

# **Organic Law of the Control Yuan**

Amended on January 8, 2020

## **Article 1**

This Act is established pursuant to Article 106 of the Constitution.

## **Article 2**

The Control Yuan shall exercise functions and powers conferred by the Constitution.

## **Article 3**

The Control Yuan may separately establish committees whose organization shall be stipulated in separate laws.

The Control Yuan shall establish a National Human Rights Commission whose organization shall be stipulated in separate laws.

### **Article 3-1**

Members of the Control Yuan must be at least 35 years old and meet one of the following qualifications:

1. Service with outstanding reputation as a legislator for at least one term or as a special municipality councilor for at least two terms.
2. Service with distinction as at least a level 12 judge or prosecutor for at least 10 years and served as a judge or prosecutor in the judiciary at the level of High Court, High Administrative Court, High Court Prosecutors' Office or higher.
3. Service with distinction as a public servant at a Selected Rank for at least 10 years.
4. Service with outstanding reputation as a university professor for at least 10 years.
5. Qualification under the domestic Professional and Technical Senior Examination and at least 15 years of professional practice with outstanding reputation
6. A person of honesty and integrity with extensive political experience or experience presiding over a journalistic or cultural undertaking with outstanding reputation.
7. A researcher of or person devoted to human rights protection with outstanding reputation, or a person with practical experience related to civil society organizations involved in the promotion and protection of human rights.

The number of Members with qualification in the preceding Subparagraph 7 shall be seven and there shall be no vacancies. The composition shall be diverse and include

representatives from different ethnic groups or professional fields. No gender shall constitute less than one-third of the Members, and prior to their nominations, recommendations from civil society organizations shall be openly sought.

The period of service or practice referred to in Paragraph 1 shall be calculated to the day prior to the start of the following term as Control Yuan member.

#### **Article 4**

The Control Yuan shall establish the National Audit Office, which shall be in charge of the following matters:

1. To supervise the implementation of budget at all levels of the government.
2. To certify receipt and payment orders at all levels of the government.
3. To examine financial activities and certify annual financial reports at all levels of the government.
4. To inspect illegalities and dereliction of duties in financial activities at all levels of the government.
5. To evaluate financial performance at all levels of the government.
6. To approve the financial responsibilities of government agency personnel.
7. To perform other audit affairs stipulated by other laws.

The organization of the National Audit Office shall be prescribed by other laws.

#### **Article 5**

The Auditor-General shall oversee the affairs of the National Audit Office.

#### **Article 6**

The president of the Control Yuan shall oversee the affairs of the Yuan and supervise subordinate agencies. If the president is unable to perform his or her duties for any reason, the vice president shall act on his or her behalf.

If the presidency of the Control Yuan is vacant, the vice president shall serve as substitute up to the day that a successor president is nominated and appointed by the President following confirmation by the Legislative Yuan.

If the positions of the president and vice president of the Control Yuan are vacant at the same time, the President shall designate one member of the Control Yuan to serve as substitute up to the day that a successor president and vice president are

nominated and appointed by the President following confirmation by the Legislative Yuan.

If the positions of the president, vice president or member of the Control Yuan are vacant, the term of the successors to these positions shall expire on the last day of the original term of service.

#### **Article 7**

Meetings of the Control Yuan shall be organized by the president, vice president, and members of the Control Yuan and chaired by the president.

#### **Article 8**

The Control Yuan may establish district administrative offices nationwide for Control Yuan members nationwide according to the actual needs. Their organization shall be prescribed by other laws.

#### **Article 9**

The Control Yuan shall have a specially-appointed secretary general in charge of managing the routine operations of the Yuan and directing/supervising its staff under orders of the Yuan president. The secretary-general shall be assisted in conducting the routine business of the Yuan by one deputy secretary-general at Level 14 of the Selected Rank, under orders of the Yuan president.

#### **Article 10**

The Control Yuan shall establish a Department of Supervisory Operations, Department of Supervisory Investigation, Department of Property-Declaration by Public Servants, Secretariat, and Department of Coordination and Planning to handle the following matters. Each department may be further divided into divisions or sections to handle affairs.

1. Matters concerning the receiving, processing and submitting of proposals for people's complaints.
2. Matters concerning censure and impeachment.
3. Matters concerning joint investigation related to investigation cases.
4. Matters concerning property declaration by public servants, recusal for conflicts of interest, political donations and lobbying cases.
5. Matters concerning the recording of meeting minutes and the editing, printing and issuing of public reports.

6. Matters concerning receiving and issuing of documents and maintaining and preserving official seals.
7. Matters concerning the treasury and general affairs.
8. Matters concerning development of comprehensive plans and research, development, and evaluation.
9. Matters concerning the overall planning and management of information plans, systems, equipment, security and training.
10. Matters concerning coordination, liaison and news releases.
11. Other related matters.

#### **Article 11**

(Deleted)

#### **Article 12**

The Control Yuan shall have two to four counselors and five departmental directors, each at Level 12 to 13 of the Selected Rank; five deputy departmental directors at Level 11 to 12 of the Selected Rank; 24 to 28 investigation officials at Level 10 to 12 of the Selected Rank; eight investigation directors, served concurrently by investigation officials; one director of the Complaint Receipt Center, eleven divisional chiefs, four senior specialists and one senior systems analyst at Level 10 to 11 of the Selected Rank; 26 to 31 secretaries at Level 8 to 9 of the Recommended Rank, of which 11 may be at Level 10 to 12 of the Selected Rank; eleven section chiefs at Level 9 of the Recommended Rank; 24 to 28 senior investigators at Level 8 to 9 of the Recommended Rank; 10 to 16 specialists and two systems analysts at Level 7 to 9 of the Recommended Rank; two systems designers and one systems coordinator at Level 6 to 8 of the Recommended Rank; 24 to 28 investigators, 20 to 28 officers and 2 to 4 stenographers at Level 5 of the Designated Rank or Level 6 to 7 of the Recommended Rank; four to eight junior officers, two operators, at Level 4 to 5 of the Designated Rank, of which four junior officers and one operator may be at Level 6 of the Recommended Rank; 10 to 18 clerks at Level 3 to 5 of the Designated Rank; 7 associate clerks at Level 1 to 3 of the Designated Rank; and one pharmacist and two registered nurses holding a position rank of Third Grade Medical Practitioner.

Eight of the secretaries referred to in the preceding Paragraph are reorganized positions after the vacancy of the three research commissioners, two divisional chiefs and three associate clerks equivalent to its rank. Five of the officers are reorganized positions after the vacancy of the five associate clerks.

Associate clerks hired before the amendment and enforcement of the Act who do not meet the qualifications for civil service employment may continue to serve in the position referred to in the previous Paragraph until the time that the employee resigns.

### **Article 13**

The Control Yuan shall establish an Accounting Office, Statistics Office, Personnel Office, and Ethics Office to perform, respectively, duties related to budgeting and accounting; statistics; personnel; and ethics according to law.

The Accounting Office, the Statistics Office, the Personnel Office and the Ethics Office shall each have one director at Level 10 to 11 of the Selected Rank. Additional work personnel may be assigned as needed within the quota specified by the Act.

### **Article 13-1**

Each Control Yuan member shall appoint one assistant with a period of service coterminous to that of the member.

### **Article 14**

The regulations for Control Yuan meetings and department affairs of the Control shall be established by the Control Yuan.

### **Article 15**

This Act shall come into force from the date of promulgation.

The amended provisions of this Act come into force from the date of promulgation.