

公務人員任用法 (Civil Service Employment Act)

Amended on 16 January 2008

- Article 1 The employment of civil servants shall be governed by this Act.
- Article 2 The employment of civil servants shall be handled in accordance with principles of professional suitability; entry and promotion/transfer shall be accorded equal consideration, to match the right people and the right tasks.
- Article 3 The terms employed in this Act are defined as follow:
1. Rank: distinction of appointment level and basic conditions of qualification.
 2. Grade: distinction of level of responsibilities and conditions of qualification.
 3. Position: the work and responsibilities assigned to personnel of the same title.
 4. Series: positions similar in the nature of work performed and the level of education required.
 5. Group: includes job series of similar nature of work performed.
 6. Grade standards: written documents describing the complexity, simplicity, difficulty, ease of work; the degree of responsibility, and level of qualifications required for each particular grade.
 7. Position handbook: written documents describing the nature of work performed and responsibilities entailed for each position.
 8. Series handbook: written documents describing the nature of work performed for each series.
 9. Tabulation of Grades: written documents that place various positions in sequence according to appropriate grade by level of job responsibility.
- Article 4 Employment of civil servants by various government agencies shall see that ethical character and loyalty to the country; level of education, talent, experience, and physical constitution are comparable to the various professional responsibilities of the appointed position. Supervisory positions shall take into further account candidates' leadership abilities.
- Agencies shall review and verify the moral character and loyalty of

personnel cited in the preceding Paragraph prior to employment. When necessary, relevant agencies may be asked to assist. Where national security or major interests are concerned, special reviews may be conducted; the regulations for the competent agencies, applicable targets, parameters, methodology and relief procedures involved with special reviews shall be determined by the Executive Yuan in consultation with the Examination Yuan.

Concerned individuals shall be notified of the outcome of reviews cited in the preceding Paragraph. In cases where circumstances are detrimental, the affected individual shall be granted the opportunity for expression of views and rebuttal.

Article 5 Civil servants are employed in accordance with rank and grade.

Rank is divided among Elementary, Junior and Senior classifications.

Grades are in turn divided into 14 levels, the highest being Grade 14.

Elementary rank consists of Grades 1 through 5; Junior rank consists of Grade 6 to Grade 9; and Senior rank consists of Grade 10 through Grade 14.

Article 6 The jobs defined by the organic laws of each respective agency shall be compiled in a tabulation of grades by job responsibilities and qualifications in accordance with grading standards. When necessary, one job may be listed across two to three grades.

Grading standards and tabulation of grades in the preceding Paragraph are determined by the Examination Yuan in accordance with level of job responsibilities, nature of business, and agency level. When necessary, these may be formulated by the Ministry of Civil Service in consultation with concerned agencies before submission to the Examination Yuan for approval.

In addition to determining position title, rank, grade, and staff quotas, various agencies and organizations shall select job titles according to their respective nature of business with reference to the appropriate tabulation of grades, and assign job descriptions for each respective position by rank and grade, to be compiled in a staff arrangement master list, to be submitted in writing for approval by the Examination Yuan.

The guidelines for assigning the job titles and ranks, and number of personnel per grade in the preceding Paragraph shall be determined by the Examination Yuan in consultation with the Executive Yuan.

In the event of discrepancy between the rank and grade for each job determined by the organic laws of various agencies, and the ROC

Balancing Job Assignments of Central and Local Civil Servants of the 8th Junior Grade and Under, revised by the Examination Yuan in January 2006, the latter shall apply. However, the organic laws of various agencies shall apply if they are formulated or amended after the revision of this Article takes effect.

Article 7 The jobs set out under the organic laws of various agencies shall provide for work tasks within a certain scope, appropriate workload, and clear job duties and responsibilities. Further, a job handbook shall be written as the basis for work assignments and rating of personnel for said job position. The job handbook shall be revised forthwith upon any changes in job contents.

A job census shall be conducted by each agency for jobs described in the preceding Paragraph on an annual or biennial basis.

