

Possible Legal Liability of Suppliers Participating in Government Procurement

1. Supplier for planning, design, supervision or project management.

(1) Laws and regulations governing the criminal liability that may be involved in the procurement of public works

Laws and regulations	Relevant Article	Violation of laws and regulations	Relevant Penalty
Government Procurement Act	Article 87, Penal Provisions for Collusive Bidding	A person who commits violence or threat, administers drugs, or applies hypnosis with the intent to cause a supplier not to tender or to tender contrary to its real intention, or cause the winning tenderer to forego the award or to assign or subcontract after award.	Shall be punished with imprisonment for not less than one year but not more than seven years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$3,000,000) may be imposed. An attempt to commit the offense is punishable.
		A person who commits the offense specified in the preceding paragraph and causes death or serious bodily injury.	If death results therefrom, the offender shall be punished with imprisonment for life or for not less than seven years; if serious bodily injury results therefrom, the offender shall be punished with imprisonment for not less than three years but not more than ten years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed.
		A person who commits fraud or uses any other illegal means to make the supplier unable to tender or cause the opening of tenders to have an incorrect result.	Shall be punished with imprisonment for not more than five years; in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed. An attempt to commit the offense is punishable.
		A person who causes the supplier not to tender or not to proceed with price competition by means of contract, agreement or other forms of meeting of minds,	Shall be punished with imprisonment for not less than six months but not more than five years; in addition thereto, a fine of not more than one million New Taiwan

		with the intent to adversely affect the price of award or to gain illegal benefits.	Dollars (NT\$ 1,000,000) may be imposed. An attempt to commit the offense is punishable.
		A person who borrows or assumes any other's name or certificate to tender, with the intent to adversely affect the result of procurement or to gain illegal benefits. Allows any other person to borrow or assume his name of certificate to tender.	Shall be punished with imprisonment for not more than three years; in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed.
	Article 88 Punishment for Bid-Rigging	A personnel of a supplier who is entrusted by an entity to conduct planning, design, review, monitoring, project management, or procurement but imposes unlawful restrictions or review on the technologies, technical methodology, materials, equipment, or specifications with the intent to gain personal illegal benefits and thereby obtains benefits. A personnel who imposes unlawful restrictions or review on the qualifications of suppliers or sub-suppliers with the intent to gain personal illegal benefits and thereby obtains benefits.	Shall be punished with imprisonment for not less than one year but not more than seven years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed. An attempt to commit the offense is punishable.
	Article 89 Punishment for disclosing confidential information	The personnel of a supplier who is entrusted by an entity to conduct planning, design, project management, or procurement but discloses or delivers confidential documents, drawings, information, things, or any other data related to the procurement with the intent to gain personal illegal benefits and thereby obtains benefits.	Shall be punished with imprisonment for not more than five years or detention; in lieu thereof or in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed. An attempt to commit the offense is punishable.
	Article 90 Punishment for forcing personnel to make	A person who commits violence or threat with the intent to cause the personnel of an entity who is engaged in planning, design, handling, or	Shall be punished with imprisonment for not less than one year but not more than seven years; in addition thereto, a fine of not more

	decision related to procurement	supervision of a procurement, or the personnel of a supplier who is entrusted by an entity either to provide services of planning, design, or project management of a procurement or to conduct its procurement, not to decide on matters with respect to the procurement or to decide on such matters contrary to his/her own mind.	than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed. An attempt to commit the offense is punishable.
		A person who commits the offense specified in the preceding paragraph and causes death or serious bodily injury.	The offender causing death shall be punished with imprisonment for life or for not less than seven years; the offender causing serious bodily injury shall be punished with imprisonment for not less than three years but not more than ten years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed.
Article 91 Punishment for forcing personnel to disclose confidential information		A person who commits violence or threat with the intent to cause the personnel of an entity who is engaged in planning, design, handling, or supervision of a procurement, or the personnel of a supplier who is entrusted by an entity either to provide services of planning, design, or project management of a procurement or to conduct its procurement, to disclose or deliver the confidential documents, drawings, information, things, or any other data related to the procurement.	Shall be punished with imprisonment for not more than five years; in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed. An attempt to commit the offense is punishable.
		A person who commits the offense specified in the preceding paragraph and causes death or serious bodily injury.	The offender causing death shall be punished with imprisonment for life or for not less than seven years; if serious bodily injury results therefrom, the offender shall be punished with

			imprisonment for not less than three years but not more than ten years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed respectively.
	Article 92 Punishment for Juristic Person	Where a representative, agent, employee, or any other staff of a supplier who, in performing his/her duty, commits an offense specified in this Act.	The wrongdoer shall be subject to the punishment prescribed in the relevant Articles; in addition thereto, the supplier shall also be subject to the fine prescribed therein.
Criminal Code	Paragraph 3, Article 122 Bribing	A person who offers, promises, or gives a bribe or other improper benefits to a public official for a breach of his official duties.	Shall be sentenced to imprisonment for not more than three years; in addition thereto, a fine of not more than three thousand dollars (NT\$ 3,000) may be imposed.
	Article 193 Violation of established rule of construction	A contractor or an overseer who endangers public safety by violating an established rule of construction in erecting or demolishing a structure	Shall be sentenced to imprisonment for not more than three years, detention, or a fine of not more than NT\$3,000.
	Article 210 Forging or altering a private document	A person who forges or alters a private document and causes injury to the public or another.	Shall be sentenced to imprisonment for not more than five years.
	Article 214 Causing public official to make a false entry	A person who causes a public official to make in a public document an entry which such a person knows to be false and causes injury to the public or another.	Shall be sentenced to imprisonment for not more than three years, detention, or a fine not more than NT\$500.
	Article 215 Making a false entry in document or certificate in the course of occupation	A person who makes in a document or certificate prepared in the course of his occupation an entry which he knows to be false and causes injury to the public or another.	Shall be sentenced to imprisonment for not more than three years, detention or a fine of not more than NT\$500.
	Article 324 Breach of Trust	A person who manages the affairs of another for purpose to take an illegal benefit for himself or for a third person	Will be sentenced to imprisonment for not more than five years or detention; in lieu thereof, or in addition

		or to harm the interests of his principal and who acts contrary to his duties and thereby causes loss to the property or other interest of the principal.	there to, a fine of not more than one thousand dollars may be imposed. An attempt to commit the offense is punishable.
貪污治罪條例 Anti-Corruption Act	Article 2	Public servants who violate the provisions of the Act shall be dealt with in accordance with provisions of the Act.	Refer to Article 4, Article 5, Article 6, Article 10, Article 12, Article 13, Article 15, Article 17 of Anti-Corruption Act.
	Article 3	The accomplices of the corrupt public servants are also dealt with in accordance with the provisions of the Act.	
	Paragraph 1 and Paragraph 4 of Article 11 Bribing	With regard to persons mentioned in Article 2 engaging in an act against his or her duties, such as making unlawful demands, promising or taking bribes or engaging in other malpractices for unjust gains. Persons who commit the offenses of Paragraph 1 but do not have the Paragraph 2 status.	shall be punished with imprisonment for not less than one year but not more than seven years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed.
	Paragraph 2 and Paragraph 4 of Article 11	With regard to persons mentioned in Article 2, engaging in an act belonging to his or her duties, such as making unlawful demands, promising or taking bribes or engaging in other malpractices for unjust gains. Persons who commit the offenses of Paragraph 2 but do not have the Paragraph 2 status.	Shall be punished by imprisonment for a term of less than three years, detention, and may also be punished by a fine not to exceed NT\$500,000.
Professional Engineers Act	Article 50	One who has been in professional practice without being recognized for professional engineer qualifications.	Shall be ordered to suspend by the central competent authority and, in addition, may be subject to a fine not less than NT\$200,000 and not more than NT\$1,000,000. In the event that the professional engineer fails to cease professional practice therefrom; the engineer may be punished for each violation.

Note: Other related laws and regulations established by the central government or local governments, such as those on labour safety and health, environmental protection, water conservancy, water conservation, common pipelines, construction, railways and highways, shall be followed in accordance with their own regulations.

(2) Laws and regulations governing the civil liability that may be involved in the procurement of public works.

Laws and Regulations	Relevant provisions	Violation of Laws and Regulations	Relevant Liability Provisions
Government Procurement Act	Article 31	<ol style="list-style-type: none"> 1. Uses forged or altered documents to tender. 2. The tendering supplier borrows any other's name or certificate to tender. 3. Assumes any other's name or certificate to tender. 4. Revokes price offer while the price offer is still valid. 5. Awarded supplier refused to accept the results of the opening of the tender or to execute a contract. 6. Failure to pay the full amount of guarantee bond or to provide guarantee within the stipulated period after being awarded the tender. 7. Converting bid bond into guarantee bond. 8. The responsible entity found that there is a violation of laws and regulations which affects the fairness of the procurement. 	Entity shall stipulate in the tender documentation that the bid bond deposited shall not be refunded or returned to the tenderer, and the refunded or returned bid bond shall be recovered if any of the circumstances specified at the left exists.
	Article 32	The awarded supplier prescribes in the tender documentation not to return all or part of the guarantee bond and the interest accruing thereon. (Refer to Article 20 of the Regulations for Bid Bond, Guarantee Bond and Other Guarantees)	In the event of breach by the supplier, the organ may not return all or part of the guarantee bond and the interest accruing thereon.
	Article 50	<ol style="list-style-type: none"> 1. The tendering does not comply with the requirements of the tender documentation. 2. The content of the tender is inconsistent with the requirements of the tender documentation. 3. The tenderer borrows or assumes any other's name 	In case that any of the circumstances specified on the left occurs to a tenderer, an entity shall not open the tender of such tenderer when such circumstance is found before tender opening, nor shall award the contract to such tenderer when such circumstance is found after tender opening.

