



متن کامل قانون اساسی تایوان (انگلیسی)

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Taiwan Constitution

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{ .booklets by the government

Preamble

China? by virtue of the mandate received The National Constituent Assembly of the Republic of
accordance with the teachings bequeathed by Dr. Sun Yat-sen from the whole body of citizens? in
safeguard ?Republic China? and in order to consolidate the authority of the State in founding the
welfare of the people? do the rights of the people? ensure social tranquillity? and promote the
throughout the land for faithful and perpetual hereby adopt this Constitution to be promulgated

.all observance by one and

Chapter I General Provisions

Article 1

China? founded on the Three Principles of the People? shall be a democratic The Republic of
.people republic of the People? by the people? and for the

Article 2

.reside in the whole body of citizens The sovereignty of the Republic of China shall

Article 3

.China the nationality of the Republic of China shall be citizens of the Republic of Persons with

Article 4

existing national boundaries shall not be altered The territory of the Republic of China within its
.National Assembly except by a resolution of the

Article 5

.among the various ethnic groups in the Republic of China There shall be complete equality

6 Article

blue sky and a white sun in The national flag of the Republic of China shall show a red field with a
.the upper left corner

Chapter II Rights and Duties of the People

7 Article

ethnic origin? class? or party ?All citizens of the Republic of China? irrespective of sex? religion
.law affiliation? shall be equal before the

Article 8

people. In no case except that of flagrante delicto? Personal freedom shall be guaranteed to the (1)
than by separately prescribed by law? shall any person be arrested or detained other which shall be
by law. No person shall be a judicial or police organ in accordance with the procedure prescribed
accordance with the procedure prescribed by law. tried or punished other than by a law court in
trial? or punishment not carried out in accordance with the procedure ?Any arrest? detention

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.by law may be resisted prescribed

suspicion of having committed a crime? the organ When a person is arrested or detained on (2) detention shall inform him in writing? and any relative or friend of his making the arrest or him over? not later designated by him? of the grounds for his arrest or detention? and shall turn court for trial. The said person? or any than twenty-four hours after his arrest? to a competent competent court to serve a writ on the organ making the arrest to other person? may petition the .within twenty-four hours the said person for trial surrender

of reject the petition referred to in the preceding paragraph? nor shall it first The court shall not (3) report thereon. The organ all order the organ concerned to make an investigation and submit a complying? with the writ of the court for the concerned shall not refuse to comply? or delay in .trial surrender of the said person for

or any other person may When a person is unlawfully arrested or detained by any organ? he (4) court shall not reject such a petition and shall? petition the court to make an investigation. The investigate the action taken by the organ concerned and deal with the ?within twenty-four hours .accordance with law matter in

Article 9

.service? no person shall be liable to court-martial Except those in active military

10 Article

.residence The people shall have freedom of residence and of change of

Article 11

.teaching? writing? and publication ?The people shall have freedom of speech

Article 12

.have freedom of privacy of correspondence The people shall

Article 13

.shall have freedom of religious belief The people

Article 14

.shall have freedom of assembly and of association The people

Article 15

guaranteed to the right to live? the right to work? and the right to own property shall be The .people

Article 16

right to present petitions? lodge complaints? and institute legal The people shall have the .proceedings

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Article 17

.election? recall? initiative? and referendum The people shall have the rights of

Article 18

.offices people shall have the right to take public examinations and hold public The

Article 19

.accordance with law The people shall have the duty to pay taxes in

Article 20

.render military service in accordance with law The people shall have the duty to

Article 21

.education people shall have the right and the duty? to receive elementary The

Article 22

that are not detrimental to social order or public All other freedoms and rights of the people
.under the Constitution welfare shall be guaranteed

Article 23

enumerated in the preceding articles shall not be abridged by law All the freedoms and rights
an may be necessary to prevent infringement upon the freedoms of others? to avert except such as
.welfare imminent danger? to maintain social order? or to promote public

Article 24

infringes upon the freedom or right of any person ?Any public employee who? in violation of law
subject to disciplinary punishment in accordance with law? be liable to shall? in addition to being
damages from the State criminal and civil action. The victim may? in accordance with law? claim
.for any injury sustained therefrom

Chapter III The National Assembly

Article 25

exercise ?National Assembly shall? in accordance with the provisions of this Constitution The
.country political rights on behalf of all the citizens of the

