

FUNCTIONS AND POWERS
of the Control Yuan



監察院

THE
CONTROL
YUAN

REPUBLIC OF CHINA (TAIWAN)

Protecting Human Rights and Upholding Justice

The Control Yuan was established more than 90 years ago. We have developed along with the society, all throughout the martial law period and the lifting of martial law in Taiwan. We have continuously listened to the voice of the people, resolved conflicts and disputes between the government and citizens, stabilized interactions and communication between the state and society. We are the conscience of the nation and the strongest support for the people. We safeguard the rights and interests of the citizens.

Table of Contents

04	History of the Supervision System
06	Our Functions and Powers
08	Investigation, Circuit Supervision
10	Impeachment, Censure
12	Corrective Measures, Audit
14	Sunshine Acts
20	Human Rights Work
23	International Exchange
26	Past Notable Cases
36	Our Organization
42	How Can We Help You?
48	Complaint Form



History of the Supervision System



Our supervision system has a long history of more than 2,000 years. The Constitution of the Republic of China was enacted in 1947, which divides the central government into five branches, including the Executive Yuan, Legislative Yuan, Judicial Yuan, Control Yuan and Examination Yuan. The Constitution grants the Control Yuan the powers of impeachment, censure, corrective measures and audit. It serves as the highest supervisory organ of the state. The Sunshine Acts, enacted after 1993, designated the Control Yuan as the enforcement unit of the Acts. The Control Yuan thus bears many more important functions and powers as it oversees administrative violations and negligence of government agencies and public servants.

In 1992, the second National Assembly passed a constitutional amendment and specified that the Control Yuan shall have 29 members including a president and a vice president. The members

shall serve six-year terms and shall be nominated by the President of the Republic of China and approved by the National Assembly. In 2000, another constitutional amendment was passed, transferring from the National Assembly over to the Legislative Yuan the power to approve members of the Control Yuan; however, members shall still be nominated by the President of the Republic of China. Members of the Control Yuan were thus elected starting from the fourth term.

The National Human Rights Commission was inaugurated on August 1, 2020, which marked a milestone in human rights promotion and protection in Taiwan.

Our Functions and Powers



According to related regulations in the Constitution, Amendments of the Constitution and the Control Act, the Control Yuan is granted the functions and powers of impeachment, censure, and audit. It may also propose corrective measures to government agencies for administrative improvement. To achieve the aforementioned missions, members of the Control Yuan may receive complaints from the citizens, investigate, and organize circuit supervision at central or local authorities. The Control Yuan also handles reports, investigations, and declarations on properties of public servants, recusal of public servants due to conflicts of interest, political donations and lobbying cases. In accordance with the “Organic Act of the Control Yuan National Human Rights Commission”, the Control Yuan established the National Human Rights Commission to handle affairs regarding human rights promotion and protection.

The specific details of the functions and powers are as listed:

- Investigation**
- Circuit Supervision**
- Impeachment**
- Censure**
- Corrective Measures**
- Audit**
- The Sunshine Acts**
- Human Rights Work**
- International Exchange**

Investigation

The Exercise of Control Yuan Powers Begins with Investigations

According to the Constitution and Amendments of the Constitution, the Control Yuan may exercise the powers of impeachment, censure, and audit, and propose corrective measures. The exercise of such functions and powers requires an investigation process, and cases can only be filed after facts are determined by investigations.

The exercise of the powers of investigation by members of the Control Yuan includes three types of investigations: self-initiated, commissioned, and assigned investigations. Members may apply for self-initiated investigations and the Control Yuan may, when necessary, commission related authorities for commissioned investigations. Assigned investigations are conducted to investigate complaints made by the people. Members are

08

appointed, on an ad hoc or rotational basis, to conduct investigations based on the resolutions of plenary meetings of the Control Yuan or the commissions.

Subjects of Investigations

The subjects that may be investigated by the Control Yuan include the Executive Yuan, its subordinate agencies, personnel, as well as personnel of the Judicial Yuan, Examination Yuan and Control Yuan.

Circuit Supervision

According to Article 3 of the Control Act, members of the Control Yuan may conduct circuit supervision and inspection in different areas. This task is divided into circuit supervision of central and local governments. The circuit supervision at the central level is arranged by the standing committees related to their operations. Local circuit supervision shall be conducted in different groups, in charge of different districts divided by municipal or county (city) governments.

Objectives of Circuit Supervision

- 1 Learn about the administration plans and budget execution of all agencies.
- 2 Ascertain the implementation of government policies.
- 3 Verify whether public servants have violated the law or neglected their duties.
- 4 Ascertain the improvement of corrective cases.
- 5 Understand living conditions of the citizens and society.
- 6 Response to people's complaints and other related matters.

09

Impeachment

Subjects of Impeachment

According to Article 6 of the Control Act, public servants of central and local government authorities are subject to impeachment if they are deemed to violate the law or neglect their duties.

10

Exercise the Power of Impeachment

To impeach a public servant, at least two members of the Control Yuan must submit a proposal which must be reviewed by at least nine members of the Control Yuan other than the proposing members. A vote by open ballot shall be called; the impeachment case shall only be valid with a majority vote by the members. The impeached individual may be transferred to the Disciplinary Court once the impeachment case has been passed.



Censure

Subjects of Censure

According to Article 19 of the Control Act, where the Control Yuan deems a public servant to violate the law or neglect duties, and believes that a suspension of duties or other immediate penalty is required, it may submit a censure proposal.