Article 8 Jobs provided for by the organic laws of various agencies shall follow appropriate series given in the series handbook before submitting to the Ministry of Civil Service for approval.

Article 9 The employment of civil servants shall be made based upon one of the following qualifications:

1. Passing examinations as mandated by law.
2. Civil service employment qualification as mandated by law.
3. Rank promotion qualification as mandated by law.

Where other particular legal regulations apply to the employment of personnel for positions of special nature, in addition to possessing the qualifications listed in the preceding Paragraph, such regulations shall be followed.

First-time civil servants in various positions shall possess employment qualifications for the corresponding grade of the appointed position; persons not possessing qualifications for the corresponding grade of the appointed position may receive authorization up to two grades higher than the equivalent rank. Authorized personnel may transfer at any time to a job of corresponding nature at the grade for which they are qualified.

Article 10 Except where otherwise stipulated by law, first-time civil service personnel of all grades shall be allotted to posts by the assigning agency in accordance with in-quota civil service qualification at all grades upon satisfactory completion of training. If all qualified in-quota personnel have been assigned, the assigning agency may at regular intervals assign employment to extra-quota personnel entered on a reserve register in due sequence by examination score, to be employed upon satisfactory

completion of training.

When no qualifiers described in the preceding Paragraph are available for allocation, agencies may hire personnel possessing employment qualifications upon the consent of the assigning agency.

Article 11 Agencies in charge of personnel in confidential positions may be excluded from the employment qualification restrictions stipulated in Article 9.

Personnel described in the preceding Paragraph may be relieved from duty by the agency superior at any time. Such persons shall resign at the same time as the agency superior.

Article 11-1 Agencies administering the induction of confidential personnel shall be alert to the fairness, appropriateness of employment and suitability for the job position. The setting of positions, scope of duties, and conditions required for various positions upon induction of confidential personnel to various agencies shall be determined by the Examination Yuan.

Article 12 In-quota qualifiers of civil service examinations various grades who, having successfully completed requisite training, shall be appointed to posts at concerned agencies by the assigning agency.

The guidelines governing the assigning agencies, procedures, methods of administration, restrictions, and related matters described in the preceding Paragraph are determined by the Examination Yuan in consultation with the Examination Yuan.

Article 13 The employment of examination qualifiers is administered in accordance with the following regulations:

1. Qualifiers in Level 1 Senior Civil Service Examinations or Grade 1 Special Examinations obtain Junior Grade Nine employment qualifications.
2. Qualifiers in Level 2 Senior Civil Service Examinations or Grade 2 Special Examinations obtain Junior Grade Seven employment qualifications.
3. Qualifiers in Level 3 Senior Civil Service Examinations or Grade 3 Special Examinations obtain Junior Grade Six employment qualifications.
4. Qualifiers in Junior Civil Service Examinations or Grade 4 Special Examinations obtain Elementary Grade Three employment qualifications.
5. Qualifiers in Elementary Civil Service Examinations or Grade 5 Special

Examinations obtain Elementary Grade One employment qualifications.

Employment of personnel who have passed qualification examinations prior to the promulgation of the amended Civil Service Examination Act on 17 January 1996 is administered in accordance with the following regulations:

1. Qualifiers in Level A Special Examinations obtain Senior Grade 10 employment qualifications; first-time civil servants with less than three years of service may not assume Senior supervisory positions.
2. Qualifiers in Senior Civil Service Examinations or Grade B Special Examinations obtain Junior Grade 6 employment qualifications. Senior Examinations are classified by education level as Level 1 and Level 2, qualifiers of which obtain Junior Grade 7 and Junior Grade 6 employment qualifications, respectively.
3. Qualifiers in Junior Civil Service Examinations or Grade C Special Examinations obtain Elementary Grade 3 employment qualifications.
4. Qualifiers in Grade D Special Examinations obtain Elementary Grade 1 employment qualifications.

Under circumstances in which no corresponding grade position can be assumed, qualifiers in examinations at all levels as described in Subparagraphs 1 through 3 of Paragraph 1 and Subparagraphs 1 and 2 of Paragraph 2 may be employed in the interim at one grade lower.

