

Amended Provisions of the Regulations Governing the Trial Operation of Transportation Links Between Kinmen/Matsu/Penghu and the Mainland Area Promulgated

Date: July 17, 2018

MAC Press Release No. 48

The Executive Yuan today (July 17, 2018) promulgated amended provisions of the Regulations Governing the Trial Operation of Transportation Links Between Kinmen/Matsu/Penghu and the Mainland Area (hereinafter referred to as "the Regulations"). The amended regulations will be implemented from August 15, 2018.

The Mainland Affairs Council (MAC) stated that certain provisions of the Regulations were amended to maintain normal shipping transportation links via the Mini-Three-Links, facilitate applications by people of the Mainland Area for group travel via the Mini-Three-Links, and strengthen safety management of Mini-Three-Links entry permission. The key amendments are as follows:

- 1. Stipulation of a legal basis for subsidizing loss-making Mini-Three-Links routes (Article 4):** In order to maintain the normal operation of Mini-Three-Links routes and provide basic Mini-Three-Links sea transportation services needed for personnel exchanges, the amended Regulations stipulate a legal basis for the maritime administration authorities to solicit shipping operators with Taiwan-registered vessels to operate regularly-scheduled Mini-Three-Links shipping routes when no operators apply to operate such announced routes. The provisions further stipulate that subsidies may be provided to operators for loss-making operation of such routes when the maritime administration authorities, in consultation with the competent authority for Mainland affairs, deems the continued operation of the routes to be necessary.
- 2. Relaxation of rules on navigation to the Mainland Area by fishing vessel registered in Kinmen or Matsu (Article 6):** In consideration of the needs of Kinmen and Matsu registered fishing vessels for repair and employment of mainland Chinese fishermen, the Kinmen and Matsu county governments have allowed fishing vessels

registered in Kinmen or Matsu to navigate to the Mainland Area by a quota control system. The Regulations were amended to allow qualified vessels to be registered in Kinmen or Matsu before January 18, 2018 (the current provisions require registration before June 30, 2011) to navigate to the Mainland area

3. Relaxation of size of Mini-Three-Links group tours (Article 12): The amended Regulations reduce the minimum number of members required for group tours via the Mini-Three-Links from five to three to promote and facilitate family travel by people from Xiamen, Fuzhou and other Mainland cities in Fujian and promote tourism development in Kinmen, Matsu, and Penghu.

4. Amendment of provisions on denial, cancellation, and revocation of permission for Mini-Three-Links entry (Article 17): Provisions under the Regulations pertaining to situations in which applications by people of the Mainland Area for permission to enter Kinmen, Matsu, or Penghu may be denied, canceled, or revoked, as well as the period and starting point for denial of permission, were amended to harmonize with related provisions in the Regulations Governing the Entry Permission to the Taiwan Area for the People from Mainland China.

5. Deletion of provisions on Mini-Three-Links deportation and reversion to related provisions in the Act Governing Relations between the People of the Taiwan Area and the Mainland Area (Article 18): Provisions in Article 18 of the Regulations concerning deportation of people of the Mainland Area from Kinmen, Matsu, or Penghu were deleted in conjunction with Interpretation No. 710 of the Justices of the Constitutional Court, Judicial Yuan on July 8, 2013, regarding provisions under Article 18 of the Act Governing Relations between the People of the Taiwan Area and the Mainland Area on deportation of people of the Mainland Area. Henceforth, such affairs will be regulated by provisions of Article 18 and Article 18-1 under the Act Governing Relations between the People of the Taiwan Area and the Mainland Area.

The MAC stated that the Maritime Port Bureau of the Ministry of Transportation and Communications and the National Immigration Agency of the Ministry of the Interior will draft subsidy operating guidelines based on the amendments approved by the Executive Yuan and

revise related document submission guidelines for Mini-Three-Links entry and exit. Such changes will be officially enacted from August 15, 2018.