Exercise of the Power of Censure

A censure proposal shall require the review and approval of at least three members of the Control Yuan other than the proposing member before the Control Yuan transfers the case to the supervisor or senior officer of the censured individual for processing.

11

The supervisor or senior officer of the censured individual shall, after receiving the official documents for censure from the Control Yuan, process the censure in accordance with the Public Functionaries Discipline Act within one month. Where the supervisor or senior officer deems the penalty to be unwarranted, he/she shall be required to immediately explain the reasons to the Control Yuan. Where the supervisor or senior officer fails to process the censure case or fails to adequately process it, members of the Control Yuan may replace the censure with an impeachment. Where the penalty is imposed with an impeachment, the supervisor or senior officer shall also be held accountable for negligence.



Corrective Measures

Entities Who Are Subject to the Power to Issue Corrective Measures

According to Article 24 of the Control Act, the Control Yuan shall issue corrective measures to the Executive Yuan and its subordinate agencies.

Exercise the Power to Issue Corrective Measures

After investigating the work and facilities of the Executive Yuan and its subordinate agencies and the examination and approval of relevant committees, members of the Control Yuan may issue corrective measures to the Executive Yuan or related authorities for improvement.



Audit

According to the Constitution and the Amendments of the Constitution, the powers of audit are part of the supervisory powers. The National Audit Office (NAO) is responsible for auditing the finances of the central government and its subordinate agencies. The NAO shall set up audit divisions or offices in different counties and cities for auditing the finances of local governments and their subordinate agencies. Where auditors discover any violation of laws or dereliction of duties committed by personnel of an agency in terms of financial operations, they shall report to the auditing authority and notify the senior officers of the agency to handle the violation. The auditing authority may also report the violation to the Control Yuan and request processing in accordance with the law.

Sunshine Acts



The Sunshine Acts refer to the Act on Property-Declaration by Public Servants, Act on Recusal of Public Servants Due to Conflicts of Interest, Political Donations Act, and Lobbying Act.

The Control Yuan carefully handles matters related to declarations of public servants' properties, recusals due to conflicts of interest, political donations and lobbying activities, which include acceptance of applications (reports), review, investigation, and imposition of penalty. It ensures government's integrity, promotes clean governance and rectifies official conduct to provide a truly honest political system free of corruption.

1

Acceptance and Review of Public Servants' Property Declarations

What Is the Purpose of Legislation?

With the access to the declared information of public servants' properties, people can understand the ethics, integrity, and honesty of public servants, thereby increasing their trust in the government's administration.

How Are Declarations Processed?

Public servants with declaration obligation shall report their properties to the Control Yuan within three months of taking office or within two months of leaving office. They shall annually make regular property declarations. After the Control Yuan receives the declarations, it shall review the reported information, which will

be compiled for public access. The information on properties of certain public servants must be published in official gazettes and on the Internet.

How Can People Inquire Declarations?

People can inquire the declaration information from "Control Yuan Gazette" or by making an inquiry at the Control Yuan. "Publication of Property Declarations" and "Control Yuan Gazette E-Book" can also be accessed via the Sunshine Acts official website.



Property Declaration Items and Standards of Public Servants, Their Spouses and Underage Offspring

Regardless of value	• Land • Buildings • Vessels • Aircrafts • Automobiles • Insurance
Individual assets with cumulative amount of NT\$1 million or more	• Cash • Deposits • Securities • Debt instruments and debts • Business investments
Individual assets with a value of NT\$200,000 or more	• Jewelry, antiques, calligraphy or paintings, and other properties of significant value

- 1 *Publication of Property Declarations*
- 2 *Control Yuan Gazette E-Book*



Handling Reports and Investigations on Recusal of Public Servants Due to Conflicts of Interest

What Is the Purpose of the Legislation?

To promote clean governance and rectify official conduct, establishing standards for avoiding recusals of public servants due to conflicts of interest can efficiently eliminate corruption and the conveyance of unlawful interests.

Who Are Related Parties of Public Servants?

The related parties of public servants include spouses or cohabiting family members, relatives within the second degree of kinship, trustees, related businesses and associations, confidential employees, and assistants of elected representatives.

How Are Reports Processed?

Where a public servant learns of a conflict of interest, he/she shall be required to recuse himself/herself and send a written notice to the institution in which the public servant renders service, his/her superior institution, and the institution appointing, electing or engaging the public servant. The institution shall compile and report the information about the public servant's voluntary recusal, application for recusal, or recusal ordered ex officio in the previous year to the Control Yuan within 30 days at the end of each year.

What Is the Purpose of the Legislation?

This Act is designated to regulate and manage political donations, to promote the political participation of citizens, to ensure the fairness and justness of political activities and to strengthen the development of democracy.

How Are Applications Processed?

Before accepting political donations, a political party, political association, or candidates for elections shall open a dedicated account in a financial institution. The dedicated account may not be changed or abolished without the consent of the Control Yuan.

How Can People Inquire Information?

People can apply to review accounting reports at the Control Yuan. After the amendment of the Political Donations Act starting from December 20, 2018, people can also review the reports at the “Political Donations Public Review Online System” on the “Sunshine Acts website” of the Control Yuan.

3 *Political Donations Public Review Online System*



3



What Is the Purpose of the Legislation?

Creating open and transparent procedures for lobbying can prevent the conveyance of unlawful interests, facilitate positive participation in policies and ensure democratic participation.

