

National Integrity Building Action Plan

IV. Specific Actions

Specific Strategy	Enforcement Measure	Performance Goal	Executing Agency
8. Add and amend laws on corruption investigation, enhance investigation capacity and put whistleblower protection into effect.	(1) Research and formulate a draft for the "Whistleblower Protection Act," prioritize the draft for review, and actively encourage reporting corruption and illegal acts.	1. Actively collect suggestions from different fields, develop appropriate provisions, and submit them to the Executive Yuan for review. 2. Continue updating the "Whistleblower Protection Area" website according to the legal review operations. 3. Complete the "Whistleblower Protection Act" legislation.	The Ministry of Justice (Agency Against Corruption)
	(2) Hold regular review meetings to review reward applications for reporting corruption cases.	Hold regular "Ministry of Justice Review Meeting on Reward Applications for Reporting Corruption and Malfeasance Cases" and compile statistics on the number of cases applied and approved, and the amount of rewards issued.	The Ministry of Justice
	(3) Have a good grasp of corruption crimes investigated and analyze the conviction rate of corruption cases investigated.	Analyze and compile statistics on corruption cases indicted.	The Ministry of Justice

	<p>(4) District prosecutors' offices are to strengthen the operation of the Corruption Investigation Implementation Task Forces, consisting of head prosecutors or prosecutors, prosecutor investigators and clerks appointed by the chief prosecutors of their respective prosecutor' offices, directors of ethics offices of various prosecutors' offices, directors of regional investigation offices of the AAC and appointed personnel, and directors of field offices and mobile offices of the MJIB and appointed personnel. With the chief prosecutor as the convener and one head prosecutor or prosecutor as the executive secretary, the task force is to hold meetings regularly, investigating corruption cases as provided by law, and should convene meetings intensively when necessary to review cases at any</p>	<p>Hold a meeting every quarter.</p>	<p>The Ministry of Justice (Taiwan High Prosecutors' Office, District Prosecutors' Offices, Agency Against Corruption, and Investigation Bureau)</p>
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	time in order to close an investigation as soon as possible.		
	(5) District prosecutors' offices are to investigate corruption as provided by law.	Every year report the number of corruption cases indicted.	The Ministry of Justice (Taiwan High Prosecutors' Office, District Prosecutors' Offices, Agency Against Corruption, and Investigation Bureau)
	(6) The investigation of targeted cases that seriously endanger the integrity of the government (referring to cases involving civil servants of senior positions grades 10 [or equivalent of] and above, a group of 3 or more civil servants, and the illegal gains in the sum of NT\$10,000,000 or more) is to take precedence in order to safeguard the integrity of the country.	District prosecutors' offices are to report on the annual number of targeted cases that seriously endanger the integrity of the government as well as carrying out quarterly reviews on the achievement rate.	The Ministry of Justice (Taiwan High Prosecutors' Office, District Prosecutors' Offices, Agency Against Corruption, and Investigation Bureau)
	(7) Carry out the removal of corruption from administrative operations and look into administrative responsibilities to establish sound	Every year report the number of corruption investigation and administrative responsibility cases processed.	Various authorities and the Ministry of Justice (Agency Against Corruption)

	discipline within agencies.		
	(8) Improve anonymous reporting channels in the public and private sectors, provide multiple reporting channels, allow whistleblowers to make reports anonymously, keep the identity of whistleblowers strictly confidential to protect them, and help companies establish a corporate culture that dares to expose fraud.	<ol style="list-style-type: none"> 1. The Ministry of Justice (Agency Against Corruption, Investigation Bureau) shall allow the public to file reports by name or anonymously, keep their identities strictly confidential, and prevent them from being leaked. 2. The Financial Supervisory Commission requires TWSE/TPEX listed companies to establish an internal reporting system in Internal Control Regulations. 3. Compile the annual statistics on the number of reports accepted by Government Employee Ethics Units as well as the confidentiality promotion and implementation performance. 	The Ministry of Justice (Agency Against Corruption, Investigation Bureau), the Financial Supervisory Commission, and various other agencies
	(9) Encourage the reporting of corruption, reinforce the confidentiality and protection of witnesses and related persons, follow leads to investigate corporate	Every year submit a compiled and organized report on the effectiveness of implementation.	The Ministry of Justice (Investigation Bureau)