Article 26

.following Delegates The National Assembly shall be composed of the

County? Municipality? or area of equivalent status. In One Delegate shall be elected from each .1 shall be population of the electoral district exceeds 500?000? one additional Delegate case the representing areas equivalent in elected for each additional 500?000. The election of Delegates .prescribed by law status to the County or Municipality shall be the basis of four for each League and one for Delegates to represent Mongolia shall be elected on 2 .each Special Banner .law number of Delegates to be elected from Tibet shall be prescribed by The 3 frontier regions shall be elected by various ethnic groups in The number of Delegates to be 4 .prescribed by law to be elected by Chinese citizens residing abroad shall be prescribed by The number of Delegates 5 .law .shall be prescribed by law The number of Delegates to be elected by occupational groups 6 .women''s organizations shall be prescribed by law The number of Delegates to be elected by 7

Article 27

:The functions of the National Assembly shall be as follows (1)

.the President and the Vice President To elect .1

.Vice President To recall the President and the 2

. To amend the Constitution 3

exercise of its right of referendum on proposed constitutional amendments To vote in the 4

.originating in the Legislative Yuan

initiative and referendum? except as is provided in Items 3 and 4 of With respect to the rights of (2)

pertaining thereto and preceding paragraph? the National Assembly shall adopt regulations the

Municipalities of the country shall have put them into effect after one half of the Counties and

.and referendum in their respective jurisdictions exercised their rights of initiative

28 Article

.every six years A new election for Delegates to the National Assembly shall be held (1)

Assembly shall terminate on the day the next The term of office of the Delegates to each National (2)

.National Assembly convenes

Assembly to No incumbent government official may be elected a Delegate to the National (3)

.office represent the electoral district in which he holds

Article 29

President to meet ninety days prior to the The National Assembly shall be convoked by the

.term expiration of each Presidential

Article 30

Assembly shall be convoked in any one of the following An extraordinary session of the National (1)

:circumstances

Vice When? in accordance with the provisions of Article 49? a new President and a new .1
.President are to be elected

Yuan? an impeachment of the President or the Vice When? by a resolution of the Control 2
.instituted President is

.amendment to the Constitution is proposed When? by a resolution of the Legislative Yuan? an 3
Delegates to the National Assembly request that an extraordinary When over two fifths of the 4
.convoked session be

convoked in accordance with When an extraordinary session of the National Assembly is to be (2)
President of the Legislative Yuan shall issue the Item 1 or Item 2 of the preceding paragraph? the
it is to be convoked in accordance with Item 3 or Item 4? it shall be notice of convocation; when
.by the President of the Republic convoked

Article 31

.shall meet at the seat of the Central Government The National Assembly

Article 32

for opinions Delegate to the National Assembly shall be held responsible outside the Assembly No
.Assembly expressed or votes cast at meetings of the

Article 33

to the National Assembly shall? except in case of While the Assembly is in session? no Delegate
.or detained without the permission of the National Assembly flagrante delicto? be arrested

34 Article

Delegates to the National The organization of the National Assembly? the election and recall of
Assembly carries out its functions shall be Assembly? and the procedure whereby the National
.prescribed by law

Chapter IV The Presidency

Article 35

shall be the Chief of State and shall represent the Republic of China in foreign The President
.relations

Article 36

.the army? navy? and air force of the country The President shall have supreme command of

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Article 37

the President shall, in accordance with law, promulgate laws and issue mandates with the countersignatures of both the countersignature of the President of the executive Yuan or with the Ministers or Chairmen of Commissions concerned President of the executive Yuan and the

Article 38

exercise the powers of ?President shall, in accordance with the provisions of this Constitution The peace concluding treaties, declaring war, and making

Article 39

declare martial law with the approval of, or subject ?The President may, in accordance with law Legislative Yuan. When the Legislative Yuan deems it necessary, it may, to confirmation by, the declared formal resolution, request the President to lift the martial law already by a

Article 40

exercise the powers of amnesty, pardon, remission of ?The President shall, in accordance with law of civil rights sentence, and restitution

Article 41

with law, appoint and dismiss civil and military officers The President shall, in accordance

42 Article

decorations The President may, in accordance with law, confer honors and

Article 43

epidemic, or a national financial or economic crisis that calls for In case of a natural disaster, an a action, the President, if the Legislative Yuan happens to be in recess, may, by emergency Emergency Orders, resolution of the executive Yuan Council and in accordance with the Law on necessary to cope with the situation. But issue emergency orders and take such measures as may be submitted to the Legislative Yuan for confirmation within one month the action thus taken shall be confirmation, the issuance of the emergency orders. In case the Legislative Yuan withholds after void said orders shall immediately become null and

Article 44

other than those for which provisions are made in ?In case of disputes, involving two or more Yuan President may call a meeting of the Presidents of the Yuan concerned to this Constitution, the out a solution therefore work

Article 45

of China who has reached the age of forty may be elected President or Any citizen of the Republic President Vice

Article 46

The election of the President and the Vice President shall be prescribed by law.

