|  |  |
| --- | --- |
| 法規名稱： | [全民健康保險扣取及繳納補充保險費辦法](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDAT01.asp?lsid=FL067880)   (民國 104 年 01 月 29 日修正) |

所有條文

|  |  |
| --- | --- |
| [第    1    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=1) | 本辦法依全民健康保險法（以下稱本法）第三十一條第三項規定訂定之。 |
| [第    2    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=2) | 本法第三十一條第一項所稱給付時，指實際給付、轉帳給付或匯撥給付之時。 |
| [第    3    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=3) | 本法第三十一條第一項各款所稱所得及收入，規定如下：  一、獎金：符合所得稅法第十四條第一項第三類規定應納入薪資所得項目，且未列入投保金額計算之具獎勵性質之各項給予，如年終獎金、節金、紅利等。  二、薪資所得：指所得稅法第十四條第一項第三類所稱之薪資所得。  三、執行業務收入：指所得稅法第十四條第一項第二類所稱執行業務者之業務或演技收入。  四、股利所得：指所得稅法第十四條第一項第一類所稱公司股東所獲分配之股利總額。  五、利息所得：指所得稅法第十四條第一項第四類所稱之利息所得。  六、租金收入：指所得稅法第十四條第一項第五類第一款所稱之租賃收入及第二款所稱之租賃所得。  前項所得及收入，以現金、票據、股票及可等值兌換現金之禮券為限。如為股票或外國貨幣，其價格或兌換率，依所得稅法相關規定辦理。 |
| [第    4    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=4) | 扣費義務人給付本法第三十一條第一項各類所得時，其單次給付金額達新臺幣五千元者，應按規定之補充保險費率扣取補充保險費，並於給付日之次月底前填具繳款書，向保險人繳納。但符合本法第三十一條第一項第一款逾當月投保金額四倍部分之獎金，應全數計收補充保險費。前項應扣取補充保險費之利息所得，其單次給付未達新臺幣二萬元者，扣費義務人併得於次年一月三十一日之前，依照規定格式造冊，彙送給保險人，由保險人逕向保險對象收取。  有下列情形之一者，免依第一項規定扣取補充保險費：  一、單次給付金額逾新臺幣一千萬元之部分。  二、以雇主或自營業主身分參加本保險期間，已計入投保金額計算之股利 所得。  三、專門職業及技術人員自行執業者、無一定雇主或自營作業而參加職業工會者之執行業務收入。  四、第二類被保險人之薪資所得。  五、第五類被保險人之各類所得。  六、未具投保資格或喪失投保資格者之各類所得。  七、非所屬投保單位給付且未達中央勞動主管機關公告基本工資之薪資所得。  八、對於中低收入戶成員、中低收入老人、接受生活扶助之弱勢兒童與少年、領取身心障礙生活補助費者、特殊境遇家庭之受扶助者及符合本法第一百條所定之經濟困難者，單次給付未達中央勞動主管機關公告基本工資之執行業務收入、股利所得、利息所得或租金收入。 |
| [第    5    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=5) | 符合本法第三十一條所定得免由扣費義務人扣取補充保險費之情形者，應於受領前，提具下列證明文件，始得免扣取。但已列入投保金額計算保險費之股利所得，由扣費義務人逕行認定：  一、專門職業及技術人員自行執業者及第二類被保險人：投保單位出具之證明資料。  二、第五類被保險人、中低收入戶成員：社政機關核定有效期限內之低收入戶、中低收入戶證明文件。  三、未具投保資格或喪失投保資格者：主動告知後，由扣費義務人向保險人確認。  四、中低收入老人、接受生活扶助之弱勢兒童與少年、領取身心障礙生活補助費者、特殊境遇家庭之受扶助者：社政機關開立之審核資格核定函。  五、符合本法第一百條所定之經濟困難者：保險人出具有效期限內之經濟困難者證明文件。  前項第一款、第二款、第四款及第五款免扣取補充保險費之身分證明，扣費義務人於必要時，得向保險人查詢確認，作為免扣取之依據。前二項扣費義務人向保險人查詢確認之資料，自查詢確認之日起二個月內有效。 |
| [第    6    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=6) | 本法第三十一條第一項第一款所稱全年累計，指投保單位自當年一月一日起至當次給付被保險人獎金時之累計。  投保單位給付被保險人獎金時，若該被保險人已離職，仍應就全年累計獎金逾其退保時投保金額四倍之部分，扣取補充保險費。 |
| [第    7    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=7) | 公司於分配股票股利或現金股利時，應以其負責人為扣費義務人，依本法第三十一條規定扣取補充保險費。  於同一基準日分配之股票股利及現金股利，為同一次給付，扣費義務人應於撥付現金股利時，從中一併扣取當次給付所有應扣取之補充保險費。  無現金股利或現金股利不足以扣取時，扣費義務人應通知保險對象，由保險人於次年收取。  前項應補繳之金額，或可扣抵稅額變動致有需補繳或退費情事，扣費義務人應於次年一月三十一日前，依規定之格式造冊，彙送保險人辦理收取或退費之作業。 |
| [第    8    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=8) | 信託財產之股利、利息或租金收入，應以信託財產受託人為扣費義務人，於計算或分配時，依本法第三十一條規定扣取補充保險費，並得統一於次年一月三十一日前向保險人繳納。但扣費義務人如有特殊情形，得洽保險人申請寬限至次年二月十五日繳納。 |
| [第    9    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=9) | 扣費義務人扣取補充保險費，應按年度通知保險對象。  扣費義務人對於補充保險費，如有溢扣，應予退還。如有少扣，應予補足，並得於事後向保險對象追償。但依據第五條向保險人查詢確認資料，致有少扣之情事者，免予補足、追償。  保險對象應被扣取之補充保險費，如有少扣，應予補繳。如有溢扣，得於扣取日次月起六個月內向扣費義務人申請退還，逾期得改向保險人申請退還。但補充保險費之扣費義務人，繳納補充保險費時，一併填報扣費明細，並以電子媒體方式彙送保險人者，保險對象得逕向保險人申請退還。  股利所得因可扣抵稅額變動，或股票股利因現金不足扣取，致應退補繳者，如其單次金額未達新臺幣一百元，得免退補。  扣費義務人退還給保險對象之溢扣款，如為已繳納給保險人之款項，得向保險人申請退還或就其應扣繳之補充保險費扣留抵充。 |
| [第   10    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=10) | 扣費義務人，每年一月三十一日前，將上一年度向保險對象扣取之補充保險費金額，填報扣費明細彙報保險人。每年一月遇連續三日以上國定假日者，扣費明細彙報期間延長至二月五日止。但營利事業有解散、廢止、合併或轉讓，或機關、團體裁撤、變更時，扣費義務人應隨時就已扣繳保險費金額，於十日內向保險人填報扣費明細。  信託財產之扣費義務人如有特殊情形，得洽保險人申請扣費明細彙報期間延長至二月十五日。  補充保險費之扣費義務人，於繳納補充保險費時，一併填報扣費明細，並以電子媒體方式彙送保險人者，得免於每年一月三十一日前再向保險人彙報。  扣費義務人填報之扣費明細，應將受領給付者姓名、住址、國民身分證統一編號（或居留證號）、給付日期、給付所得類別、給付金額、扣費額等，依規定格式詳實填列。  保險人處理保險對象申請補充保險費溢繳之核退事件，保險人得通知扣費義務人於十日內就已扣取之保險費金額填報扣費明細送保險人查核。  保險對象得向扣費義務人索取扣費證明或自扣費之次年四月一日起，向保險人索取繳費證明。 |
| [第   11    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=11) | 扣費義務人應向保險人繳納之補充保險費，由保險人委託代收本法第十八條及第二十三條所定保險費之機構代為收取，其受託之金融機構並得轉委託其他機構辦理。 |
| [第   12    條](http://mohwlaw.mohw.gov.tw/Chi/FLAW/FLAWDOC01.asp?lsid=FL067880&lno=12) | 本辦法自中華民國一百零二年一月一日施行。  本辦法一百零三年七月二十一日修正發布之條文，自一百零三年九月一日施行。  本辦法一百零四年一月二十九日修正發布之條文，自一百零四年一月一日施行。 |

**Regulations Governing the Deduction and Payment of the Supplementary Insurance Premium of the National Health Insurance**

|  |  |
| --- | --- |
