreign nationals who are sexually assaulted, the police agencies of various special municipalities and counties (cities) will cooperate in replying and confirming whether they accept and investigate the cases, and communicating the investigation results in writing to labor competent authorities of various special municipalities and counties (cities) (Co-organizer: police agencies of various special municipalities and counties (cities)).</p> <p>(2) Helping the victims of human trafficking apply for the work permit.</p> <p>1. Organizer:</p> <p>(1) Foreign nationals who are identified as victims of human trafficking and have been granted the Alien Resident Certificate by the National Immigration Agency, Ministry of the Interior or who already hold the valid Alien Resident Certificate may, with the assistance from various foreign nationals' placement units, submit the application form, a copy of the temporary Alien Resident Certificate still</p>
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		<p>remaining valid or photocopy of the valid Alien Resident Certificate, and photocopy of the documents sufficient to prove that they have been identified as the victims of human trafficking by the judicial agencies to the Labor Development Administration to apply for the work permit (Organizer: the foreign nationals' placement units).</p> <p>(2) The Labor Development Administration authorize the work permit of the victims of human trafficking based on said application information, with a carbon copy to the National Immigration Agency, Ministry of the Interior (Organizer: Labor Development Administration).</p> <p>2. Co-organizer: Where the valid Alien Resident Certificate of any victim of human trafficking who has been granted the work permit is revoked, the National Immigration Agency, Ministry of the Interior shall notify the Labor Development Administration (Co-organizer: various service stations of the National Immigration Agency, Ministry of the Interior).</p> <p>(3) Revocation of the employer permit: Where any employer is transferred by the police agency, indicted by the prosecuting agency or judged guilty by the judicial agency in the first instance, the Labor Development Administration shall revoke the employer's recruitment permit and employment permit pursuant to laws (Organizer: Labor Development Administration).</p> <p>(1) Arranging the foreign nationals to return to their home countries :</p> <p>1. Organizer: Where the judicial agency concludes the investigation and finds that</p>
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		<p>there should be no need to attend any hearing in response to the judicial procedure and the foreign nationals are willing to return to their home countries, the labor competent authorities of various special municipalities and counties (cities) shall arrange them to return to their home countries (Organizer: the labor competent authorities of various special municipalities and counties (cities)).</p> <p>2. Co-organizer: Assisting in arranging the foreign nationals to return to their home countries (Co-organizer: the foreign countries' institutions in Taiwan, foreign nationals' placement units and private employment service agencies).</p> <p>(5) Settlement of the labor-management disputes: Settle the labor-management disputes between foreign nationals and employers/private employment agencies, etc. with respect to salary, service fees, loans, savings and income tax, etc. (Organizer: the labor competent authorities of various special municipalities and counties (cities)).</p> <p>(6) Penalty imposed on the employer suspected of violating the criminal laws: According to Article 221 of the Criminal Code, sexual assault cases are not cases actionable only upon complaint. After the case is transferred for investigation, the employer or other perpetrators shall be sanctioned in accordance with the results of the criminal proceedings (Organizer: the court).</p> <p>(7) For employers suspected of violating the Employment Service Act:</p> <p>1. Before the court renders its judgment, based on the employer's written confession submitted by various special municipality or</p>
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		<p>county (city) governments, related instrument issued by the special municipality or county (city) governments ex officio determining that the employer is guilty, or the bill of indictment issued by the prosecutor, referral paper about the transfer of the case from the police agency to the judicial agency or the certificate thereof, written notice showing the foreign national victim's unilateral claim of the termination of the employment contract with the employer (e.g. the legally-attested letter) and certificate of service to the employer (e.g. the acknowledgment receipt of the legally-attested letter), the Labor Development Administration may approve the foreign nationals' transfer to another employer for the reasons not attributed to the foreign nationals in accordance with the Subparagraph 4, Article 59 of the Employment Service Act.</p> <p>Meanwhile, it will also note in the computer that the subsequent applications filed by the employer for employment of foreign nationals shall be under control preliminarily. The Labor Development Administration may revoke the employer's recruitment permit and employment permit based on the employer's written confession or the prosecutor's bill of indictment (Organizer: Labor Development Administration).</p> <p>2. After the court renders the judgment holding that the employer should be guilty, the subsequent applications filed by the employer for employment of foreign nationals may be rejected, based on the employer's violation of the Subparagraph 16, Paragraph 1, Article 54 of the Employment Service Act specifying the other violations of the labor protection laws</p>
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		<p>materially, revocation of the employer permit pursuant to laws, and violation of Article 28 of the Regulations Governing the Employment and Management of Foreigners by Employers (Organizer: Labor Development Administration).</p> <p>3. Where the court renders a ruling not to prosecute against the employer or finds that the employer should be not guilty, the employer shall submit the court's judgment and other relevant documents. Then, the Labor Development Administration may lift the control over the employer's applications for employment of foreign nationals based on the judgment and approve the employer's subsequent applications for employment of foreign nationals (permit to replace and recruit foreign nationals). Meanwhile, where the foreign nationals have not yet transferred to another employer but are still staying in Taiwan, the approval letter for their transfer to another employer shall be revoked, and they shall be ordered to return back to their home country. Where such foreign nationals transfer to another employer and obtain the employment permit, such permit shall be revoked and the foreign nationals shall be ordered to return to their home countries (Organizer: Labor Development Administration).</p>
<a href="#">8</a>	<p>八、衛生福利部應推展外國人性侵害防治宣導工作，增強外國人對性侵害求助管道及權益維護之認識。</p> <p>各直轄市、縣（市）政府應協調轄內勞動主管機關與性侵害防治中心密切合作，推廣外國人性侵害防治宣導工作。</p> <p>勞發署應推展外國人性侵害防治宣導工作。</p>	<p>8. The Ministry of Health and Welfare shall promote the foreign nationals' sexual assault prevention movement to improve foreign nationals' knowledge about the sexual assault help channels and maintenance of interests and rights.</p>

		<p>Various special municipal and county (city) governments shall coordinate the labor competent authorities regulated by them to work with the sexual assault prevention centers closely and promote the foreign nationals' sexual assault prevention.</p> <p>The Labor Development Administration shall promote the foreign nationals' sexual assault prevention.</p>
<a href="#">9</a>	九、本處理原則奉核後實施，修正時亦同。	<p>9. The Guidelines shall be enforced upon approval. The same shall apply where they are amended.</p>