

Secretary-General of the Executive Yuan Official Letter

Address: No. 1, Sec. 1, Zhongxiao E. Rd.,
Taipei City 10058

Fax: 02-3356654

Recipient: Legal Affairs Committee

Date of Issue: September 5, 2016

Document No.: Yuan-Tai-Guei-Zi No. 1050175399

Level of Urgency: Very Urgent

Confidentiality Level & Conditions for Release or Confidentiality Period:

Attachment(s):

Subject: To facilitate integration with international standards and ensure transparent governmental operations, so as to advance the signing of international investment and trade agreements, government agencies shall publicly announce all drafts of laws or regulations they formulate, in accordance with the Description section, as of October 1, 2016. The official letter Yuan-Tai-Guei-Zi No. 1040056925 issued on November 5, 2015 shall cease to apply on the same date. Please be advised.

Declaration:

1. Drafts of laws or regulations formulated by all agencies shall be made public for at least 60 days for the public to understand in advance and have sufficient time to express their opinions. However, in case of one of the following circumstances, the specified rules shall govern.
 - (1) If prior announcement to the public is clearly impossible due to the urgency of the situation, or if the draft of a law is examined by the competent authority and confirmed to be irrelevant to trade, investments, or intellectual property, then the prior announcement procedure may be waived.
 - (2) In extraordinary circumstances where a shorter announcement period is necessary, agencies may specify a shorter period and announce the reasons therefor when making public the legislative draft.
2. Public announcement of the aforementioned law or regulation drafts shall be completed no later than their submission to the Legal Affairs Committee for discussion or delivery to the legal affairs office for advice.
3. Public announcement of drafts of laws shall be made by issuance on agency websites. Public announcement of regulation drafts shall continue by the current method of issuance on the Executive Yuan Gazette.

4. If the public expresses opinions on the draft of any laws or regulations during the announcement period, the relevant matters shall be handled as follows:
 - (1) Drafts of laws: When submitting the draft to the Yuan for review, agencies shall fill out items 6-2, 6-3 under "6. Solicitation of opinions and negotiation procedure" in the "Assessment Form of Proposed Legislation and Gender Impacts", which shall state important remarks, controversies, relevant provisions, summary of opinions, acceptance or rejection of opinions and the reasons therefor.
 - (2) Drafts of regulations: Please proceed in accordance with the official letter Fa-Lu-Zi No. 10403502840 issued on March 19, 2015 by the Ministry of Justice.

Original copy: All Ministries, Commissions, Banks, Directorates-General, and Bureaus

Duplicate copy: