

Civil Servants' Individual Pension Account of Retirement, Severance and Survivor Relief Act

Chapter I General Principles

Article 1

The retirement, severance, bereavement compensation, and pension and savings funds of civil servants newly employed after July 1, 2023 shall be handled in accordance with this Act.

Article 2

The Competent Authority referred to in this Act is the Ministry of Civil Service.

Article 3

1. This Act applies to civil servants who have been employed in accordance with the Civil Service Employment Act and related laws after July 1, 2023 and undergo qualification review or whose qualifications are reviewed by any legally authorized competent authority.
2. The individuals referred to in the preceding Paragraph do not include any persons who, before their qualifications are reviewed in accordance with the law, have served as civil servants, political appointees, public school educators, military personnel, employees of state-owned businesses, democratically-elected officials, or paid, full-time employees of staff complements who may calculate their years of service both before and after the implementation of the New Pension System in accordance with the Civil Service Retirement, Severance and Survivor Relief Act. Those whose such years of service have already been settled do not belong to this category of individuals, either.
3. Unless otherwise stipulated in this Act, the retirement, severance, or bereavement compensation of the civil servants referred to in Paragraph 1 are handled only for full-time staff members.

Article 4

The terms used in this Act are defined as follows:

1. Base salary or remuneration (based on seniority): This refers to the salary (or remuneration) payment converted, in accordance with the Act of Civil Servants' Remuneration, from the salary (or remuneration) points verified. Where the remuneration policy of an agency (or organization) differs from the aforementioned act, the act shall prevail when the verified salary (or remuneration) points of the agency's civil servants

- are converted into salary (or remuneration).
2. Lump-sum compensation payment: This refers to the sum of the following payments issued to a civil servant in the month of his or her retirement or severance:
 - i. Base salary (based on seniority).
 - ii. Technical or professional allowance.
 - iii. Supervisory duty allowance.
 3. Pension or separation payment: This refers to any payments issued, in accordance with the Statute of Privatization of Government-Owned Enterprises or provisions governing retirement, employment termination, military discharge, or severance, after retirement, employment termination, military discharge, severance, or settlement of years of service, in the form of equivalent payments for retirement, employment termination, military discharge, settlement of years of service, severance, or separation.
 4. Pension and savings fund: This consists of the premium contributions jointly made on a monthly basis by civil servants and the government, any voluntary additional contributions made by the civil servants, and the interest generated by these contributions.
 5. Individual pension account for civil servants (hereunder referred to as the “individual account”): This refers to a separate account opened for a civil servant at the time of his or her employment to be used exclusively for the deposit of his or her pension and savings fund.
 6. Cumulative total amount: This refers to the combined total of the principal and the interest it has generated in an individual account.

Article 5

Payments that a civil servant or any of his or her survivors may claim pursuant to this Act are divided into the retirement payment, severance payment, pension and savings fund, and compensation funds, and survivor relief (hereinafter collectively referred to as “retirement and benefit payments.”)

Article 6

1. Government agency representatives, civil servant representatives, and experts and scholars in the field of statistics and actuarial science, personnel administration, finance, or law shall be appointed to be members of a supervisory committee (hereinafter the “Supervisory Committee”) to supervise civil servants’ pension and savings funds,

- namely the revenue and expenditure, management, and utilization of the funds.
2. The combined total of civil servant representatives and the experts and scholars must not be less than half of the total number of members of the Supervisory Committee referred to in the preceding Paragraph.
 3. The Ministry of Civil Service shall prescribe regulations on supervision matters and procedures, the composition of members, their terms of service, and selection of personnel, and other related matters, for the Supervisory Committee referred to in Paragraph 1.

Article 7

The Ministry of Civil Service shall commission the management authority of the Public Service Pension Fund (hereinafter the “Management Authority”) to handle the revenue and expenditure, management, and utilization of civil servants’ Public Service Pension Fund.

Chapter II Reserve and Management of Pension and Savings Funds

Article 8

When a newly employed civil servant commences duties, the Management Authority shall establish an individual account for that civil servant. Contributions to a civil servant’s pension and savings fund jointly paid by the employee and the government on a monthly basis, together with any voluntary additional contributions paid by him or her, shall be deposited into this account during his or her employment. The principal and interest will accrue for the account as a savings reserve from which retirement and benefit payments will be issued to the civil servant at the time of retirement, severance, or bereavement compensation administered in accordance with the law, or to any of his or her survivors as relief.

Article 9

1. The pension and savings fund contributions jointly paid in accordance with the preceding Article shall be levied at the rate of 15 percent of twice a civil servant’s base salary or compensation (based on seniority), of which 65 percent is contributed by the government and 35 percent by the employee on a monthly basis, both jointly deposited into his or her individual account.
2. The additional contribution that a civil servant may deposit voluntarily into his or her individual account in accordance with the preceding Paragraph shall comprise a

maximum of 5.25 percent of twice his or her base salary or compensation (based on seniority).

3. The pension and savings fund contributions paid by a civil servant in accordance with this Act are not included in his or her annual taxable income.
4. Unless otherwise stipulated in this Act, pension and savings fund payments shall no longer issued if a civil servant encounters any of the following circumstances:
 - (1) During unpaid leave.
 - (2) Provisionally discharged from employment.
 - (3) On disciplinary suspension.
5. The Management Authority shall confirm whether any excess government pension and savings fund contributions have been deposited into an individual account, recover the principal excess contributions and the interest generated, and return them to the organization that made those contributions. The confirmed amount to be recovered in this case may be deducted from the cumulative total amount in the individual account. If any such contributions cannot be deducted and recovered, or if it is not possible to do so because of insufficient amount in the individual account, the Management Authority shall issue a written order to the person concerned to demand the repayment of the outstanding amount prior to a prescribed deadline. If it is not repaid prior to that deadline, the matter shall be handled through administrative execution in accordance with the law.

Article 10

1. If a civil servant arranges unpaid leave in accordance with the law and is seconded to serve at another government where he or she fills a job vacancy and receive a salary in accordance with the Act of Civil Servants' Remuneration, then matters related to the issuance of pension and savings fund payments during unpaid leave shall be handled by the agency to which the civil servant has been seconded, in accordance with his or her official job rank or grade and Paragraph 1 of the preceding Article.
2. The civil servant referred to in the preceding Paragraph may voluntarily deposit additional contributions into his or her individual account in accordance with Paragraph 2 of the preceding Article, during an unpaid leave.
3. While taking unpaid leave in accordance with the law for childcare purposes, a civil servant may choose to pay the full pension and savings fund contributions and, in accordance with Paragraphs 1 and 2 of the preceding Article, continue to pay such

contributions. Payment of the required pension and savings fund contributions may be deferred for three years.

Article 11

1. The Management Authority may commission a financial or professional institution to handle, in part or in full, the revenue and expenditure, management, and utilization of a civil servant's pension and savings fund and individual account. Regulations governing the revenue and expenditure, management, and utilization of the fund and account, the allocation of any surplus or deficit, the scope of and fees for the commission, and other related matters shall be drafted by the Management Authority and submitted to the Ministry of Civil Service for review.
2. A civil servant's pension and savings fund shall not be attached, assigned, offset, provided as guarantee, or used for any other purpose, except for retirement and benefit payment issuance and for investment.
3. The Management Authority shall create investment portfolios with different returns and risks for civil servants to select from, or it shall commission a financial or professional institution to do so. If a civil servant does not select a portfolio, the Management Authority shall allocate an appropriate portfolio based on his or her age. Regulations governing the implementation of investment portfolio selection shall be drafted by the Management Authority and submitted to the Ministry of Civil Service for review.
4. Prior to the selection of investment portfolios referred to in the preceding Paragraph is implemented, the cumulative total amount in an individual account shall be entirely managed and utilized by the Management Authority.
5. The returns on the cumulative total amount in an individual account that is managed by the Management Authority under the preceding Paragraph, and the returns on an investment portfolio rated by the Management Authority as having the lowest level of risk after the selection of investment portfolios is implemented, shall both not be lower than the two-year term deposit rates of local banks. Any shortfalls shall be compensated in full by the National Treasury.

Article 12

1. A civil servant who does not meet the eligibility criteria for retirement or severance but terminates employment may apply to claim a lump sum of the pension and savings fund in his or her individual account.

2. A civil servant with less than five full years of service who terminates employment may apply to postpone collecting his or her pension and savings fund, in which case the Management Authority will pay the fund in a lump sum that he or she has not yet collected, no later than the date that he or she reaches sixty years of age.
3. If the civil servant referred to in the preceding Paragraph is deceased without having collected his or her pension and savings fund, his or her survivors may apply to the Management Authority for the lump-sum payment of the fund. The number of eligible survivors, and their order and share of entitlement, are determined in accordance with Article 33.

