

The background of the cover is a traditional Chinese ink wash painting. It features several bamboo stalks with long, slender leaves in various shades of green and black ink. In the upper left, there are faint, misty mountains in shades of purple and pink. The overall style is elegant and artistic, typical of classical Chinese painting.

# *Anti-Corruption*

## Yearbook 2009

## Message from the Director General

**The** Executive Yuan, in a bid to enforce President Ma Ying-jeou's pledge in his inaugural speech that “the new government is committed to instilling a new yardstick in anti-corruption governance by stringently demanding government officials to abide by integrity and performance, and also reiterating the interaction guideline between politicians and businessmen in declaring the safeguard against money and power political corruption”, has on October 3, 2008 staged the first central government anti-corruption committee meeting, which set off the work for developing the nation’s anti-corruption development blueprint, and has upon referencing the United Nations' anti-corruption treaty and the International Transparency Organization’s relevant recommendations and integrating the existing “reiterating the government employee ethics action plan”, “eradicating illicit bribery action plan and its subsequent promotion campaign” and “anti-corruption action plan”, to draft and finalize the “National Anti-corruption Infrastructure Action Plan”, which was promulgated on July 8, 2009.

The “National Anti-corruption Infrastructure Action Plan” has abandoned the previous two-dimensional thinking mode of “eradicating greed and preventing greed”, but to adopt a diverse strategic concept by emphasizing on integrating the strength of governmental departments and its people for achieving the ultimate objective of ensuring that public servants “shun from corruption, renege from corruption and are unable or not dare to commit corruption”. The Investigation Bureau, which forms an anti-corruption trident along with the systems of Prosecutorial Organizations and Government Employee Ethics for shouldering the sacred missions of investigating and prosecuting corruption, vote-buying, and regulating the government system, is committed to continue promoting the Bureau’s “enforcing the anti-corruption action plan” by adjusting its manpower allocation, reviewing the performance monitoring and evaluation, refining the case processing flow by utilizing a flexible mechanism to enforce the “National Anti-corruption Infrastructure Action Plan”, and execute the tangible actions related to the

Bureau's responsibility of “strengthening and solidifying the anti-corruption organizational functions”, “Stepping up exploring illegal leads for infiltrating severe corruption crime”, “encouraging the tip-off of illegal conducts and enforcing the informant protection”, “enforcing administrative anti-corruption and strengthening the agency's discipline”, as well as “stepping up investigating vote-buying and reiterating the electoral practices”, gearing to put forth best efforts in instilling an integral and honest government.

At a time of actively infiltrating corruption, vote-buying, and devoting to enhancing its work performance, the Bureau concurrently demands its subordinates to strictly abide by due process of law, safeguard human rights protection, ensure the reliability of evidence through thorough evidence gathering, particularly of matters deemed unfavorable to the suspect, with which to duly address the policy demands of case quality and improved conviction ratios. In the meantime, to prevent in advance cases of corruption, breach of trust, vote-buying from occurring, the administration vows to continue integrating the strength of the private sector by promoting anti-corruption, anti-vote-buying awareness campaigning work, and to continue studying and compiling corruption prevention reports as a reference to peripheral government agencies, in a bid to prevent recurrence.

The Investigation Bureau, Ministry of Justice, a state arm in justice and for the people, is committed to enforcing the government's policy directives of a transparent administration and upholding the electoral practices, and does beckon all to continue facilitating in the bureau's anti-corruption and vote-buying investigation work, as we join hand and put forth our best efforts in instilling a transparent, able government and an honest and integral society.

Sincerely

*Wu Ying*

April 2010



## Explanation to Editing

### I. Editing purposes:

The Anti-Corruption Division, Investigation Bureau , Ministry of Justice (hereafter referred to as the MJIB) edits and publishes the Anti-Corruption Yearbook (hereafter referred to as the “Yearbook”) every year. The Bureau attempts to present the readers with the work contents and yearly work summaries of the Anti-Corruption Division, and hopes that the reviews and reflections through the yearbook will allow the works of the Anti-Corruption Division to continue improving.

### II. Description of contents:

1. Part One of the Yearbook is “Profile of the Anti-Corruption Division, Investigation Bureau”, and introduces the legal and regulatory basis, organizational history, operations task sharing, operating focus, operating objectives, and operating emphases of the Division, in order that others can understand the organizational structure, work philosophy, and execution methods of the Division.
2. Part Two is “The execution status of the anti-corruption work”, and presents the Investigation Bureau's works in 2009, which includes three sections: Corruption prevention work, Case investigating work, Education and training work. Statistical analyses and results are shown.
3. Part Three is the “2009 Summary of Prosecuted Cases”, which discusses the 12 representative cases investigated by the Investigation Bureau and referred to district Prosecutors Offices in the past two years, and are prosecuted in 2009. The cases are arranged according to case types so that readers can be presented with a variety of cases and criminal methods. (This part is excluded from English version)



### III. Notes:

1. For the units referred in the Yearbook, the “year” is “calendar year”, the “case” is in unit of “case”, the suspects are in unit of “person”, and the “amount” is in unit of “TWD”(Taiwan Dollar). As for the counting of cases; when in the referral stage, each referral is counted as one case; in the indictment stage, one indictment is counted as one case. The count of suspects is based on the number of suspects in referral, or as defendants in the indictments. The units of other items are described in articles or figures.
2. The percentage of the figures is according to the actual number of digits necessary and calculated by rounding.
3. The difference between “corruption/malfeasance cases” and “non-corruption/malfeasance cases” is based on whether the suspect is defined as a civil servant when violating the applicable law; if there is at least one civil servant involved in the case, then it is categorized as a corruption/malfeasance case.
4. In terms of “case type”, “public works” includes public works procurement and other maladministration in public works; if maladministration of public works also belongs to “educational administration” and “correction” types, it is categorized as “public works”. “Procurement” includes labor and property procurement; if the maladministration of procurement also belongs to other types, it is regarded as “procurement”.
5. “Public servant” refers to high, middle and low-ranking civil servant, quasi civil servant and representatives; “non-public servant” refers to people other than above five statuses. “High-ranking civil servant” refers to civil servants in position levels of 10-14, or equivalent; “middle-ranking civil servant” refers to civil servants in position levels of 6-9, or equivalent; “low-ranking civil servants” refers to civil servants in position levels of 5 and below, or equivalent. “Quasi civil servant” has two definitions; 1) cases referred to or prosecuted by prosecutors before June 30, 2006, and those who were commissioned by government agencies before the amendment of Article 2 of the Anti-corruption Act; 2) cases referred to or prosecuted by prosecutors after July 1, 2006, and those who were commissioned by the central government, local self-governing organizations, and their subordinate organizations, and were involved in public affairs within the

authority of commissioned units according to Subparagraph 2, Paragraph 2, Article 10 of the Criminal Code. “Representatives” includes central and locally elected representatives at all levels.

6. “Corruption amount” refers to the illegal profits earned by civil servants, quasi-civil servants, or their accomplices while under suspicion of corruption. “Profiting amount” refers to the illegal profits generated by civil servants with mercenary intention, whether utilizing the capacity of their offices. “Procurement amount” refers to the final tender price or budget amounts in procurement cases that involved illegal collusion. “Others” refers to crime amounts that did not belong to the above categories.
7. “Key applicable laws” and “key applicable articles on referral” refer to the law applicable to the cases or to the suspects. When the same case or suspect involves in offenses under two or more applicable laws, the heavier punishable law shall prevail.
8. “Education statistics” are based on the graduation qualifications of the suspects; if they did not graduate, they are categorized in the next lower level of education level.

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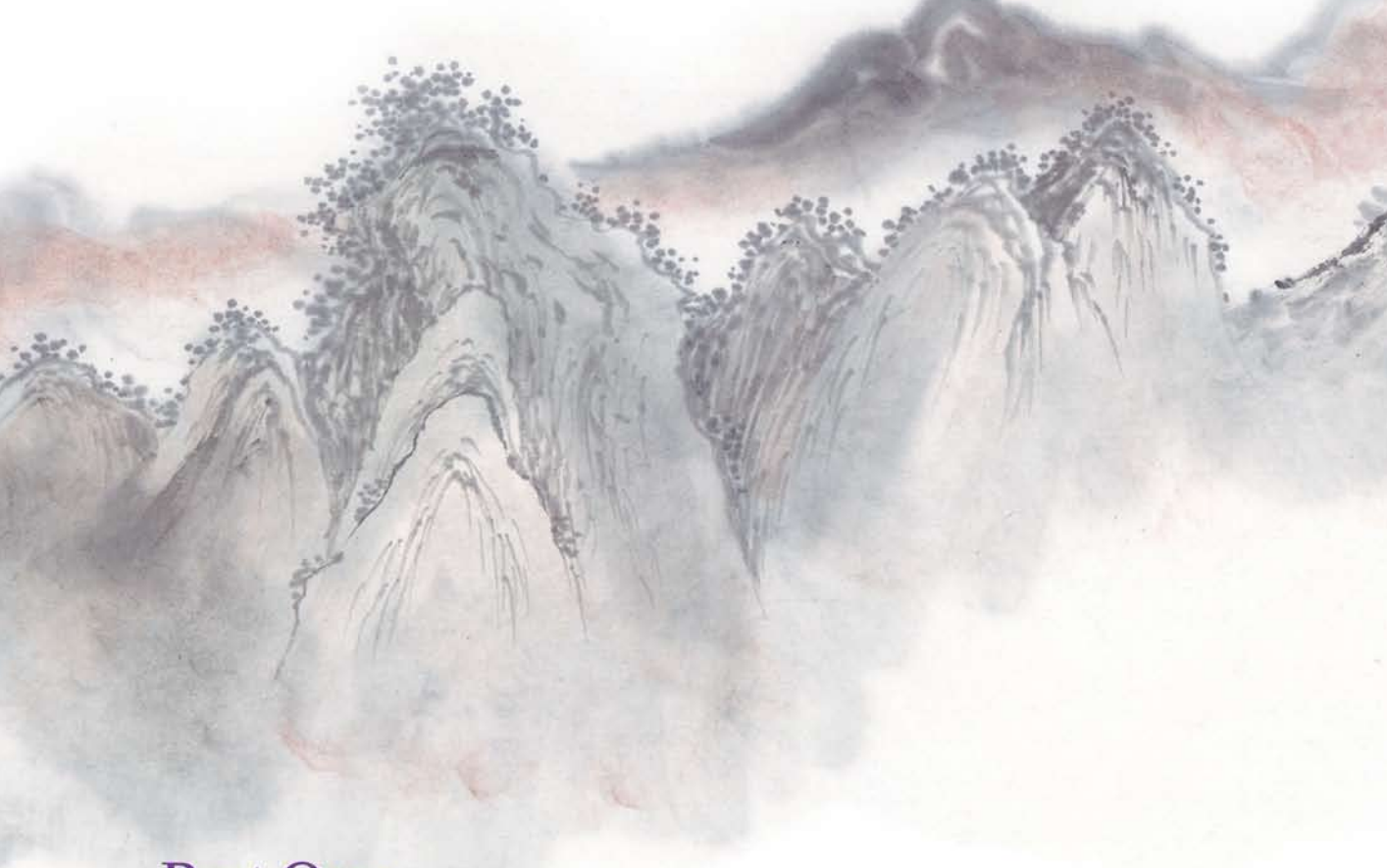
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## Part One.

### *Profile of the Anti-Corruption Division, Investigation Bureau*







## **I. Legal and regulatory basis**

As stipulated under Article 2 of the pre-amended Organizational Ordinance of Investigation Bureau, Ministry of Justice, “The Investigation Bureau, Ministry of Justice is charged with investigative and defense safeguard on matters that concern national security and national equity. The particulars of the foresaid investigative and defense safeguard are to be defined by the Executive Yuan”. Below provides an abridged description to the Bureau’s responsibility description and anti-corruption-related operations the Executive Yuan has amended and finalized over the years.

The Executive Yuan had on August 27, 1956 issued a directive, Ref. Taiwan 1956 (Interior) No. 4711, promulgating the Bureau’s 10 operating responsibilities, and among them, heading 5 “matters related to anti-corruption and breach of responsibility” and heading 10 “matters related to the investigative and defense safeguard ordered by the superior agencies” had provided a legal premise in the Bureau’s executing the anti-corruption work.

At the onset of the second National Assembly's representative election in 1991, the Bureau had joined the vote-

buying investigation and crackdown work on a project oriented method as ordered by the Executive Yuan and the Ministry of Justice; on October 30, 1998, the Executive Yuan had issued a directive, Ref. Taiwan 1998 Legislative No. 53381, amending and finalizing the Bureau's responsibility description with 9 categories, and among them heading 4 “anti-corruption, corruption prevention and vote-buying investigation and crackdown work”, clearly enlisted vote-buying investigation and crackdown as the Bureau’s responsibility; in addition, heading 9 had the text amended to read “matters related to national security and national equity investigation and defense safeguard as ordered by superior agencies”.

On December 19, 2007, the president had issued a presidential order, Ref. Hwa, Presidential Yi (I) No. 09600170531, to amend and announced the Organizational Act of Investigation Bureau, Ministry of Justice (formerly the Organizational Ordinance of Investigation Bureau, Ministry of Justice) and the full text of Article 16; on March 20, 2008, the Executive Yuan had issued a general directive, Ref. Yuan-Authorization-Study-General No. 0972260255, to promulgate the Organizational Act be executed from March 1, 2008. Article 2



of the Organizational Act stipulated the Bureau's 20 categories of responsibility in an itemized manner, and among them heading 4 “anti-corruption, corruption prevention and vote-buying investigation and crackdown work” and heading 20 “matters related to national security and national equity investigation and defense safeguard as ordered by superior agencies” have come to provide a legal premise for the Bureau’s executing anti-corruption work.

## **II. Organization history**

Prior to May 1979, the Bureau's anti-corruption work was once executed by the Bureau's Department One. With rapid changes to Taiwan's politics and economy, the Executive Yuan, in a bid to effectively curtail economic crime to protect public equity and uphold the economic order, had in several occasions convened taskforce meeting, and had in May of the same year ordered the Bureau to form an “Economic Crime Prevention Center”, which was to take over Department One’s crime investigation-related operations, and the change was put through formal implementation through an Executive Yuan directive, Ref. Taiwan 1989 Legislation No. 5584, dated June 8, 1979. In August of the

same year, the Center had been expanded into an “Anti-Corruption and Economic Crime Prevention Center” in accordance with the “Government Employee Ethics Rectifying and Corruption Eradication Campaign” promulgated by the Executive Yuan, with which to step up the anti-corruption and economic crime prevention work.

As a steady rise in the societal anticipation of rectifying the administration of civil servants and in cracking down and eradicating corruption and breach of duties, the Bureau had followed the Executive Yuan’s 2,095th plenary session resolution and the Executive Yuan directive, Ref. Taiwan 1989 Legislation No. 3984, dated February 14, 1989 to launch a “Corruption Eradication Department” in February 1989, directly responsible for executing anti-corruption operations, which was manned by one department director, which was overseen by the deputy director general, one chief operating officer, two deputy department directors, and ran through five sections, which were staffed by allocating from the existing manpower of 505 personnel, and the field divisions, field offices, sections and units were appointed; in the meantime, region mobile teams had also been launched in the four regions of the northern, central, southern and eastern

regions, charged with investigating and processing major anti-corruption cases. At such point, the anti-corruption work had been segregated from the Bureau's other criminal investigation operations, and became independent as a focus work.

During 1990, successive studies and reviews on refining the operation and improving the operating flow had ascertained the highest guidance principal for the anti-corruption work as "prevention outweighs investigation, and investigation is made for prevention", which had been sanctioned by the Executive Yuan following a file, Ref. Taiwan 1990 Legislation No. 28363, made on October 4, 1990, and on February 1, 1991 the "Corruption Eradication Department" had been renamed as the "Anti-Corruption Division", which was charged not only to spearhead all field divisions, offices and mobile teams to voluntarily explore and investigate major corruption cases, but also to actively coordinate various governmental agencies' systems of Government Employee Ethics, Tax and Custom affairs monitoring (supervisory) and audit-related arms to step up anti-corruption prevention measures, in a move to achieve the objective of rectifying government-employee ethics, and reiterating a clean governance.

Thereafter in carrying out the Executive Yuan chairperson's directives given at the 33rd and 34th law enforcement plenary meetings held on March 26, 1992 and April 23 of the same year, and to step up the prevention and investigation of public works project fraud cases, the Bureau had on May 1, 1992 founded a "Public works fraud prevention task-force" under the Anti-Corruption Division, charged with developing, promoting, and executing the operations, in addition to dispatched all members of the eastern region mobile team to form a "Major public works fraud crackdown unit", charged with processing major public works fraud cases, and urged all administration divisions, offices and teams to step up working with the system of Government Employee Ethics personnel for grasping intensified intelligence on such cases and actively pursuing evidence gathering and case investigative crackdown.

Following the streamlining of the eastern region mobile team on January 16, 2002, and also in support of simplifying the anti-corruption case review and approval flow for improving the working efficiency by upholding the principle of a "continuity in case guidance", the operations task sharing among the sections under the Anti-

Corruption Division were readjusted as of July 1 of the same year as follows: Sections one, two and three are of the investigative and crackdown section, section four is of the prevention section, and section five is of the general section, where the previous “public works fraud prevention task-force” was reclassified under section 1, and also section three’s vote-buying investigation and crackdown operations were revamped under section one, and the vote-buying investigation work was further reclassified and taken over by section four as of September 8, 2006.

With a surge of local corruption and breach of duty cases steadily climbing, drawing extended media exposure, and resulting in a rise of societal anti-corruption awareness, the Ministry of Justice drafted and finalized an “Anti-Corruption Action Scheme” that the Executive Yuan had approved for taking effect on November 30, 2006, which broaches corruption eradication and civil service governance rectification through the two perspectives of corruption investigation and corruption prevention. In support of the foresaid government policy, the Bureau has convened several discussion meetings to draft and finalize a “Stepped-up anti-corruption working scheme” that provides a “simplified case

process flow”, “adjusting the corruption eradicating manpower”, “drafting and finalizing the performance evaluation guideline”, and “stepping up the anti-corruption work performance weighing and administrative rewards” to steer all field units to excel the energy of voluntarily exploring the leads of corruption cases, to diligently devote to its active investigation responsibility, to abide by due process of law, to speed up case processing timeliness efficiency, and to crack down major bellwether cases. The Bureau, moreover, has completed with a toll-free “Anti-corruption hotline” 0800-007-007 installed, to encourage the general public to send in their tip-off leads by putting forth tangible actions in showcasing the united determination in fighting corruption and eradicating corruption.

The Organizational Act of Investigation Bureau, Ministry of Justice announced by a presidential order on December 19, 2007 and put into implementation on March 1, 2008 had legalized the Anti-Corruption Division; in addition, the Ministry of Justice had on October 17, 2008 amended and announced a full text on the Investigation Bureau’s administrative regulations, via its 0970803813 directive, totaling 27 articles, which was to take effect

retroactively going back to March 1, 2008, and as stipulated under Subparagraph 2, Paragraph 1, Article 4 “The Anti-Corruption Division is to carry out its missions through five sections”, and under Article 6 “The Anti-Corruption Division is to spearhead the following measures: 1. The planning, guidance, coordination, and evaluation of the investigation and prevention work on anti-corruption and vote-buying cases; 2. Pertinent national security, national equity and anti-corruption related investigation as ordered by superior agencies; 3. Other pertinent anti-corruption undertakings”, which constituted as the current state of the Anti-Corruption Division's organization and responsibility description.

### **III. Operations task sharing**

The Anti-Corruption Division is put in charge of the Bureau's anti-corruption operations, which is manned by a division director who oversees the overall operations, with deputy division director assisting to handle the operations, and is run through five sections; the operations task sharing for the five sections is separately described as follows:

#### **Section one:**

Charged with operational planning and supervision of the investigation, processing, and administrative rulings on public works fraud cases, labor and property tendered procurement fraud cases.