	<p>corruption (e. g. embezzlement, fraud, and breach of trust) and strengthen international, cross-border cooperation in crime-fighting and mutual legal assistance.</p>		
	<p>(10) Establish a communication and liaison mechanism between the Ministry of Justice Investigation Bureau (MJIB) and the Agency Against Corruption (AAC) to strengthen financial information exchanges and money laundering prevention opinions. Domestic authorities of anti-money laundering (AML) and combating the financing of terrorism (CFT) shall upload early warning information, important cases, criminal methods, and other risk information through the "Anti-Money Laundering, Combating the Financing of Terrorism, and Counter-</p>	<ol style="list-style-type: none"> 1. The Anti-Money Laundering Division (AML) of MJIB and the Agency Against Corruption (AAC) hold regular contact meetings at least once every two years. 2. The Ministry of Justice (Investigation Bureau) continues to promote the platform's functions to public and private sector agencies (institutions) and encouraged them to publish the information on this platform. 	<p>Authority in charge: the Ministry of Justice (Investigation Bureau)</p> <p>Assisting authority: the Ministry of Justice (Agency Against Corruption)</p>

	<p>Proliferation Financing Information Exchange Platform" to provide a reference for the domestic public and private sectors to improve their ability to combat crime.</p>		
(11)	<p>Deliberate and amend the "Anti-Corruption Act" regarding Articles 15 and 17 of the United Nations Convention against Corruption (UNCAC) to Clearly define or distinguish crimes such as bribery, embezzlement, theft, or misappropriation of property. Convene an "Anti-Corruption Act" revision meeting to solicit opinions from all fields on relevant issues and discuss the revision direction.</p>	<p>Conduct "Anti-Corruption Act" amendment deliberations.</p>	<p>The Ministry of Justice (Department of Prosecutorial Affairs)</p>
(12)	<p>Discuss strategies to strengthen transnational bribery law enforcement; review whether Paragraph 3, Article 11 of the "Anti-Corruption Act"</p>	<p>Review the legal and practical aspects of our nation's "offense for bribing foreign public officials" and propose recommendations.</p>	<p>The Ministry of Justice (Department of Prosecutorial Affairs)</p>

	<p>fully conforms to Article 16 of the "United Nations Convention against Corruption (UNCAC)"; and analyze why no case has been prosecuted and convicted under this article.</p>		
(13)	<p>Treat and criminalize private sector bribery as a single offense; evaluate whether to add the crime of commercial bribery to the "Criminal Code"; convene a law revision meeting to solicit opinions from scholars, experts, representatives of government agencies and business association; and carefully evaluate the law amendment direction.</p>	<p>Conduct research and discussions on amendment of adding the crime of commercial bribery to the "Criminal Code".</p>	<p>Authority in charge: the Ministry of Justice (Department of Prosecutorial Affairs)</p> <p>Assisting authority: the Judicial Yuan</p>
(14)	<p>Construct a clear and comprehensive framework to regulate legal persons' criminal, civil, or administrative liability in corruption cases. Take a brief inventory of the current subsidiary</p>	<ol style="list-style-type: none"> 1. The Ministry of Justice (Department of Prosecutorial Affairs) completes the assessment of the overall legislative strategy of our nation's legal person criminal law. 2. The Financial Supervisory Commission, the 	<p>Authorities in charge: the Ministry of Justice (Department of Prosecutorial Affairs), the Financial Supervisory Commission, the Ministry of</p>

	<p>criminal law provisions governing the criminal liability of legal persons. Prepare a "Review List on the Need for Increasing (Revising) Penalties and Fines for Legal Persons" for various ministries' reference. Conduct a self-assessment on the necessity of amending (revising) legal person fines and penalties to the competent laws and amend Article 11 of the Anti-Corruption Act to add criminal penalties for legal person bribery. Conduct long-term and in-depth research to determine whether our country's special legal person criminal laws (chapters) are appropriate.</p>	<p>Ministry of Economic Affairs, the Ministry of Health and Welfare, Ministry of Environment, and the Ministry of Labor inventory and review whether it is necessary to amend (revise) the fine and penalty provisions for legal persons in relevant competent laws and regulations.</p>	<p>Economic Affairs, the Ministry of Health and Welfare, Ministry of Environment, and the Ministry of Labor Assisting authority: the Public Construction Commission, Executive Yuan</p>
	<p>(15) Promote the legislation for obstructing justice in the "Criminal Code." Reference foreign legislation to amend Chapter 10-1 for obstructing justice. Draft an amendment to Article 172-3 of the</p>	<p>Promote the passage of legislation on the crime of obstructing justice in the "Criminal Code".</p>	<p>The Ministry of Justice (Department of Prosecutorial Affairs)</p>

