

兩願離婚協議書

Mutual Divorce Agreement

參考版本
Reference
template

立書人 男方 Male Party _____ (生日 born / / yyyy/mm/dd)

Parties 女方 Female Party _____ (生日 born / / yyyy/mm/dd)

因雙方難偕白首，經雙方同意離婚，依據民法第 1050 條規定訂立本兩願離婚協議書，並向戶政事務所為離婚登記。約定事項如下：

Whereas it is difficult for the two Parties to grow old together, the two parties mutually agree to divorce. In accordance with the stipulations of the **Civil Code, Article 1050**, the two Parties establish this Mutual Divorce Agreement, and register the divorce with the Household Administration Bureau. The specified terms are as follows:

1、本兩願離婚協議書簽訂並向戶政機關完成離婚登記後，雙方婚姻關係消滅。

Once this Mutual Divorce Agreement is signed and registered with the household registration authority is complete, the two Parties' marriage relationship shall be dissolved.

2、雙方婚姻關係存續中所生未成年子女之權利義務行使負擔

The exercise and assumption of parental rights and duties over minor children born during the subsistence of the marriage.

無未成年子女或全部子女已成年。

There are no minor children, or all children have reached adulthood.

有未成年子女共 _____ 名，權利義務行使負擔協議如下：

There is/are _____ minor child/children, and the agreement regarding the exercise and assumption of parental rights over minor children is as follows:

● 由男方行使負擔之子女姓名 The name(s) of the children over whom parental rights and duties are exercised and assumed by the male party:

● 由女方行使負擔之子女姓名 The name(s) of the children over whom parental rights and duties are exercised and assumed by the male party:

● 由雙方行使負擔之子女姓名 The name(s) of the children over whom parental rights and duties are exercised and assumed jointly by both parties:

※於戶政事務所完成離婚登記之日為婚姻關係消滅之日。

NB: The date upon which the Household Administration Bureau completes the divorce registration is the date the marriage is dissolved.

※證人須具完全行為能力，並親見或親聞雙方當事人確有離婚之真意。

NB: Witnesses must have full legal competence, and must have personally seen or heard that both parties have a true intent to divorce.

附件一兩願離婚雙方權益事項 Appendix: Parties' Rights in Divorce

(附件非戶政機關登記或審查事項)

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(The appendix will not be registered or reviewed by the household registration authority)

※雙方財產歸屬 The two Parties' assets

- 曾以書面約定夫妻財產制

The Parties have specified a property regime in writing.

- 分別財產制，各自保有財產所有權。

Separate property regime: each party retains their original ownership.

- 共同財產制。共同財產雙方各得半數，另有約定者從約定。財產分配如下：

Community Property Regime: Both parties share equally (each receiving half). In cases of specific agreements, the agreement shall prevail. The property distribution is as follows:

- 所有權歸屬男方 Ownership belonging to the Male Party :

- 所有權歸屬女方 Ownership belonging to the Female Party :

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- 未約定財產制者，適用法定財產制。財產分配如下：

No property regime has been specified; the regime mandated by law shall apply. Property distribution shall be as follows:

附件一未成年子女權益事項 Appendix: Rights to Minor Children

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(附件非戶政機關登記或審查事項)

(Appendix will not be registered or reviewed by the household registration authority)

※ 雙方之未成年子女扶養費之約定

Agreement on the Maintenance Fees for the Parties' Minor Children

1. 由（男方/女方）自民國____年____月____日起，每月____日（前）支付未成年子女(姓名)_____每人扶養費新臺幣_____元，至子女年滿 18 歲止/ 大學畢業，匯至_____（郵局/銀行/金融機構）帳戶：_____。

Beginning ____ / ____ / ____ (yyyy/mm/dd), on or before the ____ day of each month, (the Male Party/the Female Party) shall pay NT\$_____ for each of the minor children (full names)_____, until each said child reaches 18 years of age / graduates from college/university, the payments shall be deposited into account number _____ at (Post Office/bank/financial institution)_____.

2. 其他：(例：遲付時，應一次付清當月至同年 12 月之扶養費。)

Other: (e.g., In the event of late payment, the payer shall pay all maintenance fees for the current month up to December of the same year in a lump sum.)

※ 雙方之未成年子女會面交往方式之約定

**Agreement on the Arrangement of Visitation and Interaction with
Minor Children of Both Parties**

1. 平常日 Weekdays :

未成年子女(姓名) _____ 與 (男方/女方) 同住。
未同住之 (男方/女方) 每月第 _____ 個週末探視未成年子女，
於 (星期六/星期日) 之 _____ 時 _____ 分自 (地點) _____ 接
未成年子女，並於 (同日/隔日) _____ 時 _____ 分送回同地點。

Minor child (full name) _____ shall live with
(the Male Party/the Female Party). On the _____ weekend(s) of each month,
(the Male Party/the Female Party) shall visit the minor child, picking the child up by
_____ o'clock and _____ minutes on (Saturday/Sunday) at _____
_____ (location), and bringing the child back to the same location by _____ o'clock
and _____ minutes on the (same day/following day).

2. 寒暑假 Winter/summer vacation :

依照平常日會面交往方式。

Following the weekday visitation and interaction arrangement.

未成年子女(姓名) _____ 與 (男方/女方) 同住。
另約定雙方之未成年子女寒假連續 _____ 天、暑假連續 _____ 天與未同住之一
方共度，於第 1 日之 _____ 時 _____ 分自 (地點) _____ 接
未成年子女，並於最後 1 日之 _____ 時 _____ 分送回同地點。

會面日期依當年度教育部公告之寒暑假期間雙方協議決定之。

Minor child (full name) _____ shall live with
(the Male Party/the Female Party).

In addition, it is specified that the minor child shall stay with the other Party for
_____ continuous days during winter vacation and _____ continuous days during
summer vacation. The minor child shall be picked up by _____ o'clock and _____
minutes on the first day of each period at _____ (location),
and shall be brought back to the same location by _____ o'clock and _____
minutes on the last day of each period.

Visitation dates shall follow the summer/winter vacation periods announced by
the Ministry of Education and agreed upon by the two Parties.

3. 其他特殊日會面時間之約定，如：農曆春節、生日，會面交往之時、地、方式等，得依雙方當事人協議變更(Agreement on visitation time for other special dates, such as: Lunar New Year; birthdays; visitation times, places, and methods; etc. All may be changed as agreed upon by both concerned Parties):

4. 上述會面方式如有變更，請於_____日前提前告知。

In the event of any changes to the aforementioned visitation methods, notice must be given at least _____ days in advance.

5. 其他會面約定或注意事項(Other visitation agreements or considerations)：

例：未成年子女之健保卡應隨同會面時交付。For example: Each minor child's National Health Insurance card must be given to the other Party during visitation.

請依個人情形選填或自訂書表格式。附件得經法院或民間公證人公證，重新約定者亦同。

Please complete or customize the document format according to personal circumstances. The appendixes may be notarized by a court or a notary public, and the same applies to any subsequent agreements.

權益事項可參閱「兩願離婚/終止婚姻權益說明」或法務部「婚姻法律問題權益保障手冊」。

Regarding the Parties' rights, please refer to *the Explanation of Rights in Mutual Divorce/Termination of Marriage* (兩願離婚/終止婚姻權益說明, QR code at the top right) or the Ministry of Justice's *Handbook on Rights Protection in Marriage Law Questions* (婚姻法律問題權益保障手冊, QR code at the bottom right).



當事人簽章 Signature/seal of the each Party concerned

男方(The Male Party)：

女方(The Female Party)：

日期 date

年

月

日(yyyy/mm/dd)