

## **Civil Service Pay Act**

- Article 1      The pay for civil servants shall be governed by this Act.
- Article 2      The terms used under this Act are defined as follows:
1. Basic pay:  
The pay that is given to civil servants at all grades in accordance to laws.
  2. Seniority pay: the pay that is over the highest basic pay rate of each and every grade.
  3. Pay rates: the tiers of rate for basic pay and seniority pay at each and every grade.
  4. Points correspondent to the pay rates: the base used in converting the pay rate into the amount of pay.
  5. Allowance: the pay that is given in addition to basic pay and seniority pay due to the differences in the type and nature of one's post as well as the service location.
- Article 3      The pay for civil servants is divided into basic pay (seniority pay) and allowance, and shall be calculated on a monthly basis.
- Pay for civil servants that have not served a full month shall be calculated based on the actual days at work; the amount of pay that shall be given for each day is calculated by using the total amount of pay for that entire month and divide it by the total number of days in that month. However, in case of death, the pay shall be given for an entire month.
- Article 4      The pay rates for civil servants are divided into the following categories:
1. The elementary rank can be divided into five grades. The basic pay for Grade One is divided into seven tiers of rate and the seniority pay is divided into six tiers of rate. The basic pay from Grade Two to Grade Five is divided into five tiers of rate. The seniority pay for Grade Two is divided into six tiers of rate; the seniority pay for Grade Three and Grade Four is divided into eight tiers of rate; the

- seniority pay for Grade Five is divided into ten tiers of rate.
2. The junior rank can be divided into four grades. The basic pay from Grade Six to Grade Eight is divided into five tiers of rate and the seniority pay is divided into six tiers of rate. The basic pay for Grade Nine is divided into five tiers of rate and the seniority pay is divided into seven tiers of rate.
  3. The senior rank can be divided into five grades. The basic pay from Grade Ten to Grade Twelve is divided into five tiers of rate. The seniority pay for Grade Ten and Grade Eleven is divided into five tiers of rate. The seniority pay for Grade Twelve is divided into four tiers of rate. The basic pay and seniority pay for Grade Thirteen is divided into three tiers of rate. There is only one tier of rate for basic pay for Grade Fourteen.
- The pay rates and points correspondent to pay rates for basic pay and seniority pay shall be regulated in accordance to the attached Pay Rate Table.

- Article 5 The Allowance is divided into the following three types:
1. Allowance for the post: for persons with supervisory posts, or persons with heavy duties and responsibilities, or whose tasks involve hazards.
  2. Allowance for technical or professional specialty: for persons with technical or professional specialties.
  3. Allowance in certain regions: for persons who provide services in distant areas, special regions or overseas.

- Article 6 The initial pay rate for persons holding posts of each rank for the first time shall be administered in accordance with the following regulations:
1. Qualifiers in Level One Senior Civil Service Examinations or Grade One Special Examinations shall, when holding a post at junior rank for the first time, be given the first tier of rate for basic pay at Grade Nine; however, those who are temporarily employed at Grade Eight shall be given the fourth tier of rate for basic pay at Grade Eight of the junior rank.
  2. Qualifiers in Level Two Senior Civil Service Examinations

or Grade Two Special Examinations shall, when holding a post at junior rank for the first time, be given the first tier of rate for basic pay at Grade Seven; however, those who are temporarily employed at Grade Six shall be given the third tier of rate for basic pay at Grade Six of the junior rank.

3. Qualifiers in Level Three Senior Civil Service Examinations or Grade Three Special Examinations shall, when holding a post at junior rank for the first time, be given the first tier of rate for basic pay at Grade Six; however, those who are temporarily employed at Grade Five shall be given the fifth tier of rate for basic pay at Grade Five of the elementary rank.
4. Qualifiers in Junior Civil Service Examinations or Grade Four Special Examinations shall be given the first tier of rate for basic pay at Grade Third of the elementary rank.
5. Qualifiers in Elementary Civil Service Examinations or Grade Five Special Examinations shall be given the first tier of rate for basic pay at Grade One of the elementary rank.

