


Content

Title :	Referendum Act 
Date :	2019.06.21
Legislative :	The amendment of Articles 9, 10, 12, 13, 17 and 23 of the, ” Referendum Act” Promulgated on the 21st June 21 of the 108th Year, Republic of China
Content :	<p>Article 9</p> <p>Unless otherwise provided for, a referendum proposal shall be submitted by the lead proposer, who shall submit a written proposal, a statement of reasons, and the original and a copy of the proposer list to the competent authority.</p> <p>There shall be only one lead proposer as referred to in the preceding paragraph. The main text of the proposal shall be limited to 100 words, and the statement of reasons shall be limited to 2,000 words. Any excess portion beyond the word limits shall not be publicized or published in the referendum bulletin.</p> <p>The main text of the proposal shall be concise, clear, and objectively neutral; the statement of reasons shall be consistent with the main text in clarifying the grounds and position of the referendum.</p> <p>The competent authority shall establish regulations governing the format, word count calculation, grammar, and other related matters for the main text and statement of reasons.</p> <p>The proposer list referred to in Paragraph 1 shall be completed in the specified format, with each proposer's signature or seal, National ID card number, and registered address affixed. The list shall be bound into volumes, separated by special municipality, county (city), and township (city/district).</p> <p>The competent authority shall establish an electronic system for the lead proposer to solicit proposals and joint signatures. The methods and implementation date for proposal submission, joint signature collection, and examination procedures shall be prescribed by the competent authority.</p> <p>Electronic proposals and joint signatures shall be submitted in the form of electronic records.</p> <p>Each referendum proposal shall address only one issue.</p> <p>Article 10</p> <p>For matters prescribed in Paragraph 2 of Article 2, the number of proposers of a referendum proposal shall be no less than one ten-thousandth of the total electorate in the most recent Presidential Election.</p>

The competent authority shall not accept a referendum proposal if any of the following apply: the proposal documents do not comply with the provisions of Paragraphs 1 and 2 of the preceding article; the proposal documents are not bound into volumes, separated by special municipality, county (city), and township (city/district) as required by Paragraph 5 of the preceding article; or the number of proposers is less than the number stipulated in the preceding paragraph.

Upon receiving a referendum proposal or a corrected proposal, the competent authority shall complete its review within sixty days. If, after review, any of the following circumstances is identified, the competent authority shall state the reasons and notify the lead proposer to make necessary corrections within thirty days. Only one correction is permitted. If the necessary corrections are not made within the specified period or if the proposal still fails to meet the relevant provisions after correction, the proposal shall be rejected:

- The proposal does not fall under the applicable matters for national referendums as specified in Article 2.
- The proposal violates the regulations stipulated in the regulations prescribed in Paragraph 4 of the preceding article.
- The proposal does not comply with the provisions stipulated in Paragraph 2 of Article 1 or Paragraph 8 of the preceding article.
- The content of the proposal contains matters specified in Article 32.
- The true intent of the proposal cannot be understood from the content of the proposal.

If, pursuant to the provisions of the preceding paragraph, the competent authority orders corrections to be made, it shall first hold a hearing to clarify relevant disputes and assist the lead proposer in making the necessary corrections.

If the competent authority determines that a referendum proposal complies with the relevant provisions, it shall request the household registration authorities to verify the proposers within fifteen days.

The household registration authorities shall verify the proposer list against household registration data and shall invalidate a proposer if any of the following circumstances apply:

- The proposer does not meet the eligibility requirements set forth in Paragraph 1 of Article 8.
- The proposer's name, National ID card number, or registered address is recorded incorrectly or is unclear.
- The proposer list lacks the proposer's signature or seal.
- The proposer's signature is forged.

If, after verification, the number of proposers does not meet the requirement stipulated in Paragraph 1, the competent authority shall notify the lead proposer to add additional proposers within thirty days. Only one such addition is permitted. If the specified number is still not reached after the addition or if the lead proposer does not add more proposers within the specified period, the proposal shall be rejected.