How Are Lobbying Applications Processed?

Before lobbying, a lobbyist shall apply for lobbying registration with the government agency of the lobbied party. The lobbied party shall register the lobbying with the agency within seven days of being lobbied. The lobbied government agency shall keep the related registration items and financial statements filed by the lobbyist in accordance with laws and shall disclose them every quarter.

Human Rights Work

The Control Yuan aims to ensure the protection of people's rights enshrined in the Constitution, establish basic conditions that promote and protect human rights, ensure social fairness and justice, and establish values and standards for universal human rights that meet international standards. The Legislative Yuan passed the "Organic Act of the Control Yuan National Human Rights Commission" in three readings on December 10, 2019. The National Human Rights Commission was officially inaugurated on August 1, 2020, becoming the national human rights institution that meets the Paris Principles. Its establishment marked a brand-new era for human rights in Taiwan.



Promotion and Protection of Human Rights

- 1 To investigate incidents involving torture, human rights violations, or various forms of discrimination, and to provide responses and remedies according to the law.
- 2 To study and review national human rights policies and make recommendations.
- 3 To publish thematic reports on major human rights issues or annual reports on the state of human rights in the nation to understand and assess the domestic human rights situation.
- 4 To assist government agencies in the signing or ratification of international human rights instruments and their incorporation, and to ensure the conformity of domestic laws, regulations, directives, and administrative measures with international human rights norms.
- 5 To conduct systematic studies of the Constitution and legal statutes based on international human rights standards in order to propose necessary and feasible recommendations to amend the Constitution, legislation, and laws.
- 6 To monitor the effectiveness of government agencies in promoting human rights education, enhancing human rights awareness, and handling matters involving human rights.
- 7 To cooperate with domestic agencies and civic groups, international organizations, national human rights institutes,



22

and non-governmental organizations to jointly promote the protection of human rights.

- 8 To provide independent opinions for national reports submitted by government agencies in accordance with the provisions of international human rights conventions.
- 9 Other matters related to the protection and promotion of human rights.

International Exchange

Participation in the IOI: Increasing International Visibility

The Control Yuan joined the International Ombudsman Institute (IOI) as “The Control Yuan, R.O.C.” in 1994 to connect with ombudsman institutions in countries across the world and became a voting member. From 2001, our membership was placed under the Australasian and Pacific Region (APOR). The Control Yuan has actively participated in the IOI World Conference and the annual APOR conferences to engage with ombudsman institutions worldwide. We have seized international exchange opportunities to demonstrate the performance and effectiveness of the exercise of the supervisory powers and increase the visibility of the Control Yuan and Taiwan in the international ombudsman community.

23

Organizing Annual International Conferences, Strengthening Regional Cooperation

The Control Yuan has also assigned personnel to participate in IOI training programs or workshops to facilitate the exchange of ideas in ombudsman tasks and maintain positive interactions with ombudsmen across the world. In addition, the Control Yuan organized the annual APOR Conference in 2011 and 2019 in Taiwan to fulfill its duties as a member, strengthen regional cooperation and communication, and help regional members and international leaders understand Taiwan’s social and economic development and the operations of human rights.

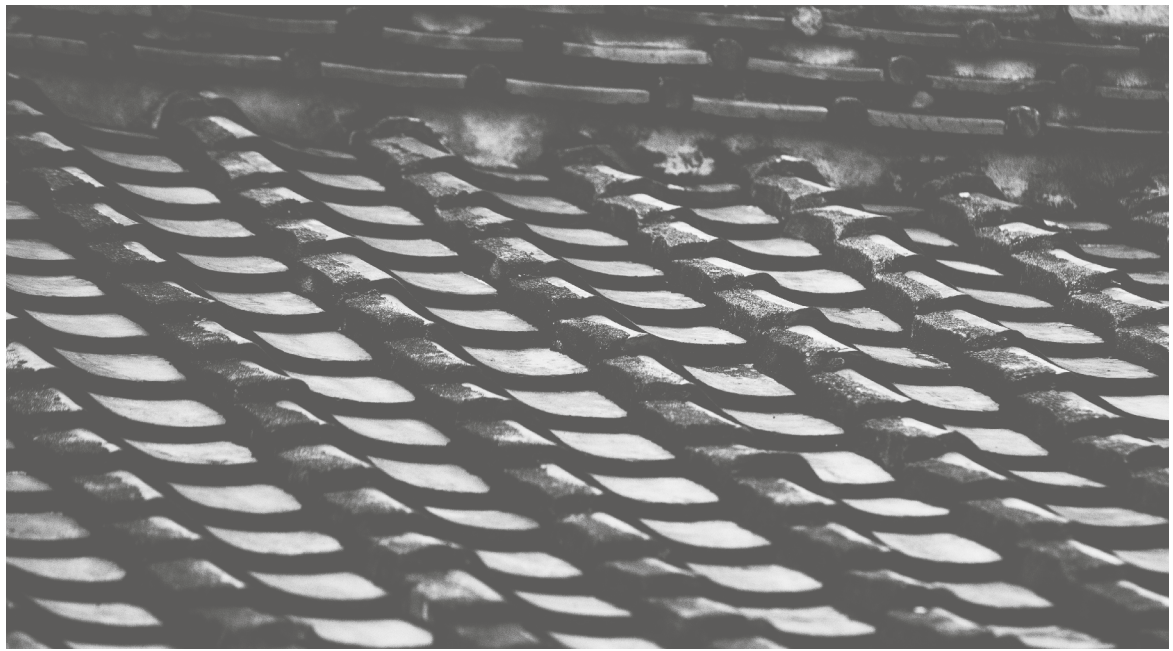


International Exchange Works

- 1 Promote the ideas and achievements of the supervision system of the Republic of China.
- 2 Support and participate in international studies on the duties of ombudsman institutions.
- 3 Participate in training programs for international ombudsmen, staff, and related personnel.
- 4 Collect and archive information and research data on ombudsman institutions across the world.
- 5 Participate in the exchange of information and experience within the international ombudsman community.
- 6 Organize and participate in international conferences.



