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Content

Title: Directions on Granting Consolation Money for the Death or Missing of Overseas Employment Foreign Crew Members [Ch](#)

Date: 2022.09.07

Legislative: Promulgated on 7 September 2022 by the Council of Agriculture, Executive Yuan under Order No. Nung-yu-tzu 1111335916, and entry into force from 20 May 2022.

Content: Article 1
The Council of Agriculture, Executive Yuan (hereinafter referred to as “this Council”) promulgated these Directions for the implementation of matters on granting consolation money for the death or missing of overseas employment foreign crew members (hereinafter referred to as “consolation money”)

Article 2

The competent authority of these Directions is this Council. The relevant matters will be implemented by the Fisheries Agency of this Council.

Article 3

In the event that any foreign crew members employed overseas by our flagged fishing vessel operators is dead or missing due to accident, sea disaster or illness during his/her working period, a consolation money of ten thousand New Taiwan Dollars may be granted for each person.

The term ” missing” referred in the previous paragraph means that crew member had fallen overboard and been search for three day and more since the incident yet has not been found.

Article 4

The designated beneficiaries of life insurance for the overseas employment foreign crew member during the term of the employment contract, shall be the receiver of consolation money. In case that there is no designated beneficiary, the order of consolation money receiver come in the following order:

- 1.Spouse;
- 2.Lineal descendants by blood;
- 3.Parents;
- 4.Brothers and sisters;
- 5.Grandparents.

Where the number of designated receivers as referred to in Subparagraph 2 to 5 of the previous Paragraph is two or more, they may commission with signature one of them to apply and receive.

Article 5

In case of the situation stipulated in the Article 3 happens to overseas employment foreign crew members, the receiver pursuant to the previous Article may apply to the Fisheries Agency of this Council, accompanied with personal identification document of the crew’s family member, proof of kinship to the crew, bank account information and receipt (as the attachment), and the consolation money may be granted after review and approval.

The receiver may commission other person, fishery operator or employment agent to apply as stipulated in the previous paragraph, where the power of attorney shall be presented.

In the event that the personal identification document, proof of kinship to the crew as referred to in the Paragraph 1 and the power of attorney as referred to in the previous Paragraph are foreign documents, they shall be validated by Republic of China's embassy, consulate, representative office, or office, or other agency authorized by the Ministry of Foreign Affairs.

Article 6

In the event that the receiver has any of the following situation, the consolation money will not be granted; in the event that the consolation money had been granted and received, the approval shall be revoked and the money shall be returned within a time limit:

1. Provided with false information or the information is incomplete.
2. Received in a deceptive or other illegitimate manner.

Article 7

The expense needed pursuant to these Directions shall be borne by the budget of the Fisheries Agency of this Council under the subject of the Fisheries and Human Rights Action Plan. In the event that the funds of the current year is exhausted, it should be allocated from the budget of the next year as a priority.

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