| |  | | --- | | A total of 12 articles is promulgated in accordance with Wei-Shu-Chien-Pao-Tzu No. 1012600179 Order of the Department of Health of the Executive Yuan on October 30, 2012.    Article 1  These regulations are promulgated in accordance with Paragraph 3 of Article 31 of the National Health Insurance Act (hereinafter referred to as the “Act”).    Article 2  The term “upon payment” prescribed in Paragraph 1 of Article 31 of the Act refers to the time when actual payment, payment by transfer or remittance is made.    Article 3  The term “earnings and income” set forth in the subparagraphs of Paragraph 1 of Article 31 of the Act are the following:  1.  Bonus: payments deemed as income from salaries and wages prescribed in Category 3 of Paragraph 1 of Article 14 of the Income Tax Act as incentive which have not yet been included in the calculation of the insured payroll-related amount, such as year-end bonus, festival bonus, bonus;  2.  Income from salaries and wages: income from salaries and wages defined under Category 3 of Paragraph 1 of Article 14 of the Income Tax Act;  3.  Income from professional practice: any income of an individual from professional practice or performances prescribed in Category 2 of Paragraph 1 of Article 14 of the Income Tax Act;  4.  Stock earnings: the gross dividend received by each shareholder of a company prescribed in Category 1 of Paragraph 1 of Article 14 of the Income Tax Act;  5.  Income from interest: any income from interest prescribed in Category 4 of Paragraph 1 of Article 14 of the Income Tax Act; and  6.  Income from lease: any income from lease of property in Subparagraph 1 of Category 5 of Paragraph 1 of Article 14 of the Income Tax Act and income from long-lasting tenant right and superficies created for fixed terms prescribed in Subparagraph 2 of the same Category.  The earnings and income in the preceding paragraph are limited to cash, negotiable instruments, stocks and gift vouchers which can be exchanged for cash of equivalent value. In the case of stock or foreign currency, its price or exchange rate should be determined by the applicable provisions prescribed in the Income Tax Act.    Article 4  Where the premium withholders pay earnings or income prescribed in Paragraph 1 of Article 31 of the Act in a single benefit payment which reaches NT$5,000, they shall deduct the supplementary insurance premium in accordance with the supplementary insurance rate upon payment, and complete the payment form and submit the deducted premium to the Insurer before the end of the following month of the date of payment. Notwithstanding, all bonus which is in excess four times the insured payroll-related amount for that month prescribed in Subparagraph 1 of Paragraph 1 of Article 31 of the Act shall be subject to the deduction of the supplementary insurance premium.  Where income from interest which is subject to the deduction of the supplementary insurance premium in the preceding paragraph in a single payment is less than NT$20,000, the premium withholder may make a list according to the required format and submit such list to the insurer before January 31 of the following year with the insurer directly collecting the insurance premium from the beneficiary.  The following are exempted from the deduction of the supplementary insurance premium set forth in the preceding paragraph:  1.  The part of a single benefit payment which exceeds NT$10 Million;  2.  Stock earnings which have been included in the calculation of the insured payroll-related amount of the insured in the capacity of employer or self-employed during the insurance period;  3.  Income from professional practice of professionals and technicians who practice independently, or are members of occupational unions having no particular employers or self-employed;  4.  Income from salaries and wages of the insured which are classified in Category 2;  5.  All types of income of the insured which are classified in category 5;  6.  All types of income of those who are not eligible or have lost their eligibility; and  7.  Income from salaries and wages of children and juveniles, mid- and low-income families, mid- and low-income elders, individuals receiving living subsidy for the disabled, individuals with disabilities whose labor insurance insured salary fails to reach the minimum wage publicized by the central labor competent authority, students of Taiwan’s junior colleges or undergraduate programs of universities who have no full-time job and individuals having financial difficulty set forth in Article 100 of the Act as long as such income is not paid by their group insurance applicants and less than the minimum wage publicized by the central labor competent authority.    