Content

Title：	Act for the Establishment of the National Science and Technology Center for Disaster Reduction Ch
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Content：

Chapter 1 General Provisions

Article 1

To enhance the competence of the country in the research and development of the science and technology for disaster reduction, promote the implementation and application of the outcomes and technologies of the science and technology for disaster reduction, the National Science and Technology Center for Disaster Reduction (hereinafter referred to as the “Center”) is hereby established and this Act is hereby adopted.

Article 2

The Center is an administrative corporation; the National Science and Technology Council is the competent supervisory authority of the Center.

Article 3

The Center is in charge of the following affairs:

1. Promoting and implementing the research and development and integration of the science and technology for disaster reduction.
2. Promoting the implementation and application of the outcomes of the research and development of the science and technology for disaster reduction.
3. Using the technologies regarding disaster reduction to assist in the work of disaster reduction.
4. Facilitating the international cooperation and interaction in the science and technology for disaster reduction.
5. Assisting universities and colleges and research institutions to take part in the research and development and application of the science and technology for disaster reduction.
6. Other matters relating to the science and technology for disaster reduction.

Article 4

The Center is funded by:

1. Budgets approved and allocated by the government and donations (subsidies)from the government.
2. Donations from domestic and foreign, public and private institutions and groups and individuals.

3. Income from the research entrusted to the Center and the services provided by the Center.
4. Other income.
The donations specified in Subparagraph 2 of the preceding Paragraph are regarded as the donations to the government.

Article 5
The Center shall adopt its articles of incorporation and the rules and regulations governing the management of personnel, accounting system, internal control, protection of national security, auditing and others, and shall submit them to the board of directors for approval and thereafter submit them to the competent supervisory authority for reference.
The Center may adopt the rules and regulations governing the public functions it performs within the scope of relevant laws or legal orders, and shall submit them to the board of directors for approval and thereafter submit them to the competent supervisory authority for reference.

Chapter 2 Organization
Article 6
There is a board of directors in the Center, with eleven to fifteen directors selected among the following people by the competent supervisory authority and appointed by the Premier of the Executive Yuan. The same shall apply to the discharge of the directors:
1. Representatives of relevant governmental agencies.
2. Scholars and experts in the field of research of disaster reduction.
3. Experts in operation and management of private enterprises, or the public figures who have major contributions to disaster reduction.
The number of the directors specified in Subparagraph 1 of the preceding Paragraph may not exceed one-third of the total number of directors.
The number of each gender of the directors specified in Paragraph 1 may not be less than one-third of the total number of people.

Article 7
There are three to five supervisors in the Center, selected among the following people by the competent supervisory authority and appointed by the Premier of the Executive Yuan. The same shall apply to the discharge of the supervisors:
1. Representatives of relevant governmental agencies.
2. Scholars and experts in the field of research of disaster reduction.
3. Scholars and experts in the field of law, accounting or finance.
A managing supervisor shall be elected among supervisors.
The number of each gender of the supervisors specified in Paragraph 1 may not be less than one-third of the total number of people.

Article 8

The term of office of each director or supervisor is three years, which is calculated individually and not limited by the term of appointment. The director or supervisor may be reappointed once upon the expiration of his original term of office. Notwithstanding the above, after the enforcement of this Act, each of the seven of the directors appointed at the first time shall serve a term of one and a half years, and each of the two of the supervisors appointed at the first time shall serve a term of one and a half years.
The directors and supervisors acting on behalf of governmental agencies shall be replaced if their positions are changed, and may not be bound by the restriction on the times of reappointment as specified in the preceding Paragraph. If there is a vacancy existing in the directors and supervisors appointed according to Subparagraphs 2 and 3 of Paragraph 1 of Article 6 and Subparagraphs 2 and 3 of the preceding Article before the expiration of their terms of office, the vacancy shall be filled through the election by the competent supervisory authority and the appointment by the Premier of the Executive Yuan, and the term of office of the new director or supervisor shall continue until the expiration of the term of office of the original director or supervisor.