Past Notable Cases



Investigation into Chiang Kuo-ching Case:

Posthumous Exoneration

Origins and Discoveries

A five-year old girl was killed on September 12, 1996, by a young man born on National Day. He was executed by firing squad before Air Force Day of the following year. His father claimed that he was innocent and the Control Yuan accepted his petition. After a series of continuous investigations by the second, third, and fourth-term members, the Control Yuan filed an investigation report and advised the father to file an extraordinary appeal and petition for a retrial.

Outcome and Improvements

Upon retrial, Chiang was found innocent. The Ministry of National Defense (MND) issued a public apology to Chiang family. Former President Ma Ying-jeou apologized to the Chiang family on behalf of the state in February 2011. The MND imposed penalties on individuals including then-Commander of the Air Force Combatant Command Chen Chao-min in July of the same year. On October 27, the Military Northern District Court ruled to pay NT\$103,185,000 to the Chiang family as compensation for the miscarriage of justice for Chiang Kuo-ching.

Investigation into Collapse of the Lincoln Mansions Complex

Prompted the Ministry of the Interior to Strengthen Control over Slopeland Development and Uphold Housing Justice

Origins and Discoveries

The negligence in the issuance of miscellaneous permits and construction licenses by the Taipei County government for the Lincoln Mansions complex resulted in the collapse of the several buildings and the death of 28 people when Typhoon Winnie struck in 1997. The Control Yuan censured Chen Chun-lung, the Section Chief of the Soil and Water Conservation Section, Agriculture Department, Taipei County Government. In addition to transferring and suspending the following public servants, the case was transferred to the Public Functionary Disciplinary Sanction Commission: Lien Jui-lin, Lin Chen-liu, and Hsu Hsin-hsing were removed from their duties and suspended for one year. Chen Chun-lung, Lin Ing-chuan, Chiang Kun-yuan, and Liu Hung-tien were suspended for three years.

Outcome and Improvements

As the buildings of the Lincoln Mansions complex were built before

the promulgation of the “Slopeland Development and Construction Management Regulations,” environmental impact assessments or related water and soil conservation plans were not conducted. The building project only had a “Water and Soil Conservation Qualification Certificate” which was converted to a “Class C Building License.” The project then applied for a “Construction Permit” as an old Class C building. The investigation conducted by the Control Yuan prompted the Ministry of the Interior to conduct a thorough review of all “old Class C buildings” and to implement the necessary improvements. The Ministry of the Interior promulgated the “Measures for Ensuring Residence Safety and Disaster Prevention and Response” on September 8, 1997 to strengthen the management of slopeland development, protect the safety and properties of residents in slopeland residential areas, and effectively prevent disasters.

Investigation into the China Airlines Flight 676 Accident

Prompted Improvements in the Flight Safety Management System

Origins and Discoveries

On February 16, 1998, China Airlines flight CI676 crashed on its approach to Taoyuan CKS International Airport in its return flight from Bali, Indonesia to Taipei. All 182 passengers onboard, including the governor of the Central Bank, Sheu Yuan-dong, his wife, accompanying officials, and 14 crew members were killed. The crash also killed six people on the ground, completely destroyed five residential buildings, and partially destroyed three residential buildings. The investigation conducted by the members of the Control Yuan found that the Ministry of Transportation and Communications (MOTC) and the Civil Aeronautics Administration (CAA) had failed to implement effective emergency response measures for the major air disaster, and the task force they assembled to oversee flight safety of China Airlines in recent years had been ineffective. In addition, they failed to implement plans and supervision for preventing the crash of aircraft. The flight safety management and inspections were inadequate



and became mere formalities, resulting in frequent flight safety incidents. The Control Yuan thus filed corrective measures to the MOTC and CAA.

Outcome and Improvements

After the Control Yuan’s follow-up monitoring, the CAA implemented overall assessments for the emergency response measures for accidents involving aircraft and have started

to analyze the causes of flight safety incidents since June 1999. It proposed recommendations for improvements and disclosed the results to all aviation companies. The “Principles for the Investigations of Aircraft Accidents and Major Incidents” were established to enhance the fire safety drills of all airports. The amendments of the “Civil Aviation Act” were promulgated on April 5, 2000, for the establishment of an independent Aviation Safety Council for the advancement of flight safety in Taiwan.