The initial pay rate for persons who have passed qualification examinations prior to the promulgation of the amended Civil Service Examination Act on 17 January 1996 shall be administered in accordance with the following regulations:

1. Qualifiers in Level A Special Examinations shall, when holding a post at senior rank for the first time, be given the first tier of rate for basic pay at Grade Ten; however, those who are temporarily employed at Grade Nine shall be given the fifth tier of rate for basic pay at Grade Nine of the junior rank.
2. Qualifiers in Level One Senior Civil Service Examinations shall, when holding a post at junior rank for the first time, be given the first tier of rate for basic pay at Grade Seven; however, those who are temporarily employed at Grade Six shall be given the third tier of rate for basic pay at Grade Six of the junior rank..
3. Qualifiers in Level Two Senior Civil Service Examinations

shall, when holding a post at junior rank for the first time, be given the first tier of rate for basic pay at Grade Six; however, those who are temporarily employed at Grade Five shall be given the fifth tier of rate for basic pay at Grade Five of the junior rank.

4. Qualifiers in Senior Civil Service Examinations or Grade B Special Examinations shall, when holding a post at junior rank for the first time, be given the first tier of rate for basic pay at Grade Six; however, those who are temporarily employed at Grade Five shall be given the fifth tier of rate for basic pay at Grade Five of the elementary rank.
5. Qualifiers in Junior Civil Service Examinations or Grade C Special Examinations shall be given the first tier of rate for basic pay at Grade Third of the elementary rank.
6. Qualifiers in Grade D Special Examinations shall be given the first tier of rate for basic pay at Grade One of the elementary rank.

Article 7 The initial pay rate for Rank Promotion Examination qualifiers who hold posts of each rank for the first time shall be administered in accordance with the following regulations:

1. Qualifiers in Junior to Senior Rank Promotion Examinations shall, when holding a post at senior rank for the first time, be given the first tier of rate for basic pay at Grade Ten.
2. Qualifiers in Elementary to Junior Rank Promotion Examinations shall, when holding a post at junior rank for the first time, be given the first tier of rate for basic pay at Grade Six.
3. Qualifiers in Auxiliary Employee to Elementary Rank Civil Service Promotion Examinations shall, when holding a post at elementary rank for the first time, be given the first tier of rate for basic pay at Grade One.

The initial pay rate for persons who have passed the examinations pursuant to the Examination Act, the Civil Service Position Classification Examination Act, or the Civil Service Promotion Examination Act prior to the enactment of

this Act shall, when holding a post at a certain grade in accordance with the examinations for the first time, be given the minimum tier of rate at each and every grade.

Article 8 The initial pay rate of newcomers who are still under the trial period shall be administered in accordance with the proceeding two Articles; when employed, the pay rate shall continue to be the same.

Article 9 For those who are under transfer restrictions of any kind of examination or employment laws, or those who are transferred in accordance with the Act of Professionals and Technologists Transferring to Civil Service, if they obtain another employment qualification during a set period of time while they are not allowed to transfer to other organizations or job series, their pay rate shall be readjusted in accordance to the employment qualifications they obtained.

The readjustment of pay rate for persons described in the preceding Paragraph shall base on the employment qualifications they obtained.

Article 10 Current personnel at all agencies who have passed qualification screening shall switch to the corresponding tier of pay rate within the Post Grading List of his or her post; the regulations for the switch shall be determined by the Examination Yuan.

Article 11 If the person who has passed qualification screening transfers to a post of the same grade, his or her pay rate shall still remain the same as before the transfer. The pay rate for the person holding the employment qualification and transfers to senior grade of the same rank shall start from the minimum tier of rate; if his or her original pay rate cannot reach the minimum pay rate of such senior grade, the minimum pay rate shall be given; if his or her original pay rate is higher than the minimum pay rate, that higher pay rate shall be given. The same pay rate as before the transfer shall be given to those

who transfer to lower grade within the same rank and resume his or her original grade of employment.

The pay rate for those who act for higher posts shall still be given in accordance with his or her original qualification.

For those who transfer to lower rank and be employed at the most senior grade of the rank, if there is a correspondence pay rate between their previous grade and the new grade, the same pay rate shall be given; if their previous pay rate is higher than the maximum pay rate of the new grade, they shall be employed at such maximum pay rate of the new grade while the point correspondent to their previous higher pay rate shall still be given.