Article 5  Individuals who are qualified under Subparagraph 7 of Paragraph 3 of the preceding article and exempted from the deduction of the supplementary insurance premium by the premium withholders prescribed in Article 31 of the Act shall, prior to receipt of payments, submit the following supporting documents before the deduction can be exempted. Notwithstanding, stock earnings which have been included in the calculation of the insured payroll-related amount should be directly determined by premium withholders:  1.  Professionals and technicians who practice independently and the insured classified in Category 2: certificate issued by the group insurance applicant;  2.  The insured classified in Category 5, mid- and low-income families: valid supporting documents of low- or mid-income families approved by the social welfare authority;  3.  Individuals who are not eligible or have lost their eligibility: the premium withholders are to confirm with the insurer after being notified.  4.  Children and juveniles: identification documents;  5.  Mid- or low-income elders, individuals receiving living subsidy for the disabled: approval letter of qualification review issued by the social welfare authority;  6.  Individuals with disabilities whose labor insurance insured salary fails to reach the minimum wage publicized by the central labor competent authority: valid disability manual or certificates issued by the social welfare authority as well as labor insurance premium payment certificates issued by the group insurance applicant;  7.  Students of Taiwan’s junior colleges or undergraduate programs of universities who have no full-time job: registration form or student identity card affixed with registration stamp and declaration of no-full-time job; and  8.  Individuals having financial difficulty as set forth in Article 100 of the Act: valid supporting document of financial difficulty issued by the insurer.  The premium withholders, if necessary, may enquire and confirm with the insurer in respect of the identification documents required for exempting the deduction of the supplementary insurance premium set forth in Subparagraphs 1, 2, 5, 6 and 8 of the preceding paragraph as the basis for exemption.  The information which the premium withholders obtain from the insurer by way of enquiry or confirmation shall be valid for two months from the date when the confirmation of enquiry is made.    Article 6  The term “accumulated annual” bonus prescribed in Subparagraph 1 of Paragraph 1 of Article 31 refers to the accumulated amount of bonus that a group insurance applicant pays to the insured between January 1 of the year and the time when the single benefit payment concerned is made in the same year.  Where the insured has already terminated his or her employment when the group insurance applicant pays the bonus, it shall still deduct the supplementary insurance premium from the part of the accumulated bonus which is in excess of four times the insured payroll-related amount when the insured withdrew from the insurance.    Article 7  Where an enterprise distributes stock or cash dividends, its responsible person shall be the premium withholder and deduct the supplementary insurance premium pursuant to Article 31 of the Act.  Stock or cash dividends which are distributed on the same base day should be deemed as a single payment. Premium withholders shall deduct the supplement insurance premium from the single payment concerned when distributing cash dividends.  Where there is no cash dividend or insufficient cash dividend for deduction, the premium withholders shall notify the insured and the insurer will charge the premium in the following year.  In the case of unpaid premium in the preceding paragraph, or unpaid or refund of premium due to change of imputation tax credit, the premium withholders shall make a list in accordance with the required format and submit such list to the insurer by January 31 of the following year for the latter to charge or refund the premium.    Article 8  In the case of income from dividends, interest or lease of trust property, the trustee of such trust property shall be the premium withholder who should deduct the supplementary insurance premium upon calculation or distribution according to Article 31 of the Act, and may make all premium payments to the insurer in a  lump sum payment before January 31 of the following year. Notwithstanding, in the event of special circumstance, the premium withholder may request the insurer to extend the deadline to February 15 of the following year.    