Article 9
There is one chairman of the board of directors in the Center, nominated by the competent supervisory authority among the directors and appointed by the Premier of the Executive Yuan. The same shall apply to the discharge of the chairman of the board of directors.
The chairman of the board of directors shall be appointed according to the regulations adopted by the competent supervisory authority.
The chairman of the board of directors is in charge of all affairs of the Center internally, and represents the Center externally. If the chairman of the board of directors cannot exercise his authority for any reason whatsoever, the director designated by the chairman of the board of directors shall act on his behalf, but if the designation cannot be made, the person elected by the directors among themselves shall act on behalf of the chairman of the board of directors.
The chairman of the board of directors may not exceed the age of sixty-five at his first term of office. If the chairman of the board of directors reaches the age of seventy before the expiration of his term of office, he shall be replaced immediately, provided that special exemptions may be made upon the approval of the Executive Yuan.

Article 10
The authority of the board of directors is as follows:
1. Reviewing and discussing development goals and plans.
2. Reviewing and discussing annual business plans.
3. Reviewing and discussing annual budgets and financial statement reports.
4. Reviewing and discussing rules and regulations.

5. Reviewing and discussing the disposition of or the creation of encumbrance over private real estates.
6. Reviewing and discussing the matters required by the Act to be resolved by the board of directors.
7. Appointing and discharging the Director of the Center.
8. Reviewing and discussing other major matters.

Article 11
The meetings of the board of directors shall be held once three months. An extraordinary meeting may be held if necessary. The chairman of the board of directors shall convene the meetings and act as the chairperson.
A resolution of a meeting of the board of directors shall be made upon the approval of more than half of the directors present at the meeting representing more than half of all directors, provided that each of the resolutions specified in Subparagraphs 1 to 7 of the preceding Article shall be made upon the approval of more than half of all directors.

Article 12
The authority of the supervisors is as follows:
1. Verifying annual business final accounts.
2. Supervising business and financial status.
3. Auditing financial accounting books, documents and information of assets.
4. Verifying or auditing other major matters.
Each supervisor exercises his authority independently. The managing supervisor shall attend the meetings of the board of directors on behalf of all supervisors.

Article 13
A director or supervisor may not be a spouse or relative by blood or marriage within three degrees of kinship to any directors or supervisors.

Article 14
The directors, supervisors or staff equivalent to such positions shall comply with the regulations of the Act on Recusal of Public Servants Due to Conflict of Interest and may not seek their own interests or the interests of any interested party by using the authority, opportunities or methods arising out of their duties.
The person who breaches the preceding Paragraph shall be liable for the damages caused thereby to the Center.
A person articulated in Paragraph 1 against the regulations of the Act on Recusal of Public Servants Due to Conflicts of Interest shall be punished in accordance with the Act, and, in addition, the supervisory authority may take appropriate punishment. The disposal of violation should be determined by the competent supervisory authority.

Article 15

The directors and managing supervisor shall attend the meetings of the board of directors in person and may not delegate a proxy to attend the meetings.

Article 16
The chairman of the board of directors, directors and supervisors of the Center may not receive remuneration.

Article 17
The person who falls into any of the following categories may not be appointed as the director or supervisor:
1. The person who has been placed under custodianship or guardianship, and the placement has not yet been withdrawn.
2. The person who has been sentenced to imprisonment and has not been declared on probation.
3. The person who has been declared bankrupt and has not yet come out of bankruptcy.
4. The person whose citizen's rights have been suspended which have not yet been resumed.
5. The person who has been certified by a public hospital as incapable of performing duties due to physical or mental disabilities.
The director or supervisor who falls in any of the categories listed in the preceding Paragraph or fails to attend the meetings of the board of directors for three consecutive times without any reasons shall be dismissed.
The director or supervisor who falls in any of the following categories may be dismissed:
1. The director or supervisor whose misconduct or poor character is found by concrete evidence to have affected the image of the Center.
2. The director or supervisor who is found by specific facts to have failed to devote reasonable efforts to his duties or performs his duties negligently, or the director or supervisor who materially breaches his appointment.
3. The Center fails to meet the standard of performance evaluation required by the competent supervisory authority for two consecutive years.
4. The director or supervisor who is found by concrete evidence to have violated the Administrative Neutrality Act.
5. The director or supervisor who is found by concrete evidence to have been lobbied or interceded in terms of the issue of which he is in charge or have accepted gifts or special treatments by misusing his position and have caused damages to public interests or the interests of the Center.
6. The director or supervisor who is found by concrete evidence to have misused assets of the Center for non-official reasons.
7. The director or supervisor who is found by concrete evidence to have violated the provisions of conflict of interests in Article 13 or Paragraph 1 of Article 14.
8. The director or supervisor who conducts any act that makes him unfit for his