Article 47

The President and the Vice President shall serve a term of six years. If re-elected, they may serve one more term.

Article 48

On assuming office, the President shall take an oath, which shall read as follows: "I do solemnly and with all sincerity swear before the people of the whole country that I will faithfully perform my duties, promote the welfare of the people, and observe the Constitution and the people's trust. Should I break my oath, I will submit myself to severe punishment by the State. This is my solemn oath."

Article 49

In case the office of the President should become vacant, the Vice President shall succeed to it until the expiration of the original Presidential term. In case the office of both the President and the Vice President become vacant, the President of the Executive Yuan shall act for the President until a new President and a new Vice President are elected by the National Assembly to serve out the unfinished term of the preceding President. In case the President should for any cause be unable to attend to his official duties, the Vice President shall act for him. In case both the President and the Vice President should be unable to attend to their official duties, the President of the Executive Yuan shall act for the President.

Article 50

On the day his term of office expires, if by that time the President-elect has not yet been elected, or if the President-elect and the Vice President have not yet assumed office, the President of the Executive Yuan shall act for the President.

Article 51

The period during which the President of the Executive Yuan acts for the President shall not exceed three months.

Article 52

Unless the President is guilty of rebellion or treason, he shall not be liable to criminal prosecution. The President shall not be recalled or relieved of his duties as President without

Chapter V Administration

Article 53

The executive Yuan shall be the highest administrative organ of the State

Article 54

The executive Yuan shall have a President, a Vice President, and a number of Ministers and Portfolio Chairmen of Commissions, and Ministers without

Article 55

The President of the executive Yuan (1) shall be nominated and upon confirmation by the President of the Republic. The President of the Republic shall appoint the Vice President of the executive Yuan. If the President of the executive Yuan (2) should resign or his office should become vacant when the President of the Republic is not in session, his duties and functions shall be performed for him by the Vice President of the executive Yuan. But the President of the Republic shall request the Legislative Yuan to convoke a meeting for the confirmation of the nominee he has selected as the next President of the executive Yuan. Pending confirmation of the nominee, the Vice President of the executive Yuan shall temporarily perform the duties and function of Vice President of the executive Yuan.

Article 56

The Vice President of the executive Yuan, Ministers and Chairmen of Commissions, and Ministers without Portfolio shall be appointed by the President of the Republic upon the recommendation of the President of the executive Yuan.

Article 57

The executive Yuan shall be responsible to the Legislative Yuan in accordance with the following provisions:

1. The executive Yuan has the duty to present to the Legislative Yuan a policy statement and an administrative report. When the Legislative Yuan is in session, its Members and Ministers and Chairmen of Commissions of the executive Yuan may interpellate the President of the executive Yuan. The said Yuan

2. In case the Legislative Yuan does not agree with any major policy of the executive Yuan, it may, by a formal resolution, request the executive Yuan to change it. With the approval of the President of the Legislative Yuan's resolution, the executive Yuan may request the Republic to reconsideration. If, during reconsideration, two thirds of the members of the Legislative Yuan present at the meeting uphold the original resolution, the President of the executive Yuan shall either accede to the Legislative Yuan's view or tender his resignation.

.resignation

executive Yuan deems an enactment? a budget? or a treaty passed by the In case the 3
President of the Republic Legislative Yuan difficult to enforce? it may? with the approval of the
Legislative Yuan's message? request the latter for and within ten days after the transmission of the
during reconsideration? two thirds of the members of the Legislative Yuan ?reconsideration. If
executive Yuan shall present at the meeting uphold the original resolution? the President of the
.tender his resignation either abide by the Legislative Yuan's resolution or

Article 58

there shall be an executive Yuan Council to be composed of its In the executive Yuan (1)
Vice President? Ministers and Chairmen of Commissions? and Ministers without ?President
.Portfolio? with its President as Chairman

budgets? martial law? amnesty? declaration of war? conclusion of ?Bills on proposed laws (2)
as well as ?treaties? and other important matters to be submitted to the Legislative Yuan ?peace
shall be laid before the ?matters of common concern to all the ministries and commissions
executive Yuan and by the various Ministers executive Yuan Council by the President of the
.its consideration and decision and Chairmen of Commissions for

Article 59

shall? three months before the beginning of each fiscal year? submit to the The executive Yuan
.year Legislative Yuan a budgetary bill for the following fiscal

Article 60

after the end of each fiscal year? submit to the The executive Yuan shall? within four months
.statement of the year Control Yuan a final financial

Article 61

.executive Yuan shall be prescribed by law The organization of the

Chapter VI Legislation

Article 62

of shall be the highest legislative organ of the State. It shall be composed The Legislative Yuan
.their behalf Members elected by the people and shall exercise legislative power on