		<p>or certificate to tender, or uses forged or altered document to tender.</p> <p>4. The tenderer forges or alters the tender.</p> <p>5. The contents of the tender documents submitted by different tenderers show a substantial and unusual connection.</p> <p>6. The tenderer is prohibited from participating in tendering or being awarded of any contract pursuant to paragraph 1 of Article 103 hereof.</p> <p>7. The tenderer is engaged in any other activities in breach of laws or regulations which impair the fairness of the procurement.</p>	<p>When any of the circumstances referred to in preceding paragraph occurs to the winning tenderer before the award of contract but is found after award or signing of the contract, the entity shall revoke the award, terminate or rescind the contract, and may claim for damages against such tenderer except where the revocation of the award or the termination or rescission of the contract is against public interests, and is approved by the superior entity. Where the situation of not opening or not awarding a contract as referred to in paragraph 1 causes the procurement procedures unable to continue, the entity may declare that the procurement is nullified.</p>
	Article 63	Breach of Procurement Contract - A supplier's faulty planning and design, dishonest supervision, or mismanagement, resulting in damage to the entity.	The contract is binding on both the supplier and the entity, and the supplier shall be liable for any non-compliance (e.g. late penalty, liquidated damages, non-reimbursement of performance bond, damages, etc.).
	Article 66	Awarded supplier is in breach of the regulation by assigning a contract to another supplier	<p>The entity may rescind or terminate the contract, or forfeit the margin and may claim damages.</p> <p>The subcontractor and the awarded supplier shall be jointly and severally liable to the entity for performance and indemnity. The same applies to subcontractors.</p>
	Article 70	Requirements on quality and progress of works	Refer to Article 10 of Methods of Operation of the Engineering and Construction Inspection Unit (工程施工查核小組作業辦法) and regulations stipulated in Public Works Construction Quality Management Practice Point (公

			共工程施工品質管理作業要點).
	Article 72	The result of inspection indicates non-conformity with the contractual requirements	<p>For any item found not in conformity with the requirements specified in the contract, drawings and/or samples after inspection and acceptance, the supplier shall be required, by a notice, to make improvement, to remove the rejected item or to re-do the work, or to recall or to replace the rejected item within a time-limit. Where the result of the inspection and acceptance indicates that the non-conforming item is not material and the remaining items are nonetheless usable, and the entity deems that it is necessary to use such remaining items before the said non-conformity is corrected, a partial acceptance may be conducted for the remaining items and the contract value may be paid partially for the accepted portion, subject to the approval by the head of the entity or his/her authorized personnel.</p> <p>Where the result of inspection indicates any non-conformity with the contractual requirements, but the non-conformity neither hinders the safety or use required nor decreases the general function or the function designated by the contract, an acceptance with price-reduction may be conducted under conditions that the entity has determined that there is no need or it is difficult to make replacement. Before conducting the foregoing, the entity shall report the case to the superior entity for approval if the value of the procurement reaches the threshold for</p>

			<p>supervision, or to the head of the entity or his/her authorized personnel if the value of the procurement does not reach the threshold.</p> <p>The inspectors may, as they deem necessary, disassemble the covered parts of a construction work or property for inspection or conduct analytical inspection thereof.</p>
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Note: Regarding the contract of commissioned design and supervision, there are contractual liabilities for manufacturers' planning and design errors, dishonest supervision or mismanagement, which may cause damage to the organisation, as well as delays in the performance of the contract, non-compliance with the requirements for acceptance, and failure of the supervisory staff to meet the quality requirements, etc. The contractual liabilities should be followed in accordance with the provisions of the contract.

(3) Laws and regulations governing the administrative responsibilities that may be involved in the procurement of public works.

Laws and regulations	Relevant provisions	Violation of laws and regulations	Relevant Liability Provisions
Government Procurement Act	Article 101 to Article 103	<p>Where a procuring entity finds that a supplier has any of the following circumstances, the entity shall notify the supplier of the facts and reasons related thereto, indicate with a note in the notification that it will be published on the Government Procurement Gazette if the supplier does not file a protest:</p> <ol style="list-style-type: none"> 1. Where the supplier allows any others to borrow its name or certificate to participate in a tender; 2. Where the supplier borrows or assumes any other's name or certificate, or to use forged or altered document to participate in a tender; 3. Where the supplier has substantially reduced the work or materials without obtaining a prior approval 4. Where the supplier forges or alters documents related to tendering, contract or contract performance 5. Where the supplier participates in tendering during the period when its business operation has been suspended by a disciplinary action 6. where the supplier has committed any of the offenses prescribed in Articles 87 to 92 hereof, and has been sentenced by a court of the first 	Supplier published on the Government Procurement Gazette, shall not participate in tendering or being awarded of any contract or being the subcontractor for a minimum of 1 year and maximum of three years.

		<p>instance</p> <ol style="list-style-type: none"> 7. Where the supplier refuses to execute a contract without due cause after award. 8. Where an inspection indicates any serious non-conformity with the contractual requirements 9. Where the supplier does not fulfill its obligation of guarantee after inspection and acceptance, particularly serious thereof. 10. Where the time-limit for contract performance is seriously delayed due to causes attributable to the supplier. 11. Where the supplier is in breach of the requirement of Article 65 by assigning a contract to others 12. Where a contract is rescinded or terminated for causes attributable to the supplier, particularly serious thereof. 13. Where the supplier is under the procedure of bankruptcy. 14. Where the supplier discriminates women, aborigines or vulnerable groups, particularly serious thereof. <p>Where there is a supplier who shares the liability with the contractor jointly and severally and the entity notifies the supplier to fulfill its liability, the preceding paragraph shall also apply.</p>	
Professional Engineers Act	Paragraph 1 of Article 8, Article 24, Article 52	A professional engineer who has been in professional practice with only the professional engineer certificate but without	Shall be ordered to suspend by the central competent authority and, in addition, may be subject to a fine not less than NT\$30,000 and not

		professional engineer license, suspend the practice voluntarily or without joining the professional engineer association membership	more than NT\$150,000. In the event that the professional engineer fails to cease professional practice therefrom; the actor may be punished for each violation.
	Paragraph 4 of Article 8, Paragraph 1 of Article 53	The professional engineer license has expired without application for renewal yet continues practicing	Shall be subject to a fine not less than NT\$18,000 and not more than NT\$90,000, and the central competent authority shall order the professional engineer to supplement application for renewal of the professional engineer license within a specified time limit. In the event that the professional engineer fails to supplement and continues practicing within the specified time limit, the central competent authority may impose fines successively for each violation.
	Paragraph 2 of Article 9, Paragraph 2 of Article 53	Failure to apply for change of professional engineer licence registration within the time limit	The central competent authority shall order the professional engineer to complete improvement within a specified time limit. In the event that the professional engineer fails to complete the improvement within the specified time limit or repeats the violation after the corrective action, the professional engineer shall be subject to a fine not less than NT\$6,000 and not more than NT\$30,000. In the event that the professional engineer is subject to a fine and fails to complete the corrective action, the central competent authority may impose fines successively for each violation.
	Article 12, Paragraph 2 of Article 53	Cease to practise as a professional engineer and apply to the central authority for cancellation of	The central competent authority shall order the professional engineer to complete improvement

		the professional engineer license without checking the practising licence.	within a specified time limit. In the event that the professional engineer fails to complete the improvement within the specified time limit or repeats the violation after the corrective action, the professional engineer shall be subject to a fine not less than NT\$6,000 and not more than NT\$30,000. In the event that the professional engineer is subject to a fine and fails to complete the corrective action, the central competent authority may impose fines successively for each violation.
	Paragraph 1 of Article 14, Paragraph 2 of Article 53	Turn down an order for the professional practice designated to perform public safety, disaster prevention and response actions during disaster, and recovery after disaster by a government entity without justifiable reasons.	The central competent authority shall order the professional engineer to complete improvement within a specified time limit. In the event that the professional engineer fails to complete the improvement within the specified time limit or repeats the violation after the corrective action, the professional engineer shall be subject to a fine not less than NT\$6,000 and not more than NT\$30,000. In the event that the professional engineer is subject to a fine and fails to complete the corrective action, the central competent authority may impose fines successively for each violation.
	Article 15, Paragraph 2 of Article 53	Failure to prepare and maintain a profession registry book	The central competent authority shall order the professional engineer to complete improvement within a specified time limit. In the event that the professional engineer fails to complete the improvement within the specified time limit or repeats the violation

			after the corrective action, the professional engineer shall be subject to a fine not less than NT\$6,000 and not more than NT\$30,000. In the event that the professional engineer is subject to a fine and fails to complete the corrective action, the central competent authority may impose fines successively for each violation.
	Paragraph 1 of Article 16, Paragraph 1(1) of Article 41	Failure to sign the drawings and affix the practice seal in person	Warning or reprimand.
	Paragraph 2 to Paragraph 3 of Article 16, Paragraph 1(3) of Article 41	A professional engineer conduct certification and provide certification for the works that are not completed by himself/herself or under his/her supervision. When work involves site operations, the professional engineer does not conduct inspections at the work site in person. A professional engineer, when conducting certification, fails to submit certification report, or fails to keep a record of the certification process. The report and record, along with all the relevant data and documents, are not compiled into worksheets.	Reprimand, suspension from professional practice or abolishment of professional engineer license for not less than two months but not more than two years.
	Article 17, Paragraph 1 (2) of Article 41	The professional engineer fails to report the fact honestly to the local competent authority in the event that a professional engineer's client or a business entity where the engineer practices changes the finalized project without permission and defies warnings during the project	Reprimand or suspension from professional practice for not less than two months but not more than two years.