A Major Impeachment Case:

Death of Four Workers on the Riverbed of Pachang River During a Flash Flood

Origins and Discoveries

In the case of the death of four workers on the riverbed of Pachang River due to a flash flood on July 22, 2000, the Political Deputy Minister, Ministry of the Interior Lee I-yang failed to adequately implement effective disaster prevention and rescue. Former Director General of the National Fire Agency Chen Hung-I and Director Hsu Ching-hui failed to properly process the command, supervision, reporting and rescue system during the emergency. Captain of the Air Police Department Yang Te-hui failed to supervise the logistics tasks and establish effective mechanisms for assigning aircraft to conduct rescue operations. Deputy Commander Chung Shen-ning and on-duty officer Chen Meng-hung of the Air Force Combatant Command, as well as Captain Tsai Chu-yu of the Air Force 455 Squadron, failed to quickly assign aircraft to conduct rescue operations due to parochialism. Former Director-General of the 5th River Management Office Kuo Han-chuan failed to supervise the contractor in the preparation of

early-warning measures and rescue equipment. Former Director-General of Chiayi County Fire Bureau Hsieh Hsin-yung failed to adequately direct emergency rescue operations, and former Deputy Director-General Chiang Kuo-chun left his post while on-duty without authorization.

Outcome and Improvements

After the Control Yuan filed for impeachment on October 4, 2000, the Public Functionary Disciplinary Sanction Commission resolved in a meeting to suspend Hsu Ching-hui and Chen Meng-hung for two years. Yang Te-hui, Hsieh Hsin-yung, and Chiang Kuo-chun were demoted by two levels and reassigned. Chen Hung-I and Kuo Han-chuan received two demerits. Lee I-yang, Chung Shen-ning, and Tsai Chu-yu were not penalized.



Investigation into Yilan Train Derailment

Prompted Improvements to Ensure Train Safety

Origins and Discoveries

Eastbound Puyuma Express train, No. 6432, operated by Taiwan Railways Administration, derailed and toppled at Sinma Train Station in Yilan on October 21, 2018. The accident killed 18 people and injured more than 200 people. The investigation conducted by the Control Yuan found that a single failure in train safety operation could not have caused the accident. The issue or anomaly could have been effectively addressed to prevent the accident. The accident was caused by multiple factors, including deficiencies in organizational management, equipment failure, incomplete operating procedures, and operator errors which resulted in simultaneous failure of multiple safeguards, and the derailment of the train in the bend before it reached the Sinma Train Station.

Outcome and Improvements

The Taiwan Railways Administration (TRA) proposed multiple amendments in laws and ordinances for organizational adjustments, inspections and replacement of equipment, route improvements, and training. It also continued to track the 144 improvement items in the "TRA Overall Assessment Report" and published the progress on its official website every month, so that the public could learn the status of the situation.

Investigation into Fake Farmers

Saved NT\$97.6 Billion in Public Expenditures and Protected the Interests of Real Farmers

34

Origins and Discoveries

Agriculture is the foundation of a nation and it is the government's duty to take care of real farmers and support the sustainable development of agriculture. However, the individuals covered by farmers' health insurance included many fake farmers who enjoyed farmer insurance benefits and collected welfare allowance for elderly farmers. The Control Yuan thus began investigation on this practice that is not only unfair and unjust, but it diminishes the resources of the Farmer Health Insurance.

Outcome and Improvements

The Control Yuan filed an investigation report and implemented continuous tracking, which prompted the Ministry of the Interior to amend Article 5 of the Farmer Health Insurance Act. Those who have received the old-age benefits of other social insurances may no longer apply for enrollment in farmers' health insurance. The amendment added actual agriculture work as one of the

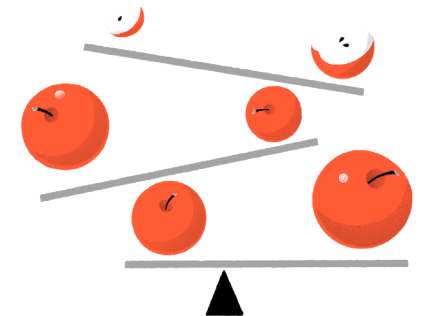
conditions for inclusion in farmers' health insurance to protect the rights and interests of real farmers. The investigation also prompted the Council of Agriculture and Ministry of the Interior to jointly amend the "Regulations About Standards for Determination of the Farmers Engaged in Agricultural Works Applying for Joining in Farmers' Health Insurance Programs and Examination of Their Qualifications" and added review mechanisms for on-site surveys for new applications. The number of insured people has decreased significantly.

In addition, the investigation prompted the Council of Agriculture to amend the "Provisional Act Governing the Welfare Allowance for Elderly Farmers" and extended the period of coverage by farmers' health insurance required to qualify for this allowance from six months to 15 years. According to estimates by the Council of Agriculture, the amendment will decrease spending in welfare allowance for elderly farmers by NT\$46.3 billion in the 15 years