Chapter III Calculation of Years of Service for Pension and Savings Funds

Article 13

When a civil servant arranges for retirement, severance, or bereavement compensation under this Act, his or her years of service shall be calculated in the form of the actual number of days during which pension and savings fund contributions have been paid. This calculation shall not include any years of service during which any pension and savings fund contributions have not been paid, during which a return of the pension and savings fund has been applied for, or during which any retirement and benefit payments, or pension or separation payments, have been collected.

Article 14

1. For any person employed as a public-school educator after July 1, 2023 and subsequently transferred to work as a civil servant, the individual account established during the period of employment as the educator may continue to accumulate pension and savings fund after this transfer.
2. Unless otherwise stipulated in this Act, any years of service not listed below during which retirement and benefit payments are not collected may be included in seniority within ten years from the date that the transferred civil servant commences employment and is paid salary, or resumes duties and has his or her salary restored, in accordance with the his or her years of service and rank and the payment standards for colleagues with the same salary level in the same period, after he or she applies to compensate fully for the shortfall of contributions for the pension and savings fund:

- (1) Any years of service that may be included in seniority pursuant to other laws.
 - (2) Any years of service during which unpaid leave is taken pursuant to Subparagraphs 4 and 6, Paragraph 1, Article 4 of regulations on unpaid leave for civil servants.
3. If a civil servant provisionally discharged from employment in accordance with the law is subsequently reinstated, and, in accordance with the Act of Civil Servants' Remuneration, is retroactively issued the base salary or compensation (based on seniority) that was not issued during the period of provisional discharge from employment, the civil servant and his or her employing agency shall together pay pension and savings fund contributions in a lump sum into his or her individual account for the entire period of the discharge, in accordance with the contribution rate referred to in Paragraph 1, Article 9.
 4. If a civil servant has any years of compulsory military service for which he or she has not received any retirement or separation payments, the civil servant and his or her employing agency shall, within 10 years from the date he or she is initially employed and paid salary or from the date of reinstatement and salary restoration, together pay pension and savings fund contributions in a lump sum into the individual account for the entire period of compulsory military service, based on the servant's assigned salary grade and pursuant to Paragraph 1, Article 9, after which those years of service will be included in seniority. If no application is submitted to pay retroactive contributions for the period of the compulsory military service, the government will bear no responsibility for paying any contributions for that period.

Article 15

When a person who has previously received any retirement and benefit payments, or pension or separation payments, is re-employed as a civil servant, he or she shall not return any payments received. When the civil servant once again retires or is dismissed with severance pay, his or her years of service shall be calculated from the date of re-employment.

Chapter IV Retirement and Severance

Article 16

1. Retirement of civil servants is divided into the categories of voluntary retirement, age-mandated retirement, and compulsory retirement.
2. Age-mandated retirement as referred to in Article 19 and compulsory retirement in Article 20 are not applicable to any judges whose appointment has been affirmed in accordance with the law. However, those who meet the retirement criteria as specified in

this Act may apply for retirement.

Article 17

1. Voluntary retirement shall be approved if a civil servant meets either of the following criteria:
 - (1) Having been employed for five full years and aged 60 or over.
 - (2) Having been employed for 25 full years.
2. Voluntary retirement shall be approved if a civil servant who has been employed for 15 full years encounters any of the following circumstances:
 - (1) The civil servant has submitted a certificate of proof issued by a hospital accredited by the Central Competent Health Authority (hereunder referred to as an “accredited hospital”) stating that he or she meets the criteria for being categorized as “semi-incapacitated” or having a more severe disability set forth in the Civil Servant and School Staff Insurance Disability Benefit Standards, or that he or she has been assessed as having a mental or physical disability rated by the Central Competent Health Authority as “severe” or greater based on its rating system.
 - (2) The civil servant has a terminal-stage malignant tumor or is a patient with a terminal illness as defined in Subparagraph 2, Article 3, of the Hospice Palliative Care Act, and has submitted a certificate of proof issued by an accredited hospital.
 - (3) The civil servant has a certificate of proof issued by an authorized agency stating that he or she has what the National Health Insurance system categorizes as a permanent serious illness or injury, and that the employing agency has determined that he or she is incapable of performing his or her job duties and other equivalent duties.
 - (4) The civil servant qualifies as having any legally recognized physical or mental disabilities and has submitted a certificate of permanent incapacity for work issued after the individual work capacity evaluation referred to in Article 54-1 of the Labor Insurance Act is conducted by specialists.
3. Article 17 of the enforcement regulations of the Civil Service Retirement, Severance and Survivor Relief Act. (hereinafter the “Retirement, Severance and Survivor Relief Act”) applies in the issuance of a certificate of permanent incapacity for work through the specialist-conducted individual work capacity evaluation referred to in Subparagraph 4 of the preceding Paragraph.

4. Regarding the voluntary retirement age of 60 referred to in Subparagraph 1, Paragraph 1 of this Article, the responsible competent authority of civil servants who perform job duties of dangerous and physical nature (hereinafter “dangerous and physically-demanding job positions”) shall, in accordance with Paragraphs 3 to 5 of the Retirement, Severance and Survivor Relief Act and the Standards for Recognition of Dangerous and Physical Job Duties for Civil Servants, apply with the Ministry of Civil Service to approve and archive this case and announce the range of dangerous and physically-demanding job positions and the voluntary retirement age.
5. The responsible competent authority referred to in the preceding Paragraph is defined in accordance with Paragraph 8, Article 17 of the Retirement, Severance and Survivor Relief Act.
6. The voluntary retirement age of 60 or above referred to in Paragraph 1, Subparagraph 1 is governed by Paragraph 6, Article 17 of the Retirement, Severance and Survivor Relief Act for a civil servant with indigenous status.
7. Household registration data shall be used as the standard to determine whether a civil servant has the indigenous status referred to in the preceding Paragraph.

Article 18

When a civil servant’s employing agency implements staff downsizing in accordance with the law because of closure, restructuring, or business contraction, voluntary retirement shall be approved if the civil servant meets any of the following criteria:

- (1) Having been employed for 20 full years.
- (2) Having been employed for ten full years but less than twenty years, and being aged 55 years.
- (3) Having earned the highest seniority-based salary in his or her current position for three full years, and being aged 55 years.

Article 19

1. A civil servant who has been employed for five full years and is aged at least 65 years shall apply for age-mandated retirement.
2. Regarding the age-mandated retirement age of 65 referred to in the preceding Paragraph, the responsible competent authority for civil servants who hold dangerous and physically job positions shall, in accordance with Paragraphs 2 to 4, Article 19, of the Retirement, Severance and Survivor Relief Act and the Standards for Recognition of Dangerous and

- Physical Job Duties for Civil Servants, apply with the Ministry of Civil Service to approve and archive this case and announce the range of dangerous and physically-demanding job positions and the actual age-mandated retirement age.
3. The responsible competent authority referred to in the preceding Paragraph is defined in accordance with Paragraph 8, Article 17 of the Retirement, Severance and Survivor Relief Act.
 4. The latest possible effective date of retirement (hereinafter the “mandatory retirement date”) for a civil servant who shall apply for age-mandated retirement is described as follows:
 - (1) July 16 for those born between January and June.
 - (2) January 16 of the following year for those born between July and December.

Article 20

1. A civil servant shall apply for compulsory retirement with his or her employing agency if he or she has been employed for five full years or encounters any of the following circumstances.
 - (1) Having been made subject to a guardianship an assistance order which has not yet been revoked.
 - (2) Having a certificate of proof issued by his or her employing agency stating that he or she has one of the following illnesses, injuries, or disabilities and is incapable of performing his or her job duties or other equivalent duties:
 - i. Having submitted a certificate of proof issued by an accredited hospital stating that they meet the criteria for being categorized as “semi-incapacitated” or having a more severe disability set forth in the Civil Servant and School Staff Insurance Disability Benefit Standards, and he or she has already received a disability payment in accordance with the law, or a certificate stating that he or she has been assessed as having a mental or physical disability rated as “severe” or greater by the Central Competent Health Authority.
 - ii. Having a malignant tumor of stage 3 or above and having submitted a certificate issued by an accredited hospital.
2. Prior to arranging compulsory retirement for a civil servant pursuant Item 1, Subparagraph 2 of the preceding Paragraph, the employing agency shall provide vocational rehabilitation for him or her in accordance with Article 33 of the People with

Disabilities Rights Protection Act. This matter is handled in accordance with Article 18 of the enforcement regulations of the Retirement, Severance and Survivor Relief Act.

3. Prior to arranging compulsory retirement for a civil servant, the employing agency shall first have the matter reviewed by its evaluation committee. Before the committee conducts the review, it shall allow all the parties involved to make a statement or explain themselves.
4. Regarding the procedure for an initial review conducted by an evaluation committee referred to in the preceding Paragraph, an employing agency without such a committee established in accordance with the Civil Service Performance Evaluation Act shall submit the arrangement of compulsory retirement to the evaluation committee of its supervisory agency for review.
5. The employing agency referred to in Paragraph 1, in terms of human resources, government ethics, and budget, accounting and statistics personnel, is an organization responsible for conducting an evaluation.