#### **Section two:**

Charged with the planning and supervision of the investigation, processing and administrative rulings on general anti-corruption cases and superior agency-assigned special cases in the northern and eastern regions.

#### **Section three:**

Charged with the planning and supervision of the investigation, processing and administrative rulings on general anti-corruption cases and superior agency-assigned special cases in the central and southern regions.

#### **Section four:**

Charged with the planning and execution of designated vote-buying investigation and crackdown projects, reviewing and auditing the referred cases' investigative and processing flow, reviewing corruption case example study reports and corruption prevention feature reports, planning and executing corruption prevention awareness



campaigning work, editing the yearly Anti-corruption Yearbooks, anti-corruption working manual, compiling and editing the crime investigation working handbook and other related missions.

### **Section five:**

Charged with the general administration of developing, monitoring and evaluating the anti-corruption work, operations statistics, education and training, performance evaluation, organizing the public works consultative commission meetings, and staging random operations review meetings and related work, coordinating and maintaining contact with Section 4, National Tax Administration, Ministry of Finance among other units, and processing the Division's general administrative operations.

## **IV. Operating focus**

- (I) As prevention outweighs investigation, and investigation is made for prevention. Promoting anti-corruption awareness and stepping up administrative corruption eradication is sought as the means to prevent and mitigate probable incidents in advance.
- (II) By stepping up cracking down major corruption and fraud cases, it aims to achieve the objective of eradicating and altering the practices and deterring any similar offenses by actively cracking down on vote-buying cases, with which to alter the election practices and uproot the symbiotic codependency of vote-buying and corruption.
- (III) Enforcing procedural justice and upholding stringent evidence gathering is sought to enhance the quality of case processing, and to duly address human rights protection and safeguard the public equity.

## **V. Operating objectives**

### **(I) To promote the anti-corruption awareness by mobilizing a nationwide corruption prevention**

By integrating the concept of deep-rooting information networks built by field divisions and offices, and making smart use of case processing resources, a diverse range of awareness education is to be sought to step up the anti-corruption, anti-vote-buying campaign work, with which to emphasize the integrity and purity concept, and strengthen the



governmental and private forces to jointly create an integral and frugal society, and to enforce the Bureau's anti-corruption working focus of "prevention outweighs investigation, and investigation is made for prevention",

## **(II) To strengthen administrative corruption eradication for preventing corruption fraud**

When coming across any human negligence or system deficiency in cases being investigated and pursued that involves a civil servant's administrative liability, or improper administrative wrongdoings, or in breach of administrative laws and orders, the Bureau has consistently refers such cases by sorting relevant information or through compiling and editing corruption prevention feature reports urging relevant authorities to respond to the cases, in a bid to strengthen the administrative corruption eradicating function and to prevent corruption crime from occurring.

## **(III) To prevent the intervention of illicit capital for ensuring the quality of a fair procurement process**

As can be extrapolated from history case examples that among public works

fraud cases and labor/property rendered procurement fraud cases, a majority of cases often involve the township mayors who resort to, seizing the opportunity of staging public works projects or procurement projects, the tactics of subdividing the tender, circumventing the audit, designated a specific contractor, conducting untruthful price comparison, leaking out the bottom price, bid rigging, intentional stipulation of biased tender requirements, over budgeting and so forth in an attempt to distort for kickbacks, bribes or for self-profiting; followed by local representatives, such as Chairperson, Vice Chairperson and representatives of Township Representative Assembly, county/city councilors who resort to, seizing the administrative supervision opportunities, intervening in project lobbying, escorting, illegally solicit for the contracting right for re-contracting, and seizing the opportunity to distort illegal gains, illegally misappropriating the budget and so forth. As the phenomena indicating that the conspired fraud between government officials and businessmen has yet to be eradicated, the Bureau's anti-corruption work continues to focus on preventing illicit capital from intervening major public works and large sums of procurement cases.

#### **(IV) To enhance the vote-buying investigation yield by actively rectifying the election practices**

As an vote-buying cultural is attributed as the main reason why corruption occurs, the ultimate remedy relies on integrating the strength of the prosecutorial, investigative and police arms by which to step up investigating and cracking down on local magistrate, representative elections to achieve the objective of rectifying the practices by eradicating from the source. In response to various public servants and/or farmers and fishermen association elections over the years, the Bureau has consistently set up a taskforce supporting the prosecutorial agencies to conduct the vote-buying investigation work, and also fully mobilized all internal and field associates by taking to exploring vote-buying intelligence, actively investigating and processing vote-buying cases, with which to enforce the government's determination in rectifying the election practices and uphold the election order to uphold a fair and clean election environment.

#### **(V) To uphold an administrative neutrality for enforcing the government's corruption**

#### **eradicating determination**

As the general public tend to judge by events that occur in and around themselves in terms of how they perceive the government's image, any lax in the investigative or penal action by government agencies in rectifying personal gains or signs of alleged corruption can directly lead to the public's suspicious of the government's determination in eradicating corruption. With that said, the Bureau has been at the forefront of putting forth its best efforts in investigating major corruption and fraud cases enlisted as corruption prone and often scrutinized by Ministry of Justice by upholding a stance of "Administrative neutrality and legally enforcing the law", with which to attain the policy objective of the "National anti-corruption infrastructure action plan" the Executive Yuan has promulgated on July 8, 2009 by demonstrating through action to pledge the government's crime-eradicating and corruption-preventing determination, and to encourage an integral, clean and self-governance consensus.

#### **(VI) To uphold procedural justice by refining the evidence-gathering skills**

Emphasizing on procedural justice and safeguarding human rights protection

has emerged as an evolving trend in criminal procedures, particular since the Code of Criminal Procedure has been amended in 2003, courts and the defense are increasingly demanding a stringent case-processing procedure. To uphold respecting the human rights and to avoid procedural defects to lead to disturbance or undermine the affirmation of evidence, and to improve the conviction ratios for achieving the objective of penalizing the unscrupulous and eradicating the ruthless, the Bureau has issued a comprehensive range of case-processing procedures and regulations, and has also staged focus seminars, to urge the associates to stringently abide by legal stipulations and uphold procedural justice. And in light that corruption pertains to wisdom criminals, which makes evidence gathering difficult for how the two sides of a bribery case invariable are inextricably tied with illicit profitable gains, the Bureau has demanded the associates to uphold a truth-finding mentality of “keeping vigilant of where it does not appear suspicious” throughout the investigation process by seeking the truth with the process of elimination, coordinated with tracking down the capital flow and deploying scientific evaluation techniques, to put forth its due diligence of investigating.

## **VI. Operating emphases**

### **(I) Corruption prevention work**

#### **i Promoting the anti-corruption awareness campaign**

To mobilize the nation to join in the rank of anti-corruption and corruption prevention move, the Bureau has developed an “Anti-corruption awareness campaign initiative” by mirroring the successful experience of the Hong Kong Independent Commission Against Corruption(ICAC), whereby the Anti-Corruption Division has since drafted a “Investigation Bureau, Ministry of Justice's anti-corruption awareness campaign initiative operating guideline”, which has been put into implementation as of July 1, 2003. The content of the guideline pertains to unveiling to all field units how best to utilize all feasible campaign means to educate the general public how the harm of corruption conducts is poised to corrupt people's minds, and undermine the national security, by which to spread the anti-corruption and corruption prevention concept to all levels of the society, with which to rally for the public's continued support in fighting corruption, and in solidifying a general consensus in corruption prevention. The Bureau also

upheld the principles of an “emphasis on the government’s corruption-eradicating and corruption-preventing determination for excelling the government’s image of integrity and purity”, “instilling a national anti-corruption, corruption-prevention network to effectively deter corruption and fraud from occurring”, “educating the public with the correct value perspective to fully curtail the gratuity culture”, “rallying for recognition and integrating national strength for infiltrating corruption and fraud” by catering to varied campaign recipients and campaign subjects with a soft approach, utilizing also a diverse range of means, via the broadcast media, campaign literature, to deep-root the anti-corruption and corruption prevention concept in people’s minds, as well as hosting a variety of campaign activity through direct contact or dialogue to inspire the general public to join the rank of corruption fighting and corruption prevention.

## **ii Written references for administrative actions**

Of cases investigated or processed by the Bureau that lack elements constituting crimes defined by law but certain civil servants have been found with negligence or conducts that breach the administrative laws and orders, the Bureau promptly

turns over relevant information to the Control Yuan or relevant competent government authorities for processing to discern a civil servant’s administrative liability; of any deficiency found in the legal or regulatory system, or improper stipulations in the administrative measures, the Bureau promptly refers relevant information to competent government authorities for proper disposition.

## **iii Compiling the corruption prevention feature reports**

In response to administrative loopholes or deficiencies in the administrative process flow at competent administrative agencies, studies are made to scrutinize the kink and voluntarily exploring the problems by compiling the corruption prevention feature reports and presenting tangible recommendations for policy amendment, law or regulation amendment or prevention measures, which are forwarded in official documents to particular agencies or their superior agencies as references.

## **(II) Case investigating work**

### **i Investigating corruption cases**

Personnel stipulated under paragraph 2, Article 10 of the Criminal Code who breach the Anti-Corruption Act,



chapter “Offenses of Malfeasance in Office” of the Criminal Code or other stipulations dispersed in specific laws, or civil servants commit any of the crimes prescribed in the Criminal Code beyond chapter “Offenses of Malfeasance in Office” intentionally by using the power, opportunity or method on duty, or non civil servants who deliberately collude with the foresaid personnel in jointly committing a foresaid crime, are all classified as corruption cases.

## **ii Investigating vote-buying cases**

Vote-buying cases for breaching the Presidential and Vice Presidential Election and Recall Act, or breaching the Public Servant Election and Recall Act, or Farmers Association Act, or Fishermen Association Act, or Criminal Code's chapter of “Offenses of Interference with Voting” are all subjects that the Bureau is to investigate and scrutinize.

## **iii Investigating the general cases**

The anti-corruption type of cases encompass more than anti-corruption cases and vote-buying cases, but also include judiciary fraud cases, breaching the Government Procurement Act cases, spoiling of land conservation

cases such as breaching the Soil and Water Conservation Act, Slope Land Conservation and Utilization Act, Water Act, Urban Planning Act, Regional Planning Act, Larceny of the Criminal Code, and environmental protection criminal cases for breaching the Waste Disposal Act. In addition, following the amended Criminal Code on the definition of civil servants, effective on July 1, 2006, personnel of government-owned enterprises, public hospitals and public schools who allegedly involve in breaching the Criminal Code or other criminal cases while executing their duties, are now classified as non civil servants and will be classified also under the general cases.

## **(III) Educational and training work**

Depending on the operating needs, the Bureau routinely stages focus seminars, and randomly holds operations visitation, seminars, or offering the latest information through the Bureau's internal network, “the Anti-Corruption Database”, to familiarize the associates with various case-processing procedures and legal and regulatory guidelines, with which to step up the practical investigative skills, and achieve the objectives of emulative learning and experience exchange, which

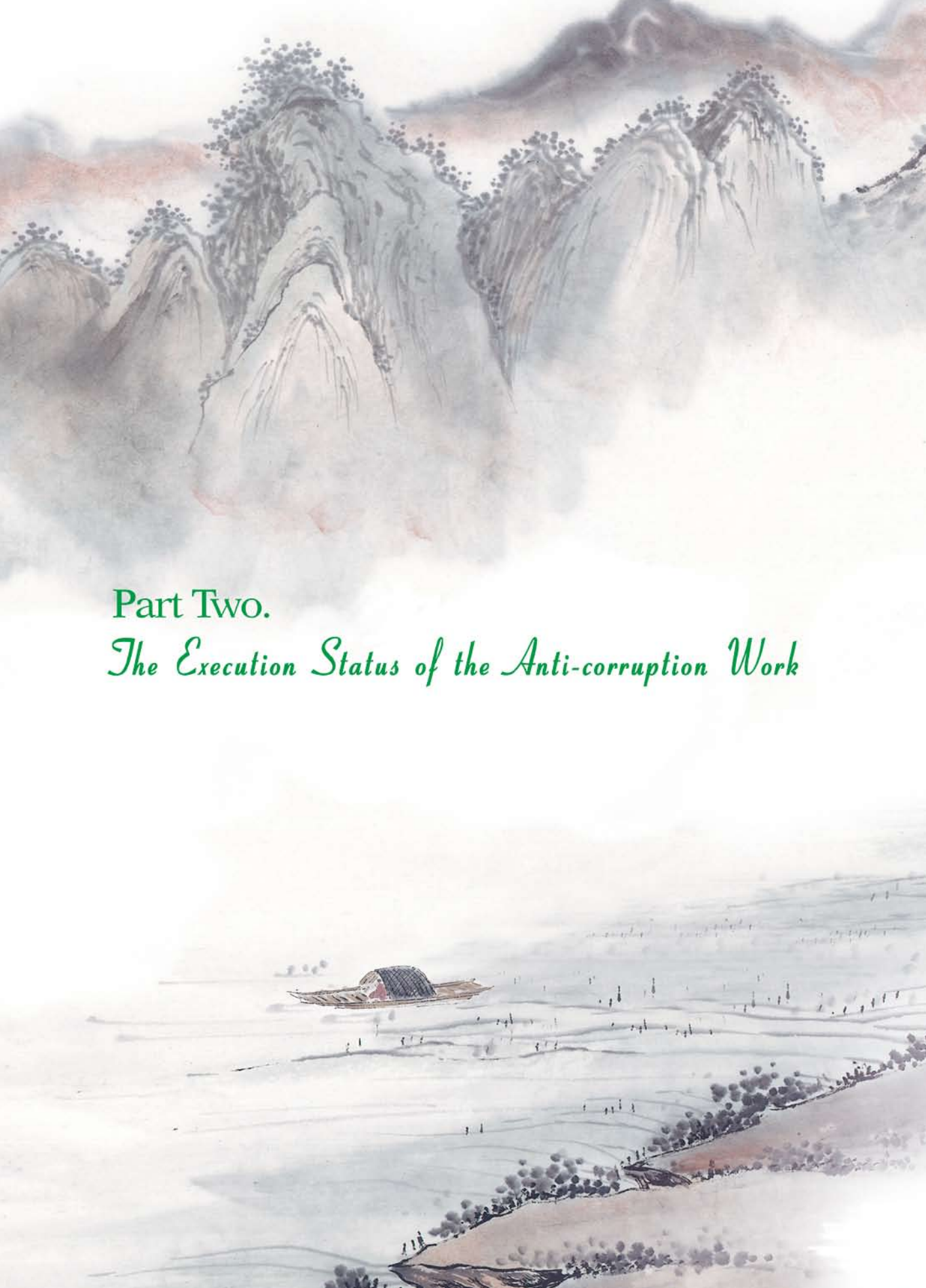


will excel the associates' professional sophistication, and enhance the overall working performance.

#### **(IV) Instilling the consultative meetings**

A “Public works consultative commission” had been founded on December 1, 1993, which was presided by academics, experts and social elite in the local public works-related domains as the consultative commission members, and utilized topical discussions and/or case consulting methods to provide various anti-fraud recommendations, aiming to step up public works' investigative and evaluating methods to counter and eliminate fraud. The scope of the commission's consultation is as follows,

1. Public works' professional know-how consulting.
2. Public works evaluation.
3. Public works problems' examination.
4. Other public works fraud prevention measures.



Part Two.

*The Execution Status of the Anti-corruption Work*





## **I. The corruption prevention work**

### **(I) Promoting the anti-corruption awareness campaign**

The Bureau's anti-corruption prevention awareness campaign has been implemented by stage as planned. On May 7, 2003, the Anti-Corruption Division founded the "Anti-corruption prevention awareness campaign task-force" to actively develop various packaged measures and design and produce the campaign literature; on June 30 of the same year, it promulgated the "Investigation Bureau, Ministry of Justice's anti-corruption prevention awareness campaign operating guideline". Effective July 1, the Anti-Corruption Division commenced an island-wide presentation of the working concept, through which to familiarize field associates with the awareness campaign implementation, and designated the second half as the trial period, covering more than training the seedling officers, selecting the campaign proposals design activity, but also designating the regions for demonstrating a variety of campaign implementation. All sectors of the society have voiced high levels of recognition and support toward the Bureau's taking

the lead in penetrating the private sector, a departure of its conservative approach, by smartly utilizing the case processing resources for promoting the anti-corruption awareness campaign with engaging yet diverse approaches.

During 2004, the Anti-Corruption Division conducted reviews on the state of the trial program, which not only revamping the outdoor campaign activity from the Liaison Office (now the Public Affairs Office) to merge with the Bureau's image campaign for a combined implementation starting in April, but also took the opportunity through a number of the "Investigative agency and civil service ethics agency's central (regional) operational plenary communication meetings", responding to the goodwill of involving internal agency staffers in surveillance defense and the public service ethics personnel in legal and ethical education, expressing the Bureau's desire to cosponsor the campaign activity with the civil service ethics agency at opportune timing. In addition, to steer the field associates to grasp the work focus, the Anti-Corruption Division issued a general directive every six months focusing on specific subjects in anticipation of achieving the most practical and effective campaign results with the least amount of manpower,



resources; particularly for the artistic and literal contest activity, had selected and produced the campaign results handbook and audiovisual compact disks to be utilized in the subsequent campaign activity, and availed the materials as references to those outside the Bureau. At which, the anti-corruption awareness campaign work had taken root nationwide at the creativity and collective efforts of bureau internal and field associates.

At the end of 2004, the Anti-Corruption Division has developed the 2005 initiatives to focus on school students, trade associations and private organizations as the main subjects, coordinated with the “three-in-one elections”, to step up the anti-vote-buying campaigning by issuing written directives to field divisions and offices to campaign the clean, transparent government concept by integrating their case processing experience and by taking to a diverse approaches of artistic and cultural contests, lectures and forums. With the united efforts of internal and field associates, the dual emphasis of “Implementing the awareness campaign” and “investigating vote-buying cases” adopted in 2005 has fully demonstrated the division’s “prevention outweighs investigation, and investigation is also for prevention” working philosophy

and executability. Following a written directive issued by the Department of Government Employee Ethics, Ministry of Justice on March 21, 2005 demanding civil service ethics offices of all levels to step up staging anti-corruption awareness campaign with the general public and school faculty and student body, it enables the Bureau to move forward the operation with additional dynamics.

During 2006, the various field divisions and offices continue to follow the guidance of the Anti-Corruption Division's written directive by grasping the focus at various stages to steer the promotion of anti-corruption scheme and anti-vote-buying awareness campaign, and to collaborate closely with the prosecutorial agencies and civil service ethics offices in their respective jurisdiction in staging various awareness campaign activity.

With the impending seventh legislators elections and the twelfth presidential and vice presidential elections to be staged in 2007, the Division has on April 14 issued a written directive to all field divisions and offices reiterating that the anti-corruption awareness campaign to focus on the subject of “anti-vote-buying”, and cater the campaign to school students, trade associations and private organizations as the focus subjects; chief



among them, the private organizations largely include women's associations, seniors associations, community development associations, community forums and farmers associations. The campaigns are conducted through the means of face-to-face, lectures or seminars, with which to circulate the anti-vote-buying concept, and encourage tip-offs. The Anti-Corruption Division has further designed and printed the “How to go about anti-election vote-buying?” campaign literature, which is not only distributed to visitors calling the Bureau, but is also distributed to all field units for use in implementing the anti-vote-buying campaigning. The content of the literature consists of “Say no to vote-buying; who is cracking down on vote-buying; manifesting the people's power; the government encourages tipping off election vote-buying with handsome rewards; please contact us; vote-buying Q&A; summary of vote-buying tip-off rewards; the Investigation Bureau's anti-corruption hotline; directory of exclusive tip-off phone numbers and addresses of the various field units” and the like. In addition, among the outstanding entries to the anti-corruption artistic and cultural contest event staged at schools in 2004, 2005 and 2006, one calligraphy work and two posters have been selected for

posting for demonstrating the results of the Bureau's promotion of the anti-vote-buying campaign.