Qualifiers of examination series at various levels described in Paragraphs 1 and 2 obtain employment qualifications for the corresponding series.

Personnel qualifying in examinations at various levels described in Paragraphs 1 and 2 may be employed within a range of agencies and series in accordance with the limitations of the relevant examination and related employment regulations.

Article 13-1 Prior to the promulgation of this Act, persons that have duly qualified via examination or lawfully achieved civil service qualification obtain employment qualifications of similar nature and comparable level to the appointed position.

Applicable series for personnel in the preceding Paragraph who have duly qualified in examinations as required by law shall be determined by the Ministry of Civil Service in consultation with the Ministry of Examination.

For examinations administered in accordance with laws and regulations governing civil service examinations for which the subject series is not indicated, the appropriate series shall be determined in accordance with the provisions of the preceding Paragraph.

Article 14 Series, groups, and Series Handbooks shall be determined by the Examination Yuan.

Article 15 The employment of rank promotion examination qualifiers shall be administered in accordance with the following regulations:

1. Qualifiers in Non-civil Service Employee to Elementary Grade Rank Civil Service Promotion Examinations obtain Elementary Grade 1 employment qualifications.
2. Qualifiers in Elementary to Junior Grade Rank Promotion Examinations obtain Elementary Grade 6 employment qualifications.
3. Qualifiers in Junior to Senior Grade Rank Promotion Examinations obtain Senior Grade 10 employment qualifications.

Article 16 Qualifiers of Senior Civil Service Examinations or Special Examinations equivalent to or higher than Senior Civil Service Examinations who have previously served with distinction at administrative agencies, public schools, or state-owned enterprises, with the exception of those excluded from transferring by law, where the inter-transferability level of positions is equivalent, may carry over existing seniorities in accordance with laws and regulations; the regulations for which shall be determined by the Examination Yuan.

Article 17 Qualification in Civil Service Rank Promotion Examinations is required for the rank promotion of civil servants.

Persons currently serving at Junior Grade 9 level whose qualifications have been reviewed and verified by the Ministry of Civil Service, who possess one of the following qualifications, and who have achieved two Grade A and one Grade B annual ratings over the past three years for the given position grade, and have also achieved the highest Junior Grade 9 Base Pay, who have subsequently qualified in Senior Grade rank promotion training, obtain promotion to Senior Grade 10 employment qualifications and are not subject to the restrictions stipulated in the preceding Paragraph:

1. Persons who have qualified in Senior Civil Service Examinations, Special Examinations equivalent to Senior Civil Service Examination or Civil Service Junior Rank Promotion Examination, Junior Grade Promotion Examination, or who prior to the promulgation of this Act

have qualified Grade 6 through Grade 9 Position Classification Examinations or Grade 6 Rank Promotion Position Classification Examinations, and who have served in a duly conferred Junior Grade 9 position for three full years.

2. Graduates from a university or independent college or above, who have served in a duly conferred Junior Grade 9 position for six full years.

Civil servants in the preceding Paragraph that have special circumstances or are overseas representative personnel, may transfer to a senior grade position prior to submission for approval by the supervisory agency, and having successfully completed make-up training within one year or within one year of service after returning to Taiwan, are not subject to the restriction of completing rank promotion training in order to obtain Senior grade employment qualification.

Personnel described in the preceding Paragraph required to undergo make-up training who fail to attend training or do not pass training, shall lose Senior grade employment qualifications and revert to a Junior grade position. Under such circumstances the stipulations of Article 18 Paragraph 1 Subparagraph 2 do not apply, and the employee may not transfer to a Senior grade position as described in the preceding Paragraph.

Personnel at Junior grade 9 positions who fail to pass Senior grade promotion training or whose eligibility to undergo training has been rescinded, must participate in that year's training as stipulated in Paragraph 9, before transferring to a Senior grade position in accordance with the stipulations in paragraph 3.