		or after it is carried out and could consequently cause danger.	
	Article 18, Paragraph 1(3) of Article 41	Concurrently serve as a government employee	Reprimand, suspension from professional practice or abolishment of professional engineer license for not less than two months but not more than two years.
	Paragraph 1(1) of Article 19, Paragraph 1(5) of Article 41	Allowing anyone to borrow his/her name to provide services or solicit business	Suspension from professional practice, abolishment of professional engineer license or professional engineer certificate for not less than two months but not more than two years.
	Paragraph 1(2) to (6) of Article 19, Paragraph 1(3) of Article 41	Breach or neglect obliged liabilities on consigned duties. Breach laws or regulations related to engineering practice. Provide unprofessional or false reports or affidavits when conducting an appraisal Reveal secrets or confidential information obtained from work without a justifiable reason Receive unlawful interests or solicit business by unjustifiable means when conducting professional practice.	Reprimand, suspension from professional practice or abolishment of professional engineer license for not less than two months but not more than two years.
	Article 20, Paragraph 1(2) of Article 41	A professional engineer goes beyond the business scope specified on the professional engineer license unless otherwise regulated by laws.	Reprimand or suspension from professional practice for not less than two months but not more than two years.
	Article 21, Paragraph 1(4) of Article 41	A professional engineer engages in the professional practice during his/her suspension from the profession in penalty	Abolishment of professional engineer license
	Article 22, Paragraph 2 of Article 53	A professional engineer, while in professional practice, does not accept professional training	The central competent authority shall order the professional engineer to complete improvement

		programs as required by the competent authority.	within a specified time limit. In the event that the professional engineer fails to complete the improvement within the specified time limit or repeats the violation after the corrective action, the professional engineer shall be subject to a fine not less than NT\$6,000 and not more than NT\$30,000. In the event that the professional engineer is subject to a fine and fails to complete the corrective action, the central competent authority may impose fines successively for each violation.
	Paragraph 1 of Article 23, Paragraph 1(2) of Article 41	Refusing or circumventing the central competent authority and the authorities in charge of the relevant industries to inspect the professional engineer's business or order them to submit reports, provide verified documents of professional practice, account reports and other relevant data.	Reprimand or suspension from professional practice for not less than two months but not more than two years.
	Article 39, Paragraph 2 of Article 41	A person who commits a behavior against Articles 16~18; Paragraph 1 of Article 19; Article 21; Paragraph 1 of Article 23 of the Professional Engineers Act. A person who has been sentenced under the criminal judgment because of a crime committed relevant to the profession Breaching the Organizational articles, code of conduct of the professional engineer association, Paragraph 2 of Article 24 in a gross offense.	<ol style="list-style-type: none"> 1. Unless otherwise regulated by laws, disciplinary action shall be imposed. 2. Where a professional engineer violates Subparagraph 2 or 3, Article 39, the discipline committee shall impose penalty pursuant to Article 40 as actual requirements may justify.
	Paragraph 2	A professional engineer who	A professional engineer who

	of Article 40	has received more than three reprimands or the total periods suspended from professional practice in accumulation are up to five years in full.	has received more than three reprimands shall be, additionally, punished with suspension from professional practice and shall have the professional engineer license abolished if the total periods suspended from professional practice in accumulation are up to five years in full.
Architects Act	Article 4, Paragraph 1(5) of Article 46	Violation of regulations on being disqualified from practicing architecture or barred from obtaining the architect's license	Disciplinary action of revocation or cancellation of business practice license; where an architect's license has been previously issued, such license or certificate should be revoked or cancelled by central competent authority
	Article 6, Paragraph 1(2) of Article 46	Violation of the regulations on the establishment and registration of architectural firms	Shall be issued a reprimand or a business practice suspension for not less than two months but not more than two years.
	Article 11, Paragraph 1(1) of Article 46	Failure to report change of business address or employment or dismissal of architects and other technical persons to attend to the operations of the practice to the municipality or county (city) government authority for due registration	Shall be issued a warning or reprimand.
	Article 12, Paragraph 1(1) of Article 46	The architect moves practice location without applying for a transfer authorization with the competent government authority under which such practice is originally registered.	Shall be issued a warning or reprimand.
	Article 13, Paragraph 1(1) of Article 46	Failure to present the valid business practice license to the competent government authority under which it is registered and apply for business practice license revocation or cancellation when an architect decides to close his/her business practice	Shall be issued a warning or reprimand.

Article 17, Paragraph 1(4) Article 46	Breach of designing regulations	Shall be issued a warning, reprimand, suspension from professional practice for not less than two months but not more than two years, or revocation of practising certificate.
Article 18, Paragraph 1(4) Article 46	Breach of supervision regulations	Shall be issued a warning, reprimand, suspension from professional practice for not less than two months but not more than two years, or revocation of practising certificate.
Article 24, Paragraph 1(2) of Article 46	Failure to aid the implementation of all directives issued by the government authority on construction matters relating to public safety, social welfare and disaster prevention	Shall be issued a reprimand or a business practice suspension for not less than two months but not more than two years.
Article 25, Paragraph 1(3) of Article 46	Assuming positions under a part-time capacity or assuming part-time employment	Shall be issued a business practice suspension for not less than two months and not more than two years. In the event of the professional engineer continues practicing, his/her practicing certificate shall be abolished.
Article 26, Paragraph 1(5) of Article 46	Allowing a third party to open a practice or engage in related undertakings under his/her name.	The practicing certificate shall be revoked or abolished.
Article 27, Paragraph 1(2) of Article 46	Revealing secrets or confidential information obtained from work	Shall be issued a reprimand or a business practice suspension for not less than two months but not more than two years.
Article 43	Engages in professional practice without proper authorization, that is practicing without a business practice license or without any official architects association membership, or practicing after business practice license has been revoked, canceled or suspended.	Shall be subject to immediate closure or debarment and liable to a fine not less than NT\$10,000 and not more than NT\$30,000. Where individual continues to commit the same offense after disciplinary action and penalty, a repeated disciplinary action and

			penalty shall be imposed each time such offense is committed.
	Paragraph 1 of Article 9, Paragraph 1 of Article 43	Where a professional engineer violates Paragraph 1 of Article 9 due to the practicing certificate has expired without application for renewal yet continues practicing	Shall be subject to a fine not less than NT\$6,000 and not more than NT\$15,000, the professional engineer shall be ordered to supplement application for renewal within a specified time limit. In the event that the professional engineer fails to supplement and continues practicing within the specified time limit, fines may be imposed successively for each violation.
	Paragraph 3 of Article 54, Paragraph 1(1) of Article 46	If a foreigner is permitted to practise as an architect in the R.O.C., the documents and illustrations used in his business are not in the language of the R.O.C.	Shall be issued a warning or reprimand.
	Paragraph 2 of Article 45	A person who has received more than three reprimands or is suspended from professional practice in accumulation are up to five years in full	An architect who has received more than three reprimands shall be, additionally, punished with suspension from professional practice and shall have the professional engineer license abolished if the total periods suspended from professional practice in accumulation are up to five years in full.
Act governing the administration of professional engineering consulting firms	Article 5, Paragraph 1(1) and Paragraph 3 of Article 29	The chairperson of the board of directors or statutory representative is not a licensed professional engineer. None of the practicing professional engineers has more than 7 years of engineering experience, of which more than 2 years should be in the field of project engineering. Failure to have more than one practising professional	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$100,000 and not more than NT\$500,000. The competent authority may impose penalties successively for each

		<p>engineers in each category of the registered scope of business.</p>	<p>violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum. The competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.</p>
	<p>Article 6, Paragraph 1(2) and Paragraph 3 of Article 29</p>	<p>In a professional engineering consulting firm, the directors, shareholders taking charge of business operation or representing the firm did not include one-third minimum as the licensed professional engineers within the firm's registered business scope</p>	<p>Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$100,000 and not more than NT\$500,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum. The competent authority may abolish its permit or revoke its registration certificate and shall inform</p>

			the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.
Article 7, Paragraph 1(3) and Paragraph 3 of Article 29	The managerial officer in charge of engineering technological services or the responsible person in charge of the engineering technology department is not served by licensed professional engineers.		Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$100,000 and not more than NT\$500,000 as the maximum. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum. The competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.
Paragraph 1 of Article 8, Paragraph 1(1) of Article 27	Rendering business operation without obtaining the registration certificate from the competent authority		Shall be ordered for business shutdown and subject to a penalty not less than NT\$500,000 and not more than NT\$2.5 million.
Paragraph 1 of Article 8, Paragraph 1(1) of	Rendering business operation without joining the Association		Shall order that corrective action be completed within the specified time limit. In the event that the firm fails