During 2008, in response to the impending elections at fishermen's associations of all levels in the following year the “anti-vote-buying” scheme has been extended as one of the subjects in staging the awareness campaign activity.



The anti-vote-buying campaign pamphlets

During 2009, in response to the year-end mayor of county/city, county(city) councilor and mayor of township “three-in-one elections”, besides continuing with anti-vote-buying as the campaign theme, a “How to go about anti-corruption, anti-election vote-buying” pamphlet has been

redesigned and printed, which combines two major themes of reiterating integrity and anti-corruption and rectifying the election practices, with which to campaign to the general public in discerning the cause-effect correction of a clean election and an integral and able government, and in urging the general public to step forward and manifest the people's power to sever the commensal relationship between vote-buying and corruption.

In retrospective of the promotion of anti-corruption awareness campaign over a course of more than six years, broaching from anti-corruption prevention and reiterating integrity and transparency, the Bureau remains fully committed with a steady practical philosophy and perseveres with an artistic and cultural contest means offering interaction, dialog and embedded education value by delving into private organizations and steering young school students to be aware of



anti-corruption, and by rallying for the recognition and assistance of all sectors, which will create a trend and draw social resonance. The Bureau anticipates that more like-minded friends keen on a transparent government will join our ranks, as we work together to deep-root the anti-corruption and reiterating an integral philosophy in the minds of all people for jointly shaping an integral, transparent and law-abiding society.

As tallied, a total of 211 sessions of anti-corruption awareness campaign activity has been staged by various field divisions and offices in 2009, and to tally by the campaign implementation mode, a total of 194 sessions of lectures or workshops have been staged, 13 sessions of competition activity have been staged, and the remainder four sessions are campaign activities done by other methods; to tally by the campaign subjects, a total of 117 sessions of campaign activity for trade associations and private organization has been staged, a total of 76 sessions has been staged for schools (students), and the remainder 18 sessions are campaign activities catering to other subjects. Moreover, there is a total of 60 sessions of crime prevention and image campaign activities that field divisions and offices have cooperated with the Public Affairs Office

of the Bureau. Below depicts a profile of various awareness campaign work conducted by the Bureau's field divisions and offices in 2009,

### ◎ *The Taipei City Field Division*

1. Staging the National Taiwan Performing School's anti-corruption and anti-vote-buying awareness campaign activity.
2. Staging the Taiwan University students' anti-corruption and anti-vote-buying awareness campaign totaling 3 sessions.
3. Hosting the Taipei City Songshan District Farmers Association's anti-vote-buying awareness campaign.
4. Staging the Taipei City Council's anti-corruption campaign activity.



The anti-corruption campaign presented to Taipei City Council employees

5. Staging the Taipei Municipal Dali Senior High School's anti-corruption



- and anti-vote-buying awareness campaign activity.
6. Hosting the Grand Hotel management staff's anti-corruption and anti-vote-buying awareness campaign activity.
  7. Hosting the ROC Chamber of Commerce staffers' anti-corruption and anti-vote-buying awareness campaign activity.
  8. Hosting the Chinese Cultural University, School of Politics' anti-corruption awareness campaign activity.
  9. Staging the Taipei City Occupational Federation assembly's anti-corruption, anti-vote-buying awareness campaign activity, totaling two sessions.
  10. Hosting China Airlines Corporation employees' anti-vote-buying awareness campaign activity.
  11. Staging the National Defense Medical Center's anti-corruption, anti-vote-buying awareness campaign activity.
  12. Hosting the Taipei City Mineral Oil Association assembly's anti-vote-buying awareness campaign activity.
  13. Staging the Private Qiang Shu High School's anti-vote-buying awareness campaign activity.
  14. Hosting the Taiwan Power Company trade union's anti-vote-buying awareness campaign activity.
  15. Hosting the National Cheng Chi University, School of International Affairs' integral government awareness campaign activity.
  16. Staging the Taipei Huajiang High School's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at the National Defense Medical Center



The anti-corruption, anti-vote-buying awareness campaign at Taipei Huajiang High School

17. Hosting the ROC National Commerce Federation management staff and employees' anti-corruption, anti-vote-buying awareness campaign activity.
18. Staging the Taipei City, Beitou District Farmers Association's anti-



vote-buying awareness campaign activity.

19. Hosting the Taipei City Occupational Federation labor law and regulation workshop's anti-vote-buying awareness campaign activity.
20. Staging the Chinese Cultural University, School of History's anti-corruption, anti-vote-buying awareness campaign activity.



The integral government awareness campaign at Chinese Cultural University, School of History

21. Hosting the National Taipei Education University, School of Linguistic and Creative Study's anti-corruption, anti-vote-buying awareness campaign activity.

© *The Kaohsiung City Field Division*

1. Staging the National Kaohsiung Applied Technology University, Department of Electronic Engineering's anti-corruption and anti-vote-buying awareness campaign activity.
2. Hosting the National Kaohsiung University, School of Law's anti-corruption awareness campaign activity.



The anti-corruption awareness campaign at National Kaohsiung University, School of Law

3. Staging the National Kaohsiung Applied Technology University, School of Humanity and Management's anti-corruption, anti-vote-buying awareness campaign activity.
4. Hosting the National Kaohsiung Maritime University, Department of Fisheries Production and Management's anti-corruption, anti-vote-buying awareness campaign activity.

5. Staging the Private Wenzao Ursuline College of Languages, Department of Translation's anti-corruption, anti-vote-buying awareness campaign activity.
6. Hosting the National Kaohsiung First Technology University, School of Information Management's anti-corruption, anti-vote-buying awareness campaign activity.
7. Staging the Kaohsiung City Meat Merchants Association assembly's anti-vote-buying awareness campaign activity.
8. Hosting the Kaohsiung Central and Northern Rotary Clubs' anti-vote-buying awareness campaign activity.
9. Staging Kaohsiung Vegetable and Fruit Transport and Distribution Corporation's anti-vote-buying awareness campaign activity.
10. Hosting the Kaohsiung City Family of Love Charitable Foundation summer camp's anti-corruption, anti-vote-buying awareness campaign activity.
11. Staging the Kaohsiung City Pawn Shops Association assembly's anti-corruption, anti-vote-buying awareness campaign activity.
12. Implementing the anti-vote-buying awareness campaign activity coordinated to the National Kaohsiung University's military training education program.
13. Hosting the National Kaohsiung University, School of Applied Economics' anti-corruption, anti-vote-buying awareness campaign activity.
14. Staging the Kaohsiung City Commissioners Association's anti-vote-buying awareness activity.



The anti-vote-buying awareness campaign at Kaohsiung Vegetable and Fruit Transport and Distribution Corporation



The anti-vote-buying awareness campaign at Kaohsiung City Commissioners Association

15. Hosting the National Chung Shan University, School of Social Science's

anti-corruption, anti-vote-buying awareness campaign activity.

◎ *The Taipei County Field Office*

1. Staging the Private Fu Hsing Vocational High School's anti-corruption awareness campaign activity.
2. Hosting Danshui First Credit Union employees' anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Tamshui First Credit Union

3. Staging the Taipei County, Yunghe City village chiefs communication plenary meeting's anti-vote-buying awareness campaign activity.
4. Hosting the Private Fu Jen University, School of Law's anti-corruption, anti-vote-buying awareness campaign activity.
5. Staging the Taipei County Book-

keepers and Tax Agents Association's anti-vote-buying awareness campaign activity.

6. Hosting the Private Hsing Wu College's anti-corruption, anti-vote-buying awareness campaign activity.
7. Staging the Private Tamgang High School's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Tamgang High School

8. Hosting the Taipei County Tucheng City Li magistrates exchange meeting's anti-corruption, anti-vote-buying awareness campaign activity.

◎ *The Keelung City Field Office*

1. Sponsoring the Keelung Municipal Junior High School's "Anti-corruption, anti-vote-buying" four-grid cartoon contest activity.



The awarded entry of the Keelung City four-grid cartoon contest – by Lai Yu-chin of the Er Hsin Junior High School



2. Sponsoring the Keelung City Municipal and Private High School (Vocational High School), Junior High School students' "Anti-corruption, anti-vote-buying" poster contest activity.



The awarded entry of the Keelung City Poster Contest – by Fang Yi-en of the Keelung Senior High School



◎ *The Taoyuan County Field Office*

1. Staging the Taoyuan County Occupational Federation assembly's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Taoyuan County Occupational Federation

2. Hosting the Private Kai Nan University, School of Public Administration's anti-corruption awareness campaign activity.
3. Staging the Taoyuan County Funeral Parlors Association's anti-corruption, anti-vote-buying awareness campaign activity.
4. Hosting the Taoyuan Fishermen Association's anti-vote-buying awareness campaign activity.
5. Staging the Taoyuan County, Pingjhen City Farmers Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Taoyuan County, Pingjhen City Farmers Association

6. Hosting the Taoyuan County, Gueishan Township Farmers Association's anti-vote-buying awareness campaign activity.

◎ *The Hsinchu City Field Office*

1. Staging the Private Vanung Technology University's anti-corruption, anti-vote-buying awareness campaign activity.
2. Hosting the Hsinchu International Youth Chamber of Commerce's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Hsinchu City International Youth Chamber of Commerce

3. Staging the Hsinchu City Central District Rotary Club's anti-corruption, anti-vote-buying awareness campaign activity.
4. Hosting the Hsinchu City Guang Yao Lions Club's anti-vote-buying awareness campaign activity.
5. Staging the 2009 three-in-one elections' anti-vote-buying awareness campaign symposiums, totaling two sessions.

6. Hosting the Private Hsuan Chuang University's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Private Hsuan Chuang University

7. Staging the nonprofit National Synchronous Radiation Research Center's anti-corruption awareness campaign activity.
8. Hosting China Petrochemical Products Marketing Enterprise Department's Taoyuan/Hsinchu/Miaoli Sales Office's anti-corruption, anti-vote-buying awareness campaign activity.
9. Staging the Hsinchu City Zhongxiao Lions Club's anti-vote-buying awareness campaign activity.

◎ *The Hsinchu County Field Office*

1. Staging the Hsinchu County, Hsinfong Township village patrol association's anti-vote-buying awareness campaign activity.
2. Hosting the Hsinchu County, Gonglin Township village chiefs' anti-vote-buying awareness campaign activity.
3. Staging the Hsinchu County, Jhubei City adult school's anti-vote-buying awareness campaign activity.
4. Hosting the Hsinchu County Junior High School's anti-corruption, anti-vote-buying cartoon contest activity.
5. Staging the Jhubei City Residents Watchdog Forum's anti-vote-buying awareness campaign activity



The anti-vote-buying awareness campaign at Hsinchu County, Gonglin Township village chiefs meeting



The awarded entry to the Hsinchu County cartoon contest – by Hsieh Ming-wei of Zhao Men Junior High School



◎ *The Miaoli County Field Office*

1. Staging the National United University's anti-corruption awareness campaign activity.
2. Hosting the Private Shien De Vocational School's anti-corruption awareness campaign activity.
3. Staging the Miaoli County Industry Federation's anti-corruption awareness campaign activity.
4. Hosting the National Da-Hu Agricultural and Industrial Vocational High School's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at National Da-Hu Agricultural and Industrial Vocational High School

5. Staging the Private Yu Min Industrial and Home Economics Vocational School's anti-vote-buying awareness campaign activity.
6. Hosting the Miaoli County Occupational Federation's anti-vote-buying

awareness campaign activity.

7. Staging the Chung Hsing Industrial Zone Labor School's anti-corruption, anti-vote-buying awareness campaign activity.
8. Staging the Tongxiao Township Elderly Benefits Association's anti-vote-buying awareness campaign activity.
9. Hosting the Miaoli County Labor-Management Relations Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Miaoli County Labor-Management Relations Association



◎ *The Taichung City Field Office*

1. Staging the National Chung Hsing University, School of Finance, Economics and Law's winter high-school law camp's anti-corruption awareness campaign activity.



The anti-corruption awareness campaign at Chung Hsing University, School of Finance, Economics and Law's winter high-school law camp

2. Hosting National Taichung Education University faculty and employees' anti-corruption awareness campaign activity.
3. Staging Shin Kong Life Insurance Company Wuchuan Sales Office's anti-corruption, anti-vote-buying awareness campaign activity.
4. Hosting the International Alumni Association Taiwan Federation central B district's anti-vote-buying awareness campaign activity.
5. Staging the Private Tunghai University, School of Administrative Man-

agement and Policy's anti-corruption, anti-vote-buying awareness campaign activity.

6. Hosting the Taichung City Nantun Rotary Club's anti-vote-buying awareness campaign activity.



The anti-election awareness campaign at Taichung City Nantun Rotary Club

7. Staging the Taichung City Dongnan Rotary Club's anti-vote-buying awareness campaign activity.
8. Hosting the Taichung Municipal Elementary School's "Restore Taichung's integrity, anti-corruption, integrity reiteration" drawing contest.
9. Hosting the Private Providence University, School of Law's anti-corruption, anti-vote-buying awareness campaign activity.
10. Staging the Private Wei Dao Senior High School's anti-corruption, anti-vote-buying awareness campaign activity.



◎ *The Changhua County Field Office*

1. Staging the Changhua County, Hemei Township Farmers Association's anti-vote-buying awareness campaign activity.
2. Hosting the Changhua County, Pushin Township International Alumni Association's anti-corruption awareness campaign activity.
3. Staging the Changhua County, Datsuen Township Farmers Association's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Changhua County, Datsuen Township Farmers Association

4. Hosting the Changhua County Farmers Association's anti-corruption, anti-vote-buying awareness campaign activity.
5. Staging the Changhua County, Xizhou Township Farmers Association's anti-corruption, anti-vote-buying

awareness campaign activity.

6. Hosting the Changhua County, Ershui Township Farmers Association's anti-corruption, anti-vote-buying awareness campaign activity.
7. Staging the Changhua County Farmland Hydrological Association's anti-corruption, anti-vote-buying awareness campaign activity.
8. Hosting the Changhua County, Xianxi Township Farmers Association's anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Changhua County Xianxi Township Farmers Association

9. Staging the Changhua County, Jhutang Township Farmers Association's anti-vote-buying awareness campaign activity.
10. Hosting the Changhua County, Yuanlin Chinlong Lions Club's anti-corruption, anti-vote-buying awareness campaign activity.



◎ *The Nantou County Field Office*

1. Staging the Nantou County, Lugu Township Farmers Association's anti-corruption, anti-vote-buying awareness campaign activity.
2. Hosting the Nantou County, Hsinyi Township Farmers Association's anti-corruption, anti-vote-buying awareness campaign activity.
3. Staging the Nantou County, Lugu Township Community Development Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Nantou County, Lugu Township Community Development Center

4. Hosting the Nantou County, Kuohsing Township Farmers Association's anti-corruption, anti-vote-buying awareness campaign activity.
5. Staging the Nantou County, Lugu Township Dongding Tea Cooperative's anti-vote-buying awareness cam-

paign activity.

6. Hosting the Nantou County, Jhushan Township Farmers Association's anti-vote-buying awareness campaign activity.
7. Staging the Nantou County, Tsaotun Township Farmers Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Nantou County Tsaotun Township Farmers Association

8. Hosting the Nantou Rotary Club's anti-vote-buying awareness campaign activity.
9. Staging the Nantou County Tsaotun Top-ten International Society Commissioners Exchange Forum's anti-vote-buying awareness campaign activity.



◎ *The Yunlin County Field Office*

1. Staging the Yunlin County Early Risers Society's anti-corruption, anti-vote-buying awareness campaign activity.
2. Hosting the Yunlin County Occupational Federation executive management board's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Yunlin County Occupational Federation executive management board

3. Co-hosting the 2009 Farmers and Fishermen Associations' anti-vote-buying cable television forum.
4. Staging the Yunlin County, Xiluo Youth Chamber of Commerce's anti-corruption, anti-vote-buying awareness campaign activity.
5. Hosting the Zhong Zheng Foundation Reading Club's anti-corruption awareness campaign activity.

6. Staging the Yunlin County, Tuku Township Farmers Association's anti-vote-buying awareness campaign activity.
7. Hosting the Yunlin County, Fuwei Township Farmers Association's anti-vote-buying awareness campaign activity.
8. Staging the Yunlin County, Dabei Township Farmers Association's anti-vote-buying awareness campaign activity.
9. Hosting the Yunlin County, Dounan Township Women's Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Yunlin County, Douliu Township Women's Association

◎ *The Jiayi City Field Office*

1. Staging the Jiayi City Industry Federation phase-one labor management staff seminar's anti-corruption awareness campaign activity.
2. Hosting the Jiayi City Council's anti-corruption awareness campaign activity.



The anti-corruption awareness campaign at Jiayi City Council

3. Staging the Jiayi City Industry Federation 2009 phase-two labor management staff seminar's anti-corruption awareness campaign activity.
4. Hosting the Private Tatung High School's anti-vote-buying awareness campaign activity.
5. Staging the Chinese Labor Safety and Health Management Society Jiayi Vocational Training Center site superintendent seminar's anti-

corruption, anti-vote-buying awareness campaign activity.

6. Hosting the National Jiayi Home Economics Vocational School's anti-vote-buying awareness campaign activity.
7. Staging the ROC Dairy Farmers Association's anti-vote-buying awareness campaign activity.
8. Hosting the Chiayi City Bankers Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Jiayi City Bankers Association

9. Staging the Jiayi City Small Freighter Transport Association's anti-vote-buying awareness campaign activity.

◎ *The Jiayi County Field Office*

1. Staging the Jiayi County, Zhongpu Township Farmers Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Jiayi County, Zhongpu Township Farmers Association

2. Hosting the Jia Tai Industrial Zone Labor Safety Enhancement Association's anti-corruption, anti-vote-buying awareness campaign activity.
3. Staging the Jiayi County Women's League, Shuishang Branch's anti-corruption, anti-vote-buying awareness campaign activity.
4. Hosting the Jiayi County, Zhongpu Township Women's Association's anti-vote-buying awareness campaign activity.
5. Staging the Jiayi County, Puzhe Gao Ming Temple executive board and

followers' anti-vote-buying awareness campaign activity.

6. Hosting the Jiayi County Grain Commerce Association's anti-corruption, anti-vote-buying awareness campaign activity.
7. Staging the Jiayi County Women's Association's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Jiayi County Women's Association



◎ *The Tainan City Field Office*

1. Staging the National Cheng Kong University, School of Business Administration, School of National Development's anti-corruption awareness campaign activity.
2. Hosting the National Tainan First High School's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at National Tainan First High School

3. Staging the Private Hsing Kuo Management College, Department of Finance, Economics and Law's anti-corruption awareness campaign activity.
4. Sponsoring the Tainan City 2009 Elementary Schools' "anti-corruption, anti-vote-buying – the integral government trend" poster contest activity.

5. Staging the fifth Cheng Kong University law camp's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Cheng Kong University law camp

6. Hosting the Tainan City Security Industry Association's anti-vote-buying awareness campaign activity.
7. Staging Tainan Municipal Zhe Shin Elementary School faculty and employees' anti-corruption, anti-vote-buying awareness campaign activity.

◎ *The Tainan County Field Office*

1. Staging the Tainan County Automotive Garage Association's anti-corruption, anti-vote-buying awareness campaign activity.
2. Hosting the Tainan County, Madou Township Farmers Association's anti-vote-buying awareness campaign activity.



activity.

3. Staging the Tainan County, Dongshan Township Farmers Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Tainan County, Dongshan Township Farmers Association

4. Hosting the Tainan County, Yung-kang City Liuohu Community Development Association's anti-vote-buying awareness campaign activity.
5. Staging the Tainan County, Xiaying Township Community Development Association's anti-vote-buying awareness campaign activity.
6. Hosting the Tainan County, Shuehchia Township Farmers Association executive board's anti-corruption, anti-vote-buying awareness campaign activity.
7. Staging the Tainan County, Guantien Industrial Zone's anti-vote-buying awareness campaign activity.