Persons currently serving at the Junior Grade 5 level whose qualifications have been reviewed and verified by the Ministry of Civil Service, who possess one of the following qualifications, and who have achieved two Grade A and one Grade B annual ratings over the past three years for the given position grade, and have also achieved the highest Junior grade 5 Base Pay, who have subsequently qualified in Junior Grade rank promotion training, obtain promotion to Junior Grade 6 employment qualifications and are not subject to the restrictions stipulated in Paragraph 1:

1. Persons who have qualified in Junior Civil Service Examinations, Special Examinations equivalent to Junior Civil Service Examinations, Qualification Examinations equivalent to Elementary Grade 3 or above, or who prior to the promulgation of this Act have qualified Grade 3 through Grade 5 Position Classification Examinations, and

who have served in a duly conferred Elementary Grade 5 position for a full three years.

2. Graduates of high school, who have served at an Elementary Grade 5 position for 10 full years, or have graduated from a college, and who have served in a duly conferred Elementary Grade 5 position for eight full years, or graduates of university or independent college or above who have served in a duly conferred Elementary Grade 5 position for six full years.

Personnel promoted to Junior rank as described in the preceding Paragraph may assume a maximum Junior Grade 7 position level. However, persons with a Master's degree or higher who have achieved an annual performance rating of Grade A for four years and Grade B for one out of the past five years of service at a Junior Grade 7 position, may assume a maximum Junior Grade 8 position level.

Pursuant to relevant regulations of the Civil Service Performance Evaluation Act, performance ratings and seniority for positions ineligible for promotion to higher grades, and for those who transfer to lower grades at the same rank but remain at the original grade, shall not be treated as performance ratings and seniority as apply to the regulations of Paragraph 2 and Paragraph 6.

The regulations for matters related to training course, format, eligibility, allocation and selection of trainees, performance evaluation, postponement, cessation, waiver, revocation, retention of training eligibility, and training fees outlined in Paragraph 2 and Paragraph 6 shall be determined by the Examination Yuan.

Article 18 Transfer of current civil servants shall be conducted in accordance with the following regulations:

1. Personnel of Senior Grade 12 and above may transfer between positions of different series; personnel at all remaining grades may transfer between different series in the same group and positions in assigned series.
2. Legally employed personnel may not transfer to positions of lower rank unless such transfer is voluntary. Personnel transferring voluntarily to a lower rank are employed at the highest attainable position of the given rank.
3. Transfers to positions of lower grade at the same rank are limited to transfers to one grade lower, except where voluntary. In that case, employment should be at the previous grade. Agency chiefs and deputy chiefs may not transfer to other positions in the same agency

outside the same position grade, supervisory personnel may not transfer to deputy supervisor or non-supervisor positions within the same unit, and deputy supervisors may not transfer to non-supervisory positions within the same unit. However, under special circumstances, with the express approval of the Office of the President, supervisory Yuans, or National Security Council, these restrictions do not apply.

When necessary, personnel transfer described in the preceding Paragraph may be conducted in accordance with the subject's series specialization, which may be established upon consideration of examination qualifications, education level, experience, or training.

The range of agencies and position series permitted for examination qualifier transfers is subject to examination and employment statutory restrictions.

Standards for defining position series specialization, re-transfer restrictions, and related procedures governing the transfer of actively serving civil servants shall be determined by the Examination Yuan.

Article 18-1 Persons assuming a given position for the first time that is listed across 2 or 3 grades shall be employed at the lowest grade for that position. However, employment of persons ineligible for employment at the lowest grade for the appointed position shall be handled in accordance with the provisions of Article 9 Paragraph 3. Persons obtained higher qualifications than the appointed position shall be employed up to the highest grade for that position.

Personnel transfers shall be handled in accordance with the provisions of Article 18 Paragraph 1 Subparagraph 2 and Subparagraph 3.

When the qualifications of rehired personnel are higher than the lowest grade of the appointed position, the employment shall, within the range of grades of that appointed position, retain at the same grade equivalent to the personnel's previous grade. The above shall be limited to within the highest attainable grade in the range.