Article 21

1. If a civil servant is made subject to a guardianship or assistance order, or has the physical or mental illness, injury, or disability referred to respectively in Subparagraph 1 or 2, Paragraph 1 of the preceding Article, which occurs as a result of performing official duties (hereinafter an “occupational injury or illness”), the civil servant does not need to meet the requirement of five full years of service to become eligible for compulsory retirement.
2. The term “occupational injury or illness” referred to in the preceding Paragraph means that a civil servant’s physical or mental illness, injury, or disability has, as his or her employing agency certifies and the review agency determines, a substantial causal relationship with one of the following circumstances:
 - (1) Having an injury or illness due to an accident, a violent event, or sickness, during the performance of job duties.
 - (2) Having an injury or illness due to an accident in the workplace, while conducting official business, or while traveling to or from the workplace or a place of official business. However, this does not apply if an injury or illness is the result of a major traffic violation on the part of the civil servant.
 - (3) Having an injury or illness due to a sudden onset of disease during the

performance of job duties, in the workplace, or while traveling to or from the workplace or a place of official business.

(4) Having an injury or illness due to excessive work-related fatigue.

3. If any doubts arise regarding the determination of the occupational injury or illness defined in the Subparagraphs of the preceding Paragraph and regarding the causal relationship thereof, a review shall be conducted by the review panels referred to respectively in Paragraph 3, Article 21, and Paragraph 4, Article 53, of the Retirement, Severance and Survivor Relief Act. The review panels are, respectively, established to determine whether compulsory retirement has an occupational cause and whether bereavement compensation is payable due to an occupational cause.
4. When investigating and determining cases of injury or illness resulting from a sudden onset of disease or excessive work-related fatigue, referred to respectively in Subparagraphs 3 and 4, Paragraph 2, the review panels referred to in the preceding Paragraph may take into account the Reference Criteria for the Review of Civil Servants Suffering Sudden Onset of Illness Due to Occupational Causes or Death Resulting From Unyielding Diligence or Overwork, which are defined in Paragraph 5, Article 53, of the Retirement, Severance and Survivor Relief Act.
5. The standards for the determination of and the review mechanism for the occupational injury or illness defined in each Subparagraph of Paragraph 2, and the range of major traffic violations recognized, are subject to Articles 19 to 25 of the enforcement regulations of the Retirement, Severance and Survivor Relief Act.

Article 22

1. A civil servant who encounters any of the following circumstances shall be dismissed with severance pay:
 - (1) The civil servant does not meet the eligibility criteria set forth in this Act and shall be dismissed, when his or her employing agency undergoes closure, restructuring, or business contraction.
 - (2) The civil servant is no longer competent to perform the duties of his or her current position, fail to meet the criteria after being reassigned to perform equivalent work, or have no other work to perform through reassignment at his or her current organization.
 - (3) Dismissed with severance pay shall be made in accordance with other laws.

2. The causes of dismissal with severance pay which are defined in the preceding Paragraph do not apply to civil servants employed as confidential personnel who encounter what is described in Subparagraph 2 of the preceding Paragraph.

Article 23

1. Dismissal with severance pay shall be reviewed by the director of the employing agency of the civil servant concerned and submitted to the responsible competent authority or an authorized agency (or organization) for approval, after which the employing agency sends related documentary proof to the review agency, which determines the employee's years of service, and the Management Authority issues approved severance payments to him or her and informs the reviewing agency.
2. Before a civil servant's dismissal with severance pay under the circumstance referred to in Subparagraph 2 or 3, Paragraph 1, of the preceding Article is approved by the director of his or her employing agency, the matter shall first be reviewed by the agency's evaluation committee. Before the committee conducts the review, it shall allow all the parties involved to make a statement or explain themselves.
3. The employing agency referred to in the two preceding Paragraphs, in terms of human resources, government ethics, and budget, accounting and statistics personnel, is defined in accordance with Paragraph 5, Article 20. The responsible competent authority referred to in Paragraph 1 is defined in accordance with Paragraph 5, Article 17.

Article 24

1. Any applications for retirement or severance in any of the following circumstances shall be rejected:
 - (1) During unpaid leave.
 - (2) Provisionally discharged from employment.
 - (3) On disciplinary suspension.
 - (4) Having once committed any offences against internal or external security after the end of the Period of National Mobilization for Suppression of the Communist Rebellion, and encountered any of the following circumstances:
 - i. A conclusive judgment regarding the alleged offense has not yet been rendered.
 - ii. A public prosecutor has ruled that the alleged offense is non-indictable or that indictment is deferred, but the ruling has not yet become final.
 - iii. A public prosecutor has ruled that indictment for the alleged offense is deferred,

and that ruling is final, but the deferral period has not yet expired.

(5) Having allegedly committed a criminal offense in breach of the Anti-Corruption Act or a crime specified in the Offenses of Malfeasance in Office chapter of the Criminal Code, and having been sentenced by a court to imprisonment for a fixed-term or a more severe punishment, but the sentence has not yet become final.

(6) A case involving the civil servant has been referred by the responsible competent authority in accordance with the law for disciplinary action or referred to the Control Yuan for review, or has been handled by the responsible competent authority by issuing a rule to impose a disciplinary sanction that has not yet taken effect.

(7) Where another law stipulates otherwise.

2. The civil servants referred to in Subparagraphs 4 to 7 of the preceding Paragraph shall first be provisionally discharged from employment, starting from the mandatory retirement date. During the period of provisional discharge from employment, the management and utilization of the cumulative total amount in their individual accounts shall be handled by the Management Authority in accordance with the latter part of Paragraph 4 of Article 28.
3. Under the circumstance referred to in Subparagraph 2, Paragraph 1, or in the preceding Paragraph, a civil servant may be disbursed half of the base salary (based on seniority) that corresponds to the case of a person provisionally discharge from employment, from the mandatory retirement date until the date the reason for the discharge ceases to exist.

Article 25

1. If a civil servant exceeds his or her mandatory retirement date due to any of the circumstances referred to in Subparagraphs 2 to 7, Paragraph 1, of the preceding Article, with six months after this circumstance ceases to exist he or she shall submit related documentary proof to his or her employing agency to apply for age-mandated retirement.
2. The mandatory retirement date of the civil servant referred to in the preceding Paragraph shall, in all cases, be his or her effective retirement date. However, the effective date of retirement of a civil servant on disciplinary suspension shall be the date that the reason for his or her suspension ceases to exist and the responsible competent authority approves his or her reinstatement.
3. If the civil servant referred to in Paragraph 1 is deceased within the six-month period for retirement application, his or her survivors may claim the lump-sum payment of the

- cumulative total amount in his or her individual account, pursuant to Article 33.
4. From the half of the base salary or compensation (based on seniority) issued to a civil servant referred to in Paragraph 1 pursuant to Paragraph 3 of the preceding Article, the Management Authority shall deduct one-third of the amount that he or she is entitled to collect each month from his or her individual account, and return it to his or her former employing agency until the amount has been recovered in full. If such amount cannot be deducted and returned, or it is not adequately deducted and returned, the retired civil servant's former employing agency shall issue a written order through an administrative direction requiring him or her to return the money within a prescribed period. If the civil servant fails to return the money within that period, the case shall be referred for administrative execution in accordance with the law. If the civil servant claims a lump-sum payment or is deceased within the six-month period for retirement application, the Management Authority shall deduct the amount in a lump sum from his or her individual account and return it to his or her former employing agency.
 5. If the civil servant referred to in Paragraph 1 encounters any of the following circumstances, he or she remains ineligible to apply for retirement:
 - (1) The civil servant has been removed from his or her post, or provisionally or permanently dismissed, in accordance with the law.
 - (2) When the six-month period for retirement application expires, the civil servant has legal grounds for the loss of the right to claim his or her retirement and benefit payments, which are stipulated in Paragraph 1, Article 55.

Article 26

1. The types of retirement payment are as follows:
 - (1) Lump sum.
 - (2) Monthly retirement payment.
 - (3) A combination of one half of a lump-sum payment and the other half in the form of monthly retirement payments.
2. When a civil servant claims his or her retirement payments pursuant to Subparagraph 3 of the preceding Paragraph, the respective portions of the lump-sum and monthly retirement payments which he or she is entitled to receive shall be determined pro rata.

Article 27

1. If a civil servant with less than 15 full years of service applies for retirement in accordance with this Act, he or she shall receive a lump-sum retirement payment, unless otherwise stipulated in this Act.
2. If a civil servant with 15 full years of service applies for retirement in accordance with the provisions of this Act, he or she may select one of the forms of retirement payment set forth in Paragraph 1 of the preceding Article, unless otherwise stipulated in this Act.