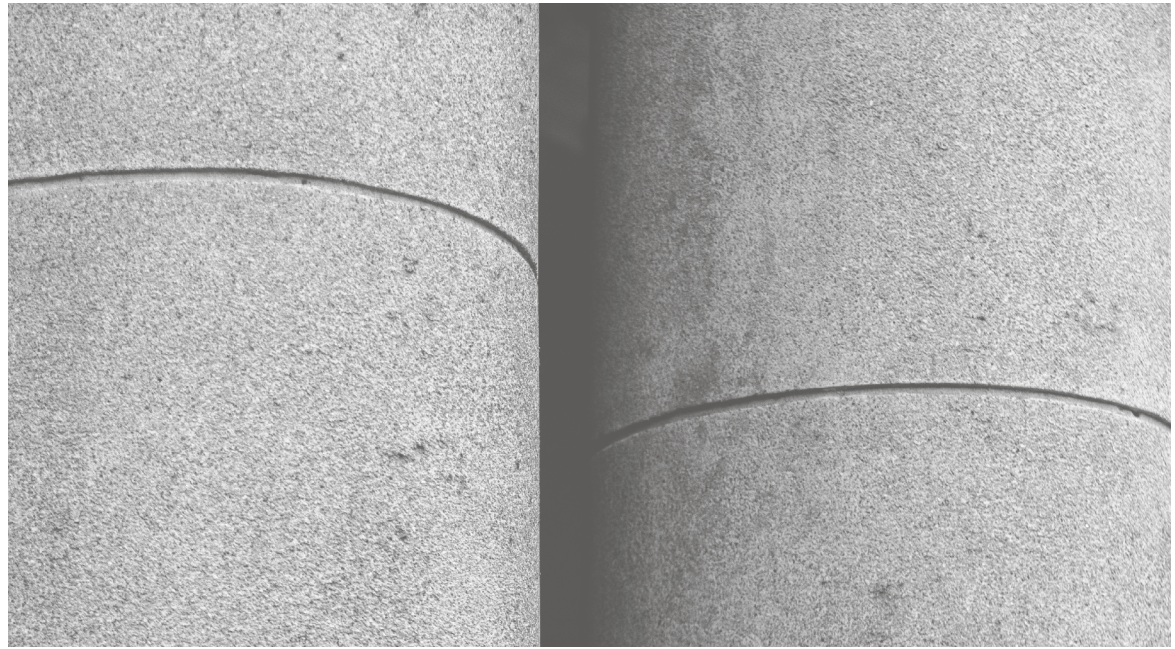
after the amendment, and effectively deter fake farmers from diminishing the resources of the Farmer Health Insurance.

In addition, the Control Yuan also prompted the Council of Agriculture and the Ministry of the Interior to actively review the eligibility of farmers for farmers' health insurance. As of the end of September 2020, more than 160,800 people have been removed from the insurance coverage and the measure has reduced government expenditures by more than NT\$51,314,600,000.

35



Our Organization



Legal Foundation

Article 7 of the Additional Articles of the Constitution of the Republic of China

Organization of the Control Yuan

President, Vice President and Members Secretary General and Deputy Secretary General

The Control Yuan includes the Department of Supervisory Operations, Department of Supervisory Investigation, Department of Property-Declaration by Public Servants, Department of Secretariat, Department of Coordination and Planning, Accounting Office, Statistics Office, Personnel Office, and Ethics Office to process various affairs.

Standing Committees

- 1 Committee on Domestic and Ethnic Affairs
- 2 Committee on Foreign and National Defense Affairs
- 3 Committee on Social Welfare and Environment Hygiene Affairs
- 4 Committee on Financial and Economic Affairs
- 5 Committee on Educational and Cultural Affairs
- 6 Committee on Transportation and Procurement Affairs
- 7 Committee on Judicial and Prison Administration Affairs

Administrative Appeal Review Committee

Special Committees

- 1 Committee on Statutory Studies
 - 2 Committee on Consultation
 - 3 Committee on Discipline for Control Yuan Members
 - 4 Committee on Anti-corruption
-

Task Forces

- 1 Budget Planning and Administration
- 2 International Affairs
- 3 Gender Equality
- 4 Human Rights Protection

38

National Human Rights Commission

Chairperson, Vice Chairperson, and Commissioners Executive Secretary and Deputy Executive Secretary

The National Human Rights Commission (NHRC) includes the Research and Planning Division, Enquiries and Investigation Division, and Education and Promotion Division.

National Audit Office (NAO)