Article 19 (Revoked)

Article 20 First-time personnel at all ranks not serving at a position of comparable job responsibility to the appointed position, or having a minimum of six months of experience at the next lowest grade, shall be retained for a six-month probation period, and be subject to the direction of special personnel assigned by various agencies. The appointed position shall be duly conferred upon satisfactory completion of probation; failure to satisfactorily complete the probationary period will result in dismissal from the post.

Personnel to whom any one of the following circumstances apply during the probationary period shall be deemed to have failed probation:

1. Persons who under the provisions of the Civil Service Performance Evaluation Act have received an annual rating of Grade D.
2. Persons who under the provisions of the Civil Service Performance Evaluation Act have received one major demerit or more.
3. Persons who, after rewards and penalties in routine evaluations balance out, accumulate more than one major demerit.
4. Persons with two consecutive unexcused absences from work or an accumulated three unexcused absences.

Supervisory personnel shall evaluate the performance of probation staff upon the conclusion of the probation period. With approval by the agency director, the case shall be submitted in accordance with review procedures to the Ministry of Civil Service for review; prior to review by the agency director, persons failing the probation period shall be referred to the Performance Review Board for review.

When disputes arise regarding cases of probationary failure, the Performance Review Board may subpoena regular probationary period performance records and files, or consult related personnel. Personnel failing probation may speak to the Performance Review Board and present a defense.

Personnel failing probation shall be dismissed effective on the date of review by the agency director; penalties enter into effect upon the date of determination, in the interim suspension shall be imposed.

Probationary personnel may not assume supervisory positions at any level.

Article 21 Unless otherwise stipulated by law, agencies may not assign persons not in possession of the qualifications in Article 9 to positions for which the same qualifications are required on an interim or a part-time basis.

Article 22 Agencies are prohibited from employing personnel from other agencies. When necessary, a candidate may be designated for transfer. However, Special Examination qualifiers designated for transfer shall be subject to the restrictions outlined in Article 13 Paragraph 5 and Article 18 Paragraph 3.

Article 23 Prior to the promulgation of this Act, current personnel at all agencies who have duly obtained employment qualifications according to law, or hired personnel in non-temporary positions possessing employment

qualifications shall be re-assignment after this Act takes effect; the re-assignment procedures shall be determined by the Examination Yuan.

Personnel described in the preceding Paragraph whose grade is higher in the previous position than after re-assignment shall retain employment qualifications equivalent to the previous grade, to be reinstated upon future transfer to a position of equivalent grade.

Article 24 Various agencies may employ civil servants to an interim position first; within three months from the date of employment commencement, the case shall be submitted to the Ministry of Civil Service for review. However, in the event of special circumstances barring submission for review as stipulated, permission for an extension shall be submitted to the Ministry of Civil Service. Except where the deadline for submission is otherwise stipulated in other regulations, the extension shall not exceed a duration of two months. Upon failure to pass the Ministry of Civil Service review, persons serving in an interim capacity shall cease employment immediately.

Article 24-1 The submission for review of probationary and appointee personnel by personnel staff of various agencies shall be responsible for expediting procedures, and shall assist with submission for employment review by the Ministry of Civil Service within the designated time period. Persons unable to make the review deadline shall be relieved by the concerned agency from interim duty. For those who submit materials on time and pass review, probationary period and employment seniority are calculated from the actual date of employment or interim employment; where failure to submit materials for review by the deadline is deemed the fault of the concerned party, probationary period and employment seniority are calculated from the date of agency submission. In the event of error or oversight on the part of personnel administration staff, an investigation shall be conducted by the concerned agency to assign responsibility and issue punishment accordingly, and findings submitted to the Ministry of Civil Service for register.

Civil servants dissatisfied by employment review procedures conducted in accordance with the preceding Paragraph may apply for relief under the Civil Service Protection Act. In the event of obvious errors, or new facts or discoveries meriting the reconvening of administrative procedures, related proceedings should be conducted in accordance with the provisions of the Administrative Procedure Act.

Article 25 First-time Senior rank civil servants at all grades and first-time Junior grade civil servants, following approval of qualifications by the Ministry of Civil Service, shall be presented to the President for formal appointment.

