Civil Service Administrative Neutrality Act

Article 1

Civil Service Administrative Neutrality Act (hereinafter referred to as the Act) is enacted to ensure rule of law, impartial execution, and administrative neutrality of civil servants as well as to appropriately regulate civil servants' participation in political activities.

Unless for matters that are either not being covered by this Act or subject to more stringent restrictions in other laws, the regulation of administrative neutrality of civil servants shall be in accordance with the provisions of this Act.

Article 2

"Civil servant" in this Act refers to a full-time and paid employee who is legally appointed or assigned by a statutory authority and a staff member who is legally appointed by a public school.

Article 3

Civil servants shall strictly observe administrative neutrality, perform their duties in accordance with the law, faithfully implement government policies, and serve the people.

Article 4

Civil servants shall perform their duties impartially in accordance with the law, without giving preferential treatment to any group or individual.

Article 5

Civil servants may join political parties or other political organizations. However, they are not allowed to concurrently assume positions in any political parties or other political organizations.

Civil servants shall not use the power, opportunity, or means of their office to intervene in partisan disputes.

Civil servants shall not concurrently assume positions in an election campaign office of a candidate for an elective public office.

Article 6

Civil servants shall not use the power, opportunity or means of their office to make others join or refrain from joining political parties or other political organizations; nor shall they ask others to participate or refrain from participating in election activities related to political parties or other political organizations.

Article 7

Unless for the nature of duties or conditions necessary for performing duties, civil servants shall not engage in activities of political parties or other political organizations during their work or duty hours.

The time of work or duty mentioned in the preceding paragraph refers to the following:

1. Statutory work hours.
2. Flexible adjustment of work hours due to business conditions.
3. On-duty or extended work hours.
4. The time on training, business trips, or activities related to their duties due to official assignments.

Article 8

Civil servants shall not use the power, opportunity, or means of their office to solicit, promise, or accept donations of money, goods, or other benefits for political parties, other political groups, or potential candidates; nor shall they prevent or hinder others from soliciting funds legally for specific political parties, other political groups, or potential candidates.

Article 9

Civil servants shall not engage in the following political activities or conduct for the purpose of supporting or opposing a specific political party, other political group, or candidate for an elective public office:

1. Using administrative resources to compile, print, distribute, or post documents, pictures, or other campaign materials or hold related activities.
2. Hanging, posting, wearing or displaying flags, badge or clothing of a particular political party, other political group, or candidate for an elective public office on the premises.
3. Hosting a rally, starting a march, or leading a petition.
4. Advertising in the mass media with their title or name. However, such restriction does not apply to the spouse, relatives by blood or marriage within the second degree of kinship of a candidate of an elective public office if the name of the civil servant shows up in the advertisement without revealing his/her title.

5. Expressing instructions to the personnel to whom the office relates or to whom the office is targeted.

6. Publicly standing, speaking, marching, or calling for votes for candidates for an elective public office. However, such restriction does not apply to the spouse, relatives by blood or marriage within the second degree of kinship of a candidate for an elective public office.

"Administrative resources" in Section 1 of the preceding paragraph means resources such as public properties, public funds, places, premises, and human resources under management of public administration.

The acts in the proviso of Sections 4 and 6 of Paragraph 1 shall not involve matters related to the duties of the public official.

Article 10

Civil servants shall not use the power, opportunity, or means of their office to ask other people to refrain from exercising the right to vote or to exercise such right in a particular manner for the election, removal, or referendum of a public official.

Article 11

Civil servants who are registered as a candidate for an elective public office shall, from the day when the list of candidates is announced to the polling day, take personal leave or leave of absence in accordance with the regulations.

The official superior shall permit the leave of absence requested in accordance with the preceding paragraph by a civil servant.

Article 12

When performing duties, civil servants shall make decisions in an impartial and equal manner without differential treatment regarding to the use of administrative resources as well as accepting or rejecting lawful applications from political parties, other political organizations or candidates for an elective public office.

Article 13

During the election period from the date of publication of the election announcement by the Election Committee to the polling day, visits by political parties, candidates for the elective public office, or their supporters shall be prohibited by the heads or directors of the agencies; notices prohibiting campaign activities shall be posted conspicuously at all entrances and exits of offices and public spaces.

Article 14

An official superior shall not ask civil servants to engage in conduct prohibited by this Act.

In the case of an official superior violating the provisions of the preceding paragraph, a civil servant may report to the official in charge with relevant evidence, and the official in charge shall handle it legally; an official in charge failing to handle the report legally shall be deemed dereliction of duty and consequently the civil servant may report the official in charge to the Control Yuan.

Article 15

The legal rights of a civil servant shall not be impaired by unfair treatment or unfavorable punishment for his/her refusal to violate the Act.

If a civil servant suffers from unfair treatment or unfavorable punishment described in the preceding paragraph, he/she may file for remedy in accordance with the Civil Service Protection Act and other relevant laws and regulations.

Article 16

Civil servants who violate this Act shall be subjected to disciplinary punishment under administrative or judicial regulatory authority depending on the severity of the situation in accordance with the Civil Servant Disciplinary Act, the Civil Servant Performance Evaluation Act, or other relevant laws and regulations; in the case of a civil servant contravening additional legal responsibility, the violation shall also be dealt with in accordance with relevant laws.

Article 17

The Act is also applicable to the following personnel:

1. Principals of public schools and teachers in public schools who concurrently assume administrative positions.

2. Staff members of public schools who have been employed yet not duly qualified in civil service and staff members of private schools restructured into public schools who are not eligible for appointment before the promulgation and implementation of the Act Governing the Appointment of Educators.

3. Professionals in public social education institutions and researchers in public academic research institutions who concurrently assume administrative positions.

4. Military personnel in administrative agencies at all levels, personnel of military training units of administrative agencies of education at all levels, and military training instructors in schools at all levels.

5. Personnel employed and contracted by all agencies and public schools in accordance with the law.

6. Personnel in government-operated enterprises who are responsible for major decision-making on operating policies.

7. Those who work as interns or trainees before being formally appointed as a civil servant.

8. Full-time and paid staff of non-departmental public bodies.

9. Directors and supervisors representing the government or government-owned shares in private juristic entities.

Article 18

The Act is also applicable to government officials who are required to be above partisanship and independently exercise their functions in accordance with the Constitution or by law.

Article 19

The enforcement rules of this Act shall be established by the Examination Yuan.

Article 20

This Act shall take effect from the date of promulgation.