8. Hosting the Tainan County, Houbi Township Farmers Association's anti-vote-buying awareness campaign activity.

9. Staging the Tainan County, Yungkang Township Shanding Community Development Association's anti-vote-buying awareness campaign activity.

10. Hosting the Tainan County, Yenshui Township Farmers Association's anti-vote-buying awareness campaign activity.

11. Staging the Tainan County, Shanhua Township Farmers Association's anti-vote-buying awareness campaign activity.

12. Hosting the Tainan County, Hsinhua Township Farmers Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Tainan County, Shanhua Township Farmers Association

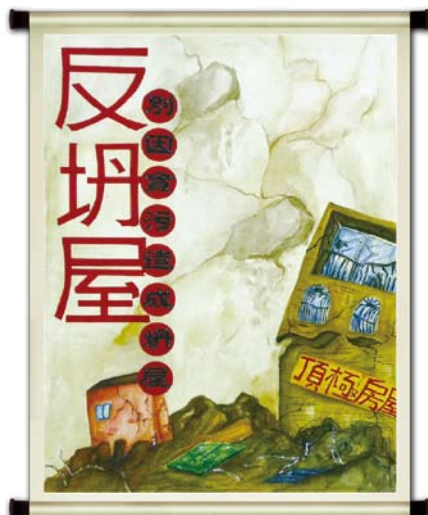
13. Staging the Tainan County, Jiangjun Township Farmers Association's anti-vote-buying awareness campaign activity.
14. Hosting the Tainan County, Shanhua Brewery Industry Association's anti-corruption, anti-vote-buying awareness campaign activity.

◎ *The Kaohsiung County Field Office*

1. Sponsoring the 2009 first half Kaohsiung Elementary and Junior High Schools' "National anti-corruption, anti-vote-buying for jointly creating an integral, honest society and an integral, able government" poster, billboard cartoon contests.
2. Hosting the 2009 second half Kaohsiung County Elementary and Junior High Schools' "National anti-vote-buying" composition solicitation contest activity.



**The awarded entries to the  
Kaohsiung County Poster/  
Billboard Cartoon Contests**



By Wang Shu-yuan of Gao Ying Vocational High School



By Chen Ke-ron of Fong Shan Vocational High School

A snapshot of the judging process at Kaohsiung County Composition Solicitation Contests



◎ *The Pingtung County Field Office*

1. Staging the National Pingtung Industrial Vocation High School's anti-corruption, anti-vote-buying awareness campaign activity.
2. Hosting the Lai Yi Senior High School's anti-corruption awareness campaign activity.



The anti-corruption awareness campaign at Lai Yi Senior High School

3. Staging the cleansing the Fishermen Association's election practices awareness campaign activity, totaling 2 sessions.
4. Hosting the Pingtung County Industry Occupational Federation's anti-corruption anti-vote-buying awareness campaign activity.
5. Sponsoring Pingtung County Middle School students "anti-corruption, anti-vote-buying" carton contest activity.

**The awarded entries to the Pingtung County Cartoon Contests**



By Shueh Yu-dan of Ming Shen Home Economics School



By Wu Yi-juan of Chao Zhou Senior High School

◎ *The Hualien County Field Office*

1. Staging the Hualien County, Jian Township village patrol squad's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Hualien County, Jian Township village patrol squad

vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Hualien County Senior Association

2. Hosting the Hualien County, Yuli Township Women's Association's anti-corruption, anti-vote-buying awareness campaign activity.
3. Staging the Hualien County, Shulin Township Duluwan Cultural and Educational Foundation's anti-corruption, anti-vote-buying awareness campaign activity.
4. Hosting the Hualien County, Shulin Township Hoping Community Development Association's anti-vote-buying awareness campaign activity.
5. Staging the Hualien County Senior Association Shoufong Branch's anti-



◎ *The Taitung County Field Office*

1. Staging the Taitung County, Jinfong Township tourism and local industry development working program's anti-corruption, anti-vote-buying awareness campaign activity.
2. Hosting the Taitung County Industry Federation association staffers meeting' anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Taitung County Industry Federation association staffers meeting

3. Staging the National Guan Shan Vocational High School's anti-corruption, anti-vote-buying awareness campaign activity.
4. Hosting the Taitung County Ami Tribal League Enrichment Association's anti-vote-buying aware-ness campaign activity.
5. Staging the National Taitung Vocational School's anti-corruption, anti-

vote-buying awareness campaign activity.

6. Hosting the Taitung County Bakers Association's anti-vote-buying awareness campaign activity.



The anti-vote-buying awareness campaign at Taitung County Bakers Association

◎ *The Yilan County Field Office*

1. Staging the Yilan City village chiefs ally's anti-corruption anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Yilan City village chiefs ally

2. Hosting Yilan County, Toucheng Town Hall vendors' anti-corruption, anti-vote-buying awareness campaign activity.
3. Staging the Yilan Automotive Industry Association's anti-corruption awareness campaign activity.
4. Hosting the Private Holy Mother's Nursing Management Vocational School's anti-corruption, anti-vote-buying awareness campaign activity, totaling four sessions.
5. Staging the Yilan County, Toucheng District Fishermen Association's anti-vote-buying awareness campaign activity.
6. Staging the Yilan County, Suao village chiefs ally's anti-vote-buying awareness campaign activity.
7. Hosting the Yilan County Farmers Association home economics workshop's anti-vote-buying awareness campaign activity
8. Staging the Yilan County, Wujeh Township Fu Hsing Community's anti-vote-buying awareness campaign activity.
9. Hosting the Yilan County, Yuan-shan village chiefs and community development association commissioners' anti-vote-buying awareness campaign activity.

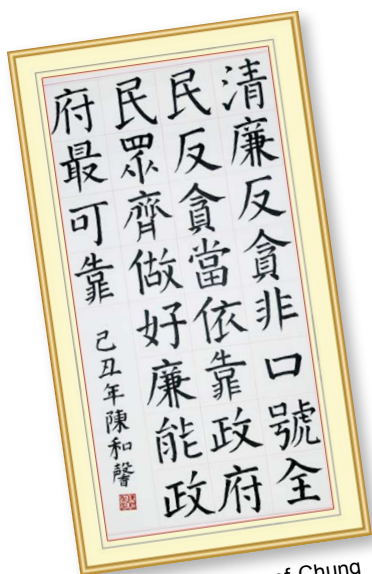


The anti-vote-buying awareness campaign at Yilan County Farmers Association home economics workshop

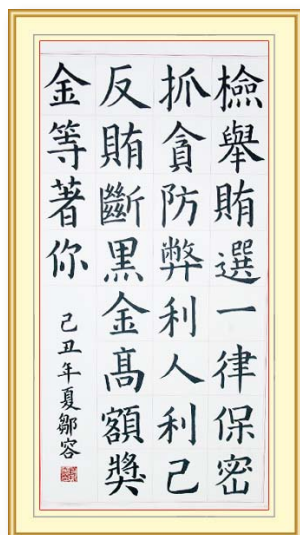
◎ *The Penghu County Field Office*

1. Sponsoring the Penghu County middle schools' "anti-corruption, anti-vote-buying for jointly creating an integral, honest society" calligraphy contest activity.
2. Hosting the Penghu County students' Chrysanthemum-Island Summer Camp's anti-corruption anti-vote-buying awareness campaign activity, totaling two sessions.

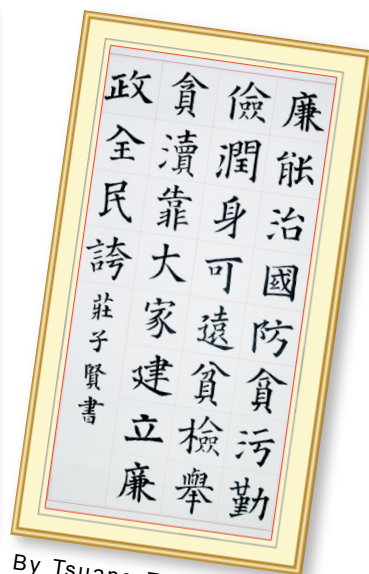
**The awarded entries to the Penghu County Calligraphy Contests**



By Chen He-shing of Chung Hsing Elementary School



By Zhou-rong of Chung Hsing Elementary School



By Tsuang Zhe-shien of Magong Junior High School

3. Staging the Penghu County Farmers Association's anti-vote-buying awareness campaign activity.
4. Sponsoring the Penghu County elementary and junior high schools' "Anti-corruption, reiterating integrity and transparency" composition contest activity.



A snapshot of the Penghu County Composition Contest's award ceremony



◎ *The Marine Field Division*

1. Staging the Kaohsiung City Hoisting Machinery and Equipment Association's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at the Kaohsiung City Hoisting Machinery/Equipment Association

2. Hosting the Taichung Port Management Bureau, Harbor Management Division, Trade Association's anti-corruption, anti-vote-buying awareness campaign activity.
3. Staging the Keelung Port Management Bureau's anti-corruption awareness campaign activity.
4. Hosting the Chishan Eastern District Rotary Club's anti-vote-buying awareness campaign activity.
5. Utilizing the Keelung Port Management Bureau's labor safety and health training to stage the anti-vote-buying

awareness campaign activity.

6. Utilizing the Taichung County Shipping Agents Association assembly to stage the anti-vote-buying awareness campaign activity.
7. Staging the Kaohsiung City, Chien-zhen District, Tsaoya Township residents' assembly and its patrol squad's anti-election ridding awareness campaign activity.
8. Hosting the Keelung City Customs Agents Association assembly's anti-vote-buying awareness campaign.
9. Staging the Kaohsiung Customs Administration warehousing personnel's anti-corruption, anti-vote-buying awareness campaign activity.



The Anti-vote-buying awareness campaign for warehousing personnel at the Kaohsiung Customs Administration

◎ *The Fujian Province Field Division*

1. Sponsoring the Jinmen County Elementary and Junior High Schools' "Anti-vote-buying, anti-corruption" poster competition event.
2. Sponsoring the Jinmen County Elementary and Junior High School students' "anti-vote-buying" calligraphy competition.
3. Staging the National Jinmen Technical College's anti-corruption, anti-vote-buying awareness campaign activity.

**The awarded entry of the  
Jinmen County poster  
competition**



By Chen Yi-ting of the Jin Hu Junior High School

**The awarded entry of the Jinmen County Calligraphy Competition**



◎ *The Matsu Field Office*

1. Staging the Matsu Senior High School's anti-corruption, anti-vote-buying awareness campaign activity.



The anti-corruption, anti-vote-buying awareness campaign at Matsu Senior High School

The large competition event result compendiums (the cover jacket) printed by the various field divisions and offices of the Investigation Bureau in 2009.

At the time when the Bureau's field divisions and offices are staging the anti-corruption prevention awareness campaign in 2009, for the objectives of retaining permanent records and highlighting the subsequent campaign results, some of the posters, calligraphy work and literature solicitation contests have been compiled into eight volumes of the result compendiums, which are distributed to relevant agencies, contest participants and schools in anticipation to draw feedback, stimulate recognition, as we work hand-in-hand to continue deep-rooting the anti-corruption philosophy.



**The large competition event result compendiums (the cover jacket) printed by the various field divisions and offices of the Investigation Bureau in 2009.**



The Kaohsiung County Field Office – the anti-corruption, anti-vote-buying poster/billboard cartoon competition



The Penghu County Field Office – the anti-corruption, anti-vote-buying cartoon coloring contest



The Keelung City Field Office – the anti-corruption, anti-vote-buying literature solicitation contest



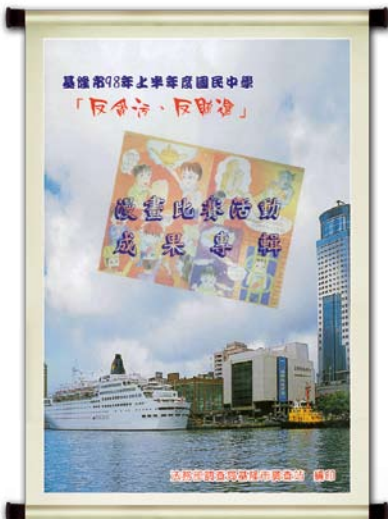
The Tainan City Field Office – the anti-corruption, anti-vote-buying poster competition



The Kaohsiung County Field Office – the anti-corruption, anti-vote-buying cartoon coloring contest



The Taichung County Field Office – the anti-corruption, anti-vote-buying billboard cartoon contest



The Keelung City Field Office – the anti-corruption, anti-vote-buying cartoon contest



The Penghu County Field Office – the anti-corruption, anti-vote-buying calligraphy contest

## **(II) Written references for administrative actions**

If some public servants are found with administrative negligence or in breach of administrative regulations but do not constitute as a crime, the Bureau may issue written references to the agencies the public servants belong to or their supervisory agencies for proper corrective actions. And of those found in severe offences, an investigative report will be forwarded to the Control Yuan. The contents of corrective actions encompass conge, deposal, suspension, demotion, major reprimand, minor reprimand, corrective or written warning.

Of any regulations or measures in an administrative agency that appears to contain defect and be prone to result in corruption or fraud, a written recommendation is forward to relevant agencies for proper remedial actions for preventing similar fraud from recurring. Of illegal conducts of bid rigging in government procurement cases, written reports on the state of violations by the contractors are forwarded to responsible agencies, with recommendations provided for varied corrective actions of suspending the bid opening, seizing the bid bond, ordering for improvement, or suspending the rights, with which to uphold the fairness and accuracy in

government procurement.

Of persons or incidents involving administrative negligence, a total of 215 cases have had written references submitted to administrative agencies for corrective action in 2009, and a total of 127 cases have had written adaptation response coming from various administrative agencies in 2009; among them, there is a total of 45 cases of administrative corrective actions, a total of 29 cases of rights suspension, 23 cases of penalty fines, 7 cases of ordering for improvement, and four cases of written or verbal warnings, four cases of agency review and improvement, three cases of house demolitions and land reversals, two cases of accepted administrative recommendations, two cases of public funding conserved, one case of payment withholding and account deduction, one case of contract termination, one case of re-tendering, one case of suspended bid opening, and four cases classified as others. Among them, a prime example of a major case is found with Taiwan Power Company Yilan Business Office's power distribution external wiring project, in which the contractor is found breaching the Government Procurement Act, a written reference has been sent to the Office, and the Office has retroactively recalled the sum of \$42,270,000 TWD from the contractor.



### **(III) Compiling the corruption prevention feature reports**

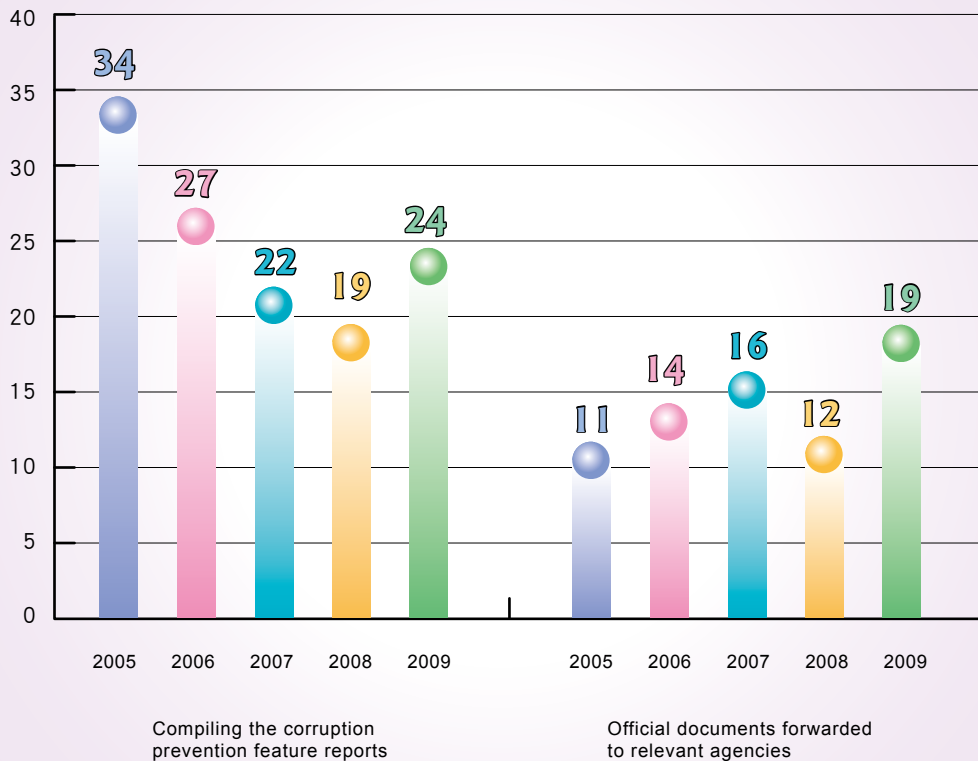
To prevent the recurrence of similar corruption incidents, the Bureau actively seeks analysis on an administrative agency's malady or deficiencies in the operation process following a case investigation, of those that offer corruption prevention value, and then compiles the corruption prevention feature report by presenting the cause analysis and tangible improvement recommendations, which are presented to the agency or a superior agency as references.

There are a total of 24 corruption prevention feature reports compiled in 2009, among them 19 cases have had the official documents forwarded to the agencies as references; refer to Table 2-01 for details, with the state of the corruption prevention feature reports compiled in the most recent five years as depicted in Fig. 2-01:

**Table 2-01 Summary of the 2009 corruption prevention feature reports**  
(Arranged by the forwarding date of the official document)

Ref.	Compiling Units	Titles of the feature reports	Agencies forwarded to
1	The Hsinchu City Field Office	A corruption prevention feature report on Taiwan Railways Administration's project dismantled material receiving, surplus material management review and improvement recommendation	The Taiwan Railways Administration
2	The Hualien County Field Office	A corruption prevention feature report on problems found with ticket refund embezzled by employees of Hualien Railways Station, Taiwan Railways Administration and improvement recommendations	The Taiwan Railways Administration
3	The Taipei City Field Division	A corruption prevention feature report on Taipei City hot spring water source management system's deficiencies and improvement recommendations	The Taipei Municipal Tap Water Enterprise Division, Taipei City Government
4	The Yunlin County Field Office	A corruption prevention feature report on Yunlin County Taixi Township and other agencies' environmental chemical procurement deficiencies and improvement recommendations	The Yunlin County Government
5	The Yilan County Field Office	A corruption prevention feature report on Yilan County Government's Lanyang River gravel excavation management system's deficiencies and improvement recommendations	The Yilan County Government
6	The Central Region Mobile Office	A corruption prevention feature report on the National Expressway Engineering Bureau's procurement deficiencies on modulated expansion gap control process, preventive measures and improvement recommendations	The Taiwan Area National Expressway Engineering Bureau
7	The Taipei City Field Division	A corruption prevention feature report on Taipei County Government's various building license issuing system deficiencies and related problems on farm shack building review and improvement recommendations	The Taipei County Government
8	The Taichung County Field Office	A corruption prevention feature report on the cause of malady arisen from the dredging project sought by Kengkuo Village, Fufeng Township, Taichung County and prevention recommendations	The Taichung County Government
9	The Central Region Mobile Office	A corruption prevention feature report on problems arisen from the vehicle weighbridge projects and improvement recommendations	The Taiwan Area National Freeway Bureau
10	The Taipei City Field Division	A corruption prevention feature report on problems arisen from the equivalent of a most favorable bid in technical consulting service procurement projects and improvement recommendations	The Railway Reconstruction Bureau
11	The Changhua County Field Office	A corruption prevention feature report on Changhua County public works surplus soil disposal deficiencies and improvement recommendations	The Changhua County government and county council
12	The Hsinchu City Field Office	A corruption prevention feature report on Miaoli County Toufen Township cleaning squad's landfill management deficiencies and prevention recommendations	The Miaoli County Government
13	The Taipei County Field Office	A corruption prevention feature report on the Northern Tax Administration's practical implementation of the profit entity income tax review deficiencies and improvement recommendations	The National Tax Administration of Northern Taiwan Province
14	The Taipei County Field Office	A corruption prevention feature report on fraud derived from township mayors' accessing the administrative (agency expenditure) funding and prevention measures	The Taipei County Government
15	The Taichung County Field Office	A corruption prevention feature report on frequent fraud found with hydrological projects sought by local governments and improvement recommendations	The Taichung County Government
16	The Kaohsiung County Field Office	A corruption prevention feature report on Kaohsiung County Government's Local Taxation Bureau's property tax and land value tax levying deficiencies and improvement recommendations	The Kaohsiung County Government
17	The Taipei City Field Division	A corruption prevention feature report on the turnkey basis procurement deficiencies under the Government Procurement Act and improvement opinions	The Ministry of Education
18	The Nantou County Field Office	A corruption prevention feature report on Nantou County Government's bed and breakfast operators registration deficiencies and improvement recommendations	The Nantou County Government
19	The Taipei City Field Division	A corruption prevention feature report on public works commissioned project management service's procurement system deficiencies and improvement recommendations	The National Palace Museum

Figure 2-01 A comparison diagram on the compilation of corruption prevention feature reports over the most recent five years





## II. The case investigating work

The Anti-Corruption Division's case investigating work, which is divided into “anti-corruption cases” and “vote-buying cases”, totals to 765 cases in 2009 (Table 2-02), and among them, there is a total of 663 anti-corruption cases, comprising of 599 cases that have been officially referred to the prosecutors for indictment, 35 cases that have been indicted following the written reports, and 29 cases that have had the rulings issued by the prosecutors; a total of 102 “vote-buying cases”, which the Bureau has cooperated with the prosecutors in the investigation, whereby the prosecution

agency has in 2009 brought indictments, summary judgment applications, deferred prosecutions, or non-prosecutions ex officio.

