

Directions on Granting Consolation Money for the Deceased or Missing Overseas Employed Foreign Crew Members

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.

The whole text of *Directions on Granting Consolation Money for the Deceased or Missing Overseas Employed Foreign Crew Members* amended and promulgated on 3 October 2023 by the Ministry of Agriculture under Order No. Nung-shou-yu-tzu 1121394290, and became effective on the date of promulgation.

Article 1

The Ministry of Agriculture, Executive Yuan (hereinafter referred to as “this Ministry”) promulgated these Directions for the implementation of matters on granting consolation money for the deceased or missing overseas employed foreign crew members (hereinafter referred to as “consolation money”)

Article 2

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

Article 3

In the event that any foreign crew members employed overseas by operators of national flagged fishing vessel is deceased or missing during his/her service period, a consolation money of 100 thousand New Taiwan Dollars may be granted for each person.

The term “missing” as referred in the preceding paragraph means that crew member has fallen overboard during the service period and cannot be found after the search has been conducted for three days or above since the incident.

Article 4

During the term of the employment contract, the designated beneficiaries of life insurance for the overseas employed foreign crew member shall be the receiver of consolation money. In case that there is no designated beneficiary, the order of consolation money receiver shall come as follows:

- (1) Spouse;
- (2) Lineal descendants by blood;

- (3) Parents;
- (4) Sibling(s);
- (5) Grandparents.

Where the number of designated receivers as referred to in subparagraph (2) to (5) of the preceding paragraph is two or above, one of them may be assigned to file the application for receiving the money, and the application shall be onymous with the signatures of all receivers.

Article 5

In case of the situation stipulated in the Article 3 happens to overseas employed foreign crew members, the receiver(s) meeting the provisions of Article 4 may apply to the Fisheries Agency of this Ministry, with the enclosure of personal identification document of the crew's family member, proof of kinship to the crew, bank account information and receipt (format as shown in the attachment), and the consolation money may be granted after review and approval.

The receiver may commission other person, (distant water) fisheries operator, or employment agent to apply as stipulated in the preceding paragraph, where the power of attorney shall be presented.

The personal identification document, proof of kinship to the crew, and other documents as referred to in paragraph 1, as well as the power of attorney as referred to in the preceding paragraph shall be verified by Republic of China's embassy, consulate, representative office, other agency authorized by the Ministry of Foreign Affairs, or Representative Office of the home country in Taiwan.

In case that the personal identification document, proof of kinship to the crew, the power of attorney, and other documents as referred to in paragraph 1 and 2 is not in English, translated copies in Chinese shall also be enclosed.

Article 6

In the event that the receiver is under any of the following condition, the consolation money shall not be granted; in the event that the consolation money has been granted and received, the approval shall be revoked and the money shall be returned within a time limit as informed:

- (1) False information is provided or the information is incomplete.
- (2) Money is 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 Ministry under the Fisheries and Human Rights Action Plan. In the event that the funds of the current year are exhausted, it should be appropriated from the budget of the subsequent year as a priority.