Article 28

1. The retirement payments referred to in the preceding Article are calculated and issued as stipulated below:
 - (1) Lump-sum payment: calculated on the basis of and issued from the cumulative total amount in an individual account.
 - (2) Monthly retirement payment: issued from an individual account's cumulative total amount and one of the following forms:
 - i. Amortized payment: The amount claimed each month that is calculated in accordance with the annuity life table, taking into account the average life expectancy and interest rates, and paid until the cumulative total amount in an individual account is exhausted.
 - ii. Fixed-amount payment: A monthly amount in New Taiwan Dollar terms specified by a civil servant before he or she applies to claim the payment. The amount is paid until the cumulative total amount in his or her individual account is exhausted.
 - iii. Insurance annuity: A retirement payment periodically disbursed after a civil servant uses the cumulative total amount in his or her individual amount to purchase an annuity insurance plan that complies with the Insurance Act.
2. A civil servant collecting the fixed-amount payments as referred to in Item 2, Subparagraph 2, of the preceding Paragraph may apply to have the payment amount adjusted. However, only two such adjustments are permitted in any one year.
3. During the period in which a civil servant collects his or her monthly retirement payments in accordance with Item 1 or 2, Subparagraph 2, Paragraph 2, he or she may apply to the Management Authority to temporarily suspend receiving the payments, or to settle the balance in his or her individual account and close the account. After the account is closed, the civil servant is not permitted to request any further deposits be made.

4. During the period in which a retired civil servant collects his or her monthly retirement payments in accordance with Item 1 or 2, Subparagraph 2, Paragraph 1, he or she may invest the remaining amount in his or her account and bear responsibility for any profits and losses due to the investment. The civil servant may also ask the Management Authority to invest the remaining amount on his or her behalf, in which case the return on investment shall not be lower than the two-year fixed deposit interest rates offered by local banks. Any shortfalls will be compensated by the National Treasury.
5. A civil servant who receives his or her retirement payment in a lump sum may apply to postpone the collection of the cumulative total amount in his or her individual account. While being postponed for collection, the cumulative total amount in the civil servant's individual account is managed and utilized by the Management Authority in accordance with the latter part of the preceding Paragraph.
6. The annuity life table, average life expectancy, interest rates, and the calculation of the amounts of the payments referred to in Paragraph 1 shall be drafted by the Management Authority and submitted to the Ministry of Civil Service for approval.
7. If the civil servant referred to in Paragraph 5 is deceased when the collection of his or her retirement payment is postponed, the cumulative total amount in his or her individual account shall be claimed by his or her survivors in a lump sum. The number of eligible survivors, and their order and share of entitlement, are determined in accordance with Article 33. However, if the civil servant has left behind a will which designates a recipient or recipients, the matter shall be handled in accordance with Article 36.

Article 29

1. When a civil servant who has chosen to claim the monthly retirement payment referred to in Item 1, Subparagraph 1, Paragraph 1 of the preceding Article claims his or her first monthly retirement payment, he or she shall collect a certain amount in a lump sum for each claim and enroll in annuity insurance, which will pay annuity benefits if he or she exceeds the average life expectancy referred to in Paragraph 6 of the preceding Article. However, the cumulative total amount in the civil servant's individual account shall be calculated and disbursed, in accordance with Item 1, Subparagraph 2, Paragraph 1 of the preceding Article, before he or she enrolls in annuity insurance.
2. The certain amount to be collected, which is referred to in the preceding Paragraph, the procedure for collecting such amount, and the qualifications of the underwriting insurer,

shall be prescribed by the Ministry of Civil Service.

Article 30

1. When a civil servant who has been employed for five full years applies, pursuant to Article 23, for compulsory retirement on the grounds of an occupational injury or illness, and claims a lump-sum retirement payment, the lump-sum payment will be calculated and issued on a five-year basis. If a civil servant who claims monthly retirement payments has been employed for less than 20 years, the payments will be calculated and issued on a 20-year basis.
2. If the civil servant referred to in the preceding Paragraph has less than five or 20 full years of service during which he or she pays pension and savings fund contributions, his or her employing agency shall, in accordance with Paragraph 1, Article 9, fully compensate for the required number of service years for paying the contributions and deposit the contributions into his or her individual account in a lump sum. The amount to be paid by the agency is calculated on the basis of the civil servant's last approved base salary or compensation (based on seniority) during employment.
3. If a civil servant applies for compulsory retirement in accordance with Subparagraph 1, Paragraph 2, Article 21, on the grounds of an occupational injury or illness, he or she will receive an additional lump-sum retirement payment of between 5 and 15 base units, in accordance with Article 32 of the Retirement, Severance and Survivor Relief Act and Article 32 of the enforcement regulations of the act. Such payment shall be deposited, through a budget allocation, by all levels of government into the civil servant's individual account.
4. When a civil servant is entitled to the additional lump-sum retirement payment referred to in the preceding Paragraph, he or she may choose to receive only one of the additional payments if another law also sets forth provisions regarding an additional payment on the same grounds.
5. The base units referred to in Paragraph 3 are calculated in accordance with Subparagraph 2, Paragraph 2, Article 27 of the Retirement, Severance and Survivor Relief Act.
6. If a civil servant applies for compulsory retirement on the grounds of an occupational injury or illness, in accordance with Article 21, the amount of his or her retirement payment type depends on the payment type he or she has chosen, and shall be determined and disbursed on the basis of the calculation criteria, base units, and calculation standards

set forth in Subparagraph 2 of Paragraph 2 of Article 27, Article 29, Paragraph 4 of Article 32, and Article 38 of the Retirement, Severance and Survivor Relief Act. Article 28 of the act does not apply in this case.

7. If the civil servant referred to in the preceding Paragraph deposits the accumulated pension and savings fund in his or her individual account into the cumulative total amount in the account, in accordance with Paragraphs 2 and 3, but the fund is not sufficient to cover the additional lump-sum retirement payment referred to in Paragraph 3 and the retirement payment referred to in the preceding Paragraph, all levels of government shall disburse such payments through a budget allocation.
8. The accumulated pension and savings fund in an individual account, as referred to in the preceding Paragraph, does not include any additional contributions that a civil servant deposits voluntarily into such an account in accordance with Paragraph 2, Article 9. Before any additional pension and savings fund contributions are claimed from an individual account, the investment of those contributions is handled in accordance with Paragraph 4, Article 28.

Article 31

1. When a civil servant applies for retirement or severance because his or her employing agency undergoes closure, restructuring, or business contraction, the civil servant may be issued up to seven months of lump-sum compensation payments, unless he or she takes age-mandated retirement.
2. If the civil servant referred to in the preceding Paragraph is already within seven months of the effective date of age-mandated retirement, the amount of the lump-sum compensation payment to be disbursed shall be determined on the basis of the number of months prior to that effective date.
3. If the civil servants referred to in the preceding two paragraphs resume employment, within seven months from the effective date of retirement or severance, in any of the positions listed in the Subparagraphs of Paragraph 1, Article 77 of the Retirement, Severance and Survivor Relief Act, and if the sum of their monthly salary (or compensation), wage, or allowances exceeds the statutory minimum wage, the agencies (or organizations) or educational institutions where they have resumed employment shall subtract the lump-sum compensation payment corresponding to the actual number of months of retirement or severance from that sum, deduct the remaining amount, and

refund their former employing agencies, administratively reorganized agencies, or supervisory agencies.

Article 32

1. Severance payments to a civil servant shall be issued in a lump sum out of the cumulative total amount in his or her individual account.
2. A civil servant dismissed with severance pay may apply to postpone the collection of his or her severance payment. During the postponed collection of the severance payment, the management and utilization of the cumulative total amount in the civil servant's individual account shall be handled by the Management Authority in accordance with the latter part of Paragraph 4, Article 28. No later than the date the civil servant turns 60 years old, the Management Authority will return in a lump sum the principal, and the interest generated, of the severance payment that he or she has not yet collected.
3. If the civil servant referred to in the preceding Paragraph is deceased before turning 60 years old, any principal, and the interest generated, of the severance payment that he or she has not collected will be issued by the Management Authority to his or her survivors in a lump sum. The number of eligible survivors, and their order and share of entitlement, are determined in accordance with Article 33.