	Article 32		to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$20,000 and not more than NT\$100,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may issue a warning.
	Article 12, Paragraph 1(2) Article 32	The licensed professional engineers who are hired to serve a professional engineering consulting firm or who organize a professional engineering consulting firm fails to apply for or alter their licenses within the stipulated period.	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$20,000 and not more than NT\$100,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may issue a warning.
	Article 13, Paragraph 1(4) and Paragraph 3 of Article 29	The licensed professional engineers who are hired to serve a professional engineering consulting firm or who organize a professional engineering consulting firm are not serving the duties on an exclusive (full-time) and continual basis, or are not	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less

		exclusively serving that firm.	than NT\$100,000 and not more than NT\$500,000 as the maximum. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum. The competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.
	Paragraph 1 and Paragraph 2 of Article 14, Paragraph 1(3) of Article 32	A licensed professional engineer fails to report to the competent authority as per stipulated in the regulations when he/she quits or is penalized by being suspended from practice. During the period while the professional engineering consulting firm violates Article 5, the professional engineering consulting firm fails to terminate the contract or consign the business for the business contract(s) having been accepted.	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$20,000 and not more than NT\$100,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may issue a warning.
	Article 15, Paragraph	Failure to apply to the competent authority for	Shall order that corrective action be completed within

	1(4) of Article 32	<p>permission to change in the registration certificate, or a change in director(s), shareholder(s) in charge of business operation or representing the firm. Failure to replace the registration certificate. Failure to apply for alteration of the roster of the supervisor(s) or the licensed professional engineer(s).</p>	<p>the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$20,000 and not more than NT\$100,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may issue a warning.</p>
	Article 16, Paragraph 1(2) and Paragraph 2 Article 27	<p>Renting or lending the professional engineering consulting firm registration certificate to other for use.</p>	<p>Shall be ordered for business shutdown and subject to a penalty not less than NT\$500,000 and not more than NT\$2.5 million. The competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.</p>
	Article 17, Paragraph 1(5) and Paragraph 3 of Article 29	<p>Breach of regulations on rendering engineering technological services</p>	<p>Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$100,000 and not more than NT\$500,000. The competent authority may impose penalties successively for each violation and demand that</p>

			the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum. The competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.
	Paragraph 3 of Article 17, Paragraph 2 of Article 29	The ones assigned by the professional engineering consulting firms to oversee business operation breach regulations on rendering engineering technological services	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$100,000 and not more than NT\$500,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum.
	Paragraph 2 of Article 18, Paragraph 1(2) and Paragraph 2	Receiving order during business shutdown	Shall be ordered for business shutdown and subject to a penalty not less than NT\$500,000 and not more than NT\$2.5 million. The

	of Article 27		competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.
	Paragraph 2 of Article 20, Paragraph 1(6) and Paragraph 3 of Article 29	Breach of regulations on the informing obligation of insurance against professional liability risks in the event of withdrawal and change of insurance contract	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$100,000 and not more than NT\$500,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum. The competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or registration in part.
	Article 21, Paragraph 1(5) of Article 32	Breach of regulations on annual business report	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified

			<p>time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$20,000 and not more than NT\$100,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may issue a warning.</p>
	<p>Article 22, Paragraph 1(7) and Paragraph 3 of Article 29</p>	<p>The professional engineering consulting firm and their licensed professional engineers evade, impede or refuse the competent authority's inspection.</p>	<p>Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$100,000 and not more than NT\$500,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may suspend the firm from business operation for a period ranging from one month as the minimum to one year as the maximum. The competent authority may abolish its permit or revoke its registration certificate and shall inform the competent authority in charge of incorporation registration to abolish the incorporation registration or</p>

			registration in part.
	Article 23, Paragraph 1(6) of Article 32	Breach of regulations on budget funds for research and development and human resources development	Shall order that corrective action be completed within the specified time limit. In the event that the firm fails to complete the corrective action within the specified time limit or repeats the violation after corrective action, the firm shall be subject to a penalty not less than NT\$20,000 and not more than NT\$100,000. The competent authority may impose penalties successively for each violation and demand that the corrective action be completed within the specified time limit. In a gross violation, the competent authority may issue a warning.
	Article 28	Borrowing, leasing, faking or altering the registration certificate for professional engineering consulting firm	Shall be subject to a penalty not less than NT\$500,000 and not more than NT\$2 million.
	Article 30	Where a licensed professional engineer of a professional engineering consulting firm violates business related laws or regulations	Shall be penalized in accordance with the laws and or regulations concerned.the professional engineering consulting firm shall be imposed a penalty not less than NT\$100,000 and not more than NT\$500,000 and demand that the firm to oversee its licensed professional engineer to complete corrective action within the specified time limit. Should the licensed professional engineer fail to complete the corrective action within the specified time limit, the penalty may be imposed successively until the corrective action is satisfactorily completed.

Note: Other related laws and regulations established by the central government or local

governments, such as those on labour safety and health, environmental protection, water conservancy, water conservation, common pipelines, construction, railways and highways, shall be followed in accordance with their own regulations.

(4) Other laws and regulations

Laws and regulations	Relevant provisions	Laws and regulations	Relevant punishments
Political Donations Act	Article 6, Article 28	No person shall act as a broker in or encumber the contribution of political donations by utilizing his official power, employment relationship or other factors related to personal livelihood.	<ol style="list-style-type: none"> 1. Shall be fined a sum of not less than NT\$200,000 and not more than NT\$1,000,000. 2. A civil servant who violates the provision of Article 6 shall be sentenced to fixed-term imprisonment for not more than one year.
	Paragraph 1 of Article 7, Paragraph 2 of Article 29	<p>Those who may contribute to political donations are limited to individuals, political parties, civil associations and profit-seeking businesses other than the following:</p> <ol style="list-style-type: none"> 1. Public enterprises or the civil enterprises in which the government holds a percentage of the capital that is 20% or greater. 2. Manufacturers that have signed a high-value government procurement contract or an investment contract for important infrastructure and are currently fulfilling the said contract. 3. Profit-seeking businesses with an accumulated deficit that has not been made up in accordance with relevant provisions. 4. Religious associations. 5. ... • • • 11. 	Anyone who contributes political donations violating any of the provisions of Paragraph 1 of Article 7 shall be fined up to a sum doubling the amount of the donations accepted in violation of the aforementioned provision, but shall not be more than NT\$1,000,000.
	Article 8, Article 25	Political parties, political associations and prospective	<ol style="list-style-type: none"> 1. A prospective candidate who accepts political

		<p>candidates may not accept political donations from donors other than those referred to in the preceding article.</p>	<p>donations violating the provisions of Article 8 from donors regulated in Subparagraphs 7 to 9 of Paragraph 1 of Article 7, and who fails to turn over to the competent authority for deposit into the National Treasury in accordance with Article 15, or collects political donations violating the provision of Article 13, shall be sentenced to fixed-term imprisonment of not more than five years; this shall also apply to the agents or employees who accept or collect political donations for prospective candidates.</p> <p>2. The responsible persons, representatives, agents, or employees of political parties or political associations who commit crimes prescribed in the preceding paragraph, shall be punished in accordance with the provision of the preceding Paragraph.</p> <p>3. Persons who commit the offense in Paragraph 1, Paragraph 2 of Article 25, the political donations received by them shall be confiscated; if all or part of them cannot be confiscated, the value of the donations shall be levied retroactively.</p>
	<p>Paragraph 1 of Article 9, Paragraph 1 of Article 29</p>	<p>Political donations may not be contributed as a request for or in the expectation of undue benefits.</p>	<p>Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted. The maximum amount shall not exceed One</p>

			million New Taiwan Dollars (NT\$ 1,000,000).
Paragraph 2 of Article 9, Article 27	Political parties, political associations and prospective candidates may not accept political donations of the nature outlined in the preceding paragraph (Paragraph 1 of Article 9).	<ol style="list-style-type: none"> 1. Anyone who accepts political donations shall be fined up to a sum doubling the amount of the donations accepted. 2. Political donations illegally accepted shall be confiscated, and if the full or a part of the donations cannot be confiscated, a sum equal to the difference of donations shall be recovered. 	
Article 14, Paragraph 2 of Article 29	No person shall contribute donations in the name of others or contribute secret donations of more than NT\$10,000. Cash donations of more than NT\$100,000 shall be paid by cheque or bank remittance.	Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted.	
Article 17, Paragraph 2 of Article 29	The total amount of donations contributed to the same political party or political association each year may not exceed the following limits: <ol style="list-style-type: none"> 1. By individuals: NT\$300,000. 2. By profit-seeking businesses: NT\$3,000,000. 3. By civil associations: NT\$2,000,000. The total amount of donations contributed to different political parties or political associations may not exceed the following limits: <ol style="list-style-type: none"> 1. By individual: NT\$600,000. 2. By profit-seeking business: NT\$6,000,000. 3. By civil association: NT\$4,000,000. 	Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted. The maximum amount shall not exceed one million New Taiwan Dollars (NT\$ 1,000,000).	