position as a director or supervisor.
If any of the situations listed in the Subparagraphs of the preceding Paragraph occurs, the competent supervisory authority shall provide opportunities to the concerned director or supervisor to state his opinions and explain before his discharge.
The regulations relating to the appointment, discharge and replacement of the directors and supervisors of the Center will be adopted by the competent supervisory authority.

Article 18
There is a Director in the Center, nominated by the chairman of the board of directors and approved and appointed by the board of directors. The same shall apply to the discharge of the Director. The Director carries out the businesses of the Center and supervises the personnel subject to the rules and regulations of the Center, resolutions of the board of directors and the authorization of the chairman of the board of directors.
The provisions regarding the directors and the chairman of the board of directors specified in Paragraph 4 of Article 9, Article 13, Paragraph 1 of Article 17, the first half of Paragraph 2 of Article 17, Paragraph 3 of Article 17, Paragraph 2 and 3 of Article 19, and Subparagraph 6 of Article 22 shall apply to the Director.

Article 19
The employees recruited by the Center shall be governed by the personnel management regulations of the Center and are not public servants. The rights and obligations of the employees shall be specifically specified in contracts.
The spouses and relatives by blood or marriage within three degrees of kinship to the directors and supervisors may not hold the positions regarding general affairs, accounting and personnel affairs of the Center.
The chairman of the board of directors may not recruit his spouse or his relatives by blood or marriage within three degrees of kinship to hold the positions of the Center.

Chapter 3 Businesses and Supervision
Article 20
The Center shall adopt development goals and plans and submit them to the competent supervisory authority for approval, and shall amend them when appropriate based on the change of environment and types of disasters and submit the amendments for approval.
The Center shall adopt annual business plans and budgets, and shall submit them to the board of directors for approval and thereafter submit them to the competent supervisory authority for reference.

Article 21
Within two months after the end of the fiscal year, the Center shall entrust a

certified public accountant to audit and certify its annual performance and financial statement reports, and thereafter submit them to the board of directors for deliberation and to the supervisors for approval. Upon obtaining the approval from all supervisors, the Center shall submit them to the competent supervisory authority for reference and to the competent audit authority.
The competent audit authority may audit the financial statement reports specified in the preceding Paragraph. The audit results may be submitted to the competent supervisory authority or other relevant authorities for necessary actions.

Article 22
The supervisory authorities of the competent supervisory authority over the Center are as follows:
1. Approving the development goals and plans.
2. Approving the rules and regulations, annual business plans and budgets, annual performance and financial statement reports, or receiving them as reference.
3. Inspecting the assets and financial status.
4. Evaluating business performance.
5. Selecting and giving suggestion to the directors and supervisors.
6. Imposing necessary penalties if the directors and supervisors violate laws and regulations when carrying out businesses.
7. Revoking, changing, terminating, demanding timely improvement, suspending operations or imposing other penalties if the Center violates the Constitution or other laws and regulations.
8. Approving the disposition of or the creation of encumbrance over the private real estates.
9. Supervising other matters as prescribed by laws.

Article 23
The competent supervisory authority shall invite the representatives of relevant agencies, scholars, experts and impartial public figures to evaluate the performance of the Center. The scholars, experts and impartial public figures may not be less than half of all people.
The methods, procedures and other relevant matters regarding the performance evaluation specified in the preceding Paragraph will be adopted by the competent supervisory authority.
The contents of the performance evaluation are as follows:
1. Assessing the annual performance of the Center.
2. Measuring the operational performance and achievement rate of the Center.
3. Assessing the achievement rate of the annual self-funding targets of the Center.
4. Making recommendations on the approval and allocation of funds of the Center.
5. Other relevant matters.