Article 33

1. If the civil servant who receives amortized or fixed-amount payments pursuant to Item 1 or 2, Subparagraph 2, Paragraph 1, Article 28 is deceased before the cumulative total amount in his or her individual account has been exhausted, the remaining amount in the account shall be issued to his or her survivors in a lump sum.
2. One half of the remaining amount in the individual account of the civil servant referred to in the preceding Paragraph shall be distributed to his or her spouse if the spouse has not remarried. The remainder shall be equally issued to the civil servant's other survivors in the following order of entitlement:
 - (1) Children
 - (2) Parents
 - (3) Siblings
 - (4) Grandparents
3. If a retired civil servant does not have any survivors referred to in Subparagraph 1 or 2 of the preceding Paragraph, the remaining amount in his or her individual account, as

- referred to in Paragraph 1, shall be distributed solely to his or her spouse if the spouse has not remarried; in this case, the preceding Paragraph does not apply. If the deceased civil servant had no spouse, the remaining amount shall be distributed to the survivors listed in the Subparagraphs of the preceding Paragraph in the prescribed order of entitlement. If there are multiple eligible survivors in one category, it shall be equally distributed among the survivors.
4. If any survivors in a particular entitlement category waive their right to receive their shares of the remaining amount in a deceased civil servant's individual account, or if that right is terminated on statutory grounds, their shares shall be redistributed among the other survivors in the same entitlement category in accordance with the preceding two Paragraphs. If there are no survivors in the first category, the benefit shall be distributed among the survivors in the next category listed in the preceding Paragraph.
 5. When several survivors as referred to in the preceding three Paragraphs have the same order of entitlement and are eligible to receive the remaining amount in a deceased civil servant's individual account, they may delegate one person among themselves who has legal capacity to lodge a claim to receive the benefit on behalf of all of them. If a survivor has no legal capacity to act, has limited capacity to act, or is under an assistance order, his or her statutory representative or assistant shall submit a claim on his or her behalf.
 6. The survivors referred to in Paragraph 1 who does not claim a lump-sum payment of the remaining amount in a deceased civil servant's individual account may choose to collect the benefit in monthly retirement payments, which are issued based on the form selected by the civil servant. During the period in which the monthly payments are being issued, the Management Authority shall handle the investment of the remaining amount in the deceased civil servant's individual account on the survivor's behalf, in which case the return on investment shall not be lower than the two-year fixed deposit interest rates offered by local banks. Any shortfalls will be compensated by the National Treasury.

Article 34

1. If a civil servant who receives the insurance annuity referred to in Item 3, Subparagraph 2, Paragraph 1, Article 29, is deceased and the sum of the periodic payments already received by him or her is lower than the amount guaranteed by the annuity insurance, the insurer shall deduct the sum of the periodic payments from the guaranteed amount in accordance with a stipulated interest rate, and then disburse the remaining amount

- (hereinafter the “remainder of the annuity insurance-guaranteed amount”) to his or her survivors in a lump sum. However, if an annuity insurance contract that the civil servant participated in under any applicable laws stipulates that the survivors will continue to receive the periodic payments, the contract shall prevail.
2. The number of eligible survivors, and their order and share of entitlement, are determined in accordance with Paragraphs 2 to 5 of the preceding Article. However, if the deceased civil servant’s annuity insurance contract stipulates the handling of these matters, the contract shall prevail.
 3. When the matters referred to as a proviso in the preceding Paragraph are handling, the share of entitlement of any minor child of a retired civil servant shall not be lower than the share the child is originally entitled to receive.

Article 35

1. If a civil servant who receives the amortized fixed-amount payments referred to in Item 1 or 2, Subparagraph 2, Paragraph 1, Article 28, is deceased before the cumulative total amount in his or her individual account has been exhausted, and encounters any of the following circumstances, the agency that formerly employed the civil servant may, within the limit stipulated in Article 47, Paragraph 1 of the Retirement, Severance and Survivor Relief Act, withdraw funds from that account to arrange his or her funeral:
 - (1) The civil servant has no survivors.
 - (2) The civil servant has no survivors in the Taiwan Area, and his or her survivors, who reside in the Mainland Area, have not handled his or her funeral.
 - (3) The civil servant has no survivors in the Taiwan Area, and it is unknown whether he or she has any survivors in the Mainland Area.
2. If any of the circumstances referred to in Subparagraph 2 or 3 of the preceding Paragraph happens to a civil servant, any survivors of the civil servant in the Mainland Area who are entitled to receive the remaining amount in his or her individual account referred to in the preceding Paragraph shall lodge a claim within an effective period, prescribed in accordance with the public law stipulated in the Administrative Procedure Act, for exercising the right to lodge such a claim. However, the amount claimed by a survivor residing in Mainland Area from the remaining amount in the civil servant’s individual account, together with any amount claimed in accordance with Paragraphs 1 and 2, Article 26-1 of the Act Governing Relations between the People of the Taiwan Area and

the Mainland Area, shall not exceed NT\$2 million.

3. When a civil servant who receives the insurance annuity referred to in Item 3, Subparagraph 2, Paragraph 1, Article 28, is deceased, and the sum of the periodic payments already received by him or her is lower than the amount guaranteed by the annuity insurance, the matter shall be handled in accordance with the preceding two paragraphs if the circumstance referred to in Subparagraph 2 or 3, Paragraph 1, happens to him or her. However, if the annuity insurance contract stipulates otherwise, the contract shall prevail.

Article 36

If a civil servant who receives the amortized or fixed-amount payments referred to in Item 1 or 2, Subparagraph 2, Paragraph 1, Article 29, has left behind a will which designates a recipient or recipients for the remaining amount in his or her individual account, that benefit shall be distributed as the will instructs. However, the share of entitlement of any minor child of the civil servant shall not be lower than the share that child is originally entitled to receive.

Chapter V Survivor Relief

Article 37

1. If a currently employed civil servant is deceased, his or her survivors or employing agency may apply for bereavement compensation on his or her behalf.
2. If a civil servant is deceased during disciplinary suspension, provisional removal from appointment, or unpaid leave, his or her survivors or employing agency may apply for bereavement compensation in accordance with this Act.

Article 38

1. Reasons for bereavement compensation for a deceased civil servant who is currently employed are listed as follows:
 - (1) Death caused by illness or accident.
 - (2) Death as a result of performing official duties (hereinafter an “death from an occupational cause”).
2. Death by suicide is treated as death by illness or accident. However, bereavement compensation will not be given to a civil servant who commits suicide after having been convicted of a criminal offence but before being issued a notice of provisional dismissal from employment. In this case, the civil servant’s survivors, as referred to in Article 45,

may claim his or her pension and savings fund contributions in a lump sum.

Article 39

1. If a civil servant dies as a result of performing official duties during active service, survivor relief for an occupational death will be arranged.
2. Death as a result of performing official duties referred to in the preceding paragraph means that a current civil servant dies from one of the following events, and there is a substantial causal relationship between his/her death and the event:
 - (1) When performing a difficult mission such as disaster response or criminal arrest or performing a war-related mission, risking life and courageously performing the mission despite facing hazards entailing a high risk of death, which results in death.
 - (2) The occurrence of an accident or hazard, or an violent event, or falling victim to an illness, in the workplace, while away on official business, or when performing a mission other than those under the preceding subparagraph, which results in death.
 - (3) Sudden onset of a disease, in the workplace, while away on official business, or when performing a mission other than those under the preceding two subparagraphs, which results in death.
 - (4) Any of the following circumstances, which results in death:
 - i. The occurrence of an accident or hazard while traveling to or from the performance of a mission under Subparagraph 1.
 - ii. Sudden onset of a disease while traveling to or from the performance of a mission under Subparagraph 1 or 2, or the occurrence of an accident or hazard while traveling to or from the performance of a mission under Subparagraph 2.
 - iii. The occurrence of an accident or hazard, or sudden onset of a disease, during the period of preparation for the performance of a mission or of follow-up work after a mission.
 - (5) Unyielding diligence or overwork, which results in death.
3. If death resulting from a circumstance under Item 1 or 2 of Subparagraph 4 of the preceding paragraph is the result of an accident caused by a serious traffic violation by the civil servant himself/herself, the survivor relief will be handled as for an accidental

death.

4. The standards for the determination of and the review mechanism for death from occupational causes as defined in each Subparagraph of Paragraph 2, and the range of major traffic violations referred to in the preceding Paragraph, are subject to Articles 67 to 73 of the enforcement regulations of the Retirement, Severance and Survivor Relief Act.

Article 40

1. Whether any of the occupational causes of death referred to in all the Subparagraphs of Paragraph 2 of the preceding Article is valid, and whether any of these causes is grounds for bereavement compensation, shall be determined by a review, based on the facts and scientific rationales, conducted by the review panels referred to respectively in Paragraph 3, Article 21, and Paragraph 4, Article 53, of the Retirement, Severance and Survivor Relief Act. The review panels are, respectively, established to determine whether compulsory retirement has an occupational cause and whether bereavement compensation is payable due to an occupational cause.
2. The review panels referred to in the preceding Paragraph may take into account the Reference Criteria for the Review of Civil Servants Suffering Sudden Onset of Illness Due to Occupational Causes or Death Resulting From Unyielding Diligence or Overwork, which are defined in Paragraph 5, Article 53, of the Retirement, Severance and Survivor Relief Act, when they investigate and determine cases of illness resulting from a sudden onset of disease or excessive work-related fatigue, referred to respectively in Subparagraphs 3, 4, and 5, Paragraph 2, of the preceding Article.
3. The mechanisms for reviewing the circumstances of a death from an occupational cause that are referred to in the preceding two paragraphs are subject to Articles 72 and 73 of the enforcement regulations of the Retirement, Severance and Survivor Relief Act.