First-time Elementary grade civil servants, following approval of qualifications by the Ministry of Civil Service, shall be formally appointed by various competent supervisory agencies.

Article 26 Agency chiefs are not allowed to employ spouses, relatives by blood to the third degree and by marriage, or as the director of a directly subordinate agency. Agency chiefs shall not employ persons who are spouses, relatives by blood to the third degree and by marriage of the executive officers to a post at the executive officers' supervisory units.

Personnel required to be recused that were employed prior to the assumption of position by the executive officer are not subject to the restrictions of the preceding Paragraph.

Article 26-1 Agency directors shall not employ or transfer personnel during the following periods:

1. From date of approval of retirement to date of leaving employment.
2. From date of announcement of relief of duty or position transfer to date of leaving employment.
3. For popularly elected chiefs, from date of candidate list announcement to date of list of election winners. For incumbents seeking re-election who fail to win election or do not seek re-election, through the date of leaving employment.
4. Directors of representative bodies, from the date of candidate list announcement in the following term for the same election to the date of the winning candidate's swearing in and assumption of office.
5. Candidates for public office, from date of candidate list announcement to date of leaving employment. Candidates not elected, through date of election winner announcement.
6. Political chief executives of central government agencies at all levels to whom no constitutional or statutory term limits are specified, when an incumbent President fails to achieve re-election or does not seek re-election, from the date of the winning candidate announcement in the following election for that office to the date of the winning candidate's swearing in and assumption of office. Political chief executives of local government agencies and chiefs at the same level, when popularly-elected incumbent chief executive is not re-elected or does not seek re-election, the provisions likewise apply.
7. Popularly-elected chief executives and representative agency chief executives recalled from office, from the date of recall case announcement to date of recall vote outcome announcement.

8. From date of tender of resignation, issue of termination of duty or removal from duty, punitive suspension of duty to date of leaving employment.
9. Other persons in positions with defined term limits, from one month prior to the date of term expiration to date of leaving employment. For incumbents, through date succession to a new term is confirmed.

When necessary, the employment or transfer of overseas representative personnel may be excluded from the restrictions of the terms in the preceding Paragraph.

Allocation and assignment of examination qualifiers is not subject to the restrictions of the terms of Paragraph 1.

During the periods defined by the provisions of Paragraph 1, agency positions for which a vacancy arises may be filled by current personnel in the interim in accordance with regulations.

Article 27 Agencies may not induct personnel who have reached age limitations for mandatory retirement.

Article 28 Personnel to whom any one of the following circumstances apply may not be employed as civil servants:

1. Persons not having or having relinquished Republic of China citizenship.
2. Citizens of the Republic of China with dual citizenship of a foreign nationality. This provision shall not apply where other laws stipulate otherwise.
3. Persons who, since the end of the period of mobilization for the suppression of communist rebellion, have been convicted of offenses against internal or external security or are wanted for such offenses and whose prosecution is unresolved.
4. Persons who, while in a civil service position, have been convicted of graft or corruption-related offences or are wanted for such offenses and whose prosecution is unresolved.
5. Persons sentenced to incarceration for crimes other than those specified in the above two paragraphs, whose sentence has not been carried out or completed. Persons receiving a suspended sentence are not subject to this restriction.
6. Persons whose employment has been lawfully terminated.

7. Persons whose civil rights have been suspended and not yet restored.
8. Persons under a judicial interdiction that has not been rescinded.
9. Persons proven mentally incompetent by a qualified physician.

Civil servants to whom, following employment, any one of the circumstances given in Subparagraphs 1 through 7 of the preceding Paragraph apply, shall be relieved of duty; persons to whom any one of the circumstances given in Subparagraphs 8 and 9 apply, shall be subject to retirement or severance in accordance with laws and regulations. For persons who, subsequent to employment, are discovered the circumstances of the subparagraphs of the preceding Paragraph apply, employment shall be rescinded.

The conduct of personnel described in the previous paragraph whose employment is rescinded over the course of duties remains in effect; return of wages and other compensation paid in accordance with laws and regulations will not be sought.