Article 63

to pass bills on laws? budgets? martial law? amnesty? The Legislative Yuan shall have the power
.State conclusion of peace? treaties? and other important matters of ?declaration of war

Article 64

Members of the Legislative Yuan shall be (1) elected in accordance with the following provisions

1. Those to be elected from the Provinces or Municipalities under the direct jurisdiction of the Executive Yuan shall be five for each Province or Municipality with a population of not more than 3,000,000; where the population exceeds 3,000,000, one additional member shall be elected for each additional 1,000,000.
2. Those to be elected from Mongolian Leagues and Banners.
3. Those to be elected from Tibet.
4. Those to be elected by the ethnic groups in frontier regions.
5. Those to be elected by Chinese citizens residing abroad.
6. Those to be elected by occupational groups.

(2) The election of Members of the Legislative Yuan and the number of those to be elected under Items 2 to 6 of the preceding paragraph shall be prescribed by law. The number of women to be elected under all the items of the preceding paragraph shall be prescribed by law.

Article 65

Members of the Legislative Yuan shall serve a term of three years and shall be re-eligible. Their election shall be completed within three months prior to the expiration of each term.

Article 66

The Legislative Yuan shall have a President and a Vice President to be elected from among its Members.

Article 67

(1) The Legislative Yuan may set up various committees.
(2) The various committees of the Legislative Yuan may invite government officials and concerned individuals in society at large to be present at the committee meetings to present their views.

Article 68

The Legislative Yuan shall hold two sessions each year and shall convene of its own accord. The first session shall be from February to the end of May, and the second from September to the end of December. Any session may be prolonged if necessary.

Article 69

An extraordinary session of the Legislative Yuan may be held in either of the following circumstances:

1. At the request of the President of the Republic.
2. At the request of over one fourth of its own Members.

Article 70

Yuan shall not propose any increase in the budget estimates submitted by the The Legislative .execcutive Yuan

Article 71

the Presidents of the various Yuan concerned and the various ?At meetings of the Legislative Yuan .views Chairmen of Commissions concerned may be present to present their Ministers and

Article 72

be transmitted to the President of the Republic and Law bills passed by the Legislative Yuan shall The President shall? within ten days after receipt of the bills? promulgate the execcutive Yuan. Article 57 of this them? but he may also deal with them in accordance with the provisions of .Constitution

Article 73

Legislative Yuan shall be held responsible outside the Yuan for opinions No Member of the .expressed or votes cast in the Yuan

Article 74

Legislative Yuan shall? except in case of flagrante delicto? be arrested or Member of the No .detained without the permission of the Legislative Yuan

75 Article

.post No Member of the Legislative Yuan shall concurrently hold a government

Article 76

.prescribed by law The organization of the Legislative Yuan shall be

Chapter VII The Judiciary

Article 77

for the shall be the highest judicial organ of the State. It shall be responsible The Judicial Yuan punishment of public trial of civil? criminal? and administrative cases and the disciplinary .employees

Article 78

interpret the Constitution and shall have the power to unify the The Judicial Yuan shall .of laws and ordinances interpretation

.examination appointed to a public office unless he has successfully passed such an

Article 86

determined by examination and screening by the Examination Yuan The following qualifications shall be
:accordance with law Yuan in

.employees Qualifications for appointment as public .1

.as technicians Qualifications for practice in specialized professions and .2

Article 87

to matters for which it is responsible? submit draft law The Examination Yuan may? with respect
.Legislative Yuan bills to the

Article 88

be nonpartisan and shall exercise their functions Members of the Examination Yuan shall
.with law independently? in accordance

Article 89

.shall be prescribed by law The organization of the Examination Yuan

Chapter IX Control

Article 90

the highest control organ of the State. It shall exercise the powers of The Control Yuan shall be
.consent? impeachment? censure? and auditing

Article 91

Municipal Control Yuan shall be composed of Members to be elected by Provincial and The
citizens residing abroad. Their Councils? the local Councils of Mongolia and Tibet? and Chinese
:following provisions quotas shall be allotted according to the

. Five Members for each Province .1

.Yuan Members for each Municipality under the direct jurisdiction of the executive Two .2

. Eight Members for the Mongolian Leagues and Banners .3

.Eight Members for Tibet .4

.abroad Eight Members for Chinese citizens residing .5

Article 92

Vice President to be elected from among its The Control Yuan shall have a President and a
.Members

93 Article

re-eligible Members of the Control Yuan shall serve a term of six years and may be

Article 94

accordance with this Constitution? the Control Yuan In exercising its power of confirmation in .vote of the Members present at the meeting shall do so by a majority