Article 41

1. When a currently employed civil servant is deceased, the forms of survivor relief and the standards for the calculation of the payments are determined in accordance with Articles 54, 56, 57, and 60 of the Retirement, Severance and Survivor Relief Act, Article 75 and Paragraph 1, Article 77 of its enforcement regulations. Survivor relief is claimed as either a lump sum, or as a combination of lump-sum and monthly compensation payments, and paid through the accumulated pension and savings fund in the civil servant's individual

- account and through the contributions made to the cumulative total amount in the account pursuant to Article 42. If the fund is not sufficient, all levels of government shall disburse his or her payments through a budget allocation.
2. The accumulated pension and savings fund in an individual account, referred to in the preceding Paragraph, does not include any additional contributions voluntarily deposited by a deceased civil servant in accordance with Paragraph 2, Article 9. After a bereavement compensation case has been approved, any such contributions shall be returned in a lump sum to the civil servant's survivors, who are referred to in Article 45.
 3. During the period in which any of a deceased civil servant's survivors collects monthly compensation payments, the Management Authority shall handle the investment of the remaining amount in the civil servant's individual account on his or her behalf. In this case, the return on investment shall not be lower than the two-year fixed deposit interest rates offered by local banks, and any shortfalls will be compensated by the National Treasury.

Article 42

1. The determination of the number of years of service for bereavement compensation purposes (hereinafter the "credited years of service"), as referred to in Paragraph 3, Article 55, of the Retirement, Severance and Survivor Relief Act, applies to civil servants who die from an occupational cause under any of the circumstances referred to in Paragraph 2, Article 39.
2. If the years of service during which the civil servant referred to in the preceding Paragraph pays pension and savings fund contributions are less than his or her credited years of service, his or her employing agency shall, in accordance with Paragraph 1, Article 9, fully compensate for the required number of service years for paying the contributions and deposit the contributions into his or her individual account in a lump sum. The amount to be paid by the agency is calculated on the basis of the civil servant's last approved base salary or compensation (based on seniority) during employment.
3. Item 2, Subparagraph 2, Paragraph 2, Article 54 and all the Subparagraphs of Article 57 of the Retirement, Severance and Survivor Relief Act shall apply to the civil servant referred to in Paragraph 1. Therefore, an additional lump-sum compensation payment for occupation death shall be issued to him or her, and deposited by all levels of government into his or her individual account through a budget allocation.

Article 43

If a civil servant who dies of an illness or from an accident or occupational cause is survived by a minor child or children, each minor child shall receive additional survivor relief payments on a monthly basis until he or she reaches adulthood. These payments are issued in accordance with the provisions of the National Pension Act regarding the payment standards for old-age basic guaranteed pension.

Article 44

1. For a deceased civil servant for whom survivor relief is issued in accordance with this Act, all levels of government shall issue funeral and burial subsidies to the civil servant through a budget allocation. The same applies to any civil servants who die as a result of illness or accident during disciplinary suspension, provisional removal from appointment, or unpaid leave. The standards for issuing these subsidies are set forth in Article 81 of the enforcement regulations of the Retirement, Severance and Survivor Relief Act.
2. A civil servant who has received a commendation medal or has made a special contribution, survivor relief for meritorious service may be issued. The standards for issuing such payment are set forth in Article 82 of the enforcement regulations of the Retirement, Severance and Survivor Relief Act.

Article 45

1. One half of the survivor relief for a civil servant's survivors shall be distributed to his or her spouse if that spouse has not remarried, and the remaining amount shall be equally divided among the other survivors in the following order of entitlement:
 - (1) Children.
 - (2) Parents.
 - (3) Grandparents.
 - (4) Siblings.
2. If a deceased civil servant has no survivors in any of the categories specified in Subparagraphs 1 to 3 of the preceding Paragraph, his or her survivor relief shall be issued solely to his or her spouse who has not remarried, and the preceding Paragraph does not apply in this case. If the civil servant had no spouse or if his or her spouse has remarried, the survivor relief to be issued shall be distributed to the survivors referred to in the Subparagraphs of the preceding Paragraph in the order of entitlement specified. If there are multiple eligible survivors in the same order of entitlement, the relief will be equally

distributed among the survivors.

3. If any survivors in the same order of entitlement are deceased or waive their right to receive survivor relief, or if that right is extinguished or terminated on statutory grounds, their shares of the relief shall be redistributed among the other survivors in the same order of entitlement in accordance with the preceding two paragraphs. If there are no survivors in the first order of entitlement, the relief shall be distributed among the survivors in the next category, in accordance with the preceding Paragraph.
4. If multiple eligible survivors who are referred to in the preceding three paragraphs and have the same order of entitlement submit a claim to receive survivor relief, they may delegate one person among themselves who has legal capacity to lodge such a claim on behalf of all of them. If a survivor has no legal capacity to act, has limited capacity to act, or is under an assistance order, his or her statutory representative or assistant shall submit a claim on his or her behalf.
5. If the whereabouts of any survivors of a deceased civil servant are unknown, or if the survivors are unable to reach agreement to submit a joint claim in accordance with the preceding Paragraph, the other survivors may lodge separate claims to a share of the survivor relief on the basis of the number of eligible survivors.

Article 46

If all the survivors in the same order of entitlement who are given statutory approval to receive monthly compensation payments lose the right to do so when they receive such payments, the remaining amount in the individual account of the deceased civil servant shall be settled and equally distributed among the survivors in the next order of entitlement. If there are no survivors in the next order of entitlement, or the survivors in the next order of entitlement all lose the right to receive such payments, or if there is no remaining amount in the account, no further distribution will be made.

Article 47

1. When a recipient referred to in Subparagraph 1, Paragraph 1, Article 45, is deceased, waives his or her right to receive survivor relief, or forfeits that right on statutory grounds, his or her child or children shall receive the compensation on his or her behalf. In this case, Paragraph 3 of that same Article does not apply.
2. If a deceased civil servant has left behind a will which designates a recipient or recipients of his or her survivor relief from among the survivors referred to in Paragraph 1, Article

- 45, that relief shall be distributed as the will instructs. However, the share of the relief to be received by any minor child of the deceased civil servant shall not be lower than the share that child is originally be entitled to receive.
3. If a civil servant is deceased and has no survivors as referred to in Paragraph 1, Article 45, who are eligible to claim survivor relief, the civil servant's heir(s) may apply to the Management Authority for return of his or her pension and savings fund. If the civil servant has no heir, the agency that formerly employed him or her may first receive the fund and use it to arrange his or her funeral.

Chapter VI Issuance (Disbursement), Guarantees, and Adjustment of Retirement and Benefit Payments

Article 48

A civil servant has the exclusive right to claim the retirement payment and severance payment set forth in this Act. No other person is permitted to apply for or receive them on the civil servant's behalf, except in any of the following circumstances:

1. The civil servant has reached the age of 65 and refuses to apply for age-mandated retirement in accordance with applicable regulations, and his or her employing agency submits relevant documents to a review agency for reviewing and approving age-mandated retirement.
2. The civil servant is required to apply for compulsory retirement but has not handled the matter in accordance with applicable regulations, and pursuant to Article 22, his or her employing agency submits relevant documents to a review agency to arrange compulsory retirement.
3. The civil servant is dismissed with severance pay but fails to, in accordance with applicable regulations, complete a form stating the facts related to his or her dismissal, and instead has to submit this form and related documentary proof to his or her employing agency, which then sends the documents on his or her behalf to a review agency for reviewing and approving his or her years of service for severance purposes.
4. The civil servant is subject to a guardianship or assistance order which has not yet been revoked, and it is necessary for a legal guardian or assistant to apply for retirement or severance on his or her behalf.
5. Any of the civil servant's survivors applies for a lump-sum payment of the cumulative

total amount in his or her individual account, in accordance with Paragraph 3, Article 25.

Article 49

For any cases in which a civil servant or any of his or her survivors applies for retirement and benefit payments pursuant to this Act, a review agency shall issue written instructions for handling such cases as an administrative direction.

Article 50

1. All the retirement and benefit payments referred to in this Act shall, without exception, be directly remitted through a financial institution. Unless other stipulated in this Act, the payments shall be disbursed in accordance with the following provisions:

(1) After being reviewed and approved by a review agency, a lump-sum retirement payment shall be disbursed, starting from the effective date of retirement. After review and approval by the review agency, the first installment of a monthly retirement payment shall be disbursed, starting from the effective date of retirement. The second and subsequent installments shall be disbursed once a month, in order for to be given in a consistently periodic manner. However, if the civil servant chooses to receive retirement payments on a quarterly, semi-annual, or yearly basis, the payments shall be disbursed at the time interval of his or her choice.

