

# 申請拋棄繼承權聲明書之說明 Disclaimer of Right to Inheritance 11/18/2020

## 應備文件 Required Documents :

1. 申請人所持有效中華民國護照影本乙份。Applicant's valid ROC passport copy.
2. 所持之有效持有僑居國護照(居留證)影本乙份。Applicant's valid passport/resident card of the country of residence copy.
3. 詳填及親簽「文件證明申請表」乙份。Complete and sign "Application for Authentication".
4. 詳填「拋棄繼承權聲明書」及「授權書」各乙份。Complete "Disclaimer of Right to Inheritance" and "Power of Attorney" form.

## 費用 Fee :

1. 每份美金 15 元。Each document is \$15.
2. 本處僅接受美金匯票、Cashier's Check 或現金(僅限親自來處辦理)、私人或公司支票一概不受理。受款人請填 **Taipei Economic and Cultural Office in Miami**。We accept money order, Cashier's check or cash (in person ONLY), make payable to **Taipei Economic and Cultural Office in Miami**.

## 辦理方式及作業時間 How to Apply & Process Time :

一般案件於文件備齊後 3-5 個工作天後核發或拒件。Document process time is 3-5 business days.

1. **本人親自至辦事處申請**：申請人應出示有效身分證件正本及影本一份。如申請人為未成年，請另提供法定代理人簽名同意函及雙方關係證明文件正本，並附上法定代理人有效身分證件影本。**In Person**: Applicant is required to bring valid passport and a copy. If applicant is a minor, also provide legal guardian's valid passport, signed permission letter, and proof of guardianship.
2. **以郵寄方式申請**：申請人應出示有效身分證件影本一份。如申請人為未成年，請另提供法定代理人簽名同意函及雙方關係證明文件正本，並附上法定代理人有效身分證件影本。請使用授權書郵寄辦理格式，所檢附授權書須先經有效之佛州或轄內公證人公證，並附註公證人聯絡電話及電郵。對於涉及重大身分及財產利益變動之文件如印鑑證明、不動產及遺產之授權書，須先經佛州政府或轄內主管公證事務之機構提供之簽註書(Apostille)，再送至本處驗證簽章屬實。佛州政府主管公證人事務機構 Florida Notary Commission 聯絡電話：(850)245-6945。郵寄辦理請自行提供足夠回郵郵費及回郵信封，限代寄美國郵局或 FedEx。  
**By Mail**: Applicant is required to mail in the "Required Documents". If applicant is a minor, also provide legal guardian's valid passport copy, signed permission letter, and proof of guardianship. Applicant should use Power of Attorney by Mail format, the document is required to be signed and stamped by a notary within our jurisdiction, also enclosed notary's contact number and email. If the power of attorney involves important changes of identity, property, inheritance, finance, adoption, etc., the power of attorney shall also obtain appropriate governmental Apostille prior to applying with our office. Florida Notary Commission contact number is (850) 245-6945. Applicant shall provide sufficient postage or label. Our office provides services by USPS or FedEx only.

## 注意事項 Reminders :

1. 本處受理範圍為佛羅里達州、波多黎各、美屬維京群島、巴哈馬、百慕達、英屬土克凱可群島及多明尼加，其他地區請參閱 <http://www.boca.gov.tw/>，洽所屬地區駐外館處辦理。This office can only authenticate documents from the consular jurisdiction of Florida, Puerto Rico, US Virgin Islands, Bahamas, Bermuda, Turks and Caicos Islands and Dominican Republic. Other jurisdiction, please use the link provided <http://www.boca.gov.tw/>.
2. 為避免申請案件延誤，請附足夠郵資、詳填申請表及繳齊應備文件。本處透過美國郵局或 FedEx 交寄，寄件後即不負責郵件延誤或遺失之責任。To avoid delay, please make sure the application is complete and the return postage is sufficient. Our office is not responsible for late or lost mail/package.