To highlight the state of implementation on the Bureau's anti-corruption and vote-buying case investigation works, starting in 2003, the basis of statistical analysis on “anti-corruption cases” has been revamped from indictment data to referral data, and that for the “vote-buying cases” remains unchanged by utilizing the prosecution agency's ruling formation, coordinated to the state of actual implementation. The 2009 case investigating work still has a designated section profile made on the 599 “referred cases” and 102 “vote-buying cases”.

Table 2-02 Table of the case investigating work performed in 2009 Unit: case

Corruption cases	Referred officially to the Prosecutors	599 cases	After investigations, the cases were referred officially to the prosecutors
	Forwarded to the Prosecutors	35 cases	After investigations, the cases were forwarded to the prosecutors with written reports and indicted afterward in 2009
	Others	29 cases	Investigated together with prosecutors; and the prosecutors filed in 2009 for indictment, summary judgment, deferred prosecution, or non-prosecution ex officio.
	Sub-total	663 cases	Occupies 86.7% of the cases for the year
Vote-buying cases		102 cases	Investigated together with prosecutors; and the prosecutor filed in 2009 for indictment, summary judgment, deferred prosecution, or non-prosecution ex officio; occupies 13.3% of the cases for the year
Total		765 cases	Note1: The period for statistics is between January 1 and December 31, 2009 Note2: The chapter "case investigating work" of this Yearbook indicates the 599 "referred cases" and 102 "vote-buying cases"

## **(I) Statistics of referred cases**

The referred cases, dividing into the two categories of “corruption/malfeasance” and “non-corruption/malfeasance” cases, are largely classified on the premise of leading applicable legal provisions prevailing at the time the cases were referred to the prosecutors. The corruption/malfeasance cases cover 23 categories, encompassing public works, procurement, judicial corruption and malfeasance, police, fire fighting, correction, urban planning, construction management, land administration, taxation, customs affairs, bank loans, medical and health care, educational administration, securities management, company registration, motor vehicle management, funeral and interment, environment protection, soil of land conservation, government-owned enterprises, military units and others. The non-corruption/malfeasance cases cover 9 categories, encompassing public works, procurement, judiciary fraud, medical and health care, educational administration, environmental protection, soil of land conservation, government-owned enterprises and others.

### **i The 2009 summary table (Table 2-03)**

A total of 599 referred cases have been referred to the prosecution agencies in 2009, and among them, the “corruption/malfeasance cases” total to 307 cases, involving 1,405 individuals, comprising of 750 civil servants and quasi-civil servants, 69 representatives, 586 non civil servants, which when compared with 2008 figures (refer to Table 2-04), the number of referred cases is up by 6, or a propensity of increase by 2% (6 cases/301 cases); the number of suspects has reduced by 623 persons, or a propensity of reduction by 30.7% (623 persons/2,028 persons).

Among the 307 corruption/malfeasance cases, those fall under the “public works” category total to 79 cases, involving 561 individuals, and are largely related to bid project price fixing, bid opening and bid awarding work, construction supervision and completion acceptance inspection-related operations, where the project cases involved are largely pertaining to building construction and repair projects, roadway and bridge projects, landscaping and beautification projects, river dredging and irrigation projects; those fall under the “procurement” category total to 41 cases, involving 189 individuals, and are largely related to bid project price fixing, bid opening and bid awarding work, and

receipt-based payment, reimbursement and reconciliation; those fall under the “police” total to 27 cases, involving 121 individuals, and are largely related to criminal crackdown enforcement, confidential information safekeeping, reward filing; those fall under the “construction management” category total to 10 cases, involving 28 individuals, and are largely related to license issuance, illegal structure demolition operations; those fall under the “environmental protection” category total to 10 cases, involving 25 individuals, and are largely concerning resource recycling, waste removal, wastewater discharge and audit-related operations; those fall under the “taxation” category total to 9 cases, involving 33 individuals, and are largely pertaining to business tax audit, tax evasion and retroactive tax levying, and penalty-related operations.

As revealed by historical statistics in the Anti-Corruption Yearbooks, the “public works” category and “procurement” category in government procurement continue to account for a fairly high percentage among the corruption/malfeasance cases, regardless of the number of referred cases and suspects, the amount of corruption or profiting, which highlights the fact that government procurement remains a

primary means by which unscrupulous civil servants or representatives derive illicit gains. The rest of the cases that do not involve government procurement largely pertains to civil servants or representatives utilizing their position power or seize the opportunity to extort the contingent party's monetary property, extort Treasury property or accepting bribes in a host of corruptive conducts.

The number of “non-corruption/malfeasance cases” referred in 2009 total to 292 cases, involving 853 individuals, encompassing 58 civil servants and quasi-civil servants, 1 representative, 794 non-public servants, with the case count up by 34, or 128 individuals when compared with 2008 figures, and a propensity of increase by 13.2% (32 cases/258 cases) and 17.7% (128 persons/725 persons), respectively.

As revealed in Table 2-04, the number of referred cases under the “procurement” category and “public works” category continue to rein the top and second spots among the non-corruption/malfeasance cases, with the criminal facts largely pertaining to the bidders who violate the various charges under Article 87 of the Government Procurement Act, and followed by the “spoil of land conservation” category, where the criminal facts largely pertaining



to those who illegally quarrying sand and gravel on public land, and illegally developing the slope land.

The investigating of non-corruption/malfeasance cases largely pertains to cases involving uncertain criminal material evidence after verifying leads of a public servant suspicious of corruption fraud, or the law committed by a civil servant does not fall under the corruption charge, which are eventually referred to the district Prosecutors Offices as non-corruption/malfeasance cases. The contents of this type of cases are closely related to the ethics of public servants and the image of government agencies. For instance, in a procurement case that falls under the non-corruption/malfeasance category, where the civil servant charged with processing the procurement colludes with the bidder in bid rigging, said civil servant may not be classified as a corrupt criminal, but has in fact severely disrupted the ethics of government agencies; also in the example of judiciary fraud cases, the conduct of judicial go-betweens who pretend to brokering bribery but exercising fraud also disrupts the fair image of the judiciary system. With that said, investigating such types of cases does warrant establishing a clean, transparent government, and it does render the need to curtail such conducts

even if the cases do not necessary involve direct act of corruption.

Table 2-03 Summary of statistics on cases referred in 2009

Unit : case/person/TWD

Category \ Item		No. of Cases	No. of Suspects			Amount of Money of The Targets of Crimes			
			Civil servant	Representative	Non-civil servants	Corruption	Profiting	Procurement	Others
Corruption/Malefeasance	Public works	79	239	9	313	193,624,897	817,823,119	2,070,722,184	374,289,348
	Procurement	41	118	2	69	31,742,979	84,361,581	2,477,445,567	68,095,966
	Judicial corruption and malefeasance	3	14	0	5	4,901,255	7,085	—	0
	Police	27	69	1	51	32,624,660	3,460,000	—	1,780,000
	Fire fighting	1	1	0	1	25,000	0	—	0
	Correction	4	16	0	15	4,444,650	1,420	—	0
	Urban planning	2	1	1	6	53,700,000	0	—	0
	Construction management	10	18	2	8	16,470,000	30,443,889	—	0
	Land administration	7	10	1	11	117,580	319,811,045	—	0
	Taxation	9	25	0	8	5,302,198	357,856,740	—	0
	Custom affairs	3	6	0	0	29,452	116,372,929	—	0
	Bank loans	0	0	0	0	0	0	—	0
	Medicine and health care	3	14	0	0	0	16,886,836	—	10,772,626
	Educational administration	6	7	0	3	3,029,299	0	—	18,993
	Securities management	0	0	0	0	0	0	—	0
	Company registration	2	2	0	1	0	0	—	0
	Motor vehicle management	3	6	0	7	240,000	92,400	—	0
	Funeral and interment	2	11	0	8	1,052,000	9,890,312	—	0
	Environmental protection	10	15	1	9	1,566,922	13,689,870	—	470,000
	Spoil of land conservation	3	11	0	2	163,178	13,375,407	—	0
	Government-owned enterprises	3	2	0	1	22,712	0	—	1,646,041
	Military units	1	2	0	0	72,000	0	—	0
	Others	88	163	52	68	187,613,656	658,674,893	—	13,353,419
	Sub-total	307	750	69	586	536,742,438	2,442,747,526	4,548,167,751	470,426,393
Non Corruption/malefeasance	Public works	80	3	0	259	—	—	12,155,546,657	493,314,478
	Procurement	119	1	0	355	—	—	1,894,954,278	60,017,591
	Judiciary fraud	6	0	0	8	—	—	—	12,153,833
	Medicine and health care	6	4	0	2	—	—	—	5,160,875
	Educational administration	15	26	0	13	—	—	—	33,493,745
	Environmental protection	9	4	0	21	—	—	—	140,000
	Spoil of land conservation	22	2	0	45	—	—	—	0
	Government-owned enterprises	10	4	0	49	—	—	—	14,869,805
	Others	25	14	1	42	—	—	—	172,790,328
	Sub-total	292	58	1	794	—	—	14,050,500,935	791,940,655
Total		599	808	70	1,380	536,742,438	2,442,747,526	18,598,668,686	1,262,367,048

Table 2-04 Statistics of cases referred in the past 5 years

Unit : case

Category \ Year		2005	2006	2007	2008	2009	Total
Corruption/Malfeasance	Public works	45	56	93	78	79	351
	Procurement	32	24	50	37	41	184
	Judicial corruption and malfeasance	7	3	2	4	3	19
	Police	31	22	39	38	27	157
	Fire fighting	1	2	3	4	1	11
	Correction	0	2	4	1	4	11
	Urban planning	2	1	7	4	2	16
	Construction management	4	8	7	10	10	39
	Land administration	4	3	7	3	7	24
	Taxation	5	6	9	4	9	33
	Custom affairs	7	6	4	2	3	22
	Bank loans	5	3	0	0	0	8
	Medicine and health care	12	8	5	3	3	31
	Educational administration	13	1	9	9	6	38
	Securities management	0	0	1	0	0	1
	Company registration	1	0	2	0	2	5
	Motor vehicle management	3	1	4	3	3	14
	Funeral and interment	1	1	4	4	2	12
	Environmental protection	8	5	10	8	10	41
	Spoil of land conservation	3	2	4	0	3	12
	Government-owned enterprises	19	1	0	3	3	26
	Military units	5	0	1	1	1	8
	Others	65	99	130	85	88	467
	Sub-total	273	254	395	301	307	1,530
Non Corruption/malfeasance	Public works	35	59	86	60	80	320
	Procurement	69	103	160	103	119	554
	Judiciary fraud	7	12	16	5	6	46
	Medicine and health care	—	1	9	7	6	23
	Educational administration	—	2	5	12	15	34
	Environmental protection	7	6	7	3	9	32
	Spoil of land conservation	24	20	19	16	22	101
	Government-owned enterprises	—	1	1	17	10	29
	Others	6	23	42	35	25	131
	Sub-total	148	227	345	258	292	1,270
Total		421	481	740	559	599	2,800



ii **Statistics of applicable laws on referred cases**

Table 2-05 depicts an analysis on the state of key applicable laws on different types of cases referred in 2009.

Among the 307 corruption/malfeasance cases referred in 2009, 270 cases referred on the Anti-corruption Act take the lead, which account for 88% (270 cases/307 cases). Followed by 36 cases referred on the Criminal Code, which account for 11.7% (36 cases/307 cases), with suspects include some policemen, military physicians, school staff, court clerks, village chiefs, government-owned enterprises employees, city/county government and local government employees; committed crimes are forgery of official documents, 20 cases in total. The remaining crimes are leaking secrets other than national defense and ordinary fraud cases, five cases each; and six other cases are charged with offenses of impounding funds or property, offenses of obstructing documents or properties in one's care, offenses of exercising tempered or forged documents, offenses of civil servants condoning gambling, offenses of larceny and offenses of embezzlement of public property. And one other law breaking case, accounted 0.3% (1 of 307 cases), the case involved a police officer abetting

drug traffickers who are acquaintances of the police to dump and flush away heroin which was found in the house, then the police officer pretended that there was no result to the investigation. The police officer violated Paragraph 2, Article 15 of Narcotics Control Act, "Asylum suspects even by knowing they violate the Act."

Among the 292 non-corruption/malfeasance cases referred in 2009, 185 cases referred on the Government Procurement Act take the lead, which account for 63.3% (185 cases/292 cases), and most of which are concentrated on the two categories of "public works" and "procurement", and among them, 106 cases are referred on Paragraph 5, Article 87 - "the offenses of forging others' name or credential documents to enter the bid in an attempt to influence the procurement results or derive improper gains" (or the so-called entering the bid using borrowed credential documents); 52 cases are referred on Paragraph 4, Article 87 - "the offenses of engaging in fraud or by other means to prevent the bidder from entering the bid or mislead the bid opening with inaccurate results" (or the so-called fraudulent bid rigging); 23 cases are referred on Paragraph 4 Article 87 - "the offenses of colluding with bidders from entering a bid or competing

in the bid price in an attempt to influence the bid awarded price or derive improper gains” (or the so-called offenses of colluded bid rigging); four cases are referred on Article 88 – “the offenses by persons commissioned by an agency to render procurement planning, design, review, supervision, project management or underwriting the procurement who, with attempt for personal gain, renders approval or review on the technology, implementation methods, materials, equipment, specification or contractor qualifications violating legal or regulatory restrictions for deriving illicit gains” (or the so-called offenses of conditional bid rigging). Followed by 77 cases indicted on the Criminal Code, which account for 26.4% (77 cases/292 cases), and among them, 33 cases pertain to fraud, 13 cases pertain to public or business embezzlements, and the rest pertain to tempering and forging special instruments, misleading public servants to disclose untrue facts, misleading others to disclose untrue business documents, larceny, theft and illegal possession, breach of trust, gambling and so forth. 30 cases are referred on other charges, which account for 10.3% (30 case/292 cases), with breach of legal provisions including the Waste Disposal Act, Slope Land

Conservation and Utilization Act, Soil and Water Conservation Act, Regional Planning Act, Urban Planning Act, Forestry Act, Attorney Regulation Act, Guns, Ammunition and Knives Control Act and the like.

Table 2-06 depicts the case statistics grouped by “key applicable laws” on cases referred in the most recent five years, and Figure 2-02 depicts a percentage diagram on case statistics grouped by “key applicable laws” on cases referred in 2009. As a whole, the corruption cases investigated by the Bureau are found with a highest percentage on the Anti-corruption Act, and followed by the Government Procurement Act and the Criminal Code. In addition, the Waste Disposal Act has been a key applicable law frequently cited in environmental crime, with the number of cases referred on the Act continues to rein the fourth spot in the most recent five years; the Forestry Act, Soil and Water Conservation Act, Slope Land Conservation and Utilization Act, Urban Planning Act, Regional Planning act are the key applicable laws frequently cited in state property spoilage cases; the Attorney Regulation Act and the fraud charges under the Criminal Code are the key applicable laws frequently cited in

judiciary fraud cases.

Table 2-07 depicts the head count statistics grouped by “key applicable laws” on referred cases in the most recent five years, and Figure 2-03 depicts a percentage diagram on the head count statistics grouped by “key applicable laws” on referred cases in the most recent five years. The number of suspects referred on the Anti-corruption Act continued to rein the top spot in the most recent five years, followed by those on the Government Procurement Act, and on the Criminal Code, and trailed by the Waste Disposal Act ranking at the fourth spot in 2005, 2006 and 2009, and at fifth spot in 2007 and 2008 as nudged down by a larger number of suspects tied to cases on the Tax Collection Act.

Table 2-08 depicts the state of cases referred on the Anti-corruption Act and the applicable charges. In 2009, 270 cases are referred on the Anti-corruption Act as the key applicable law, which account for 45.1% (270 cases/599 cases), and among them, 87 cases are referred on Subparagraph 4, Paragraph 1, Article 6 of the same law – “the offenses of profiting on one's duty or supervision”, followed by 69 cases are referred on Subparagraph 2, Paragraph 1, Article 5 – “the offenses of committing fraudulence through one's

position”, and trailed by 34 cases referred on Subparagraph 5, Paragraph 1, Article 4 – “the offenses of accepting bribery in breach of one's duties”, 28 cases on Subparagraph 3 of the same paragraph – “the offenses of corruption in government project or procurement processing”, 26 cases on Subparagraph 3, Paragraph 1, Article 5 – “the offenses of accepting bribery without breaching one's duties”, 15 cases on Subparagraph 1, Paragraph 1, Article 4 – “the offenses of embezzling public properties”, 8 cases on Paragraph 2 of the same paragraph – “the offenses of extorting or forcefully seizing monetary property by misusing official power”, 2 cases on Subparagraph 5, Paragraph 1, Article 6 – “the offenses of profiting beyond one's duties or supervision”, one case on Subparagraph 3, Paragraph 1, Article 6 – “the offenses of embezzling non-public, private properties”. The top-four referred cases have appeared in an identical state of sequence in the most recent four years.

The “offenses of committing fraudulence through one's position” is a corruption charge frequently committed by civil servants, and of the 69 cases referred in 2009, they can be grouped into two categories: one being to extort government funds from relevant agencies



using fraudulent figure head, invoices or other vouchers, such as declaring untrue travel expenses with a government agency, or declaring for subsidies with a welfare agency using fraudulent figure heads; two being to extort funds from the general public for their lack of the knowledge on a civil servant's job content, power authorities or operating guideline, such as how a civil servant extorts “service charge” from the general public by boasting whose influence, or extorts “regulatory fees” from the general public by enlisting fraudulent billing categories.