Article 95

executive Yuan and its exercising its power of control? the Control Yuan may request the In orders they have issued and all other Ministries and Commissions to make available to it any .relevant documents

96 Article

its Ministries and The Control Yuan may? according to the work of the executive Yuan and aspects of their activities to see Commissions? set up a number of committees to look into all .dereliction of duty whether there is any violation of law or

Article 97

basis of the findings and resolutions of its committees? propose The Control Yuan may? on the (1) Commissions measures and transmit them to the executive Yuan and its Ministries and corrective .concerned with the request that corrective action be taken
a local In case the Control Yuan deems a public employee in the Central Government or in (2) propose corrective measures or government guilty of dereliction of duty or violation of law? it may criminal offense? the case shall be turned over to a law institute an impeachment. If it involves a .court

Article 98

employee in the Central Government or in a local Impeachment by the Control Yuan of a public upon the proposal of one or more than one Member of the Control government shall be instituted than decision? after careful consideration? by a committee composed of nine or more Yuan and the .nine Members

Article 99

personnel of the Judicial Yuan or of the Examination Yuan for In case of impeachment of the .apply duty or violation of law? the provisions of Articles 95? 97? and 98 shall dereliction of

Article 100

Control Yuan against the President or the Vice President Impeachment proceedings initiated by the upon the proposal of one fourth or more than one fourth of all Members of the shall be instituted all Members of the Control Yuan and the resolution? after careful consideration? by a majority of shall be transmitted to the National Control Yuan. The impeachment proceedings thus instituted

.Assembly for action

101 Article

for opinions expressed No Member of the Control Yuan shall be held responsible outside the Yuan .or votes cast in the Yuan

Article 102

arrested or detained Member of the Control Yuan shall? except in case of flagrante delicto? be No .Yuan without the permission of the Control

Article 103

concurrently hold any other public office or engage in any No member of the Control Yuan shall .profession

Article 104

General who shall be nominated and? upon confirmation The Control Yuan shall have an Auditor .appointed by the President of the Republic ?by the Legislative Yuan

Article 105

Yuan of the Auditor General shall? within three months after submission by the executive The accordance with law and submit an audit final financial statement? complete the auditing thereof in ?Yuan to the Legislative

Article 106

.prescribed by law The organization of the Control Yuan shall be

Governments Chapter X Powers of the Central and Local

Article 107

:to legislate and execute the following matters The Central Government shall be competent

.affairs Foreign .1

.defense National defense and military affairs bearing on national .2

.laws Nationality law and criminal? civil? and commercial .3

. The judiciary .4

State-owned railways? navigation? and postal and ? Aviation? national highways .5

.services telecommunication

. Central Government finance and national taxes .6

.Demarcation of national? provincial? and county taxes .7

- .economic enterprises State-operated 8
- . The currency system and State banks 9
- .Weights and measures 10
- . Foreign trade policy 11
- .economic matters affecting aliens or foreign countries Financial and 12
- .of the Central Government as provided by this Constitution Other matters 13

108 Article

the following matters? The Central Government shall be competent to legislate and execute (1)

or county government to execute which? however? may also be delegated to the provincial

and county self-government General principles of provincial 1

areas Demarcation of administrative 2

. Forestry? industry? mining? and commerce 3

.educational system The 4

. Banking and stock exchange 5

.deep-sea fishery Shipping and 6

. Public utilities 7

.enterprises Cooperative 8

.transportation Interprovincial water and land communication and 9

.agriculture? and animal husbandry ? Interprovincial water conservancy? waterways 10

surveillance? and security of tenure of officials in the Central ? Official grading? employment 11

.governments and local

. Land legislation 12

.social legislation Labor legislation and other 13

. Right of eminent domain 14

.and compilation of population statistics for the whole country Census-taking 15

.Population migration and land reclamation 16

.system The police 17

. Public health 18

.deceased's family? and unemployment relief Disaster relief? pension for the 19

.books? ancient relics? and ancient monuments of cultural value Preservation of ancient 20

Provinces may respect to the various items referred to in the preceding paragraph? the With (2)

.contravene national laws enact separate rules and regulations provided they do not

Article 109

matters? Government shall be competent to legislate and execute the following The Provincial (1)