## 駐邁阿密台北經濟文化辦事處

Taipei Economic and Cultural Office in Miami

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Office Hour: 9:00AM-4:00PM

<http://www.taiwanembassy.org/USMIA>

# 文件證明申請表

## APPLICATION FORM FOR AUTHENTICATION

受理機關填註/FOR OFFICIAL USE ONLY

公/驗證編號：

簽發日期：

簽發人：

1. 申請人姓名或名稱/代表人或負責人姓名：  
(Applicant's Name/ Head of Organization)：

中文 (in Chinese)：\_\_\_\_\_

外文 (in Foreign Language)：\_\_\_\_\_

2. 護照、其他身分證明文件號碼或法人營利事業登記證號  
(Passport /ID No. or Company Registration No.)：

3. 電話 (Tel No.)：

4. 出生日期(Date of Birth)：

5. 性別(Sex)：

男 (M) 女 (F)

6. 地址(Address)：

7. 電子郵件信箱 (E-mail)：

8. 申請文件證明用途 (Purpose of Authentication)：

9. 所 繳 文 件 (Document(s) or Certificate(s) Attached to the Application Form)：

10. 申請人簽名：

Signature：\_\_\_\_\_

11. 申請日期：

Date of Application：\_\_\_\_\_

如非本人申請，受委託代理申請者請填寫下列資料(Please fill in following information, if applied by an agent.)

1. 代理人姓名 (Agent's Name)：

中文 (in Chinese)：\_\_\_\_\_ 外文(in Foreign Language)：\_\_\_\_\_

2. 護照或其他身分證明文件號碼(Passport /ID No.)：

3. 與申請人關係 (Relation to Applicant)：

4. 電話 (Tel. No.)：

5. 地址 (Address)：

6. 電子郵件信箱 (E-mail)：

7. 代理人簽名 (Agent's Signature)：

8. 申請日期 (Date of Application)：

**注意：**申請表內各項資料，務請逐項據實詳細填寫，並請繳驗身分證明文件，其透過代理人申請者，並應繳交經公證人或公務機關認證授權人簽字屬實之授權書，否則將被拒絕受理；所填寫內容倘有不實，申請人及代理人將可能觸犯中華民國刑法之偽造文書罪。

### Attention:

Applicants must complete all sections of this form truthfully and in full. The relevant ID documents must be submitted together with the form. **If the application is submitted through an agent, power of attorney authenticated by a notary public or the appropriate authorities must be attached, or the application may be refused.** Should any false or misleading information be willfully entered on this form, this will constitute an act of forgery according to the Criminal Code of the Republic of China.

# 拋棄繼承權聲明書

## Disclaimer of Right to Inheritance

知悉得繼承日期：中華民國 年 月 日

Date of becoming aware of the right to inheritance: R.O.C. year month day

被繼承人 Deceased	姓名 Name		性別 Sex		出生日期 Date of birth	民國 年 月 日 R.O.C. year month day	死亡日期 Date of death	民國 年 月 日 R.O.C. year month day
	戶籍所在地 Household address	縣 County 鄉市 Township/ 村 Village 鄰 Neighborhood 市 City 鎮區 City/Dist. 里						
		路 Rd. 街 St. 段 Sec. 巷 Lane 弄 Alley 號 No. 樓 Floor						

**立書人聲明：依中華民國民法第 1174 條規定拋棄對被繼承人之繼承權**  
**Declaration: In accordance with Article 1174 of the Civil Code of the Republic of China (Taiwan),**  
**the undersigned waives the right to inherit his/her share of the intestate estate that**  
**he/she might be entitled to receive from the deceased above.**

立書人 Disclaimant	姓名 Name		出生日期 Date of birth		護照或身分證號碼 Passport or ID no.		與被繼承人之關係 Relationship to the deceased	
	住址 Address	立書人 Disclaimant  法定代理人 Legal representative  (簽章) (Signature)						

備註：依據中華民國民法第 1174 條及第 1176 條條文，拋棄繼承應於繼承人知悉其得繼承之時起三個月內以書面向法院為之。拋棄繼承後，應以書面通知因其拋棄而應為繼承之人。但不能通知者，不在此限。因他人拋棄繼承而應為繼承之人，為拋棄繼承時，應於知悉其得繼承之日起三個月內為之。