	Paragraph 1 and Paragraph 2 of Article 18, Paragraph 2 of Article 29	<p>The total yearly amount of donations contributed to the same prospective candidate may not exceed the following limits:</p> <ol style="list-style-type: none"> 1. By individuals: NT\$100,000. 2. By profit-seeking businesses: NT\$1,000,000. 3. By civil associations: NT\$500,000. <p>The total amount of donations contributed to different prospective candidates each year may not exceed the following limits:</p> <ol style="list-style-type: none"> 1. By individual: NT\$300,000. 2. By profit-seeking business: NT\$2,000,000. 3. By civil association: NT\$1,000,000. 	Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted. The maximum amount shall not exceed one million New Taiwan Dollars (NT\$ 1,000,000).
Act on Recusal of Public Servants Due to Conflicts of Interest	Article 1	<p>The Act is enacted to promote uncorrupt and efficient politics and to well form politics ethics by establishing norms to be followed by public servants for recusal due to conflicts of interest, so that corruption and conveyance of unjust interests can be efficiently eliminated. Unless otherwise provided more strictly by other acts, the Act shall apply to recusal of public servants due to conflicts of interest.</p>	
	Article 2	<p>The term "Public Servant" referred to in this Act, refers to officials defined in Paragraph 1 of Article 2 of Act on Property Declaration by Public Servants.</p>	
	Article 3	<p>The term "related persons of a public servant" referred to in the Act is hereby defined as follows:</p>	

		<ol style="list-style-type: none"> 1. The spouse of a public servant or the family members living together with the public servant. 2. Relatives of the public servant by the second degree of kinship. 3. Trustees of the trust property consigned by the public servant or his spouse. 4. Any profit-seeking enterprise in which the public servant and the persons specified in above subparagraph 1 and 2 hold the post as CEO, director, supervisor or manager. 	
	Article 4	<p>The term "interests" referred to in the Act includes property interests and non-property interests. Property interests include:</p> <ol style="list-style-type: none"> 1. Movable property and real estate. 2. Cash, deposits, foreign currencies, and securities. 3. Obligatory rights or other property rights. 4. Other interests with economic value or that can be acquired through money exchange. <p>Non-property interests mean the appointment, promotion, transfer and other personnel measures at government organs, public schools, public utilities (hereinafter referred to as the "organ") that is beneficial to the public servant or his/her related persons.</p>	
	Article 5	<p>The term "conflicts of interest" referred to in the Act means the public servant obtains interests by himself or his related</p>	

		persons either directly or indirectly through any act or omission in the course of performing his official duties.	
	Article 6	A public servant shall recuse himself as soon as he is aware of a conflict of interest.	
	Article 7, Article 14	A public servant shall not seek interests for himself or for his related persons by manipulating his official power, opportunities or any method under his official duty.	Shall be imposed a penalty not less than One million New Taiwan Dollars (NT\$ 1,000,000) and not more than Five million New Taiwan Dollars (NT\$ 5,000,000); Property interests shall be recovered.
	Article 8, Article 14	Related persons of a public servant shall not seek interests for himself or for the said public servant by requesting relevant persons in the organ, speaking for the same, or by other improper means.	Shall be imposed a penalty not less than one million New Taiwan Dollars (NT\$ 1,000,000) and not more than Five million New Taiwan Dollars (NT\$ 5,000,000); Property interests shall be recovered.
	Article 9, Article 15	A public servant and his related persons shall not conduct transactions such as sales, lease, contracting etc., with the organ with which the public servant serves or the organs under his supervision.	Shall be imposed a penalty ranging from one time to three times of the transaction amount.
	Paragraph 1 of Article 10 Article 16, Article 18	The public servant who is required to recuse himself shall comply with the following requirements: 1. In the case of elected representatives, the public servant is prohibited from participating in the deliberation and voting on the proposal involving his personal interests. 2. In the case of other public servants, the public servant shall cease to perform his	1. Shall be imposed a penalty not less than One million New Taiwan Dollars (NT\$ 1,000,000) and not more than Five million New Taiwan Dollars (NT\$ 5,000,000). 2. Those who violate the law again after being punished, a repeated punishment shall be imposed.

		official duty, and that duty shall be performed by his proxy.	
	Paragraph 4 of Article 10, Article 17, Article 18	Where the organ in which the public servant renders services, its supervising organ holds that the public servant fails to recuse himself notwithstanding the fact that he is obligated to recuse himself, the organ shall order the public servant to recuse himself ex officio.	<ol style="list-style-type: none"> 1. Shall be imposed a penalty of between NT\$ 1.5 million to NT\$ 7.5 million. 2. Those who violate the law again after being punished, a repeated punishment shall be imposed.
	Article 11	Any consent, veto, decision, recommendation, proposal, suggestion, investigation, etc., made by a public servant other than an elected representative before he/she recuses himself/herself is invalid, and should be made anew by proxy.	
	Article 12	<p>If a public servant fails to recuse himself/herself, the interested party may apply for recusal to the following authorities:</p> <ol style="list-style-type: none"> 1. If the applicant is an elected representative, the applicant may apply to the respective democratic bodies and works. 2. If the person to be recused is a public servant, the application shall be made to the public official's service organ; if the person is the head of an organ, the application shall be made to the organ at the next higher level; if there is no such organ, the application shall be made to the Control Yuan. 	
	Article 13, Article 17,	If an application under the preceding Article is found to	<ol style="list-style-type: none"> 1. Shall be imposed a penalty of between

	Article 18	be substantiated, the public servant to whom the application is made shall be ordered to recuse himself/herself, and he/she may not refuse the application.	NT\$ 1.5 million to NT\$ 7.5 million. 2. Those who violate the law again after being punished, a repeated punishment shall be imposed.
	Article 21	Violations of the provisions of this Act involving other legal liabilities shall be handled in accordance with the relevant laws.	

2. Suppliers of project construction

(1) Laws and regulations governing the criminal liability that may be involved in the procurement of public works.

Criminal Laws and Regulations	Relevant Provisions	Violations of Laws and Regulations	Relevant Punishment
Government Procurement Act	Article 87 Punishment for Bid Rigging	A person commits violence or threat, administers drugs, or applies hypnosis with the intent to cause a supplier not to tender or to tender contrary to its real intention, or cause the winning tenderer to forego the award or to assign or subcontract after award.	Shall be punished with imprisonment for not less than one year but not more than seven years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed. An attempt to commit the offense is punishable.
		A person who commits the offense specified in the preceding paragraph and causes death or serious bodily injury.	If death results therefrom, the offender shall be punished with imprisonment for life or for not less than seven years; if serious bodily injury results therefrom, the offender shall be punished with imprisonment for not less than three years but not more than ten years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed.
		A person who commits fraud or uses any other illegal means to make the supplier unable to tender or cause the opening of tenders to have an incorrect result.	Shall be punished with imprisonment for not more than five years; in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed. An attempt to commit the offense is punishable.
		A person who causes the supplier not to tender or not to proceed with price competition by means of contract, agreement or other forms of meeting of minds, with the intent to adversely affect the price of award or to gain illegal benefits.	Shall be punished with imprisonment for not less than six months but not more than five years; in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed. An attempt to commit the

		offense is punishable.
	A person who borrows or assumes any other's name or certificate to tender, with the intent to adversely affect the result of procurement or to gain illegal benefits. Allows any other person to borrow or assume his name of certificate to tender.	Shall be punished with imprisonment for not more than three years; in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed.
Article 90 Punishment for forcing personnel to make decision related to procurement	A person who commits violence or threat with the intent to cause the personnel of an entity who is engaged in planning, design, handling, or supervision of a procurement, or the personnel of a supplier who is entrusted by an entity either to provide services of planning, design, or project management of a procurement or to conduct its procurement, not to decide on matters with respect to the procurement or to decide on such matters contrary to his/her own mind.	Shall be punished with imprisonment for not less than one year but not more than seven years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed. An attempt to commit the offense is punishable.
	A person who commits the offense specified in the preceding paragraph and causes death or serious bodily injury.	The offender causing death shall be punished with imprisonment for life or for not less than seven years; the offender causing serious bodily injury shall be punished with imprisonment for not less than three years but not more than ten years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed.
Article 91 Punishment for compelling others to disclose confidential information	A person who commits violence or threat with the intent to cause the personnel of an entity who is engaged in planning, design, handling, or supervision of a procurement, or the personnel of a supplier who is entrusted by an entity	Shall be punished with imprisonment for not more than five years; in addition thereto, a fine of not more than one million New Taiwan Dollars (NT\$ 1,000,000) may be imposed. An attempt to commit the offense is punishable.

		either to provide services of planning, design, or project management of a procurement or to conduct its procurement, to disclose or deliver the confidential documents, drawings, information, things, or any other data related to the procurement.	
		A person who commits the offense specified in the preceding paragraph and causes death or serious bodily injury.	The offender causing death shall be punished with imprisonment for life or for not less than seven years; if serious bodily injury results therefrom, the offender shall be punished with imprisonment for not less than three years but not more than ten years; in addition thereto, a fine of not more than three million New Taiwan Dollars (NT\$ 3,000,000) may be imposed respectively.
	Article 92 Punishment for judicial person Paragraph 3 of Article 122 Bribing	Where a representative, agent, employee, or any other staff of a supplier who, in performing his/her duty, commits an offense specified in this Act.	The wrongdoer shall be subject to the punishment prescribed in the relevant Articles; in addition thereto, the supplier shall also be subject to the fine prescribed therein.
Criminal Code	Paragraph 3 Article 122 Bribing	A person who offers, promises, or gives a bribe or other improper benefits to a public official for a breach of his official duties	Shall be sentenced to imprisonment for not more than three years; in addition thereto, a fine of not more than three thousand dollars may be imposed.
	Violating an established rule of construction	A contractor or an overseer who endangers public safety by violating an established rule of construction in erecting or demolishing a structure	Shall be sentenced to imprisonment for not more than three years, detention, or a fine of not more than three thousand dollars.
	Article 210 Forging or Altering a Private Document	A person who forges or alters a private document and causes injury to the public or another	Shall be sentenced to imprisonment for not more than five years.