:execute which? however? may also be delegated to the county governments to

1. Provincial education? public health? industry? and communications
 2. Management and disposal of provincial property
 3. Administration of cities under provincial jurisdiction
 4. Provincial public enterprises
 5. Provincial cooperative enterprises
 6. Provincial agriculture? forestry? water conservancy? fishery? animal husbandry? and public works
 7. Provincial finance and provincial taxes
 8. Provincial debts
 9. Provincial banks
 10. Provincial police administration
 11. Provincial philanthropic and public welfare work
 12. Other matters delegated to the Provinces in accordance with national laws
- (2) Unless otherwise provided by law? any of the matters referred to in the various items of the preceding paragraph? if it involves two or more Provinces? may be jointly undertaken by preceding Provinces concerned
- (3) In case any of the Provinces lacks sufficient funds to undertake any of the matters referred to in the preceding paragraph? subsidies may be granted from the National Treasury by a resolution of the Legislative Yuan

Article 110

The county government shall be competent to legislate and execute the following matters (1)

1. County education? public health? industry? and communications
 2. Management and disposal of county property
 3. County public enterprises
 4. County cooperative enterprises
 5. County agriculture? forestry? water conservancy? fishery? animal husbandry? and public works
 6. County finance and taxes
 7. County debts
 8. County banks
 9. County police administration
 10. County philanthropic and public welfare work
 11. Other matters delegated to the County in accordance with Provincial Self-Government Regulations
- (2) Unless otherwise provided by law? any of the matters referred to in the various items of the preceding paragraph? if it involves two or more Counties? may be jointly undertaken by the

.Counties concerned

Article 111

the not specifically mentioned in Articles 107? 108? 109? and 110 shall fall within Any matter that of the Province if it is jurisdiction of the Central Government if it is national in nature? within County if it is county in nature. In case of dispute? the provincial in nature? and within that of the settled by the legislative Yuan matter shall be

Chapter XI System of Local Government

Province Section 1 The

Article 112

People's Representatives Conference to draw up? in A Province may convoke a Provincial (1) Principles of Provincial and County Self-Government? a set of accordance with the General .Constitution Self-Government Regulations which? however? shall not contravene the Provincial Representatives Conference and the election of the The organization of the Provincial People's (2) .prescribed by law Representatives shall be

Article 113

:Regulations shall include the following provisions The Provincial Self-Government (1) Provincial Assembly; Members of the Provincial Assembly shall be elected by There shall be a .1 .the people of the Province a Provincial Governor; the Provincial Governor There shall be a Provincial Government and .2 .people of the Province shall be elected by the .Counties Relationship between the Province and the .3 .the Provincial Assembly The legislative powers of the Province shall be exercised by (2)

Article 114

Self-Government Regulations? after being enacted? shall be submitted to the The Provincial unconstitutional? it shall Judicial Yuan. If the Judicial Yuan deems any part of the Regulations .void declare the relevant provisions null and

Article 115

Provincial Self-Government Regulations? there should arise If? in the course of implementing the Judicial Yuan obstacle in the application of any of the articles contained therein? the any serious views. Then? the Presidents of the shall first summon the various parties concerned to present their the Judicial Yuan? the Examination Yuan? and the ?execccutive Yuan? the Legislative Yuan themselves into a committee under the Chairmanship of the President of Control Yuan shall form

Judicial Yuan to propose a formula for solution the

116 Article

.be null and void Provincial rules and regulations that contravene national laws shall

Article 117

provincial rule or regulation contravenes national laws? the In case of doubt as to whether any
.settled by interpretation by the Judicial Yuan matter shall be

Article 118

executive Yuan shall be self-government of Municipalities under the direct jurisdiction of the The
.prescribed by law

Article 119

prescribed by local self-government system of the Mongolian Leagues and Banners shall be The
.law

Article 120

.Tibet shall be safeguarded The system of self-government in
Section 2 The County

121 Article

.The County shall practise county self-government

122 Article

draw up? in accordance A County may convoke a County People's Representatives Conference to
Self-Government? a set of County Self- with the General Principles of Provincial and County
shall not contravene the Constitution and the ?Government Regulations which? however
.Regulations Provincial Self-Government

Article 123

accordance with law? exercise the rights of initiative and The people of the County shall? in
?relating to county self-government and shall? in accordance with law referendum in matters
self-government exercise the rights of election and recall of the Magistrate and other county
.officials

Article 124

Council. Members of the County Council shall be elected by the people There shall be a County (1)
.County of the

.County Council The legislative power of the County shall be exercised by the (2)

Article 125

contravene national laws or provincial rules and regulations shall County rules and regulations that .void be null and

Article 126

Magistrate; the Magistrate shall be elected by the There shall be a County Government and a .County people of the

Article 127

matters relating to county self-government and shall The Magistrate shall have charrge of all are delegated to the County by the Central and Provincial administer such matters as .Governments

Article 128

.apply mutatis mutandis to the Municipality The provisions governing the County shall

Referendum Chapter XII Election? Recall? Initiative? and

Article 129

this Constitution? unless otherwise stipulated in this The various kinds of election provided in .ballot be by universal? equal? and direct suffrage and by secret Constitution? shall