Article 9  Premium withholders shall notify beneficiaries the amount of the supplementary insurance premium that it has deducted each fiscal year.  Where a premium withholder has over-deducted the supplementary insurance premium, it shall refund the over-deductions to the beneficiary. In the event of under-deductions, the premium withholder shall make up for the shortage and may subsequently demand the payment from the beneficiary. Notwithstanding, where the information was confirmed by the insurer after the premium withholder had issued an enquiry according to Article 5, the premium withholder is required  neither to make up for the shortage, nor to demand payment from the beneficiary.  If the supplementary insurance premium of a beneficiary is under-deducted, he or she shall make up for the shortage. In the event of over-deductions, the beneficiary may apply to the premium withholder for refund within six months from the following day of the date when the premium is deducted, or apply to the insurer for refund if the afore-mentioned six-month period expires. Notwithstanding, where a premium withholder of the supplementary insurance premium completes the statement of deductions when paying the premium and sends such statement to the insurer via electronic media, the beneficiary may directly apply to the insurer for refund.  Where refund or payment of premium is required due to change of income from stock earnings caused by imputation tax credit or insufficient cash dividends for deduction and the amount is less than NT$100 in each occurrence, the refund and payment may be exempted.  Where a premium withholder has already paid the over-deductions to the insurer, which should be returned to the beneficiary, the premium withholder may apply to the insurer for refund or offsetting the supplementary insurance premium which it is required to deduct.    Article 10  The premium withholders should complete the statement of deductions by specifying the amount of the supplementary insurance premium deducted from the beneficiaries in the previous fiscal year and submit such statement to the insurer before January 31 of each year. Where there are three consecutive national holidays in January of a given year, the deadline for submitting the statement of deductions will be extended to February 5 of that year. Notwithstanding, if a profit-seeking enterprise is dissolved, abolished, merged or transferred, or an institution or organization is abolished or restructured, its premium withholder shall complete the statement of deductions whenever any insurance premium is deducted and submit such statement to the insurer within ten days.  In the event of special circumstance, the premium withholder of trust property may apply to the insurer to extend the deadline for submitting the statement of deduction to February 15.  Where a supplementary insurance premium withholder completes the statement of deductions when paying the premium and sends such statement to the insurer via electronic media, it may be exempted from making submission to the insurer before January 31 of each year.  The premium withholders shall accurately specify the name, address, national identity number (Alien Resident Certificate) of each payee, date of payment, income category, amount of payment, deductions, etc. in the statement of deductions according to the required format.  Where the insurer handles an application for refund of over-deductions from a beneficiary, the insurer may notify the premium withholder to complete and submit within 10 days a statement of deductions of the amount of the insurance premium already deducted.  A beneficiary may apply to the premium withholder for certificate of deductions, or apply for certificate of payment from the insurer from April 1 of the following year of the deduction.    Article 11  The supplementary insurance premium which is required to be paid by the premium withholders to the insurer shall be paid to the institutions authorized by the Insurer to receive the insurance premium on its behalf as set forth in Articles 18 and 23 of the Act. The authorized financial institutions may re-authorize other institutions to receive such premium payments.    Article 12  These Regulations shall be effective on January 1 2013. | |