	Article 214 Causing public official to make a false entry	A person who causes a public official to make in a public document an entry which such a person knows to be false and causes injury to the public or another.	Shall be sentenced to imprisonment for not more than three years, detention, or a fine of not more than five hundred dollars.
	Article 215 Making a false entry in document or certificate in the course of occupation	A person who makes in a document or certificate prepared in the course of his occupation an entry which he knows to be false and causes injury to the public or another.	Shall be sentenced to imprisonment for not more than three years, detention, or a fine of not more than five hundred dollars.
	Article 342 Breach of Trust	A person who manages the affairs of another for purpose to take an illegal benefit for himself or for a third person or to harm the interests of his principal and who acts contrary to his duties and thereby causes loss to the property or other interest of the principal.	Shall be sentenced to imprisonment for not more than five years, detention or in addition thereto, a fine of not more than one thousand yuan may be imposed. An attempt to commit the offense is punishable.
Anti-Corruption Act	Article 2 Article 3	Public servants who violate the provisions of the Act shall be dealt with in accordance with provisions of the Act. The accomplices of the corrupt public servants are also dealt with in accordance with the provisions of the Act.	Refer to Article 4, Article 5, Article 6, Article 10, Article 12, Article 13, Article 15, Article 17 of Anti-Corruption Act.
	Paragraph 1 and Paragraph 4 of Article 11 Bribing	With regard to persons mentioned in Article 2 engaging in an act against his or her duties, such as making unlawful demands, promising or taking bribes or engaging in other malpractices for unjust gains. Persons who commit the offenses of Paragraph 1 but do not have the Paragraph 2 status.	Shall be sentenced to imprisonment for not less than one years but not more than seven years; in addition thereto, a fine of not more than NT\$ three million may be imposed.
	Paragraph 2 and Paragraph 4	With regard to persons engaging in an act belonging to his or her duties	Shall be punished with imprisonment for a term of not more than three years,

	of Article 11 Bribing	mentioned in Article 2, such as making unlawful demands, promising or taking bribes or engaging in other malpractices for unjust gains. Persons who commit the offenses of Paragraph 2 but do not have the Paragraph 2 status.	detention, and may also be punished by a fine not to exceed NT\$500,000.
Construction Industry Act	Article 39	Where the principal or full-time engineer of a construction enterprise infringes Paragraph 1 and Paragraph 2 of Article 37 or the above article and thus causes public danger.	Liabilities shall be undertaken separately according to the law and the actual circumstance.

Note: Other related laws and regulations established by the central government or local governments, such as those on labour safety and health, environmental protection, water conservancy, water conservation, common pipelines, construction, railways and highways, shall be followed in accordance with their own regulations.

(2) Laws and regulations governing the civil liability that may be involved in the procurement of public works.

Laws and Regulations	Relevant Provisions	Violations of Laws and Regulations	Relevant Liability Provisions
Government Procurement Act	Article 31	<ol style="list-style-type: none"> 1. Uses forged or altered documents to tender. 2. The tendering supplier borrows any other's name or certificate to tender. 3. Assumes any other's name or certificate to tender. 4. Revokes price offer while the price offer is still valid. 5. Awarded supplier refused to accept the results of the opening of the tender or to execute a contract. 6. After being awarded, the tenderer failed to deposit sufficient guarantee bond or to provide other guarantees sufficiently within a prescribed time-limit. 7. Converting the bid bond into guarantee bond. 8. The responsible entity found that there is a violation of laws and regulations which affects the fairness of the procurement. 	Entity shall stipulate in the tender documentation that the bid bond deposited shall not be refunded or returned to the tenderer, and the refunded or returned bid bond shall be recovered if any of the circumstances specified on the left exists.
	Article 32	The awarded supplier prescribes in the tender documentation not to return all or part of the guarantee bond and the interest accruing thereon. (Refer to Article 20 of the Regulations for Bid Bond, Guarantee Bond and Other Guarantees)	In the event of breach by the supplier, the organ may not return all or part of the guarantee bond and the interest accruing thereon.
	Article 50	<ol style="list-style-type: none"> 1. The tendering does not comply with the requirements of the tender documentation. 2. The content of the tender is inconsistent with the 	In case that any of the circumstances specified on the left occurs to a tenderer, an entity shall not open the tender of such tenderer when such circumstance is found

		<p>requirements of the tender documentation</p> <ol style="list-style-type: none"> 3. The tenderer borrows or assumes any other's name or certificate to tender, or uses forged or altered documents to tender. 4. The tenderer forges or alters documents to tender. 5. The contents of the tender documents submitted by different tenderers show a substantial and unusual connection 6. The tenderer is prohibited from participating in tendering or being awarded of any contract pursuant to paragraph 1 of Article 103 hereof. 7. The tenderer is engaged in any other activities in breach of laws or regulations which impair the fairness of the procurement. 	<p>before tender opening, nor shall award the contract to such tenderer when such circumstance is found after tender opening.</p> <p>When any of the circumstances referred to in paragraph 1 occurs to the awarded tenderer before the award of contract but is found after awarding or signing of the contract, the entity shall revoke the award, terminate or rescind the contract, and may claim for damages against such tenderer except where the revocation of the award or the termination or rescission of the contract is against public interests, and is approved by the superior entity.</p> <p>Where the situation of not opening or not awarding a contract as referred to in paragraph 1 causes the procurement procedures unable to continue, the entity may declare that the procurement is nullified.</p>
	Article 63	Breach of Procurement Contract	The contract is binding on both the supplier and the entity, and the supplier shall be liable for any non-compliance (e.g. late penalty, liquidated damages, non-reimbursement of performance bond, damages, etc.).
	Article 66	Awarded supplier is in breach of the regulation by assigning a contract to another supplier	The entity may rescind or terminate the contract, or forfeit the margin and may claim damages. The subcontractor and the awarded supplier shall be jointly and severally liable to the organ for performance and indemnity. The same applies to subcontractors.

	Article 70	Requirements on quality and progress of works	Refer to Article 10 of Methods of Operation of the Engineering and Construction Inspection Unit (工程施工查核小組作業辦法) and regulations stipulated in Public Works Construction Quality Management Practice Point (公共工程施工品質管理作業要點).
	Article 72	The result of inspection indicates non-conformity with the contractual requirements	For any item found not in conformity with the requirements specified in the contract, drawings and/or samples after inspection and acceptance, the supplier shall be required, by a notice, to make improvement, to remove the rejected item or to re-do the work, or to recall or to replace the rejected item within a time-limit. Where the result of the inspection and acceptance indicates that the non-conforming item is not material and the remaining items are nonetheless usable, and the entity deems that it is necessary to use such remaining items before the said non-conformity is corrected, a partial acceptance may be conducted for the remaining items and the contract value may be paid partially for the accepted portion, subject to the approval by the head of the entity or his/her authorized personnel. Where the result of inspection indicates any non-conformity with the contractual requirements, but the non-conformity neither hinders the safety or use required nor decreases

			<p>the general function or the function designated by the contract, an acceptance with price-reduction may be conducted under conditions that the entity has determined that there is no need or it is difficult to make replacement. Before conducting the foregoing, the entity shall report the case to the superior entity for approval if the value of the procurement reaches the threshold for supervision, or to the head of the entity or his/her authorized personnel if the value of the procurement does not reach the threshold.</p> <p>The inspectors may, as they deem necessary, disassemble the covered parts of a construction work or property for inspection or conduct analytical inspection thereof.</p>
Construction Industry Act	Article 39	Where the principal or full-time engineer of a construction enterprise infringes Paragraph 1 and 2 of Article 37 or the above article and thus causes public danger.	Liabilities shall be undertaken separately according to the law and the actual circumstance.

Note: The contractual obligations for delayed performance, non-conformity with the contractual requirements, and poor construction quality should be handled in accordance with the procurement contract.

(3) Laws and regulations governing the administrative liability that may be involved in the procurement of public works.

Laws and Regulations	Relevant Provisions	Violations of Laws and Regulations	Relevant Liability Provisions
Government Procurement Act	Article 101 to Article 103	<p>Where a procuring entity finds that a supplier has any of the following circumstances, the entity shall notify the supplier of the facts and reasons related thereto, indicate with a note in the notification that it will be published on the Government Procurement Gazette if the supplier does not file a protest:</p> <ol style="list-style-type: none"> 1. Where the supplier allows any others to borrow its name or certificate to participate in a tender; 2. Where the supplier borrows or assumes any other's name or certificate, or to use forged or altered document to participate in a tender; 3. Where the supplier has substantially reduced the work or materials without obtaining a prior approval 4. Where the supplier forges or alters documents related to tendering, contract or contract performance. 5. Where the supplier participates in tendering during the period when its business operation has been suspended by a disciplinary action 6. Where the supplier has committed any of the offenses prescribed in Articles 87 to 92 hereof, and has been sentenced by a court of the first instance. 7. Where the supplier refuses to execute a contract without due cause after being awarded. 	Supplier published on the Government Procurement Gazette, shall not participate in tendering or being awarded of any contract or being the subcontractor for a minimum of 1 year and maximum of three years.