Article 130

attained the age of twenty shall have the right of Any citizen of the Republic of China who has law. Unless otherwise provided by this Constitution or by law? any election in accordance with in accordance who has attained the age of twenty-three shall have the right of being elected citizen .with law

Article 131

kinds of election prescribed in this Constitution shall openly conduct All candidates in the various .electoral campaigns their

Article 132

pecuniary inducements shall be strictly forbidden in elections. Electoral Intimidation or offer of .litigations shall be settled by law courts

Article 133

.law duly elected may be recalled by his constituency in accordance with A person

Article 134

successful candidates shall be assigned to women; In the various kinds of election? quotas of .shall be prescribed by law methods of implementation

Article 135

the National Assembly to be elected by people in interior areas with The number of Delegates to .by law ways of living and habits and the methods of their election shall be prescribed special

Article 136

.referendum shall be prescribed by law The exercise of the rights of initiative and

Chapter XIII Fundamental National Politics

Defense Section 1 National

Article 137

national defense of the Republic of China to safeguard national It shall be the objectttive of the (1)
.preserve world peace security and
.prescribed by law The organization of national defense shall be (2)

Article 138

the nation shall rise above personal? regional? and party The Army? Navy? and Air Force of
.be loyal to the State and love and protect the people affiliations and shall

139 Article

instrument in the struggle No political party and no individual shall make use of armed forces as an
.for political power

Article 140

.office person in active military service shall concurrently hold a civil No

Section 2 Foreign Policy

Article 141

and self- policy of the Republic of China shall be conceived in a spirit of independence The foreign
promote friendly relations with reliance and based on the principles of equality and reciprocity to
charrtrter of the United Nations so as to protect the other nations and abide by treaties and the
Chinese citizens residing abroad? foster international cooperation? advance rights and interests of
.international justice? and insure world peace

Economy Section 3 The National

Article 142

Principle of People's Livelihood and shall seek to effect The national economy shall be based on the land rights and regulation of private capital in order to assure an equitable the equalization of livelihood distribution of national wealth and sufficiency for the people's

Article 143

of the Republic of China shall belong to the entire body of All land within the territorial limits (1) be Private ownership of land? acquired by the people in accordance with law? shall citizens. according to its value and protected and restricted by law. Privately owned land shall pay taxes .value may be purchased by the Government according to its be economically utilized for Mineral ores embeddded in the land and natural forces which can (2) ownership of the land may have been acquired by public benefit shall belong to the State? even if .private individuals increased not State shall levy a land value increment tax on any land whose value has The (3) therefrom shall be used for the people through the application of labor or capital? and the proceeds .at large readjustment of land? the State shall? in principle? assist owner-farmers In the distribution and (4) .operation owner-users of land and shall also regulate their appropriate areas of and

Article 144

monopolistic nature? in principle? shall be under public Public utilities and other enterprises of a .permitted by law? they may be operated by private citizens operation. In cases

145 Article

the State shall restrict them ?With respect to private wealth and privately operated enterprises (1) balanced development of national wealth and people's by law if they are deemed detrimental to the .livelihood .State Cooperative enterprises shall receive encouragement and assistance from the (2) receive encouragement? Private citizens" productive enterprises and foreign trade shall (3) .guidance? and protection by the State

146 Article

conservancy? increase the The State shall? by the use of scientific techniques? develop water develop agricultural resources? and foster ?productivity of land? improve agricultural conditions .agriculture the industrialization of

Article 147

achieve abalanced development of the economy of the The Central Government? in order to (1) extend appropriate financial assistance to the poorer and less productive various Provinces? shall .Provinces

development of the economy of the The Provincial Government? in order to achieve a balanced (2)
financial assistance to the poorer and less productive various Counties? shall extend appropriate
.Counties

Article 148

China? all commodities shall be permitted to move freely Within the territory of the Republic of
.place from place to

Article 149

.with law? be subject to State control Financial institutions shall? in accordance

Article 150

widely establish financial institutions for the common people so as to relieve The State shall
.unemployment

Article 151

residing abroad? the State shall foster and protect the development With respect to Chinese citizens
.economic enterprises of their

Section 4 Social Security

152 Article

who have the ability to The State shall provide suitable opportunities for work to those persons
.work

Article 153

as enact laws and carry out policies for the protection of laborers and farmers so The State shall (1)
.to better their livelihood and improve their productive skills
according to ?Special protection shall be provided for women and children doing manual labor (2)
.their age and physical conditions

154 Article

harmony and cooperation for Management and labor shall act in accordance with the principles of
Conciliation and arbitration of disputes between the development of productive enterprises.
.prescribed by law capital and labor shall be