(2) After being reviewed and approved by a review agency, a severance payment shall be disbursed starting from the effective date of severance.

(3) Lump-sum compensation payments shall be disbursed after being reviewed and approved by a review agency.

(4) After reviewed and approved by a review agency, the first monthly installment of a monthly compensation payment shall be disbursed in the month following the death of a civil servant. The second and subsequent installments shall be disbursed once a month, in order for such payments to be given in a consistently periodic manner. The same applies to any additional monthly compensation payments issued on the basis of the number of surviving minor children, who are referred to in in Article 43.

2. The monthly retirement payment referred to in Subparagraph 1 of the preceding Paragraph is a payment received each month for retirement purposes in accordance with Items 1 and 2, Subparagraph 2, Paragraph 1, Article 28.

3. If a civil servant receives a monthly retirement payment in accordance with Item 3, Subparagraph 2, Paragraph 1, Article 28, the payment will be periodically disbursed by

- an insurer which has offered annuity insurance to him or her.
4. The verification of the eligibility of recipients of the retirement and benefit payments, the procedure for issuing such payments, and other related matters, are subject to the Regulations Governing the Checking and Issuing of Regular Retirement Benefit Payments to Civil Servants.

Article 51

The retirement and benefit payments that a civil servant receives pursuant to this Act are disbursed in accordance with the following provisions:

1. Unless otherwise stipulated in this Act, a civil servant's retirement payment, survivor relief, separation pay, and severance payment shall be disbursed out of the cumulative total amount in his or her individual account.
2. An employing agency shall pay, through a budget allocation, any supplemental pension and savings fund contributions, which it deposits in a lump sum in accordance with Paragraph 2, Article 30.
3. Any retirement payments that each level of government shall continue to issue in accordance with Paragraphs 3 and 7, Article 30, shall be given through a budget allocation implemented by that level government.
4. An employing agency shall issue, through a budget allocation, any of the additional lump-sum compensation payments referred to in Article 31.
5. An employing agency shall pay, through a budget allocation, any supplemental pension and savings fund contributions, which it deposits in a lump sum in accordance with Paragraph 2, Article 42.
6. All levels of governments shall issue, through a budget allocation, the survivor relief referred to in Paragraph 1, Article 41, the additional lump-sum compensation payment referred to in Paragraph 3, Article 42, the additional survivor relief for minor children referred to in Article 43, and the funeral and burial subsidies and the survivor relief for meritorious service, both referred to in Article 44.

Article 52

1. The right of a civil servant or any of his or her survivors to claim retirement and benefit payments shall not be assigned, offset, attached, or provided as security. However, this restriction does not apply to the distribution of a civil servant's retirement payment in accordance with Article 58.

2. A recipient of retirement and benefit payments may open a personal account at a financial institution and use it exclusively for the deposit of such payments.
3. Any deposits in the personal account referred to in the preceding Paragraph shall not be offset, attached, provided as security, or used as an object of mandatory enforcement action.
4. If a recipient of retirement and benefit payments receives such payments by making a false claim or receives any excess amount, the Management Authority, issuing agency, or disbursing agency shall recover any amount it has verified as having been falsely claimed or excessively received, without being subject to the restrictions referred to in Paragraph 1 or the preceding Paragraph.

Article 53

1. If the right of a civil servant or any of his or her survivors to claim retirement and benefit payments is extinguished on statutory grounds or revoked or annulled as the result of an administrative direction, or if an excess or erroneous retirement and benefit payment amount is disbursed by an agency (or organization), the Management Authority, issuing agency, or disbursing agency shall issue a written administrative order demanding that the party return, within a prescribed period, the payment amount received in excess or erroneously since the date that the right of claim was lost. If the party does not return the payment amount within the prescribed period, the matter shall be handled through mandatory enforcement action in accordance with the applicable provisions of the Administrative Execution Act.
2. If the excessively or erroneously received payment amount referred to in the preceding Paragraph is a regular payment, the Management Authority, issuing agency, or disbursing agency may notify the party that the amount will be verified and then recovered from the remaining amount in his or her individual account or from the next and subsequent regular retirement and benefit payments. If the party objects and has not yet returned the amount by some other means, the Management Authority, issuing agency, or disbursing agency shall handle the matter in accordance with the preceding Paragraph.
3. If any party referred to in the preceding two Paragraphs fails to return the payment amount within the prescribed period and responsibility for the failure to do so is attributable to that party, the Management Authority, issuing agency, or disbursing agency shall charge interest at an annual rate of two percent and recover the amount in

accordance with Paragraph 1.

4. If any party referred to in the preceding three paragraphs fails to return, within the prescribed period, any retirement and benefit payments excessively or erroneously issued, or such payments in full, and if the party once again retires or is dismissed with severance pay before the Management Authority, issuing agency, or disbursing agency takes mandatory enforcement action in accordance with the applicable provisions of the Administrative Execution Act to recover the payments, the Management Authority may verify the fact and offset or recover the payments from the cumulative total amount in the party's individual account.

Article 54

The right of a civil servant or any of his or her survivor to claim retirement and benefit payments, except for the pension and savings fund contributions paid by the civil servant, shall be exercised within the period for a right of claim under public law, which is prescribed in the Administrative Procedure Act.

Article 55

1. The right of a civil servant or any of his or her survivors to claim retirement and benefit payments shall be extinguished under any of the following circumstances:
 - (1) Having been deprived of civil rights for life.
 - (2) Having been convicted of any offences against internal or external security that were committed after the end of the Period of National Mobilization for Suppression of the Communist Rebellion.
 - (3) The civil servant has lost, or does not have, Republic of China citizenship.
 - (4) The civil servant has been removed from his or her post, or provisionally or permanently dismissed, in accordance with the law.
 - (5) A survivor has been convicted of having intentionally caused the death of the currently employed civil servant or another survivor entitled to receive survivor relief, for the purpose of receiving the relief.
 - (6) Where another law stipulates otherwise.
2. If any retiree receiving monthly or partial monthly retirement payments, or a survivor receiving monthly compensation payments, encounters any of the following circumstance, the person shall lose the right to continue to receive the monthly retirement or compensation payments:

- (1) Deceased.
 - (2) Having been deprived of civil rights for life
 - (3) Having been convicted of any offences against internal or external security that were committed after the end of the Period of National Mobilization for Suppression of the Communist Rebellion.
3. If a civil servant or any of his or her survivors loses the right to receive retirement and benefit payments in accordance with either of the two preceding Paragraphs, except in the circumstances referred to in Subparagraph 5, Paragraph 1, an application may still be submitted for return of the pension and savings fund contributions paid by the civil servant. However, for the persons referred to in the preceding Paragraph, the amount that may be returned is limited to the difference between the pension and savings fund contributions paid by a retired or deceased civil servant while he or she was still employed, and the received monthly retirement or compensation payments. If there is no such difference, no amount will be returned.

Article 56

1. If a currently employed civil servant allegedly commits a criminal offense in breach of the Anti-Corruption Act or a crime specified in the Offenses of Malfeasance in Office chapter of the Criminal Code, or takes advantage of the authority, or an opportunity, or means afforded by his or her position to commit some other offense, and is subsequently convicted and sentenced after retirement, dismissal with severance pay, or resignation, the civil servant shall, in accordance with Paragraphs 1 and 2, Article 79, of the Retirement, Severance and Survivor Relief Act, be deprived of the pension and savings fund contributions paid by the government or have such payments reduced. If such payments have already been issued, written instructions shall be given for administrative action to be taken to recover all or part of them, depending on whether the civil servant is subject to deprivation or reduction.
2. If another law imposes a more severe deprivation or reduction regarding the same case on the civil servant referred to in the preceding Paragraph, the more severe punishment shall be imposed.
3. If a civil servant who retired or was dismissed with severance pay in accordance with this Act is subsequently once again employed at the public sector, no further retirement and benefit payments shall be issued for any past years of service during which the civil

servant have previously been subject to, in accordance with Paragraph 1, the deprivation or reduction of pension and savings fund contributions paid by the government, in the event that he or she retires, is dismissed with severance pay, leaves employment, or dies after reemployment,

Article 57

If, under this Act, a civil servant who applies for retirement or severance or a survivor who claims survivor relief does not agree with the outcome of a review agency's review of his or her application or claim, the civil servant or survivor may appeal for remedy in accordance with the Civil Service Protection Act. If any obvious errors occur, new facts emerge, or new evidence is discovered, thereby constituting grounds for reinitiating the administrative procedure, the matter may be handled in accordance with the applicable provisions of the Administrative Procedure Act.