		<p>8. inspection indicates any serious non-conformity with the contractual requirements</p> <p>9. Where the supplier does not fulfill its obligation of guarantee after inspection and acceptance, particularly serious thereof.</p> <p>10. Where the time-limit for contract performance is seriously delayed due to causes attributable to the supplier.</p> <p>11. Where the supplier is in breach of the requirement of Article 65 by assigning a contract to others.</p> <p>12. Where a contract is rescinded or terminated for causes attributable to the supplier, particularly serious thereof</p> <p>13. Where the supplier is under the procedure of bankruptcy.</p> <p>14. Where the supplier discriminates women, aborigines or vulnerable groups, particularly serious thereof.</p> <p>Where there is a supplier who shares the liability with the contractor jointly and severally and the entity notifies the supplier to fulfill its liability, the preceding paragraph shall also apply.</p>	
Construction Industry Act	Article 11, Article 56	Violation by civil engineering contractor company on regulations relating to operating business beyond the previously registered municipality	A warning or order to suspend business for not less than three months and not more than one year shall be imposed based on the gravity of the violation.
	Article 16, Article 57	Violation of regulations on alteration of letter of application.	Will be fined a sum not less than NT\$20,000 and not more than NT\$1,00,000, and will be compelled to apply for alteration registration within a specified time limit

			according to relevant provisions. In case application is not submitted within the time limit, closure punishment may be executed for not less than 3 months, but not more than 1 year.
	Paragraph 2 of Article 18, Article 56	Failure to remedy the matter notified by the governing authority	A warning or order to suspend business for not less than three months and not more than one year shall be imposed based on the gravity of the violation.
	Paragraph 2 of Article 19, Article 57	Violation of regulations on alteration of projects contracting manuals	Will be fined a sum not less than NT\$20,000 and not more than NT\$1,00,000, and will be compelled to apply for alteration registration within a specified time limit according to relevant provisions. In case application is not submitted within the time limit, closure punishment may be executed for not less than 3 months, but not more than 1 year.
	Paragraph 1 of Article 23, Article 56	Violation of limit of construction cost, the range of construction scale of the enterprise and the total amount of the works.	A warning or order to suspend business for not less than three months and not more than one year shall be imposed based on the gravity of the violation.
	Article 26, Article 56	Failure to work out worksite construction shop drawings and construction plans according to the working drawings and specifications to construct the works contracted.	A warning or order to suspend business for not less than three months and not more than one year shall be imposed based on the gravity of the violation.
	Article 28, Article 58	Violation of regulations on assigning the principal of a construction enterprise	A sum not less than NT\$200,000 and not more than NT\$1,000,000 will be fined, and the enterprise will be notified to dismiss the principal within a specified time limit. In case the principal is not dismissed within the time limit, the construction enterprise will be fined a sum not less than NT\$200,000 and not more

			than NT\$1,000,000, and will be notified again to dismiss the principal. Consecutive punishment may be executed for consecutive infringement of the foresaid provision.
Article 29, Article 53	Technical workers fail with significant violation to perform construction operations or quality control on the spot of worksite according to their expertise and the job specifications		Will be punished to stop executing operations in construction enterprises for not less than 3 months and not more than 2 years.
Paragraph 1 of Article 30, Article 56	Violation of regulations on assigning a jobsite director		A warning or order to suspend business for not less than three months and not more than one year shall be imposed based on the gravity of the violation.
Paragraph 1 of Article 32, Article 62	<ol style="list-style-type: none"> 1. Construction according to construction plan and drawings. 2. Filling in daily construction logs. 3. Management of persons, machines, equipments and materials at the jobsite. 4. Supervision of labor safety and hygiene at the jobsite, maintenance of public environment and safety, as well as other jobsite administrative affairs. 5. Information of emergency and abnormality at the jobsite. 		<p>Will be warned or punished to stop working as a jobsite director for a minimum of 3 months and a maximum of 1 year depending on severity of the circumstance.</p> <p>Where the jobsite of construction enterprise has been warned under the above paragraph for 3 times, he/she will be punished to stop working as a jobsite director for a minimum of 3 months a maximum of 1 year; where the accumulated punishment term of stopping operation amounts to 3 years, the jobsite director practicing certificate will be abolished. Jobsite directors may not reapply for practicing certificates within 5 years commencing from the day when the jobsite director practicing certificate is abolished as prescribed above.</p>
Paragraph 1 of Article 33, Article 56	Violation of regulations on assigning technical workers		A warning or order to suspend business for not less than three months and not more than one year shall be

			imposed based on the gravity of the violation.
Article 36, Article 63	Where the principal of a civil engineering contractor violates the affairs that shall be handled		The civil engineering contractor will be punished to stop operation for a minimum of 3 months and a maximum of 2 years depending on severity of the circumstance.
Paragraph 2 of Article 37, Article 59	Principal of a construction enterprise fails to fulfil the obligation to inform the orderer or handle in a timely manner.		Shall be subject to a fine not less than NT\$50,000 and not more than NT\$500,000.
Article 38, Article 59	Principal of a construction enterprise fails to take timely measure to avoid danger		Shall be subject to a fine not less than NT\$50,000 and not more than NT\$500,000.
Article 39	Where the principal or full-time engineer of a construction enterprise infringes Paragraph 1 and 2 of Article 37 or the above article and thus causes public danger.		Liabilities shall be undertaken separately according to the law and the actual circumstance
Article 40, Article 56	Violations of regulations on the disposal of the full-time engineer who leaves the job or cannot process operations due to certain reasons		A warning or order to suspend business for not less than three months and not more than one year shall be imposed based on the gravity of the violation.
Paragraph 1 of Article 41, Article 62	Jobsite director violates regulations on matters to be handled when the project director or the sponsor department performs examination, inspection or acceptance check of the works.		Will be punished to stop executing operations in construction enterprises for 3 months to 1 years based on the gravity of the violation. Where the jobsite of construction enterprise has been warned under the above paragraph for 3 times, he/she will be punished to stop working as a jobsite director for a minimum of 3 months and a maximum of 1 year; where the accumulated punishment term of stopping operation amounts to 3 years, the jobsite director practicing certificate will be abolished. Jobsite directors may not

			reapply for practicing certificates within 5 years commencing from the day when the jobsite director practicing certificate is abolished as prescribed above.
	Paragraph 1 of Article 42, Article 56	Violation of regulations on signing and recording of projects contracting manuals	A warning or order to suspend business for not less than three months and not more than one year shall be imposed based on the gravity of the violation.
	Article 52	Operating without permit or with a cancelled or abolished permit	Will be compelled to stop operation, and will be fined a sum between NT\$1,000,000 and NT\$10,000,000; in case of disobedience of the foresaid punishment and continuance of operation, consecutive punishment may be executed.
	Article 54	Use the registration certificate or projects contracting manual of another construction enterprise to do construction business. Provide the registration certificate or projects contracting manual for others to use for operating construction business. Contract works during closure.	A sum not less than NT\$1,000,000 and not more than NT\$5,000,000 will be fined, and the permit will be abolished. The principals of the above-mentioned construction enterprises may not reapply for construction enterprise registration within 5 years commencing from abolishment of the permit.
	Article 55, Paragraph 1 Article 17, Article 20	<ol style="list-style-type: none"> 1. Construction business is operated without the construction enterprise registration certificate or the projects contracting manual although being permitted. 2. Construction business is operated without joining an association of construction enterprises. 3. Reexamination is not applied for or sampling reexamination is refused, encumbered or evaded with infringement of Paragraph 	<p>A sum not less than NT\$100,000 and not more than NT\$500,000 will be fined.</p> <p>In the occasion described in the above Subparagraph 1 or 2, the construction enterprise may be compelled to stop operating and to finish the necessary procedure. Where operating is continued without handling the procedure within the specified time limit and, consecutive punishment will be executed. In the occasion</p>

		1 of Article 17. 4. Necessary procedure is not handled according to Article 20 upon closure, closure punishment, recovery of operation, or termination.	described in Subparagraph 4, where the supplementary procedure is not finished within the time limit notified by the competent authority, consecutive punishment may be executed.
	Paragraph 2 of Article 56	If any construction company receives three warnings, or if the accumulated period for suspension of business within 5 years exceeds three years.	If any construction company receives three warnings, an order to suspend business for not less than three months and no more than one year shall be issued, or if the accumulated period for suspension of business within 5 years exceeds three years, the permit shall be cancelled.

Note: Other related laws and regulations established by the central government or local governments, such as those on labour safety and health, environmental protection, water conservancy, water conservation, common pipelines, construction, railways and highways, shall be followed in accordance with their own regulations.

(4) Other Regulations

Laws and Regulations	Relevant Provisions	Laws and Regulations	Relevant Punishments
Political Donations Act	Article 6, Article 28	No person shall act as a broker in or encumber the contribution of political donations by utilizing his official power, employment relationship or other factors related to personal livelihood.	<ol style="list-style-type: none"> 1. Shall be fined a sum not less than NT\$200,000 and not more than NT\$1,000,000. 2. A civil servant who violates the provision of Article 6 shall be sentenced to fixed-term imprisonment of not more than one year.
	Paragraph 1 of Article 7, Paragraph 2 of Article 29	<p>Those who may contribute to political donations are limited to individuals, political parties, civil associations and profit-seeking businesses other than the following:</p> <ol style="list-style-type: none"> 1. Public enterprises or the civil enterprises in which the government holds a percentage of the capital that is 20% or greater. 2. Manufacturers that have signed a high-value government procurement contract or an investment contract for important infrastructure and are currently fulfilling the said contract. 3. Profit-seeking businesses with an accumulated deficit that has not been made up in accordance with relevant provisions. 4. Religious associations. 5. ... • • • 11. ... 	Anyone who contributes political donations violating any of the provisions of Paragraph 1 of Article 7 shall be fined up to a sum doubling the amount of the donations accepted in violation of the aforementioned provision, but shall not be more than NT\$1,000,000.
	Article 8, Article 25	Political parties, political associations and prospective candidates may not accept political donations from donors other than those referred to in the preceding article.	<ol style="list-style-type: none"> 1. A prospective candidate who accepts political donations violating the provisions of Article 8 from donors regulated in Subparagraphs 7 to 9 of