	<p>Criminal Code to add intimidation, harassment, or witness and appraiser bribery as punishable acts.</p>		
	<p>(16) Promote the legislation on "Appropriate Sentencing in Criminal Cases," establish a "Criminal Case Sentencing Criteria Committee" in the future, and have this committee establish the "Sentencing Guidelines for Criminal Cases." Commission the Judges Academy to provide sentencing-related courses to strengthen judicial personnel's sentencing awareness and enhance their professional sentencing knowledge. Convene Anti-Corruption Act amendment discussion meetings to solicit opinions from different fields on petty corruption and discuss the amendment direction.</p>	<ol style="list-style-type: none"> 1. The Judicial Yuan passes the draft legislation of the "Law on Appropriate Sentencing in Criminal Cases" as soon as possible, formulates relevant sentencing guidelines, and continues to conduct sentencing courses. 2. The Ministry of Justice (Department of Prosecutorial Affairs) performs "Anti-Corruption Act" amendment deliberations. 	<p>The Judicial Yuan and the Ministry of Justice (Department of Prosecutorial Affairs)</p>

	<p>(17) Strengthen ties with multinational corporations in Taiwan, form cooperative partnerships, and obtain clues through the host countries' law enforcement agencies to detect international corruption crimes in advance or provide clues to legal secretaries stationed abroad (without judicial investigation power overseas) to assist in uncovering information on international corruption crimes.</p>	<p>If the Ministry of Justice (Investigation Bureau) receives information on overseas or transnational corruption crimes with jurisdiction or international cooperation, it shall actively investigate the matter.</p>	<p>Authority in charge: the Ministry of Justice (Investigation Bureau) Assisting authority: the Financial Supervisory Commission</p>
	<p>(18) Study and amend the definition for victims of corruption in the "Code of Criminal Procedure" and the "Code of Civil Procedure", collect relevant information and opinions on the protection of legal interests in corruption crimes from all fields, and complete a review and evaluation of the appropriateness of legal interest protection</p>	<p>The Ministry of Justice (Department of Prosecutorial Affairs) finishes reviewing and assessing the appropriateness of protecting the legal interests in corruption crimes in our nation.</p>	<p>The Ministry of Justice (Department of Prosecutorial Affairs) and the Judicial Yuan</p>

	corruption cases in our nation.		
	(19) Promote the legislation of the "Undercover Investigation Act" and the "Technology Investigation Act." Continue to collect opinions from different fields, reference foreign legislative cases regarding the practical operation of the Undercover Investigation Act, and conduct a thorough deliberation. Hold meetings to discuss the draft amendments to the new version of the Technology Investigation Act. Collect suggestions from law enforcement agencies, academia, and relevant external parties to complete the announcement of the newly revised draft.	<ol style="list-style-type: none"> 1. Legalize special investigative methods appropriate for Taiwan's national circumstances. 2. Complete the legislative work for the Technology Investigation Act. 	The Ministry of Justice (Department of Prosecutorial Affairs)
	(20) Strengthen	The Ministry of	Authority in

	<p>domestic review of politically exposed persons (PEPs), collect law amendment suggestions and implementation strategies from different fields on the "standards for determining the scope of PEPs as well as their family members and closely related persons" and deliberate on relevant strategies and actions.</p>	<p>Justice (Department of Prosecutorial Affairs) completes the relevant strategies to optimize domestic PEPs review procedures.</p>	<p>charge: the Ministry of Justice (Department of Prosecutorial Affairs)</p> <p>Assisting authority: the Financial Supervisory Commission</p>
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