Among the criminal types referred on the Anti-corruption Act, the offenses of extortion by misusing official power that go beyond soliciting for bribes by public servants but are often done with coercion do warrant a special emphasis for how it significantly jeopardizes the government's image and the people's equity. Of the 8 cases of extortion with power reported in 2009, two cases as the criminal entity being the county(city)councilors, with one pertains to filing on behalf of the public's legal equity for superstructure demolition compensation with the county government, and the other pertains to pressuring on behalf of the illegal structure owners the county government

demotion team demanding to illegally forgo the demolition or partial demolition, with both individuals demanding monetary payments from the parties with intimidation and coercion afterward. The rest of the six cases being: a certain chairperson of township representative assembly resorted to nit-pick the project quality on whose power only to extort money from the awarded contractor; a certain policeman intimidated and coerced “sex service” operators to pay monthly bribes so to avoid being cracked down; a certain tax collector resorted to raising the back taxes and penalty cap to extort money from a Chinese clinic physician with a large patient base; a certain city government traffic division officer resorted to forfeiting high amounts of penalty in exchange for extorting money from the awarded contractor of an outsourced labor rendering contract; two village chiefs commissioned by the Environmental Protection Administration coerced a number of factories in their jurisdiction to pay the monthly “environmental PR fee” or else they would mobilize the residents to stage rallies; a certain community development association river patrol squad leader commissioned by the Environmental Protection Administration resorted to

coercing factories along the riverbank to remit monetary payout using whose power. A common characteristic among the 8 cases lies in that the civil servants engaging in monetary property extortions all command the government power that is closely related to the people's equity, and they also hold a significant power of judgment when exercising their duties. For this type of cases, there is a need not only to continue stepping up the investigation and enforcement, there is also a need to step up the disciplinary awareness education and the agency's internal control in order to prevent similar cases from reoccurring.

Table 2-09 depicts the applicable charges of the cases referred on the Criminal Code in the most recent five years. The "corruption/malfeasance cases" and "non-corruption/malfeasance cases" referred on the Criminal Code in 2009 tallied respectively to 36 cases and 77 cases, or 113 cases altogether, which account for 18.9% (113 cases/599 cases), where the former often fall under the Criminal Code chapter four - Offenses of Malfeasance in Office, or chapter fifteen - Offenses of Forging Instruments or Seals, while the latter often fall under the Criminal Code article 320 to article 342 - property crimes or tempering and forging

private instruments. The most number of applicable charges between 2006 and 2009 are frauds under Paragraph 1, Article 339 of the Criminal Code, and 35 cases are referred in 2009, which account for 31% (35 cases/113 cases), and among them, four cases pertain to public/private hospital physicians found cheating the National Health Insurance Bureau of payouts, 6 cases pertain to university professors fraudulently claiming research project funding with figure heads or untrue receipts; and four cases pertain to attorneys extorting the "PR fee" seizing the victims' unfamiliar with the judicial system. Also the number of cases referred on disclosing untrue entries to official documents under Article 213 of the Criminal Code over the years has consistently ranked among the top three criminal cases, and 20 cases are referred in 2009, which account for 17.7% (20 cases/113 cases), with the alleged facts largely pertain to civil servants who resort to disclosing untrue entries to a variety of government documents, such as bid project acceptance inspection records, field survey records, sampling inspection records and so forth for profiting in their official business dealings. With consequences of disclosing untrue entries to government documents often enabling

the subjects over whom the civil servant shall exercise his power to derive illicit gains, and with elements that constitute the profiting charges as bound by the Anti-corruption Act being very stringent, this has resulted in some of the cases being referred with the charge of Article 213 of the Criminal Code upon reviewing and weighing relevant material evidence.



Table 2-05 Statistics of key applicable laws on cases referred in 2009 ( By categories )

Unit : case

Category		Applicable laws	Anti-corruption Act	Government Procurement Act	Criminal Code	Others	Total
Corruption/Malefeasance	Public works		76	0	3	0	79
	Procurement		39	0	2	0	41
	Judicial corruption and malefeasance		3	0	0	0	3
	Police		18	0	8	1	27
	Fire fighting		1	0	0	0	1
	Correction		4	0	0	0	4
	Urban planning		2	0	0	0	2
	Construction management		9	0	1	0	10
	Land administration		5	0	2	0	7
	Taxation		9	0	0	0	9
	Custom affairs		3	0	0	0	3
	Bank loans		0	0	0	0	0
	Medicine and health care		1	0	2	0	3
	Educational administration		5	0	1	0	6
	Securities management		0	0	0	0	0
	Company registration		0	0	2	0	2
	Motor vehicle management		2	0	1	0	3
	Funeral and interment		2	0	0	0	2
	Environmental protection		10	0	0	0	10
	Spoil of land conservation		3	0	0	0	3
	Government-owned enterprises		1	0	2	0	3
	Military units		1	0	0	0	1
	Others		76	0	12	0	88
	Sub-total		270	0	36	1	307
Non Corruption/malefeasance	Public works		0	70	8	2	80
	Procurement		0	115	3	1	119
	Judiciary fraud		0	0	4	0	4
	Medicine and health care		0	0	6	0	6
	Educational administration		0	0	14	0	14
	Environmental protection		0	0	0	0	0
	Spoil of land conservation		0	0	13	0	13
	Government-owned enterprises		0	0	10	0	10
	Others		0	0	19	27	46
	Sub-total		0	185	77	30	292
Total			270	185	113	31	599

**Table 2-06 Statistics of key applicable laws on cases referred in the past 5 years  
( By No. of cases )**

Year Law	2005		2006		2007		2008		2009	
	No. of cases	%	No. of cases	%	No. of cases	%	No. of cases	%	No. of cases	%
Anti-corruption Act	235	55.9%	227	47.3%	359	48.6%	289	51.6%	270	45.0%
Government Procurement Act	94	22.3%	155	32.2%	233	31.5%	148	26.5%	185	30.9%
Criminal Code	64	15.2%	77	16.0%	122	16.5%	101	18.1%	113	18.9%
Narcotics Control Act	6	1.4%	2	0.4%	1	0.1%	0	0.0%	1	0.2%
Guns, Ammunition and Knives Controlling Act	0	0.0%	0	0.0%	1	0.1%	0	0.0%	1	0.2%
Smuggling Punishment Act	1	0.2%	1	0.2%	3	0.4%	1	0.2%	0	0.0%
Communication Protection and Supervisory Act	1	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Civil Servant Work Act	1	0.2%	3	0.6%	2	0.3%	0	0.0%	0	0.0%
Waste Disposal Act	7	1.7%	9	1.9%	11	1.5%	4	0.7%	12	2.0%
Forestry Act	1	0.2%	0	0.0%	0	0.0%	1	0.2%	1	0.2%
Soil and Water Conservation Act	2	0.5%	2	0.4%	0	0.0%	2	0.4%	2	0.3%
Slope Land Conservation and Utilization Act	5	1.2%	1	0.2%	2	0.3%	4	0.7%	3	0.5%
Urban Planning Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.2%
Regional Planning Act	4	1.0%	1	0.2%	3	0.4%	4	0.7%	2	0.3%
Attorney Regulation Act	0	0.0%	1	0.2%	0	0.0%	1	0.2%	2	0.3%
Water Act	0	0.0%	1	0.2%	0	0.0%	0	0.0%	1	0.2%
Act Governing Relations Between Peoples of The Taiwan Area and The Mainland China Area	0	0.0%	1	0.2%	0	0.0%	1	0.2%	0	0.0%
Tax Collection Act	0	0.0%	0	0.0%	1	0.1%	3	0.5%	0	0.0%
Act on Recusal of Public Servants Due to Conflicts of Interest	0	0.0%	0	0.0%	1	0.1%	0	0.0%	0	0.0%
Mortuary Service Administration Act	0	0.0%	0	0.0%	1	0.1%	0	0.0%	0	0.0%
Personal Materials Protection Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.3%
The Classified National Security Information Protection Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.2%
Political Donations Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.3%
Total	421	100.0%	481	100.0%	740	100.0%	559	100.0%	599	100.0%

Figure2-02 Pie chart of ratios of key applicable laws on cases referred in 2009  
( By No. of cases )

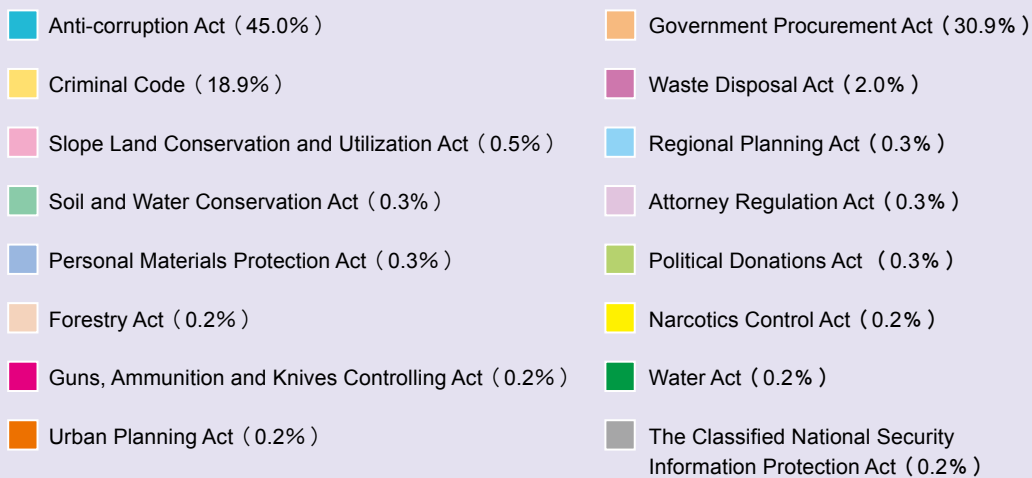
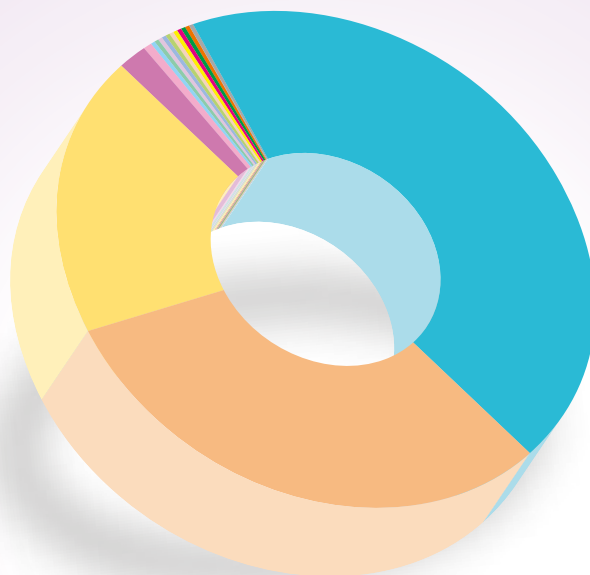


Table 2-07 Statistics of key applicable laws on cases referred in the past 5 years  
( By No. of suspects )

Year Law	2005		2006		2007		2008		2009	
	No. of cases	%	No. of cases	%	No. of cases	%	No. of cases	%	No. of cases	%
Anti-corruption Act	802	48.8%	787	38.4%	1,443	45.2%	1321	47.9%	921	40.6%
Government Procurement Act	406	24.7%	715	34.9%	914	28.7%	695	25.2%	774	34.3%
Criminal Code	293	17.8%	418	20.3%	651	20.4%	510	18.5%	437	19.4%
Narcotics Control Act	23	1.4%	7	0.3%	8	0.3%	2	0.1%	5	0.2%
Guns, Ammunition and Knives Controlling Act	1	0.1%	0	0.0%	4	0.1%	0	0.0%	4	0.2%
Smuggling Punishment Act	2	0.1%	2	0.1%	13	0.4%	18	0.7%	0	0.0%
Communication Protection and Supervisory Act	1	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Civil Servant Work Act	3	0.2%	3	0.1%	3	0.1%	0	0.0%	0	0.0%
Waste Disposal Act	24	1.4%	47	2.3%	47	1.5%	25	0.9%	42	1.9%
Forestry Act	1	0.1%	0	0.0%	0	0.0%	2	0.1%	1	0.1%
Soil and Water Conservation Act	4	0.2%	5	0.2%	0	0.0%	3	0.1%	6	0.3%
Slope Land Conservation and Utilization Act	5	0.3%	1	0.0%	2	0.1%	6	0.2%	7	0.3%
Urban Planning Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	0.1%
Regional Planning Act	11	0.7%	2	0.1%	5	0.2%	5	0.2%	2	0.1%
Business Accounting Act	23	1.4%	25	1.2%	36	1.1%	21	0.8%	28	1.2%
Tax Collection Act	13	0.8%	18	0.9%	49	1.5%	130	4.7%	1	0.1%
Money Laundering Control Act	15	0.9%	3	0.1%	10	0.3%	5	0.2%	5	0.2%
Attorney Regulation Act	—	—	—	—	—	—	1	0.1%	3	0.1%
Act Protecting the Personal Materials Operated Through Computers	—	—	—	—	—	—	—	—	6	0.3%
The Classified National Security Information Protection Act	—	—	—	—	—	—	—	—	2	0.1%
Political Donations Act	—	—	—	—	—	—	—	—	2	0.1%
Others	16	1.0%	23	1.1%	5	0.1%	9	0.3%	9	0.4%
Total	1,643	100.0%	2,056	100.0%	3,190	100.0%	2,753	100.0%	2,258	100.0%



Figure2-03 Pie chart of ratios of key applicable laws on cases referred in 2009  
( By No. of suspects )

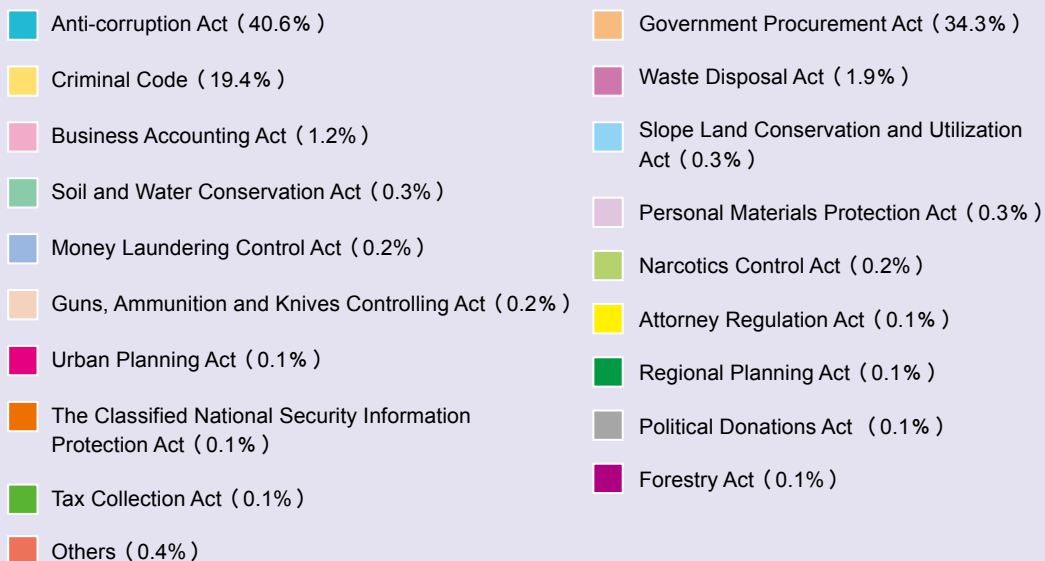
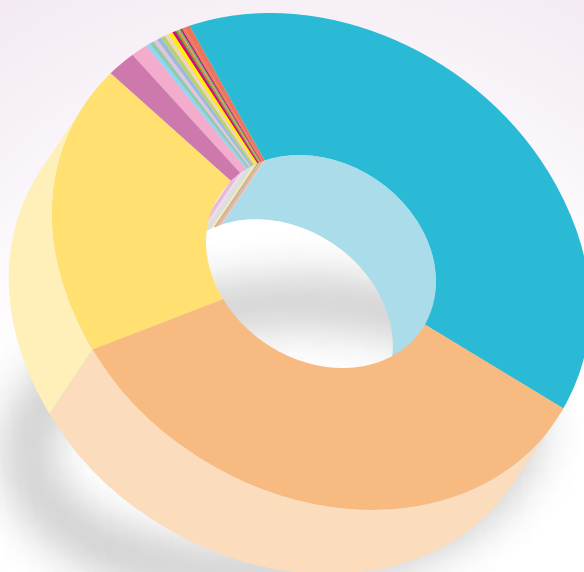


Table 2-08 Statistics of key applicable articles of the Anti-corruption Act on cases referred in the past 5 years

Unit : case

Article	Paragraph	Subpara-graph	Details of the Anti-corruption Ac	2005	2006	2007	2008	2009
4	1	1	Larceny or embezzlement of public equipments or properties.	37	21	15	20	15
4	1	2	Obtaining properties by coercion, extortion, conversion or collection on an illegal excuse or by misusing his power and influence.	10	8	7	10	8
4	1	3	False reports about the price or quantity; receiving an unauthorized commission; engaging in other corrupt acts relating to the construction of government projects or the procurement of government equipments or materials.	25	22	43	30	28
4	1	4	Transporting illegal items or evading taxes using public transportation.	0	0	0	0	0
4	1	5	Demanding, soliciting, dealing or receiving bribes or other illegal profits in return for violating, reducing or failing to perform the official or commissioned duties.	29	36	65	39	34
5	1	1	With intent to profit, withdrawing or withholding public funds without authorization; collecting taxes or government bonds in violation of laws.	0	0	1	0	0
5	1	2	Obtaining properties by committing fraudulence through one's position.	59	50	73	49	69
5	1	3	Demanding, soliciting, dealing or receiving bribes or other illegal profits in return for supplying someone with unusual convenience when performing the official or commissioned duties.	13	15	17	26	26
6	1	1	Retaining properties that should be released to people for the intention of making illegal profits.	0	0	0	0	0
6	1	2	Malfeasance for collecting money, land, or property from people.	0	0	0	0	0
6	1	3	Larceny or embezzlement of private equipments or properties possessed by him because of his official position.	9	8	9	4	1
6	1	4	Knowing that something done would be against the law but might directly or indirectly make himself or others gain illegal profits, and still deciding to execute it and finally obtaining the profits. The said "something" should relate to the affairs under his management or supervision.	49	59	123	104	87
6	1	5	Knowing that something done would be against the law but might directly or indirectly make himself or others gain illegal profits by taking advantage of his official position, and still deciding to execute it and finally obtaining the profits. However, the said "something" does not relate to the affairs under his management or supervision.	4	7	5	6	2
11	1		Enticing, dealing or offering bribes or other illegal profits to a civil servant in return for violating, reducing or failing to perform the civil servant's official or commissioned duties.	0	1	1	1	0
Total				235	227	359	289	270

Table 2-09 Statistics of key applicable articles of the Criminal Code on cases referred in the past 5 years

Unit : case

Article	Paragraph	Description	2005	2006	2007	2008	2009
122	1	A civil servant receiving bribes in return for failing to perform the official or commissioned duties.	0	0	1	0	0
125	1	A prosecutor indicting somebody without due authority	0	0	0	1	0
129	2	A civil servant intercepting or embezzling money or objects that should be issued to people	1	0	0	0	1
132	1	A civil servant disclosing a non-state secret (excluding national defense secrets) without authorization	6	7	4	3	5
132	2	A civil servant disclosing a non-state secret (excluding national defense secrets) without authorization due to negligence	1	0	0	0	0
138		Destroying or hiding documents, objects supervised by civil servants	0	0	0	1	1
157	1	Luring someone to enter a lawsuit and then taking the case	0	0	1	0	0
158	1	Counterfeit as a civil servant	1	0	0	0	0
163	1	A civil servant releasing a person under detainment or arrest without legal reason	0	1	0	2	0
163	2	A civil servant making a person under detainment or arrest escape due to negligence	0	0	0	0	1
165		Destruction of criminal evidence	0	0	0	1	0
169	2	An offence of malicious accusation	0	0	1	0	0
210		Forgery of private documents	0	1	4	2	0
211		Forgery of official documents	4	1	1	0	0
212		Forgery of limited kinds of documents	0	0	0	1	2
213		A civil servant fraudulently filling in something on official documents	17	16	12	16	20
214		Causing a civil servant to make fraudulent entries into official documents	1	0	2	6	5
215		Fraudulently filling in something on private documents due to business	0	3	5	6	1
216		Using the forged, falsified, or false information-entry documents	1	4	5	2	3
218	1	Falsifying, unauthorized use of official seal or imprint	1	0	0	0	0
231-1	4	A civil servant harboring persons to profit from coerced sexual intercourse or obscenity	1	0	0	0	0
266	1	Gambling	0	0	0	0	1
270		A civil servant harboring gambling	1	1	1	0	1
302	1	Detention without authorization	0	0	2	0	0
320	1	Larceny	4	5	3	3	9
320	2	Larceny of real estate	8	7	7	4	6
321	1	Larceny accompanied with gangs or weapons, or by way of intrusion, or performing at night	0	1	2	0	1
335	1	Embezzlement	0	0	0	3	0
336	1	Embezzling properties possessed on the occasion of official matters or public welfare	0	1	8	3	1
336	2	Embezzling properties possessed on the occasion of profession or business	1	5	14	12	13
337		Embezzlement of someone's lost properties	0	0	1	0	0
339	1	Fraud (illegally gaining properties)	12	17	35	27	35
339	2	Fraud (illegally gaining profits)	0	1	1	2	2
339	3	Failure of fraud	0	0	0	1	1
340		Professional offense of crime of fraud	2	1	0	0	0
342	1	Abuse of trust	2	5	12	5	4
358		Invasion of other's computer or facility without cause	0	1	0	0	0
Total			64	77	122	101	113

### iii **Statistics of referred cases by region**

Table 2-10 depicts the statistics on the cases referred to the various prosecutors offices, and Figure 2-04 depicts the state of distribution of referred cases in 2009. With a densely population, more agencies and more complex operations, the urban areas tend to have a higher number of illicit corruption cases than non-urban areas. In light of which, the Bureau not only operates field divisions and offices across the various counties and cities, but also runs northern, central, southern and eastern region mobile offices respectively in Taipei, Taichung, Kaohsiung and Hualien, with which to step up criminal investigating work in urban areas.