			<p>Paragraph 1 of Article 7, and who fails to turn over to the competent authority for deposit into the National Treasury in accordance with Article 15, or collects political donations violating the provision of Article 13, shall be sentenced to fixed-term imprisonment of not more than five years; this shall also apply to the agents or employees who accept or collect political donations for prospective candidates.</p> <p>2. The responsible persons, representatives, agents, or employees of political parties or political associations who commit crimes prescribed in the preceding paragraph, shall be punished in accordance with the provision of the preceding Paragraph.</p> <p>3. Persons who commit the offense in Paragraph 1, Paragraph 2 of Article 25, the political donations received by them shall be confiscated; if all or part of them cannot be confiscated, the value of the donations shall be levied retroactively.</p>
	Paragraph 1 of Article 9, Paragraph 1 of Article 29	Political donations may not be contributed as a request for or in the expectation of undue benefits.	Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted. The maximum amount shall not exceed NT\$1 million.
	Paragraph 2 of Article 9,	Political parties, political associations and prospective candidates may not accept	1. Anyone who accepts the political donations shall be fined up to a sum

Article 27	political donations of the nature outlined in the preceding paragraph (Paragraph 1 of Article 9).	<p>doubling the amount of the donations accepted.</p> <p>2. Political donations illegally accepted shall be confiscated, and if the full or a part of the donations cannot be confiscated, a sum equal to the difference of donations shall be recovered.</p>
Article 14, Paragraph 2 of Article 29	No person shall contribute donations in the name of others or contribute secret donations of more than NT\$10,000. Cash donations of more than NT\$100,000 shall be paid by cheque or bank remittance.	Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted.
Article 17, Paragraph 2 of Article 29	<p>The total amount of donations contributed to the same political party or political association each year may not exceed the following limits:</p> <ol style="list-style-type: none"> 1. By individuals: NT\$300,000. 2. By profit-seeking businesses: NT\$3,000,000. 3. By civil associations: NT\$2,000,000. <p>The total amount of donations contributed to different political parties or political associations may not exceed the following limits:</p> <ol style="list-style-type: none"> 1. By individual: NT\$600,000. 2. By profit-seeking business: NT\$6,000,000. 3. By civil association: NT\$4,000,000. 	Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted, but the maximum amount shall not exceed NT\$1 million.
Paragraph 1 and 2 of Article 18, Paragraph 2 of Article 29	<p>The total yearly amount of donations contributed to the same prospective candidate may not exceed the following limits:</p> <ol style="list-style-type: none"> 1. By individuals: NT\$100,000. 2. By profit-seeking businesses: NT\$1,000,000. 3. By civil associations: 	Anyone who contributes political donations shall be fined up to a sum doubling the amount of the donations accepted. The maximum amount shall not exceed NT\$1 million.

		<p>NT\$500,000.</p> <p>The total amount of donations contributed to different prospective candidates each year may not exceed the following limits:</p> <ol style="list-style-type: none"> 1. By individual: NT\$200,000. 2. By profit-seeking business: NT\$2,000,000. 3. By civil association: NT\$1,000,000. 	
Act on Recusal of Public Servants Due to Conflicts of Interest	Article 1	<p>The Act is enacted to promote uncorrupt and efficient politics and to well form politics ethics by establishing norms to be followed by public servants for recusal due to conflicts of interest, so that corruption and conveyance of unjust interests can be efficiently eliminated. Unless otherwise provided more strictly by other acts, the Act shall apply to recusal of public servants due to conflicts of interes</p>	
	Article 2	<p>The term "Public Servant" referred to in this Act, refers to officials defined in Paragraph 1 of Article 2 of Act on Property Declaration by Public Servants.</p>	
	Article 3	<p>The term "related persons of a public servant" referred to in the Act is hereby defined as follows:</p> <ol style="list-style-type: none"> 1. The spouse of a public servant or the family members living together with the public servant. 2. Relatives of the public servant by the second degree of kinship. 3. Trustees of the trust property consigned by the public servant or his spouse. 4. Any profit-seeking enterprise in which the public servant and the persons specified in above 	

		subparagraph 1 and 2 hold the post as CEO, director, supervisor or manager.	
	Article 4	<p>The term "interests" referred to in the Act includes property interests and non-property interests.</p> <p>Property interests include:</p> <ol style="list-style-type: none"> 1. Movable property and real estate. 2. Cash, deposits, foreign currencies, and securities. 3. Obligatory rights or other property rights. 4. Other interests with economic value or that can be acquired through money exchange. <p>Non-property interests mean the appointment, promotion, transfer and other personnel measures at government organs, public schools, public utilities (hereinafter referred to as the "organ") that is beneficial to the public servant or his/her related persons.</p>	
	Article 5	The term "conflicts of interest" referred to in the Act means the public servant obtains interests by himself or his related persons either directly or indirectly through any act or omission in the course of performing his official duties.	
	Article 6	A public servant shall recuse himself as soon as he is aware of a conflict of interest.	
	Article 7, Article 14	A public servant shall not seek interests for himself or for his related persons by manipulating his official power, opportunities or any method under his official duty.	Shall be imposed a penalty not less than One million New Taiwan Dollars (NT\$ 1,000,000) and not more than Five million New Taiwan Dollars (NT\$ 5,000,000) ; Property interests shall be recovered.
	Article 8, Article 14	A related person of a public servant shall not persuade, entrust, or use other improper means to benefit	Shall be imposed a penalty not less than One million New Taiwan Dollars (NT\$ 1,000,000) and not

	himself/herself or the public official to the relevant personnel of the organ.	more than Five million New Taiwan Dollars (NT\$ 5,000,000) ; Property interests shall be recovered.
Article 9 Article 15	A public servant and his related persons shall not conduct transactions such as sales, lease, contracting etc., with the organ with which the public servant serves or the organs under his supervision.	Shall be imposed a penalty ranging from one time to three times of the transaction amount.
Paragraph 1 of Article 10, Article 16, Article 18	The public servant who is required to recuse himself shall comply with the following requirements: 1. In the case of elected representatives, the public servant is prohibited from participating in the deliberation and voting on the proposal involving his personal interests. 2. In the case of other public servants, the public servant shall cease to perform his official duty, and that duty shall be performed by his proxy.	1. Shall be imposed a penalty not less than One million New Taiwan Dollars (NT\$ 1,000,000) and not more than Five million New Taiwan Dollars (NT\$ 5,000,000). 2. Those who violate the law again after being punished, a repeated punishment shall be imposed.
Paragraph 4 of Article 10, Article 17, Article 18	Where the organ in which the public servant renders services, its supervisor organ holds that the public servant fails to recuse himself notwithstanding the fact that he is obligated to recuse himself, the organ shall order the public servant to recuse himself ex officio.	1. Shall be imposed a penalty not less than NT\$ 1.5 million and not more than NT\$ 7.5 million. 2. Those who violate the law again after being punished, a repeated punishment shall be imposed.
Article 11	Any consent, veto, decision, recommendation, proposal, suggestion, investigation, etc., made by a public servant other than an elected representative before he/she recuses himself/herself is invalid, and should be made anew by proxy.	
Article 12	If a public servant fails to recuse himself/herself, the interested party may apply for recusal to the following	

		<p>authorities:</p> <ol style="list-style-type: none"> 1. If the applicant is an elected representative, the applicant may apply to the respective democratic bodies and works. 2. If the person to be recused is a public servant, the application shall be made to the public official's service organ; if the person is the head of an organ, the application shall be made to the organ at the next higher level; if there is no such organ, the application shall be made to the Control Yuan. 	
	Article 13, Article 17, Article 18	If an application under the preceding Article is found to be substantiated, the public servant to whom the application is made shall be ordered to recuse himself/herself, and he/she may not refuse the application.	<ol style="list-style-type: none"> 1. Shall be imposed a penalty not less than NT\$ 1.5 million and not more than NT\$ 7.5 million 2. Those who violate the law again after being punished, a repeated punishment shall be imposed
	Article 21	Violations of the provisions of this Act involving other legal liabilities shall be handled in accordance with the relevant laws.	

Affidavit 1 (Attach to tender)

The Supplier, _____, participates in the bidding process of (Name of Job) by (Tendering Entity) and is willing to comply with the relevant laws and regulations regarding the liability of the Supplier, including criminal, civil and administrative liabilities.

Signed by

Tenderer: (Seal)

Person in Charge: (Seal)

Dated: DD/MM/YY

Affidavit 2 (Attach to Tender)

I _____, employed by (Bidding Professional Engineering Consulting Firms) as a practising professional engineer to undertake (Tendering Entity)'s work on (Name of Job). I am fully aware of the relevant laws and regulations and am willing to comply with them with regard to the responsibilities of a practising professional engineer, including criminal, civil and administrative liabilities.

Signed by

Professional Engineer:

(Seal)

Dated: DD/MM/YY

Affidavit 3 (Attach before commencement of work)

I, _____, employed by (Awarded Enterprise) as a full-time engineer to handle the bidding of (Name of Job) by (Tendering Entity). I am fully aware of the relevant laws and regulations regarding the responsibilities of full-time engineers, including criminal, civil, and administrative liabilities, and I am willing to comply with them.

Signed by

Full-time Engineer:

(Seal)

Dated: DD/MM/YY

Affidavit 4 (Attach before commencement of work)

I, _____, employed by (Awarded Enterprise) as a Jobsite Director for (Tendering Entity) to handle the tender of (Name of Job). I am fully aware of the relevant laws and regulations regarding the responsibilities of Jobsite Director, including criminal, civil and administrative liabilities, and I am willing to comply with them.

Signed by

Jobsite Director:

(Seal)

Dated: DD/MM/YY