Article 155

of social insurance to promote social welfare. To the aged and the The State shall establish a system
extraordinary calamities? physically disabled who are unable to make a living? and to victims of
.relief the State shall provide appropriate assistance and

Article 156

foundation of national existence and development? shall The State? in order to consolidate the .children and carry out a policy for the promotion of the welfare of women and protect motherhood

Article 157

health? shall establish extensive services for sanitation and The State? in order to improve national .and a system of public medical care health protection

Culture Section 5 Education and

Article 158

development? among the citizens? of the national spirit? the Education and culture shall aim at the and the ?self-government? national morality? a healthy physique? scientific knowledge spirit of .ability to earn a living

Article 159

.have an equal opportunity to receive education All citizens shall

Article 160

elementary education. All children of school age from six to twelve years shall receive free (1) .by the Government Those from poor families shall be supplied with books received elementary education shall receive All citizens above school age who have not (2) –charrge and shall also be supplied with books by the Govern supplementary education free of .ment

Article 161

provide a large number of scholarships to assist students of The various levels of government shall standing and exemplary conduct who lack the means to continue their school good scholastic .education

Article 162

cultural institutions in the country shall? in accordance All public and private educational and .subject to State supervision with law? be

Article 163

attention to the balanced development of education in different regions and The State shall pay due in general. Grants shall promote social education to elevate the cultural standards of the citizens regions and economically poor areas to help from the National Treasury shall be made to frontier cultural expenses. The Central Government may either itself them meet their educational and more important educational and cultural enterprises in such regions and areas or undertake the .render them financial assistance

Article 164

education? science? and culture shall be? in respect of the Central Funds earmarked for Provincial not less than fifteen percent of the total national budget; in respect of the ?Government budget; and in respect of the Government? not less than twenty-five percent of the total Provincial thirty-five percent of the total Municipal or Municipal or County Government? not less than cultural foundations established in accordance with law? and County budget. Educational and .shall be protected ?their property

Article 165

livelihood of educational? scientific? and artistic workers and shall? The State shall safeguard the .time national economy develops? increase their remuneration from time to as the

Article 166

eries and inventions and shall protect ancient –The State shall encourage scientific discov .historical? cultural? or artistic value monuments and ancient relics of

Article 167

:shall encourage or subsidize the following enterprises or individuals The State
.Private educational enterprises with outstanding records .1
.Chinese educational enterprises with outstanding records Overseas .2
.who have made scholarly or technical inventions Individuals .3
.who have rendered long and meritorious services Educational workers .4
Regions Section 6 The Frontier

Article 168

groups in the frontier regions legal protection of their The State shall accord to the various ethnic .self-government special assistance to their work in local status and shall give

Article 169

and foster the development of education? culture? The State shall actively undertake conservancy? public health? and other economic and social enterprises communications? water utilization? the State various ethnic groups in the frontier regions. With respect to land among the soil? and the life and habits of the people? shall? in the light of climatic conditions? nature of the .protection and assist in its development adopt measures for its

Constitution Chapter XIV Enforcement and Amendment of the

Article 170

Constitution shall mean any legislative bill duly passed by the The term "law" referred to in this

Republic Legislative Yuan and promulgated by the President of the

Article 171

.shall be null and void Laws that contravene the Constitution (1)
contravenes the Constitution? the matter shall be In case of doubt as to whether a given law (2)
.the Judicial Yuan settled by interpretation by

Article 172

.Constitution or laws shall be null and void Any ordinance that contravenes the

Article 173

.Constitution shall be interpreted by the Judicial Yuan The

174 Article

:the following procedures The Constitution shall be amended in accordance with either one of
proposal of one fifth of the total number of The Constitution may be amended upon the .1
and by a resolution of three fourths of the Delegates present at a Delegates to the National Assembly
.a quorum of two thirds of all Delegates to the National Assembly meeting with
submitted by amendment to the Constitution may be drawn up by the Legislative Yuan and An .2
the proposal of one fourth of it to the National Assembly for concurrence through referendum upon
resolution of three fourths of the Members present at the Members of the Legislative Yuan and by a
three fourths of all Members of the Yuan. Such a proposed amendment a meeting with a quorum of
.Assembly meets Constitution shall be publicly announced half a year before the National to the

Article 175

procedures in regard to any matter referred to in this Whenever necessary? enforcement (1)
.separately prescribed by law Constitution shall be
enforcement of this Constitution shall be adopted by a The preparatory procedures for the (2)
National resolution of the
.Constituent Assembly which has drawn up this Constitution

.Feb. 2004 / For corrections please contact A. Tschentscher .15 - 1994 ©

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