Among the corruption/malfeasance cases reported in 2009, the most are found in the Taipei metropolitan area (covering the three district prosecutors offices in Taipei, Shihlin and Banciao) with 82 cases, which account for 26.7% (82 cases/307 cases); followed by 45 cases in the Kaohsiung area, which account for 14.7% (45 cases/307 cases); 23 cases in the Tainan area, which account for 7.5% (23 cases/307 cases); 22 cases in the Taichung area, which account for 7.2% (22 cases/307 cases); and 18 cases in the Taoyuan area, which account

for 5.9% (18 cases/307 cases). Among the non-corruption/malfeasance cases reported in 2009, the most are found in the Kaohsiung area of 58 cases, which account for 19.9% (58 cases/292 cases), surpassing the Taipei metropolitan area for the first time since 2001; followed by 56 cases found in the Taipei metropolitan area, which account for 19.2% (56 cases/292 cases); and the rest consisting of 28 cases in the Taichung area, which account for 9.6% (28 cases/292 cases); 23 cases in the Tainan area, which account for 7.9% (23 cases/292 cases); 19 cases in the Taoyuan area, which account for 6.5% (19 cases/292 cases).

Among the “corruption/malfeasance cases” depicted in Table 2-10, one case has been referred to the Supreme Prosecutors Office in 2009, which pertains to a certain high-ranking National Security agency official who misappropriated the diplomatic fund using whose position; two cases have been referred to the Military High Court Prosecutors Office, which pertain to colonel-level military officers who accepted the contractor's bribes or colluded with the contractor to extort illicit gains seizing the opportunity of processing the procurement operations on their own or supervising their subordinates; one case has been referred



to the Military District Prosecutors Office, which pertains to a case, in which military hospital purchasing personnel disclosed untrue entries to the acceptance inspection records.

Table 2-11 depicts the statistics on the suspected persons referred to the various prosecutors offices, and Figure 2-05 depicts the state of distribution of suspected persons in 2009.

Of public servants in cases referred in 2009, that in the Taipei metropolitan area (covering the three district prosecutors offices in Taipei, Shihlin and Banciao) takes the lead of 218 individuals, which account for 24.8% (218 person/878 persons); followed by that in the Kaohsiung area of 150 individuals, which account for 17.1% (150 persons/878 persons); that in the Tainan area of 70 individuals, which account for 8% (70 persons/878 persons); that in Changhua area of 64 individuals, which account for 7.3% (64 persons/878 persons); and that in the Taichung area of 58 individuals, which account for 6.6% (58 persons/878 persons. Of non-public servants in cases referred in 2009, that in the Taipei metropolitan area takes the lead of 311 individuals, which account for 22.5% (311 person/1,380 persons); followed by that in the Kaohsiung area of 227 individuals, which account for

16.5% (227 persons/1,380 persons); and the remainder comprises of that in the Tainan area of 151 individuals, which account for 10.9% (151 persons/1,380 persons); that in the Taichung area of 117 individuals, which account for 8.5% (117 persons/1,380 persons); and that in the Taoyuan area of 102 individuals, which account for 7.4% (102 persons/1,380 persons).

The most number of civil servants referred in a single case comes to 18 individuals, such as the roadway asphalt laying engineering crews a certain town hall in Hualien and at the Maintenance Construction Office, Directorate General of Highways who accepted monetary bribes, sexual entertainment form the same contractor that allowed the contractor to skim on labor and materials to derive significant amounts of illicit gains. The most number of representatives referred in a single case comes to 24 individuals, which pertains to city councilors who collectively engaged in fraudulently claiming the councilor assistant's wage subsidies by setting up bogus figurehead assistants over an extended period totaling up to over \$34 million TWD. The most number of non-civil servants referred in a single case comes to 42 individuals, which pertains to Kaohsiung City bus drivers who resort

to bogusly bolstering the rider numbers by swiping their own or others' ATM cards or TM cards on the bus card reading machines seizing the opportunity of the city government's "Green Thursday – free bus ride in Kaohsiung City", through which to fraudulently claim the rider bonuses form the city government.

Table 2-10 Statistics of No. of cases referred to each Prosecutors Office in the past 5 years

Unit : case

Category Prosecutors Office	Corruption/Malfeasance						Non Corruption/Malfeasance					
	2005	2006	2007	2008	2009	Total	2005	2006	2007	2008	2009	Total
Keelung	9	9	7	8	8	41	11	10	9	14	7	51
Shihlin	14	14	5	9	13	55	8	11	12	9	10	50
Taipei	35	37	44	32	45	193	15	36	41	30	29	151
Banciao	16	11	29	20	24	100	8	19	14	8	17	66
Taoyuan	20	11	30	16	18	95	6	12	21	29	19	87
Hsinchu	9	8	13	12	8	50	9	7	7	5	9	37
Miaoli	5	6	6	7	5	29	4	4	6	3	11	28
Taichung	19	19	39	28	22	127	14	22	44	29	28	137
Nantou	7	4	10	11	9	41	6	10	17	8	10	51
Changhua	10	11	17	14	10	62	6	8	11	6	15	46
Yunlin	11	4	17	10	12	54	2	6	17	3	8	36
Chiayi	11	7	13	13	7	51	5	8	16	14	7	50
Tainan	22	28	23	20	23	116	11	13	28	21	23	96
Kaohsiung	38	40	64	47	45	234	26	32	49	37	58	202
Pingtung	5	14	19	12	17	67	4	6	20	12	17	59
Yilan	12	8	10	8	8	46	6	7	9	4	7	33
Hualien	8	8	22	8	14	60	2	10	11	16	6	45
Taitung	7	4	10	12	4	37	2	4	7	6	4	23
Kinmen	2	3	5	2	4	16	3	0	3	2	3	11
Lienjiang	0	0	0	0	2	2	0	2	1	1	1	5
Penghu	6	2	3	6	5	22	0	0	2	0	3	5
SPO	0	0	1	1	1	3	0	0	0	0	0	0
MHCPO	7	6	8	4	2	27	0	0	0	1	0	1
MDPO	0	0	0	1	1	2	0	0	0	0	0	0
Total	273	254	395	301	307	1,530	148	227	345	258	292	1,270

Note1: SPO indicates Supreme Prosecutors Office

Note2: MHCPO indicates Military High Court Prosecutors Office

Note3: MDPO indicates Military District Prosecutors Office

Figure 2-04 Diagram showing the No. of cases referred to each prosecutors office in 2009

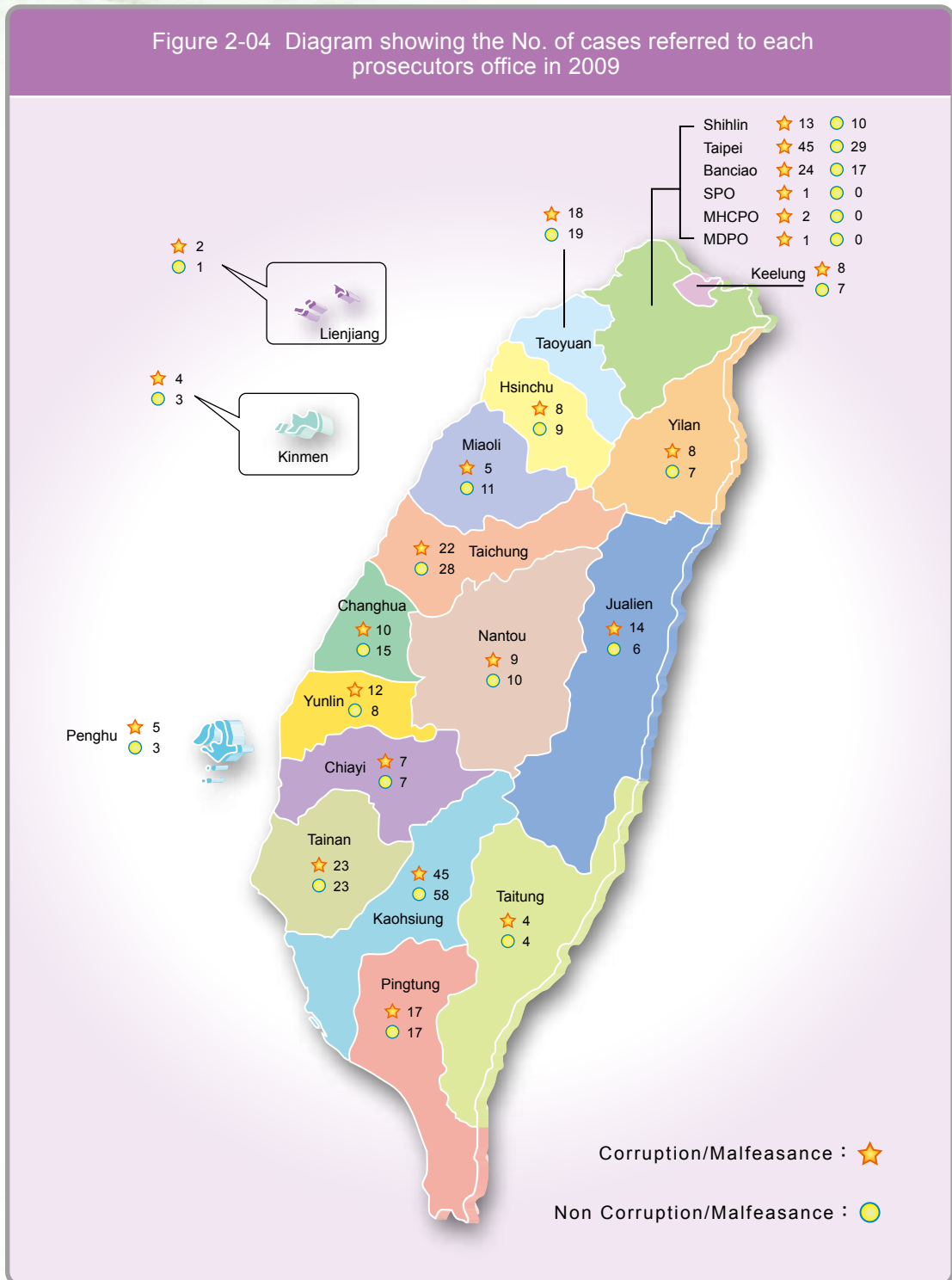




Table 2-11 Statistics of No. of suspects in cases referred to each Prosecutors Office in the past 5 years

Unit : person

Prosecutors Office	Status	Public Servant						Non Public Servant					
		2005	2006	2007	2008	2009	Total	2005	2006	2007	2008	2009	Total
	Keelung	20	30	10	51	22	133	41	36	33	74	29	213
	Shihlin	21	28	19	25	30	123	32	41	44	51	66	234
	Taipei	71	108	105	146	120	550	172	204	217	186	146	925
	Banciao	46	51	93	141	68	399	49	84	157	254	99	643
	Taoyuan	74	27	83	60	30	274	93	59	130	143	102	527
	Hsinchu	19	21	31	30	28	129	28	37	26	21	20	132
	Miaoli	25	18	8	33	18	102	15	33	26	14	36	124
	Taichung	31	48	126	112	58	375	43	96	201	150	117	607
	Nantou	16	9	29	43	33	130	15	31	48	34	35	163
	Changhua	33	24	70	36	64	227	93	34	71	40	74	312
	Yunlin	44	6	89	32	27	198	21	26	113	62	54	276
	Chiayi	14	31	34	47	20	146	19	57	84	58	36	254
	Tainan	44	92	48	58	70	312	78	70	141	107	151	547
	Kaohsiung	127	129	235	187	150	828	153	257	300	223	227	1,160
	Pingtung	7	27	67	21	37	159	16	146	117	43	60	382
	Yilan	21	28	31	36	21	137	35	24	35	31	29	154
	Hualien	23	14	70	31	50	188	19	61	76	68	52	276
	Taitung	15	10	37	29	6	97	18	15	53	28	11	125
	Kinmen	6	5	5	2	8	26	3	2	13	10	6	34
	Lienjiang	0	1	0	0	3	4	0	2	6	1	4	13
	Penghu	18	3	10	12	6	49	11	1	9	9	14	44
	SPO	0	0	0	1	2	3	0	0	8	0	1	9
	MHCPO	14	23	34	10	5	86	0	7	48	0	11	66
	MDPO	—	—	—	2	2	4	—	—	—	1	0	1
Total		689	733	1,234	1,145	878	4,679	954	1,323	1,956	1,608	1,380	7,221

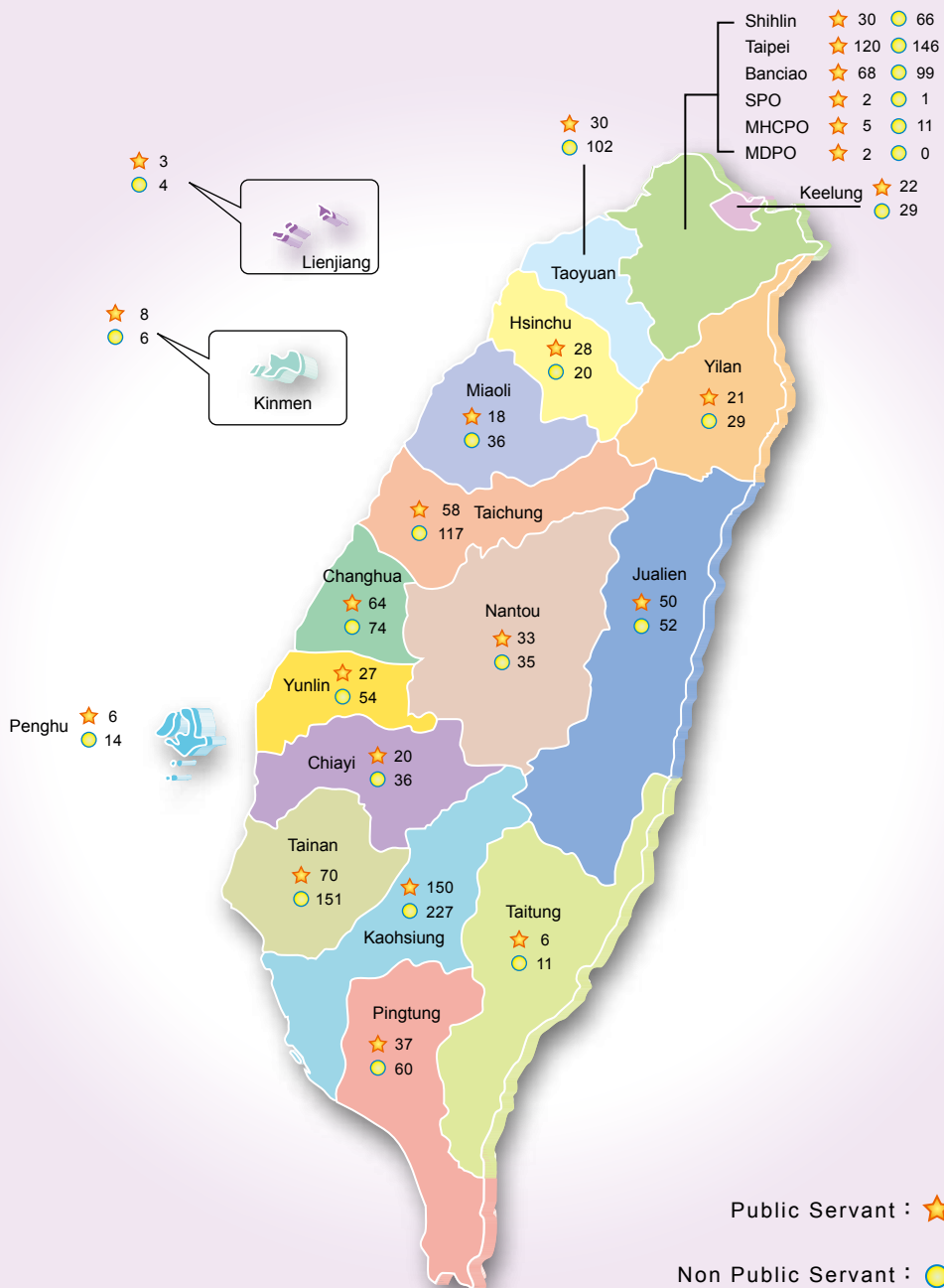
Note1: Status "Public Servant" indicates civil servants, quasi-civil servants and representatives, etc. The others are classified into "Non Public Servant".

Note2: SPO indicates Supreme Prosecutors Office

Note3: MHCPO indicates Military High Court Prosecutors Office

Note4: MDPO indicates Military District Prosecutors Office

Figure 2-05 Diagram showing the No. of suspects in cases referred to each prosecutors office in 2009



#### iv Statistics of suspect information

Table 2-12 depicts statistics on referred case suspects grouped by identity and gender over the most recent five years, and Figure 2-06 depicts a percentage chart on referred case suspects by identity and gender in 2009. Among a total of 2,258 suspects referred in 2009, male suspects total to 1,922 individuals, which account for 85.1% (1,922 individuals/2,258 individuals), and high-, middle-, low-ranking civil servant male suspects further account for 92.4% (158 persons/171 persons), 85.7% (293 persons/342 persons) and 81.8% (224 persons/274 persons), respectively, in which the percentage of corruption/malfeasance cases by men ominous outpaced that of women, and history data also demonstrates a similar trend.

Figure 2-07 depicts statistics on the number of civil servants of all ranks, quasi-civil servants and legislative representatives among other government employees referred over the most recent years by percentage. Of the 2009 statistics, middle-ranking civil servants are found with the highest percentage at 38.9%, followed by low-ranking civil servants at 31.2%, and trailed by high-ranking civil servants at 19.5%, with

quasi-civil servants account for the lowest percentage at 2.4%; of the sequence of ranking by percentage, the statistics from 2005 to 2009 appears in a similar trend.