Note: Pursuant to Article 1174 of the Civil Code of the Republic of China (Taiwan), "an heir may waive his or her right to an inheritance. Such waiver . . . must be asserted by a written declaration to the court within three months after becoming aware of his or her right to the inheritance. After the waiver of inheritance, he or she shall notify in writing the person who is entitled to succeed the inheritance due to his or her waiver unless such a notification is impractical." In addition, pursuant to Article 1176 of the Civil Code, "where a person, who becomes an heir due to the waiver of other heirs, waives his or her right to the inheritance, such waiver must be conducted within three months after becoming aware of his or her right to the inheritance."

# 授 權 書

(請詳閱下頁之填寫說明)

## Power of Attorney

(Please see the instructions before filling the form)

<b>授權人 (Principal)</b>	中文姓名 (Name in Chinese)	英文姓名 (Name in English)	性別 (Sex)	出生年月日 (Date of Birth)	出生地 (Place of Birth)	護照號碼 (Passport No.)	身分證號碼(ID No.)	
	國內住址(Address in Taiwan, R.O.C.)				國外住址 (Address Abroad)			
<b>被授權人 (Agent)</b>	姓名(Name)		性別 (Sex)	出生年月日 (Date of Birth)	護照或身分證號碼 (Passport/ ID No.)		住址 (Address)	
授權人與被授權人之關係(Relationship to the Principal)						備註 (Note)	(本欄空白)	
房地標示 及 權利範圍 (Land Location and Extent of Ownership)								
辦理不動產變更登記之轄區地政事務所: (Competent Land Office)								
授權事項 ( Scope of Authorization )								
授權期間 (Duration of Authorization)	自中華民國 年 月 日至中華民國 年 月 日止 Since (Day) (Month) (Year) till (Day) (Month) (Year)							

授權人簽字(Principal Signature) :

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備註：

1. 授權（委託）辦理戶籍登記前，當事人應先向戶政事務所洽詢是否得授權（委託）他人申請。
2. 請領國民身分證之當事人如在國外，應俟回國後再行辦理，不得授權（委託）辦理。
3. 授權（委託）辦理印鑑登記、印鑑變更、印鑑廢止、印鑑證明，應附繳委任人之國民身分證影本或有效之中華民國護照或其他身分證明文件影本。

## 授權書格式之填寫說明

- 一、授權人欄：請將授權人之姓名、性別、出生年月日、出生地、護照或身分證號碼、住址，逐欄詳實填寫。
- 二、被授權人欄：依被授權人之姓名、性別、出生年月日、出生地、身分證字號、戶籍住址逐欄詳實填寫。
- 三、房地標示及權利範圍：依授權處分房地標示範圍填寫。  
例如：土地標示：台北市 區 段 小段 地號土地（全部或持分 分之 ）  
房屋標示：台北市 區 路 段 巷 弄 號 樓建物（全部或權利範圍 分之 ）
- 四、授權事項欄：
  - （一）依實際授權事項填寫，非授權事項勿須填寫。  
例如：代理本人就前開（土地、建物）全權行使（辦理出售、移轉、贈與、出典、抵押、出租、分割、補（換）發權利書狀、征收稅款等手續及其他有關權利變更管理、收益、處分等行為）。  
例如：代理本人領取戶籍謄本或辦理有關戶籍登記事項等。
  - （二）授權事項為授權國內親友代為辦理有關不動產處分事宜者，務須於房地標示及權利範圍欄內逐列明所處分之房地標示。如授權事項為授權國內親友代為辦理有關遺產繼承登記事宜者，應詳載房地標示，倘確無法詳填，至少應填寫不動產所在地之縣（市）名稱。
  - （三）授權事項僅為代領印鑑證明者，宜以「戶政事務所辦理印鑑登記作業規定」規定之「委任書」（請參考內政部戶政司全球資訊網/法規與申辦須知/申請書表單下載/委託書、同意書、約定書/委任書（印鑑類）填寫之，倘使用本授權書則須比照上揭「委任書」內容，在「授權事項」欄敘明：「代理本人申請印鑑登記（變更或廢止登記）」；授權請領印鑑證明者，應敘明「代理領取印鑑證明 00 份」，必要時得註明「如被授權人所持印鑑與原登記之印鑑不符時，得一併代理變更印鑑登記」，以利國內戶政事務所作業並保障授權人權益。  
例如：代理本人申請印鑑登記並領取印鑑證明 00 份。
- 五、授權期間欄：由授權人自行填寫，俾便確定授權之起算及終止日期。
- 六、授權書內容不得塗改，如填寫錯誤，應全份重新填寫或由授權人於更正處簽章以示負責，再由駐外館處加蓋校正章。
- 七、授權書內如有空欄應加蓋「本欄空白」戳記，房地標示及權利範圍欄及授權事項欄內如有空白處，應在連接最後一行文字末尾處（或左方），加蓋「以下空白」戳記。