Article 58

1. If the marriage relationship between a civil servant and his or her divorced spouse has existed for two full years, and the statutory or common property regime between them is dissolved because of the divorce, the spouse may claim the allocation of a share of the retirement payment received by the civil servant, in accordance with the following provisions:
 - (1) The share of the retirement payment which the divorced spouse may claim is calculated, for the duration of the spouse and the civil servant's statutory or common property regime, as one-half of the period during which the civil servant pays pensions and savings fund contributions in accordance with the law.
 - (2) The retirement payment amount of which the divorced spouse may claim the share referred to in the preceding Subparagraph is determined on the basis of the cumulative total amount in the civil servant's individual account at the time of dissolution of their statutory or common property regime as a result of divorce.
 - (3) The duration of a statutory or common property regime refers to the actual number of days that the regime lasts.
 - (4) If the one-half share stipulated in Subparagraph 1 is obviously unfair, either party may appeal to the court to adjust the share, or to grant an exemption to that share.
2. If the divorced spouse referred to in the preceding Paragraph may, in accordance with another law, hold an entitlement to a retirement payment for as long as the marriage

- relationship lasts, the spouse can exercise his or her right to lodge a claim for the allocation of a share of the payment only to the extent that the civil servant has an equal right to lodge a claim for the allocation of a share of the retirement payment of the spouse in accordance with other laws.
3. The right to lodge the claim referred to in Paragraph 1 shall not be assigned or inherited.
 4. The right of a civil servant's divorced spouse to lodge the claim referred to in Paragraph 1 shall be extinguished if not exercised within two years after the spouse is informed that he or she has that right. The right shall also be extinguished if not exercised within five years after the statutory or common property regime for the civil servant and his or her spouse is dissolved.
 5. If a civil servant takes compulsory retirement, this Article does not apply to the retirement payment that he or she receives pursuant to this Act.

Article 59

1. When the divorced spouse of a civil servant requests an allocation of the civil servant's retirement payment in accordance with the preceding Article, the proportion, amount, and payment method of this allocation may be determined preferentially by mutual consent based on the share referred to in the preceding Article and matters relating to the payment of the allocation may be handled accordingly. If no such consent is reached, or if the allocation is obviously unfair, either party may appeal to the court to issue a ruling that sets forth the proportion of the allocation or gives an exemption to the allocation.
2. If the parties are unable or unwilling to reach an agreement in accordance with the preceding Article, either party may submit a written request to the agency responsible for reviewing and approving retirement payments that when it reviews and determines the civil servant's retirement payment, it will also review and determine, in accordance with the preceding Article, the total amount of an allocation of the payment and ask the Management Authority to deduct that amount from the civil servant's individual account in a lump sum.
3. If a retired civil servant divorces while receiving a monthly or partial monthly retirement payment, any allocation of the payment in accordance with the preceding Article shall be handled in accordance with the preceding two Paragraphs.
4. Documents related to the proportion, amount, payment method of the allocation referred to in Paragraph 1 shall be notarized.

Article 60

If the divorced spouse of a civil servant encounters any of the circumstances referred to in Paragraph 1, Article 55, the spouse's right to be allocated a share of the civil servant's retirement payment in accordance with Article 58 shall be extinguished.

Chapter VII Continuation of Years of Employment in Civil Service

Article 61

1. If a civil servant with five full years of service in employment quits without arranging for retirement or severance in accordance with this Act, his or her years of service may be retained, unless otherwise stipulated in this Act, and within six months from the date that the civil servant turns 65 years old, he or she may subsequently submit documentary proof to the agency that formerly employed him or her. The civil servant's former employing agency will deliver the proof to a review agency which will in turn review and approve his or her service years and corresponding retirement payment in accordance with Article 27.
2. After the civil servant referred to in the preceding Paragraph quits, the management and utilization of the cumulative total amount in his or her individual account shall be handled by the Management Authority in accordance with the latter part of Paragraph 4, Article 28.
3. If the civil servant referred to in Paragraph 1 receives a lump-sum retirement payment, it shall be calculated in accordance with Subparagraph 1, Paragraph 1, Article 28. If he or she receives monthly retirement payments, the payments shall be calculated in accordance with Subparagraph 2 of the same Paragraph of the same Article.
4. If the civil servant referred to in Paragraph 1 is deceased before having received any retirement payments pursuant to this Article, his or her survivors, as referred to in Article 33, may apply for a lump-sum payment of the cumulative total amount in his or her individual account.
5. Under any of the following circumstances, neither Paragraph 1 nor 2 applies to the civil servant referred to in Paragraph 1:
 - (1) When the six-month period referred to in Paragraph 1 expires, the civil servant has any statutory grounds for the loss of the right to claim the retirement and benefit payments stipulated in Paragraph 1, Article 55.

(2) When the six-month period referred to in Paragraph 1 expires, the civil servant encounters any of the circumstances referred to in Paragraph 1, Article 24, under which no retirement applications shall be handled.

(3) The civil servant's years of service have already been handled in accordance with Paragraph 2, Article 62.

Article 62

1. If a civil servant who applies for age-mandated or compulsory retirement in accordance with this Act has less than 15 full years of service, he or she may become eligible to claim monthly retirement payments, by including in the aggregate any years of service which are subject to the retirement payment regulations governing any other professions, and for which the civil servant has not yet claimed pension or separation payments when he or she previously retired from a civil-service, government-enterprise, or military position, was dismissed with severance pay, or had none of these service years settled.
2. If a civil servant with five full years of service resigns without applying retirement or severance and receiving any pensions or separation payments in accordance with the law, and is then employed in another profession, he or her years of employment in civil service may be calculated in aggregate with any subsequent years of service when he or she retires or terminates employment, in order to become eligible to claim all of his or her monthly retirement payments. Within six months from the date the civil servant turns 65 years old, he or she may submit related documentary proof to his or her former employing agency, which will deliver the proof to a review agency for reviewing and approving his or her years of service and monthly retirement payments.
3. The monthly retirement payments received by the civil servant referred to in the preceding Paragraph shall be calculated in accordance with Subparagraph 2, Paragraph 1, Article 28.
4. The civil servant referred to in Paragraph 2 is not subject to that Paragraph, under either of the following circumstances:
 - (1) When the six-month period referred to in Paragraph 2 expires, the civil servant has any statutory grounds for the loss of the right to apply for the retirement and benefit payments stipulated in Paragraph 1, Article 55.
 - (2) When the six-month period referred to in Paragraph 2 expires, the civil servant encounters any of the circumstances set forth in Paragraph 1, Article 24, under which

no retirement applications shall be accepted.

5. If the civil servant referred to in Paragraph 2 is deceased before receiving any retirement payments in accordance with this Article, his or her survivors, as referred to in Article 33, may apply for the payment of the cumulative total amount in his or her individual account.
6. If the civil servant referred to in the preceding Article or in Paragraph 2 is deceased while receiving monthly retirement payments, the matter shall be handled in accordance with Article 33 or 34, depending on the way the deceased civil servant received such payments.

Article 63

Article 56 applies to those who receive retirement payments in accordance with the preceding two Articles.

Article 8 Supplementary Provisions

Article 64

The government shall prepare budgets to cover the necessary expenses entailed by the Management Authority's undertaking of any operations relating to this Act, and any shortfalls compensated by the National Treasury, which occur when the returns on investment of individual accounts fall short of the two-year fixed deposit rates of local banks.

Article 65

All ledgers, transaction records, and revenues and expenses associated with the operations of the Management Authority pursuant to this Act are exempt from taxation.

Article 66

To apply for voluntary or age-mandated retirement, a civil servant shall complete an application form and submit the form and related documentary proof to his or her employing agency, which will deliver all the application documents to a review agency between one day and three months before the effective date of retirement.

Article 67

1. If a civil servant applies for voluntary or age-mandated retirement in accordance with this Act, he or she shall prudently decide the effective date of retirement at the time of application. Prior to the effective date of retirement, any request for a change or withdrawal of the application must be approved by his or her employing agency. No request for change shall be accepted after the effective date of retirement.

2. At the time of application for retirement, a civil servant or any of his or her survivors shall prudently decide which form of retirement and benefit payments should be claimed in accordance with Article 27, Article 33, and Paragraph 1, Article 41, and whether to receive retirement payments on a monthly basis pension. Unless otherwise stipulated in this Act apply, no request for change shall be accepted after a review agency has reviewed and approved the application, and retirement has become effective.

Article 68

1. A civil servant's eligible age for retirement set forth in this Act is entirely calculated from the date of birth recorded on the household registration.
2. A civil servant's survivors, as referred to in Articles 33 and 45, shall uniformly be determined on the basis of his or her household registration record.

Article 69

The enforcement regulations of this Act are established by the Examination Yuan.

Article 70

This Act shall be enforced on July 1, 2023.