Article 28-1 Upon the approval of the employing agency, civil servants may take unpaid leave for maternity, to care for relatives, pursue an advanced degree, or other reasons, to resume the position when the reason for leave no longer applies.

Regulations governing civil servant unpaid leave are determined by the Examination Yuan in consultation with the Executive Yuan.

Article 29 Civil servants to whom any of the following circumstances apply, following evaluation by the chief of the employing agency and submission for approval by the superior governing agency, may be given severance:

1. Persons who must be laid off due to agency closure, organizational changes, or operational tightening.
2. Persons unsuited to current position or for whom there is no work or no suitable work is available for transfer.
3. Persons certified by a public hospital unable to perform work due to physical infirmity.

In the event of agency closure, organizational changes, or operational tightening necessitating personnel layoffs as described in Subparagraph 1 of the preceding Paragraph, severance should be conducted in sequence according to lack of or possession of examination qualifications or civil service qualifications; personnel belonging to the same sequence shall be given severance by performance rating rank.

Regulations governing civil service personnel retirement shall apply mutatis mutandis to compensation for personnel given severance; related procedures shall be determined by the Examination Yuan in consultation with the Executive Yuan.

Article 30 In the event of violations of the regulations of this Act employed at various agencies, the Ministry of Civil Service shall inform the agency to demonstrate improvement, dispatching a copy of the communication to the auditing agency for forbidding approval of the violator's compensation; serious violators shall be reported to the Examination Yuan for demotion or termination of duties, and referred to the Control Yuan for handling in accordance with the law.

Article 31 In the event of conflict between this Act and the provisions of organic laws of agencies to whom this act applies, this Act shall prevail.

Article 32 The employment of judicial, audit, budget, Customs, overseas representative, and police personnel shall be separately set by law. However, such legal stipulations shall not conflict with this Act on matters related to employment qualifications.

Article 33 The employment of education, medical, transportation enterprise, and state-owned enterprise personnel shall be separately set by law.

Article 33-1 Following the abolishment of the Technical Personnel Employment Provisions promulgated on 1 November 1991 (hereunder, The Provisions), with the exception of transfers conducted where the Provisions Governing Medical Personnel applied, treatment of persons whose civil service qualifications were determined under The Provisions shall be governed by the following regulations:

1. The provisions of the Act shall govern the employment of personnel whose civil service qualifications were determined in accordance with Article 5 Paragraph 1 of The Provisions.
2. Personnel whose civil service qualifications were determined in accordance with Article 5 Paragraph 3 of The Provisions shall remain employed. However, transfer to other series and medical administration positions other than at public medical institutions is prohibited.
3. Persons employed as technical personnel whose civil service qualifications were determined in accordance with the provisions of Article 10 of the Provisions shall remain employed as technical personnel, and may be promoted to a higher grade at the same rank and transfer to technical series positions; rank promotions shall be

administered in accordance with the provisions of Article 17 Paragraph 1.

Article 34 The transfer of professional and technical personnel qualifying in Senior, Junior, or Special examinations to civil service positions shall be subject to separate laws and regulations.

Article 35 The employment of personnel in remote areas to which special circumstances apply shall be separately set by law.

Article 36 The assignment and contracting of provisional agencies and personnel assigned to temporary tasks, and professional or technical personnel employed at various agencies on a contract basis shall be subject to separate laws and regulations.

Article 37 Regulations governing the management of contract employees shall be determined by the Examination Yuan.

The regulations as refer to in the preceding Paragraph remain in effect through 31 December 2007. Contract employees remaining in positions at the conclusion of this period may continue to be contracted until leaving employment.

Following the amendment and promulgation of this Article, agencies shall not hire new non-civil service employees.

Article 38 With the exception of Article 26, Article 26-1, and Article 28, the provisions of this Act do not apply to political appointees.

Article 39 The Enforcement Rules of this Act shall be determined by the Examination Yuan.

Article 40 The implementation date of this Act shall be determined by the Examination Yuan.

The amended articles of this Act shall take effect on its date of promulgation.