Content

Title：	Organization Act of the Central Election Commission Ch
Date：	2009.06.10
Legislative：	Full text of 13 Articles are enacted and promulgated by presidential decree (98) Hua-Tsung (1)Yi-Tzu No.09800142871 on June 10, 2009 and implemented on July 1, 2009.
Content：	**Article 1** The Central Election Commission (hereinafter referred to as the CEC) is established to implement the constitutional principles of safeguarding democracy, rule of law, and people's right to political participation by comprehensively administering affairs related to the election and recall of public officials, and the referendum. **Article 2** The CEC shall be in charge of the following affairs: 1. Integrated planning of election, recall and referendum. 2. Managing, conducting and supervising election, recall and referendum. 3. Planning and conducting for constituency zoning. 4. Monitoring the processes of election, recall, and referendum. 5. Subsidizing campaign expenses of political parties and candidates. 6. Proposing the enactment, amendment, and abolishment of relevant rules and regulations for election, recall and referendum. 7. Other relevant issues of election, recall and referendum. **Article 3** The CEC, comprising nine to eleven members, shall be headed by one Chairperson by special appointment to be acting on behalf of this CEC, another one shall be the Vice Chairperson with a rank equivalent to the senior level appointment of the fourteenth grade. The remaining members of this CEC shall number between seven to nine persons. Each member of this CEC, including the Chairperson, and Vice Chairperson, is nominated and, with the consent of the Legislative Yuan, appointed by the Premier of the Executive Yuan. The term length of each member shall be four years and renewable once; however, upon implementation of this Act, the terms of five members of this CEC serving their first appointment shall be two years. The Premier of the Executive Yuan shall, three months before the scheduled end of the commission members' terms, nominate and appoint new members in accordance with the preceding procedure. If a vacancy arises, the Premier of the Executive Yuan shall put forward a candidate to fill the vacancy according to the preceding procedure. The term of succeeding members shall be the date of the original term. For vacancies occurring within one year of the term's expiration, no new candidates shall be nominated. Members of this CEC shall be comprised of impartial persons with with relevant expert legal and political knowledge and experience.Members affiliated with the same political party shall not exceed one-third of the total number of members. All members of the CEC, with the exception of the Chairperson n and Vice Chairperson, serve without remuneration. Should any one of the following circumstances affect any CEC member, the Premier of the Executive Yuan should remove them from their positions: 1. Inability to perform their duties due to health reasons.

2. Committing illegal activities, negligence or other misconduct.
3. Being in custody or on trial.

Article 4
Where the Chairperson is vacant or unable to exercise his/her authority, the Vice Chairperson shall take over; where both the Chairperson and Vice Chairperson are vacant or unable to perform their duties, an acting Chairperson shall be elected among the other members.

Article 5
The CEC exercises its authority independently and in accordance with the law.

Members of this CEC should be above partisanship and exercise their duties independently in accordance with law. Participation in political party activities is prohibited during their service tenure.

Article 6
The following matters shall be approved b committee members when meeting:
1. Proposals for the enactment, amendment, and abolishment of relevant rules and regulations for election, recall and referendum.
2. Review of the notices of election, recall, and referendum.
3. Penalties for violations of election, recall and referendum regulations.
4. Processes of major dispute case(s) processing.
5. Members' proposals.
6. Other major issues which shall be resolved by committee meeting.

Article 7
The CEC shall hold a session once per month, and may hold provisional sessions if deemed necessary. All the sessions shall be convened by the Chairperson.

The sessions in the preceding paragraph shall be chaired by the Chairperson; if unable to do so, the Vice Chairperson shall convene on his/her behalf. When both Chairperson and Vice Chairperson are unable to attend the session, an acting Chairperson shall be elected among the other members. For a committee session, a quorum is at least half the members' attendances. Resolution of the session shall require the consent of over half of the members present at the meeting. In case of major disputes, the session shall have more than two-thirds of all members to attend, and resolution of the session shall require the consent of over half of the members present at the meeting. Members shall be able to submit concurring or dissenting opinions to publish in conjunction with the resolutions of the meeting.

The session of this CEC may invite scholars, experts and other main topic related agencies staffs to attend for providing advice, factual statements or reports.

Article 8
The CEC shall have one Secretary-General at senior grade twelveth.

Article 9
For the purpose of election activity process, the CEC shall establish Election Commissions, governed by decrees, in the municipalities and counties (cities).

Article 10
The scale of position and number of personnel of this CEC's official ranks shall be stipulated in a staffing chart.

Article 11
The existing staffs, originally validated and registered in accordance with Temporary Assigned Worker Assignment Act before the enforcement of this Act but without possessing the eligibility of civil service laws, should be able to continue to serve their original titles and official until their

leave of job.

Article 12
The expiration of the term of members and circuit inspector of this CEC assigned before this Act implemented shall be the day of member appointment date in accordance with provision of Article 3 of this Act.

Article 13
The Act shall become validated on the date set by the Executive Yuan.

Data Source： Laws and Regulations Retrieving System