

The Control Yuan Report 1993

CONTENTS

Message of the President of Control Yuan
Introduction

PART ONE/

ORGANIC SITUATION OF THE CONTROL YUAN

- Chapter 1** Legal Basis of the Organization / **11**
- Chapter 2** Position of the Control Yuan / **15**
- Chapter 3** The Control Yuan Members (Ombudsmen)
- I . How to Become Members / **17**
 - II . Restrictions on the Members / **27**
 - 1. Shall not hold any other public office / **28**
 - 2. Shall not engage in any profession / **29**
 - 3. Must be beyond party affiliation / **30**
 - 4. Other restrictions / **31**
- Chapter 4** President and Vice President / **34**
- Chapter 5** Control Yuan Council / **37**
- Chapter 6** Committees / **42**
- I . Permanent Committees of the Control Yuan / **42**
 - 1. Legal basis for establishing permanent committees / **42**
 - 2. Organization of permanent committees / **44**
 - 3. Functions and powers of permanent committees / **48**
 - 4. Meetings of permanent committees / **50**
 - 5. Functional adjustment among committees / **50**
 - II . Special Committees of the Control Yuan / **53**

ii *The Control Yuan Report*

- III . Achievements of the Second-Term Committees / **54**
- Chapter 7** Secretary-General and the Staff Units / **56**
 - I . Appointment and Duties of the Secretary-General / **56**
 - II . Staff Units / **56**
 - 1. Secretariat / **56**
 - 2. Department of Accounting / **58**
 - 3. Statistics Office / **59**
 - 4. Personnel Office / **59**
 - 5. Counselors Office / **61**
 - 6. Department of Asset Declaration / **61**
 - 7. Petitions Deliberation Committee / **63**
- Chapter 8** Ministry of Audit / **64**
 - I . Organization and Functions of the Ministry / **64**
 - II . Appointment and Duties of the Auditor-General / **66**
 - III . Relations between Audit Ministry and Control Yuan / **67**

PART TWO

OFFICIAL POWERS EXERCISED BY THE CONTROL YUAN

- Chapter 1** Official Powers of the Control Yuan / **77**
- Chapter 2** Receiving People's Written Complaints / **79**
- Chapter 3** Power of Investigation / **85**
 - I . Ways and Procedures for Exercising Power of Investigation / **85**
 - II . Efficacy of Exercising Power of Investigation / **90**
 - III . Achievements of Exercising Power of Investigation / **93**
- Chapter 4** Power of Proposing Corrective Measures / **95**
 - I . Objects for the Exercise of the Power of Correction / **95**
 - II . Cause for Proposing Corrective Measures / **96**
 - III . Procedures for Exercising the Power of Correction / **96**
 - IV . Efficacy of Exercising the Power of Correction / **99**

- V . Achievements of Exercising the Power of Correction / **100**
- Chapter 5** Power of Impeachment / **119**
- I . Objects for the Exercise of the Power of Impeachment / **119**
- II . Cause for Exercising the Power of Impeachment / **124**
- III . Procedures for Exercising the Power of Impeachment / **126**
- IV . Achievements of Exercising the Power of Impeachment / **133**
- Chapter 6** Power of Censure / **142**
- I . Objects and Cause for the Exercise of the Power of Censure / **142**
- II . Procedures for Exercising the Power of Censure / **142**
- III . Efficacy of Exercising the Power of Censure / **145**
- IV . Achievements of Exercising the Power of Censure / **146**
- Chapter 7** Power of Conducting Circuit Inspection / **148**
- I . Circuit Inspection / **148**
- II . On National Government Level / **148**
- III . On Local Government Level / **151**
- IV . Amending the Provisional Rules of Circuit Inspection / **153**
- Chapter 8** Power of Invigilation / **157**
- Chapter 9** Acceptance of Asset Declaration / **159**
- Chapter 10** Power of Audit / **161**
- I . Scope of Audit Activities / **161**
- II . Methods and Procedures of Auditing / **164**
- III . Handling the Results of Audit / **166**
- VI . Achievements of Exercising the Power of Audit / **168**

PART THREE/

IMPROVING PRESENT WORK AND MAKING FURTHER EFFORTS

- Chapter 1** Reforms After System Adjustment / **175**
- I . Reforms in Exercising Functions and Powers / **175**
 - II . Overseas Inspection Missions / **186**
 - III . Reforms in Administrative Operation / **193**
- Chapter 2** Direction for Making Further Efforts / **196**

Appendix

Current Laws Concerning the Work of Control and Supervision

- (1) Constitution / **203**
- (2) Additional Articles of the Constitution / **206**
- (3) Organic Law of the Control Yuan / **209**
- (4) Organic Law of Committees of the Control Yuan / **214**
- (5) Organic Law of the Ministry of Audit / **216**
- (6) Control Law / **221**
- (7) Audit Law / **227**
- (8) Law on Examination Supervision / **243**