For those who are given the point correspondent to their previous higher pay rate transfer back to the original senior rank of post, if there is a correspondence between the pay rate given and that of the grade being transferred back to, the original pay rate shall be given. If their pay rate is higher than the maximum pay rate of the new grade, they shall be employed at such maximum pay rate of the new grade while the point correspondent to their previous higher pay rate shall still be given.

Article 12 Unless otherwise stipulated by other laws or regulations, when education personnel from public schools and personnel from state-owned enterprise transferred to be employed in administrative agencies, the pay rate shall be determined pursuant to the qualification given as a result of passing examinations or the qualification that is previously examined and approved. The above shall be applicable to personnel transferring from administrative agencies to public schools or state-owned enterprises in terms of the calculation of years of service.

Those who have served in administrative agencies with service years previously examined and approved, if deemed fit under Paragraph One of Article 11 of the Civil Service

Performance Evaluation Act, they shall be promoted within the transferred post range before the pay rate is determined.

Article 13 For those who originally are not restricted by employment qualifications but then transfer to a post of the same grade that requires employment qualifications, if possessing certain qualifications, he or she shall be given the minimum pay rate in accordance to his or her qualifications; service years with correspondent or higher level in his or her original post shall be added and calculated on a yearly basis.

Article 14 When resuming post again after departure, the pay rate for those who passed qualification screening prior to the enactment of this Act shall be administered pursuant to Article 10 of this Act; when resuming post again after departure, the pay rate for those who passed qualification screening after the enactment of this Act shall be administered pursuant to Article 11 of this Act. However, if the pay rate of the resumed post is higher than the previously examined pay rate, such previously examined lower pay rate shall be given. If the pay rate of the resumed post is lower than the previously examined pay rate, such previously examined higher pay rate shall be given until the maximum pay rate of the resumed post; any exceeding pay rate shall be reserved so that it can be returned to the person when he or she transfers to a post with higher grade in the future.

Article 15 Those who are promoted in rank shall be given the minimum pay rate of the rank; however, if his or her original employment was given the seniority pay, the same pay rate shall be given. The above shall be applicable to those who were reemployed as civil servants pursuant to passing examinations and take posts with higher rank.  
If a current civil servant with higher examination qualification is promoted to a higher post and his or her original pay rate exceeds the minimum pay rate of the promoted post, he or she shall be given a pay rate that is correspondent to such higher pay rate before the promotion. The above shall be applicable

to those who were once civil servants and assume post with higher grade.

The initial pay rate for those who first hold post as civil servants through employment at elementary rank shall be determined by his or her qualification. Those who were previously employed as auxiliary employees and obtained seniority pay shall be given the same pay rate until the maximum pay rate of his or her grade. Any exceeding pay rate shall still be given temporarily to the person until he or she transfers to a higher grade and be given the correspondent pay rate in the future.

Article 16 The increase in the basic pay and seniority pay for civil servants shall be regulated by Civil Service Performance Evaluation Act.

During the performance evaluation, those transferred to a post with lower grade within the same rank and being given the original pay rate may increase their pay rate within the same range of their original grade.

Article 17 If the civil servants have served the following posts, and if such posts are equivalent in grade and similar in nature to the present posts while the evaluation is in good standing, the pay rate may be added on a yearly basis until the maximum pay rate for basic pay in such post. If there is still pay rate remaining, and his or her year-end performance evaluation fits or is correspondent to the regulations pursuant to the Civil Service Performance Evaluation Act, the pay rate can be added on a yearly basis until the maximum pay rate for seniority pay in such post:

1. The service years of such post that has been examined and approved by the Ministry of Civil Service.
2. The service years of such post held as a civil servant in a state-owned enterprise.
3. The service years of military post appointed in accordance to laws.
4. The service years of education personnel in public schools.
5. The service years of trainers in public training institutions.

If those who have service years for posts held as political appointees, elected chiefs, teachers in schools that are above public colleges, professionals in the public social and education institutions, and researchers in the public academic institutions, and have provided the documents as proofs of excellent standing in performance, their pay rate can be added on a yearly basis until the maximum seniority pay rate of their grade.

If the service years of civil servants that were from any civil posts other than the ones mentioned in the two preceding Paragraphs, and if such posts are equivalent in grade and similar in nature that fits or is correspondent to the present post while the performance is in excellent standing, the pay rate can be added on a yearly basis until the maximum basic pay rate of their grade.

The term “equivalent in grade” as referred to in Paragraph One of this Article shall refer to the situation that the post the civil servant has previously served and the post he or she presently serves are equal in terms of grade; the term “similar in nature” shall refer to the situation that the previous and present posts are similar in terms of nature.

The regulations for determining whether the previous post and the present post is equivalent in grade and similar in nature, or whether the previous service is performed in excellent standing shall be determined by the Examination Yuan.

Article 18 The conditions, types, applicable personnel, amount and other matters related to the allowance shall be governed by the Regulations for Allowance stipulated by Examination Yuan after consulting the Executive Yuan.

The matters concerning the conversion from pay rate for basic and seniority pay into the amount of pay shall be stipulated by The Executive Yuan after consulting the Examination Yuan.

Article 19 Each and every agency shall not enact regulations on its own regarding the items and amount for pay. If any agency sets the item and amount for pay without permission from competence

authority or does not give pay in accordance with regulations, the auditorial authority shall not allow the agency to declare the expense, and shall request the return of such expense.

The enforcement rules regarding the co-verification of civil servants' qualification and pay rate shall be stipulated by the Ministry of Civil Service after consulting the Ministry of Audit.

Article 20 Those being demoted in pay rate shall be given the demoted pay.

The pay for those who should be demoted but cannot be demoted because the person is already at the minimum pay rate shall be decreased in accordance to the difference in pay that was deducted after being demoted.

If those being demoted are being promoted in accordance to laws, the pay shall be increased from the level that the person was being demoted; the pay for those already at the minimum pay rate and cannot be demoted shall be increased on a yearly basis from the differences in pay that was deducted.

The pay for those who are given seniority pay and shall be demoted shall be decreased from his or her seniority pay.

Article 21 Those being suspended from post in accordance with laws shall be given half of the basic pay (seniority pay) during the suspension until the resumption, dismissal, cease, removal, or resignation.

Those who resume post and are given the basic pay (seniority pay) shall deduct the part that was given during the suspension, which is half of the basic pay (seniority pay).

Those who resume posts temporarily may be given the basic pay (seniority pay) that has not been given during the suspension only under the circumstances that he or she is not sentenced to jail, or that he or she does not receive a dismissal or cease from post.

Those who suffered death and whose posts have been suspended, resumed, or given the priority to resume post shall be given the basic pay (seniority pay) that has not been given during suspension, and such pay shall be claimed by those

who are entitled by law to receive consolation money.

During the time that the civil servant is missing, before the affirmation of death, full amount of basic pay (seniority pay) shall be given.

Article 22 Pay for civil servants who are absent without reasons or are on personal leave for more than the regulated days shall be deducted in accordance to the days of absence or the days exceed the regulated days pursuant to Paragraph 2 of Article 3.

Article 23 The pay rate that is examined and approved by the Ministry of Civil Service cannot be demoted unless the demotion is administered in accordance with this Act, the Civil Service Disciplinary Act, or other related laws.

Article 24 If civil servant is dissatisfied with the arrangement of pay rate given by the Ministry of Civil Service, civil servants can seek relief from Civil Service Protection Act. If there is an obvious mistake, or new facts or evidence are being discovered, the case may be reexamined in accordance with the Administrative Procedure Act.

Those who have passed a higher level of examination shall apply for an adjustment in the pay rate within three months after passing such examination. Those who apply within the deadline and get approved shall, under the condition that they do not have to go through training, practical training or learning procedures, be paid from the day the result of the examination is publicly announced; those who have to go through training, practical training, or learning procedures shall be paid after the date of completion of such training, practical training or learning procedures. Those who applied after the deadline and get approved shall be paid from the day of application.

Article 25 This Act shall apply, mutatis mutandis, to temporarily assigned workers.

- Article 26 The pay for education personnel and personnel in state-owned enterprises shall be separately set by law.
- Article 27 The Enforcement Rules of this Act shall be determined by the Examination Yuan.
- Article 28 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.