

Regulations Governing Examination and Browsing of Materials of Property-Declaration by Public Servants

- Article 1 The Regulations is enacted pursuant to Paragraph 3 of Article 6 of the Act on Property-Declaration by Public Servants (herein after referred to as "the Act").
- Article 2 When making property-declarations, the public servant or public candidate (hereinafter referred to as the "Declaring Person") shall fill in Form of Property-declaration (hereinafter referred to as the "Declaration Form") in the form as required and after signing or sealing thereon, submit it to his respective handling organ/unit.
- Article 3 The handling organ/unit shall not accept Declaration Form submitted by the Declaring Person that's not in conformity with required forms.
- Article 4 The handling organ/unit shall still accept declaration even though the Declaring Person makes the declaration beyond the prescribed time period.
Relevant provisions of Article 11 of the Act shall be applied to the Declaring Person who makes declaration beyond prescribed time period if there is any circumstance specified in the first part of Paragraph 1 of Article 11 of the Act.
- Article 5 Upon acceptance of declaration, the handling organ/unit shall examine the written statements one by one in accordance with items listed in the Declaration Form and in case it is found that any addition, deletion or alteration were made without sealing thereon, or in case there are any indistinct words or other incompleteness, it shall notify the Declaring Person to make corrections within prescribed time period.
If the Declaring Person fails to make corrections within the prescribed time period, relevant provisions of Article 11 of the Act shall be applied if there is any circumstance specified in the first part of Paragraph 1 of Article 11 of the Act.
- Article 6 The Declaring Person may fill in a new Declaration Form and submit it to the original handling organ/unit for correction if he finds out any mistakes in the materials he declared. However, the original

Declaration Form shall not be replaced.

Article 7 If due to pleadings or other circumstances, the handling organ/unit is doubt whether the declaration made by the Declaring Person is inconsistent with facts, it shall examine whether he has violated any provisions of Article 5, Paragraph 1 or 2 of Article 7 of the Act.

Article 8 In conducting examinations as provided in the above article, the handling organ/unit may make inquires to relevant organs/units, groups or individuals pursuant to acts and regulations, and shall give the Declaring Person an opportunity of statement in case of necessary.

Article 9 The handling organ/unit shall keep complete record of the results of examinations conducted pursuant to the above two articles.

Article 10 If the handling organ/unit concludes that the Declaring Person deliberately made declarations not inconsistent with facts, it shall apply the latter part of Paragraph 1 of Article 11 of the Act and other relevant provisions.

If the handling organ/unit concludes that the inconsistency in the declaration was not made deliberately by the Declaring Person, it shall record the correct information obtained through the examinations in a new Declaration Form which shall be attached to the original Declaration Form and notify the Declaring Person about the fact.

After receiving the above notice, if the Declaring Person finds any mistakes therein, he shall promptly apply to the handling organ/unit to make corrections by providing certificates on correct property information.

Article 10-1 Article 2, Article 3, Paragraph 1 of Article 4, Paragraph 1 of Article 5, and Article 6 to Article 9 hereof shall be applied mutatis mutandis when a trustee makes declaration on behalf of the public servant pursuant to Paragraph 4 of Article 7 of the Act.

In case the trustee fails to make declaration within prescribed time period or it makes declarations not inconsistent with facts, the handling organ/unit shall notify the trustee to make corrections within prescribed time period.

Article 11 In case the Government Employee Ethics Unit that handles declarations pursuant to the first part of Subparagraph 2 of Article 4

of the Act finds the chief of that organ is suspected of making declaration not inconsistent with fact, it shall evoke the materials to the Government Employee Ethics Unit of its superior organ for examination pursuant to Article 7 to 10 hereof.

Article 12 After examination of the written statements on the Declaration Form pursuant Article 5 hereof within the time period prescribed in Paragraph 1 of Article 6 of the Act, the handling organ/unit shall compile the materials declared by each Declaring Person into books on an individual basis, which shall be numbered and kept on the record.

The handling organ/unit shall make photocopies of the above information except those declared pursuant to the first part of Paragraph 2 of Article 7 of the Act, then seal on the copies certifying that they are in conformity with the originals and marshal them for browsing by public.

In any of the following circumstances, the handling organ/unit may refuse to provide the Declaring Person's age, ID number, number of the land, number of building, car plate number or car engine number:

1. Where there is enough evidence to conclude that the Declaring Person's life or safety shall be in danger following the browse.
2. Where there is enough evidence to conclude that the applicant has improper purpose in applying for the browse.

Article 13 Anyone who applies for browsing the property information declared by the Declaring Person shall make an application to the handling organ/unit by filling in an Application Form. The application shall not be refused by the handling organ/unit without justifiable reasons.

Anyone who applies for conducting browse as provided above shall be a citizen of the Republic of China aged not less than 20.

The Application Form referred to in Paragraph 1 hereof shall specify the following issues and it shall be kept by the handling organ/unit after signed and recognized by the applicant:

1. Name, domicile and ID number of the applicant.
2. Purpose for conducting the browse.

Declaration by the applicant that information obtained through the browse shall not be used for-profit, credit rating or money raising or for other improper purpose.

Article 14 After receiving the Application Form, the handling organ/unit shall,

upon confirmation that it complies with the requirements after examination, designate the time and place for conducting the browse and notify the applicant to conduct browse on site.

The above notification may be made by telephone calls.

Article 15 The applicant shall conduct the browse on site by himself and he shall not authorize others to do this on his behalf.

Before conducting the browse on site, the applicant shall present his certificate of identity.

Article 16 Browsing of the information shall be conducted at the place designated by the handling organ/unit and shall be limited to reading only. The following rules shall be observed during the course of browsing:

1. No material is permitted to be brought outside the place.
2. No copy, photograph or photocopy is permitted.
3. No additions, alteration, changes, extractions, remarks or stains shall be made upon or from the materials browsed.
4. Do not break up bound materials.
5. No other behavior that may affect the completeness of the materials or the good order of the place is permitted.

If the Declaring Person conducting the browse acts in violation of any of the above provisions, which involves criminal liabilities, the handling organ/unit shall evoke the case to the procurator organ to handle in accordance with acts.

Article 17 Browsing conducted by a same applicant over materials declared by a same Declaring Person shall be limited to only one time in a year.

Article 18 An applicant can only apply to browse materials declared by one Declaring Person in each one application.

Article 19 The handling organ/unit shall designate a special officer at the site when the applicant is conducting browse.

Article 20 Relevant provisions on service provided in the Civil Procedure Act shall be applied mutatis mutandis in making notifications pursuant to the Regulations unless the Regulations provides otherwise.

Article 21 The handling organ/unit shall place a register, which shall carry names of the people who browse and relevant issues about browsing.

Article 22 The Regulations shall be in force from the date of the enforcement of the Act.

The Articles amended (added) of the Regulations shall be in force from date of its promulgation.