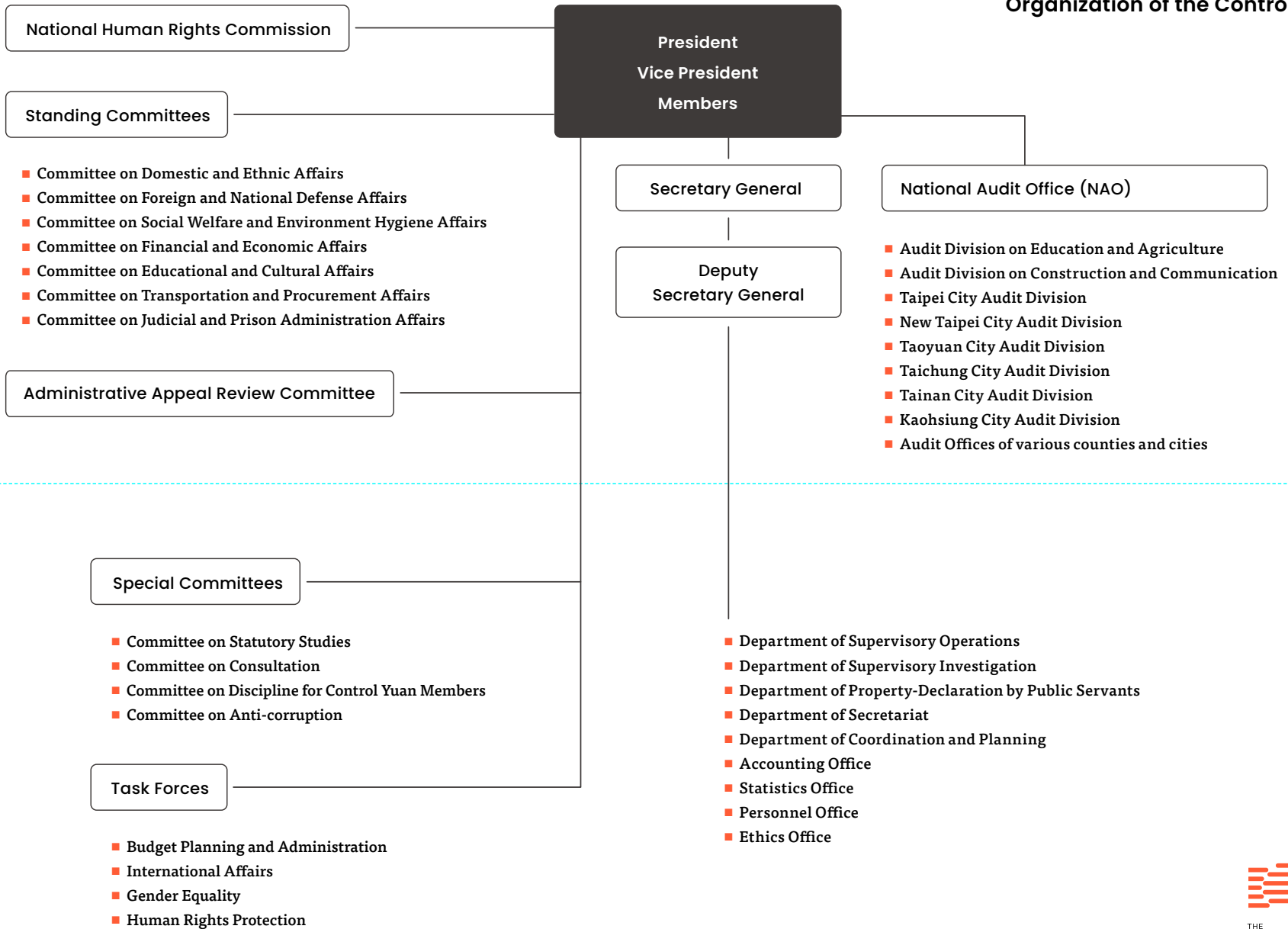
The NAO includes the Audit Division on Education and Agriculture, Audit Division on Construction and Communication, Taipei City Audit Division, New Taipei City Audit Division, Taoyuan City Audit Division, Taichung City Audit Division, Tainan City Audit Division, Kaohsiung City Audit Division, and Audit Offices of various counties and cities.

39

Control Yuan Plenary Meetings

Control Yuan plenary meetings are organized by the president, vice president, and members of the Control Yuan every month. Extempore meetings will be held should they be proposed or deemed necessary by the president or at least one fourth of all members. A quorum for Yuan plenary meeting attendance is half of the membership. Proposals must be submitted in writing. An extempore motion may be brought up if it is seconded by two or more members, and it must be carried by a simple majority of members present.

Organization of the Control Yuan



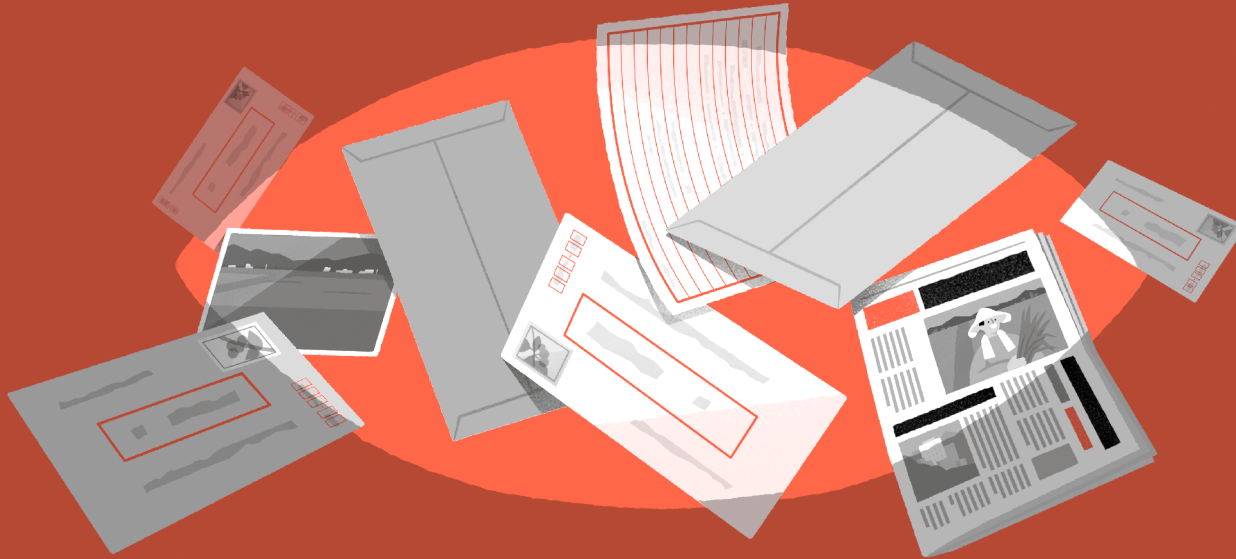
How Can We Help You?



If you discover a violation of laws or negligence of an administrative authority or public servant, or a violation of laws or negligence in the work of the Executive Yuan and its subordinate agencies, please describe the facts in detail, provide evidence, and submit a complaint or report to the Control Yuan or a member of the Control Yuan.

Who Can File a Complaint? Is There a Fee?