If a proposal referred to in the preceding paragraph meets the relevant provisions, the competent authority shall, depending on the nature of the proposal, request the relevant legislative and administrative agencies to submit a position paper within forty-five days of receiving the official

request letter. The position paper shall state the legal effect of passing or failing to pass the referendum proposal. If a position paper is not submitted within the specified period, the relevant agency shall be deemed to have waived its right to submit one. The position paper shall be limited to 2,000 words. Any excess portion beyond this limit shall not be publicized or published in the referendum bulletin.

If a proposal referred to in the preceding paragraph meets the relevant provisions, the competent authority shall notify the lead proposer to obtain a joint signature list format or an authentication code for the electronic joint signature system from the competent authority within ten days in order to collect joint signatures. If the lead proposer fails to obtain the said format or authentication code within the specified period, the proposal shall be deemed to have been abandoned.

Article 12

For matters prescribed in Paragraph 2 of Article 2, the number of joint signatories shall be no less than 1.5% of the total electorate in the most recent Presidential Election.

The lead proposer of a referendum shall, within six months of the day following the date of receiving the joint signature list format or the authentication code for the electronic joint signature system, submit the original and a copy of the joint signature list, or the electronic record thereof, to the competent authority at one time. Failure to submit the list within the specified period shall be deemed a withdrawal of the proposal.

The joint signature list referred to in the preceding paragraph shall be completed in the specified format, with each joint signer's signature or seal, National ID card number, and registered address affixed. The list shall be bound into volumes, separated by special municipality, county (city), and township (city/district), and submitted to the competent authority.

If a referendum proposal is deemed to have been withdrawn under Paragraph 2 above or Paragraph 9 of Article 10, the original proposers may not resubmit a proposal on the same matter within two years from the date of withdrawal.

Article 13

After receiving the list of combined signatories, if it is found upon examination that the number of combined signatories is less than that prescribed in preceding paragraph 1, or the roster is not bound into books by municipal, county, and township (city/district) governments specified in Paragraph 3 of preceding Article, the competent authority shall not process the documentation; if it meets the requirements, a written notification shall be sent to the household administration to complete the examination within sixty days.

The household registration authorities shall verify the joint signature list against household registration data and shall invalidate a joint signature if any of the following circumstances apply:

The joint signer does not meet the eligibility requirements set forth in Paragraph 1 of Article 8.

The joint signer's name, National ID card number, or registered address is recorded incorrectly or is unclear.

The joint signature list lacks the joint signer's signature or seal.

The joint signer's signature is forged.

After verifying the joint signature list, if the competent authority finds that the number of joint signatures meets the requirement stipulated in Paragraph 1 of the preceding Article, it shall, within ten days, announce that the referendum proposal is established and assign a number to the proposal. If the number of joint signatures does not meet the requirement, the competent authority shall notify the lead proposer to collect additional signatures within thirty days. Only one such collection is permitted. If the required number is still not reached after the additional collection or if the lead proposer does not collect additional signatures within the specified period, the competent authority shall announce that the referendum proposal is not established.

Article 17

The competent authority shall, ninety days prior to the referendum date, issue a public notice containing the following information:

The date of the referendum and the voting hours.

The serial number, main text, and statement of reasons of the referendum proposal.

The position papers submitted by government agencies regarding the referendum proposal.

The scope and method for exercising referendum rights.

The dates and rules governing the presentation of opinions and debates by representatives of opposing sides of the referendum issue on nationwide radio and television channels.

The competent authority shall, at public expense, provide time slots on nationwide free-to-air television channels for representatives of opposing sides of the referendum issue to present their opinions or engage in debates. Designated television stations shall not refuse such requests. The relevant regulations shall be prescribed by the competent authority.

At least five sessions of the presentations or debates referred to in the preceding paragraph shall be held on nationwide free-to-air television channels.

The presentations or debates shall be webcast, and the video and audio recordings thereof shall be made available to the public on the competent authority's website.

Article 23

The referendum day shall be the fourth Saturday of August every other year, beginning in 2021.

The referendum day shall be a holiday.