## Instructions

1. **Principal:** Provide the Principal's name, sex, date of birth, place of birth, passport/ID numbers and address.
2. **Agent:** Provide the Agent's name, sex, date of birth, place of birth, ID numbers and registered address.
3. **Land Location and Extent of Ownership:** (denoting the subject lands/buildings)

For example:

**Land:** Land No. \_\_\_\_, Parcel \_\_\_\_, Section \_\_\_\_,  
\_\_\_\_ District, Taipei (\_\_\_ % ownership)

**Building:** \_\_ Floor, No. \_\_, \_\_ Alley, \_\_ Street/Road, Section \_\_, Taipei (\_\_\_ % ownership)

#### 4. **Scope of Authorization:**

- (1) Describe the scope of authorization. For example, the Agent is authorized to handle the sale, transfer, gifting, mortgaging, leasing, or dividing of the subject lands/buildings, re-issuance of land/building deeds, tax payments, and other matters related to the management, proceeds, and disposals of the subject lands/buildings.

For example: the Agent is authorized to receive and/or apply for the certificate of household registration.

- (2) If the Scope of Authorization is related to authorizing relatives/friends in the ROC to dispose of lands/buildings on behalf of the Principal, the applicant shall provide detailed information on the "Land Location and Extent of Ownership" and the "Competent Land Office." If the Scope of Authorization is related to authorizing relatives/friends in the ROC as Agents to apply for registration of inheritance on behalf of the Principal, the applicant shall provide detailed information of the Land Location, or the name of the county (city) in which the subject land(s)/building(s) is/are located in case the detailed information is not being available.

- (3) For matters related to the receiving of the seal certificate on behalf of the Principal, the applicant shall use the Letter of Appointment as described in the Regulations of Seal Registration. If the applicant wishes to use this Power of Attorney instead, he/she shall include all information as required in the Letter of Appointment. If the Principal has not applied for a seal certificate before, a supplementary phrase such as "to apply for seal registration on behalf of the Principal" shall be included in the Power of Attorney. If the Principal wishes to ask the Agent to apply for a change of registered seal on his/her behalf, the phrase shall be changed accordingly. The applicant shall also specify the number of copies to be issued.

For example: authorizing the Agent to apply for and receive \_\_\_\_ copies of the seal certificate.

5. **Duration of Authorization:** The Principal shall specify the duration of authorization in order to decide when this document starts and ceases to take effect.
6. The contents of the Power of Attorney shall not be altered. In case of mistakes occurring while completing this document, the applicant shall either fill out a new application form or sign or attach his/her seal on the mistake(s) and have the Overseas Mission attach a correction mark on the mistake(s) as proof of the truthfulness of the document.

7. A “Blank” mark shall be stamped in the boxes of the Power of Attorney in case of unavailability of information. If the information provided in the boxes marked “Land Location,” “Extent of Ownership” and “Scope of Authorization” is not sufficient for the spaces to be filled, the applicant shall stamp “Blank” behind the last word written.