Complaints may be filed by natural persons, legal entities, or associations of the Republic of China. People are not required to make any payment for filing a complaint to the Control Yuan.



How to Make a Complaint?

Filing a complaint to an on-duty member of the Control Yuan at the Complaint Receipt Center

The Control Yuan assigns a member of the Control Yuan to receive complaints from the people each day. People are requested to prepare the complaint and related information and personally visit the Complaint Receipt Center. The complaints are accepted by the on-duty member or secretary in accordance with regulations.

*Complaint Receipt Center office hours: 08:30-12:30 and 13:30-17:30
Telephone: 02-23413183 ext. 662*

Filing a complaint to members of the Control Yuan during a circuit supervision to a local government

The schedule and locations of circuit supervisions are published in the "Circuit Supervision Calendar" on the Control Yuan website. The local governments are also requested to publish related information. People can prepare complaints and related

information and file a petition to the members conducting a circuit supervision within the scheduled period.

Mailing complaints to the Control Yuan or members of the Control Yuan

People can mail complaints to the Control Yuan or members of the Control Yuan.

Online complaint mailbox or making reservations for filing complaints by videoconferencing

Online System for Filing Complaints: (1) Register an account; (2) Log into the online system; (3) Fill in your complaint information, upload attachments, and press Confirm; (4) Complete complaint filing; (5) Check the updates on the progress of your complaint.



How Does the Control Yuan Process Complaints?

Our goal is to investigate all facts and answer people’s questions and resolve their grievances as fairly and quickly as possible. In response to different situations, the processing methods are as follows:

1	2	3	4
<p>The facts and evidence in the complaint are clear.</p>	<p>The facts in the complaint require additional clarification.</p>	<p>The facts in the complaint involve professional skills, policies, or public welfare.</p>	<p>The individual or government agency implicated in the complaint has not committed an error or the complaint does not fall within the jurisdiction of the Control Yuan.</p>
<p>Assign members of the Control Yuan to conduct investigations.</p>	<p>Request related authorities to provide explanations and information.</p>	<p>Review by the relevant committees of the Control Yuan.</p>	
<p>(1) Propose censure or impeachment if a public servant is violating the law or neglecting duties.</p>			
<p>(2) Propose corrective measures if an administrative authority</p>			<p>Response to the complainant.</p>

<p>is found to have processed matters inappropriately.</p>	
<p>The Control Yuan actively issues a response in an official letter to the complainant.</p>	
<p>Complainant inquiries about the progress of case: (1) Call the Complaint Receipt Center hotline; (2) Inquire information via the online complaint mailbox.</p>	
<p>Pass an impeachment, censure or corrective measure proposal. Publish in the Control Yuan Gazette and on the official website.</p>	

Complaint Form



Complaint Form

Recipient						_____ (month) _____ (day) _____ (year)
Complainant	Gender	Age	Occupation	Address	Telephone	Identity Certification No.
Agent	Gender	Age	Occupation	Address	Telephone	Identity Certification No.
Whether the complainant requests confidentiality of his/her identity Please specify your choice. If you fail to specify a choice, the complaint shall be processed as "confidentiality not required".						<input type="checkbox"/> Confidentiality required <input type="checkbox"/> Confidentiality not required

Part I: Please specify the following matters:

I. The government agency (institution) or public servant implicated in the complaint:

Description: According to the Constitution, the Control Yuan may exercise its functions and powers on public servants of the central or local governments. If the entity implicated in the complaint is not a government agency or a public servant, the complaint does not fall within the jurisdiction of the Control Yuan.

II. Were the matters in the complaint previously reported to the responsible authority?

The matters in the complaint have not been reported to the responsible authority.
Reason:

The matters in the complaint have been reported to the responsible authority.
(Please provide photocopies of the official correspondence with the authority)

Description: The Control Yuan is responsible for post-hoc supervision. If the matters in the complaint must be processed by the responsible authority first (e.g., the competent authority or its superior authority), the Control Yuan may decline to process the complaint.

III. Are the administrative remedies, civil or criminal litigation proceedings for the items in the complaint still in progress? What is the current progress?

Yes. Current progress:

No. Reason:

No administrative remedies, civil or criminal litigation proceedings were filed.

Related administrative remedies, civil or criminal litigation proceedings were concluded (including retrial and extraordinary appeals). (Please provide photocopies of the decisions of authorities for administrative remedies, penalties of the Prosecutors Office, previous decisions of courts for reference)

Description: Where a petition for administrative remedies or civil or criminal litigation is required, the Control Yuan may, according to regulations, disregard the complaint. Where a case has entered proceedings for administrative remedies or civil or criminal litigation proceedings, the Control Yuan may decline to conduct investigations.

Functions and Powers of the Control Yuan

GPN 3811000007

ISBN 978-986-0724-75-2

Publisher	Control Yuan	Address	No.2, Sec. 1, Zhongxiao E. Rd., Taipei City 100216, Taiwan (R.O.C.)
Producer	Control Yuan	Planner	Taiwan Design Research Institute
Tel	(02) 2341-3183	Designer	Aaron Nieh Workshop
Fax	(02) 2356-8588	Photographer	Huang Chi Teng
Web	www.cy.gov.tw	Illustrator	Hu Yu Ming
Edition	First edition	Publication Date	November 2021

Protecting Human Rights and Upholding Justice





監 察 院

THE CONTROL YUAN

REPUBLIC OF CHINA (TAIWAN)