Article 24
The relevant information of the Center shall be made available to the public

pursuant to the Freedom of Government Information Law. The Center shall take initiative in making its annual financial statements, annual business information and annual performance evaluation reports available to the public.
The competent supervisory authority shall submit the performance evaluation reports prescribed in the preceding Paragraph to the Legislative Yuan for reference. The Legislative Yuan may, as it deems necessary, summon the head of the competent supervisory authority together with the chairman of the board of directors, the Director or related officers of the Center to report the operation status and answer questions at the Legislative Yuan.

Chapter 4 Accounting and Finance

Article 25

The fiscal year adopted by the Center shall be the same as that of the government.
The accounting system adopted by the Center shall be based on the relevant regulations governing the establishment of accounting systems of administrative corporations.
The Center shall mandate a certified public accountant to audit and certify its financial statements.

Article 26

The competent supervisory authority may approve and allocate budget by making adjustments within the original scope of the budget in the year of the establishment of the Center without being limited by Articles 62 and 63 of the Budget Act.

Article 27

If the Center is in business needs to use the public real estates of the original agency, the entity before the restructuring, the public real estates may be donated, leased or provided for use free of charge to the Center by the competent authority of the public real estates. The public personal properties that are to be used for business needs may be donated or provided for use free of charge to the Center by the competent supervisory authority. In the case of donation, Articles 25 and 26 of the Budget Act and Articles 28 and 60 of the National Property Act shall not apply.
The Center may procure public real estates after its establishment. The price for land shall be based on the announced current land value. The price for constructional improvement shall be based on its current value as assessed by the tax authority. Where the tax authority has not assessed the current value, the value shall be based on an assessment made by the public property management authority.
Where a governmental agency approves and allocates budget to the Center to purchase properties for a designated purpose, the properties shall be deemed public properties.
Except for the public properties leased or provided for use free of charge as set forth in Paragraph 1 and the public properties prescribed in the preceding Paragraph, all of the properties acquired by the Center shall be deemed private

properties.
The Center shall act as the manager of the public properties which are provided for use free of charge in Paragraph 1 and the public properties prescribed in Paragraph 3, and all profits arising from the properties shall be deemed income of the Center without being subject to the restrictions specified in Paragraph 1 of Article 7 of the National Property Act. The regulations governing matters relating to management, use and profits will be prescribed by the competent supervisory authority.
Upon the abandonment of use of public properties, the properties shall be handed over to the public property management authorities.
Where the Center no longer needs to use the donated public properties, it shall return the properties to the donating authority and may not dispose of the properties arbitrarily.

Article 28
The approval and allocation of budget by a governmental agency for the Center shall be governed by legal budgetary procedures and supervised by the audit authority.
Where the budget approved and allocated by a governmental agency exceeds fifty percent of the annual budgetary income of the Center of the then current year, the competent supervisory authority shall submit the annual budgetary statement of the Center to the Legislative Yuan for review.

Article 29
The debts raised by the Center shall be limited to self-liquidating loans, which shall be submitted to the competent supervisory authority for approval in advance. If it is likely that debts cannot be repaid by self-liquidation according to the outcome of budget implementation, the Center shall promptly review and propose improvement measures to the competent supervisory authority for approval.

Article 30
The Center shall conduct procurement based on the principles of openness and fairness. The Government Procurement Act shall not apply to the procurement, except for the circumstances set forth in the treaties or agreements which are concluded by the Republic of China or in Article 4 of Government Procurement Act. The rules and regulations for the procurement shall be submitted to the competent supervisory authority for approval.
Where a law other than the Government Procurement Act is applicable to the procurement subject to Article 4 of the Government Procurement Act as prescribed in the preceding Paragraph, the law shall prevail.

Chapter 5 Supplementary Provisions
Article 31
A person who is not satisfied with an administrative disposition given by the Center may file an administrative appeal to the competent supervisory authority in

accordance with the Administrative Appeal Act.

Article 32
If the Center cannot meet the objectives of its establishment due to change of circumstances or poor performance, the competent supervisory authority shall apply to the Executive Yuan for the dissolution of the Center, which shall be enforced upon the approval of the Executive Yuan.
If the Center is dissolved, the employment contracts with the employees of the Center shall be terminated, and the remaining assets shall be turned over to the treasury with all debts assumed by the competent supervisory authority.

Article 33
The enforcement date of this Act shall be determined by the Executive Yuan.

Data Source：NSTC Laws and Regulations Retrieving System