Table 2-13 depicts the key applicable laws governing suspects of varied identities referred in 2009. Among them, the number of civil servants, quasi-civil servants and representatives referred on the Anti-corruption Act totals to 709 individuals, which remains the most prevalent law governing public servants allegedly involving in crime, and among the 212 non-public servants referred by the saw act, 98 individuals are referred on Article 11 of the act of the bribery charge, with bribing subjects including the police, Coast Guard investigation and crackdown team members, prison wardens, county government illegal structure demolition team members, county government gravel quarry site central audit team members, municipal mortuary service personnel, village/town/municipal hall purchasing processors, mayor of township, central government agency personnel, Ministry of Defense lieutenant-general/vice commander, government-owned enterprise purchasing processors, farmers association employees commissioned by the Council of Agriculture to execute public administration undertakings and so forth; the rest of 114 individuals

pertain to public servants who colluded to breach the crimes cited under Article 4 through Article 6 of the Anti-corruption Act. In addition, only five public servants have been referred on the Government Procurement Act, of whom representatives account for three individuals, which simply pertain to colluding with non-public servants to breach the crimes cited under Article 87 of the same law. Their positions are unrelated to the disputed procurement cases; however, the number of non-public servants who have been referred totals to 769 individuals, a phenomenon also appears in the Bureau's Anti-corruption Yearbooks spanning from 2003 to 2008, which highlights that the skewed practice of unscrupulous individuals who resort to taking short cuts and manipulations in order to secure the bid of a government project or a procurement case has not yet diminished.

Table 2-14 depicts a cross analysis on the identity and education/exposure of case suspects referred in the most recent five years, and by eliminating the portion of those with unknown education/exposure, as depicted in table that the higher the rank of civil servant the higher their education/exposure will be, while quasi-civil servants largely hold a high school degree, and the

education/exposure of representatives are usually lower than that of administrative agency civil servant who tend to hold a high school and college degree, and non-public servants largely hold a high school degree, followed by those with a university and college degree.

Figure 2-08 depicts the percentage of distribution on the education and exposure of public servants referred in the most recent five years. The number of public servants referred in 2009 who hold a university degree accounts for the most at 32.2%, followed by those holding a college degree at 29.1%, and those holding a degree up to high school at 22.3% (19.3%+3%) and those holding a master degree or higher at 16.4%. The percentage distribution of education and exposure from 2006 to 2009 appears in a similar state, with those holding a university and college degree rank in second place, where the two disparate but with little different, and third and fifth places are sequentially high school, master and higher, or up to high school, yet noteworthy, the percentage of public servants holding a master or higher is on the rise over the years from 8.5% in 2006 to 16.4% in 2009, which ought to be significantly related to the prevalence of local university master and doctoral degrees and high levels of education in



the civil servant system.

Table 2-15 depicts the head count of a variety of public-elected public servants referred in the most recent five years, and among them, 70 representatives of all levels have been referred in 2009, 57 individuals of principals of local self-governing bodies with an abridged summary as follows,

1. Three legislators are referred, comprising of one individual who forged bogus information, at the request of a passenger transport company, to demand canceling a number of driving violation penalty rulings, who accepted a political contribution of \$2 million TWD afterward; one individual who resorted to fraudulently claiming \$400,000 TWD from a certain administrative agency with untrue receipts seizing the opportunity of an overseas business visitation; one individual who resorted to exerting pressure for an agency unit to alter the initial ruling using whose position power, at the request of the contractor of a certain government-owned enterprise's procurement case, to withdraw the contractor's bid award qualification and reimburse the \$7 million TWD performance bond.
2. Three speakers of county/city councils have been referred, comprising of one

individual who resorted to fraudulently collecting the assistant wage subsidies by using bogus figureheads; one individual accepted a visitation trip to Europe as arranged by the police, knowing that whose travel expenses are allocated from the police agency's budgets, however only presented copies of the air tickets for the police to reconcile and reimburse the expense after returning to Taiwan and then resorted to fraudulently claiming the councilman overseas visitation funds with the county council with the true air tickets; one individual who resorted to fraudulently collecting the government payout by colluding with travel agency personnel to bolster the travel group expenditures using untrue payout vouchers.

3. 46 county/city councilors have been referred, and among them 23 individuals pertains to the foresaid speaker of the county council who colluded to fraudulently claiming the councilman assistant's wage subsidies, 10 individuals pertains to the foresaid speaker of the county council who colluded to fraudulently claiming the overseas travel group expenses, and the rest 13 individuals' criminal conducts are summarized as: exerting pressure with the police

or county government officials on behalf of people driving illegally, operating night market stalls, running gravel quarry sites to avoid being penalized by law, demolition or order for suspension of work; fraudulently claiming government funds with the county/city councils using untrue payout vouchers; collecting kickbacks by colluding with specific contractor to secure agency and school procurement projects; fraudulently bolstering whose power that would alter the county/city governments' decision to mislead the people to pay up the “public relations bribes” but do nothing afterward; forging the project quadruplicate forms to facilitate operators running the landfill dumpsites to unload waste soil, and to circumvent investigation and crackdown; intentionally concealing whose U.S. citizenship identity to fraudulently collecting the councilor's wages knowing that those holding dual citizenships are barred from serving government positions.

4. One mayor of county/city has been referred, which pertains to a certain county mayor, who knowingly aware that bid projects sought by county government with a budget exceeding several hundred millions are required to undergo the three

stage qualification, specification and price bid reviews, had resorted to summoning meetings at whose place of residence with the bid project's processor and contractor A's director chosen by the evaluation committee when the evaluation committee had chosen contractors A and B from the four bidders to enter the price review stage, by revealing the project bottom price that enabled contractor A to successfully secure the project worth several hundred million dollars at a price \$200,000 TWD lower than the bottom price.

5. 38 mayors of townships have been referred, which largely pertain to bogusly allocate a procurement bid's unit cost or quantity by seizing the opportunity of processing government procurement operations about public works, ossuary, surveillance system, sanitation chemical etc. and help the specific contractors secure profitable bid projects with bribes or violent intimidation by means of leaking out the “bottom price, the evaluation committee roster or the names of other bidders” or intentionally allowing the bid to fall through in order to re-tender the bid, and furthermore collect kickbacks from the said contractors. Among them, two are remote area

village chiefs who resorted to borrowing money from the contractors during whose reelection campaign period and resorted to demanding kickbacks to offset the money owed when they were unable to repay the funds after being reelected. In addition three other individuals had resorted to abusing the administrative resources in search of winning an election, which entail: purchasing a large amount of tea gift sets and misappropriating and distributing them to his canvassing staffers and voters; misappropriating government funds knowing that illegal structures are not eligible to receive demolition compensations by law, to compensate illegal structure owners who hold the voting right; conceiving bogus reasons, prior to his tenure expiry, to tender 12 small project bid cases each with a budget close to \$1 million TWD in order to circumvent open tender procedure and proceed to privately distribute them to a number of representatives of the township assembly operating in civil engineering to complete the project, and then solicit for their support for voting him the next assembly's chairperson. In addition, 1 individual violated the Criminal Code's offenses of illegally seizing funds or properties

originally scheduled to issue to people by law, which pertains to a certain mayor of township who resorted to withholding the representatives' staffing funding and operations funding for as much as \$12 million TWD in expressing his dissatisfaction that the town hall budgets were cut by the township representative assembly. As depicted in Table 2-15, except 2005, the numbers of mayors of township referred in 2006 to 2009 reach as many as 30 persons or 38 persons, which account for approximately ten percent of 319 mayors of township nationwide, which plus the unaccounted number of crimes would put the percentage to be rather high. The phenomenon can be attributed to the fact that it is fairly easy for such mayors of township to defraud for how they are in possession of administrative resources and power.

Table 2-12 Statistics of suspects' personal information in cases referred in the past 5 years ( By status and gender )

Unit : person

Status	High-ranking civil servant		Middle-ranking civil servant		Low-ranking civil servant		Quasi civil servant		Representatives		Non public servant		Total
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
2005	92	1	252	25	224	32	14	3	42	4	785	169	1,643
	93		277		256		17		46		954		
2006	93	9	284	23	225	41	11	2	39	6	1,082	241	2,056
	102		307		266		13		45		1,323		
2007	194	14	433	53	283	59	45	9	119	25	1,564	392	3,190
	208		486		342		54		144		1,956		
2008	168	16	392	57	359	41	21	4	74	13	1,293	315	2,753
	184		449		400		25		87		1,608		
2009	158	13	293	49	224	50	19	2	57	13	1,171	209	2,258
	171		342		274		21		70		1,380		
Total	705	53	1,654	207	1,315	223	110	20	331	61	5,895	1,326	11,900
	758		1,861		1,538		130		392		7,221		

Figure2-06 Bar chart of ratios of suspects' gender information on cases referred in 2009 ( By status and gender )

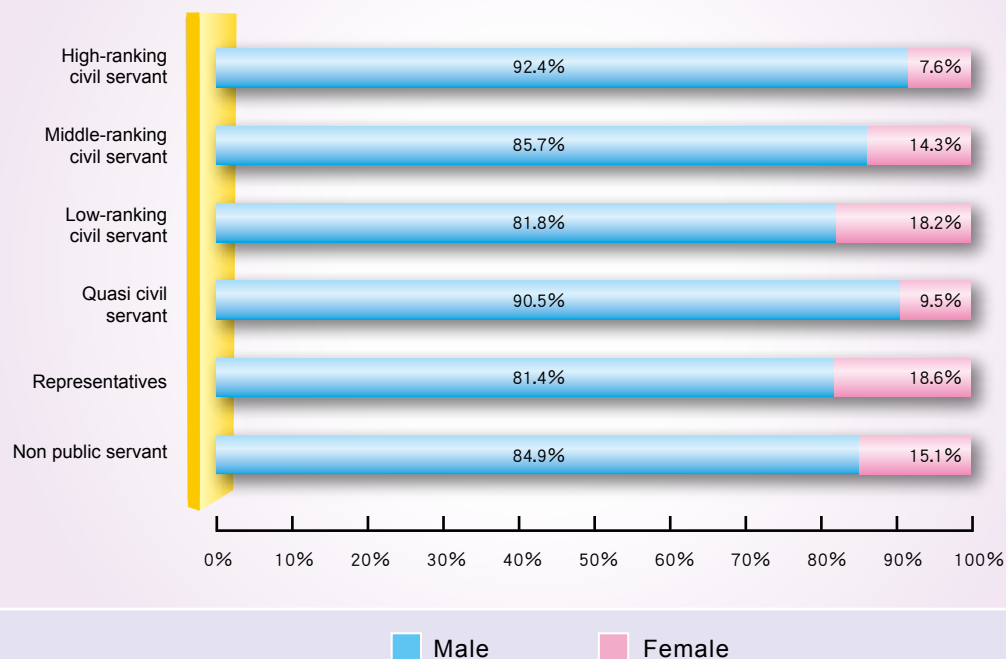




Figure 2-07 Bar chart of ratios of public servants' status information on cases referred in the past 5 years

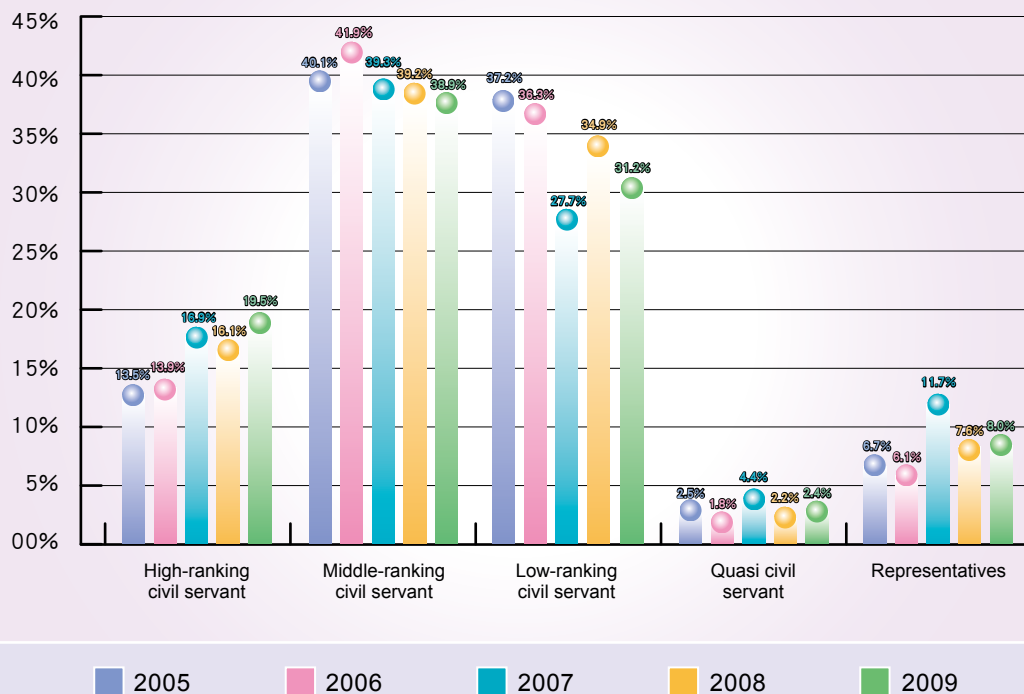


Table 2-13 Statistics of suspects' personal information in cases referred in 2009  
( By applicable laws and status )

Unit : person

Law	Anti-Corruption Act	Government Procurement Act	Criminal Code	Others	Total
High-ranking civil servant	152	0	17	2	171
Middle-ranking civil servant	264	1	68	9	342
Low-ranking civil servant	208	1	58	7	274
Quasi civil servant	20	0	1	0	21
Representatives	65	3	2	0	70
Non public servant	212	769	291	108	1,380
Total	921	774	437	126	2,258

Table 2-14 Statistics of suspects' personal information in cases referred in 2009  
( By educational level and status )

Unit : person

Status	Educational level	Master or above	Bachelor	College	Senior High School	Junior High School or below	Unknown	Total
High-ranking civil servant		57	54	18	9	3	30	171
Middle-ranking civil servant		44	119	58	25	5	91	342
Low-ranking civil servant		7	44	113	76	5	29	274
Quasi civil servant		3	3	2	9	2	2	21
Representatives		4	6	13	16	6	25	70
Non public servant		61	201	198	344	168	408	1,380
Total		176	427	402	479	189	585	2,258

Figure 2-08 Bar chart of ratios of public servants' education-level information on cases referred in the past 5 years

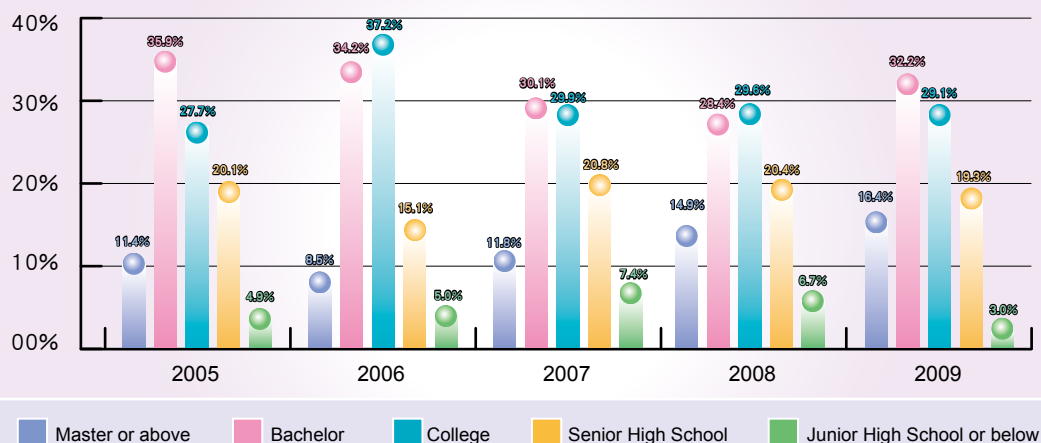


Table 2-15 Statistics of elected public servants referred in the past 5 years

Representatives		Persons						Principal of local self-governing body	Persons					
		2005	2006	2007	2008	2009	Total		2005	2006	2007	2008	2009	Total
Legislative Yuan	Legislator	1	6	4	6	3	20	Mayor of County / City	0	1	1	0	1	3
County (City) Council	Speaker of the Council	1	3	1	4	3	12	Mayor of Township	21	38	30	38	38	165
	Vice Speaker of the Council	1	0	1	0	0	2	Village chief	10	2	13	31	18	74
	County (City) Councilors	17	12	26	16	46	117							
Township Representative Assembly	Chairperson of Rep-Representative Assembly	5	3	1	12	6	27							
	Vice Chairperson of Rep-Representative Assembly	2	2	3	2	1	10							
	Representative	19	12	14	47	11	103							
Total		46	38	50	87	70	291	Total	31	41	44	69	57	242

## **(II) Statistics of vote-buying cases**

The vote-buying cases the Yearbook tallies pertain to cases the Bureau has investigated and processed cooperating with the prosecutors' offices, whereby the various prosecutors' offices have filed for indictment, summary judgment, deferred prosecution, or non-prosecution ex officio, and as they vary by nature from the type of corruption cases referred, the two are tallied separately. With the petition for summary judgment, deferred prosecution or non-prosecution ex officio being sought by the prosecutor focusing on summary procedure cases or minor cases, which are similar to indictment in nature, reckoning the defendant to be allegedly involved in the crime to differ from the absolute non-prosecution cases as cited under Article 252 of the Criminal Prosecution Law, the Yearbook, for narration purposes, hereby collectively group them as the "indicted cases".

### **i Statistics of historical indictments**

Tables 2-16 and Table 2-17 depict the statistics on indicted cases of vote-buying cases the Bureau has investigated between 1993 and 2009, and the statistics on the number of individuals indicted in the most recent six years, where

relevant figures on all types of elections in the election year are marked in red to facilitate better understand the vote-buying crackdown results for various elections.

The defendants in the vote-buying cases cover more than the candidate per se, but also whose canvassing supports, friends and family allegedly involved in bribery, or even bribery recipients. Of local elementary elections, such as county/city councilor, mayor of township, township representative, village chief elections, as well as farmers association and Fishermen association elections, there is a higher percentage that the candidates are indicted; of higher level elections, such as the mayor of county/city, legislators elections, which cover a relatively larger election district, with greater electoral canvassing task-sharing organization, and taking to the basis that any criminal facts need to have the legal premise rendered by evidence, thus as a whole, the percentage that a candidate's canvassing supports being indicted is usually higher than the candidate himself/herself being indicted.

The campaigns staged in 2009 consisted of the elections of the farmers and Fishermen associations of all levels, and the mayor of county/city, county/city councilor and mayor of township

“three-in-one” public servant elections on December 5. Of the three-in-one elections, the Bureau's vote-buying crackdown project work continued to March 1, 2010 when the speakers and vice speakers of county/city council elections are concluded, in which the project has indicted more than two hundred cases up to April 2010, while the Yearbook only tallies 23 cases indicted in 2009, and the rest of the cases will be tallied by streamlining into the “Anti-corruption Yearbook 2010”.

In 2009, the number of vote-buying cases the prosecutors office has directly brought indictment, summary judgment application, deferred prosecution, or non-prosecution ex officio totals to 102 cases. Among them, one case pertains to the 2008 12th president and vice president elections, one case pertains to the 2009 three-in-one mayor of county/city elections, nine cases pertain to the mayor of township elections, one case each pertains to the 2006 Taipei City 10th village chief elections and the Taiwan Provincial 18th village chief elections, four cases pertain to the 2008 seventh legislators elections, and 22 cases pertain to the 2009 three-in-one city/county councilor elections, 60 cases pertain to the 2009 farmers association elections, and three cases pertain to the Fishermen

association elections. Which are separately described as follows,

1. One case of two individuals has been indicted in 2009 during the 12th president and vice president elections held in March 2008, which pertains to the two individuals, of a commissioner and deputy commissioner, of a certain political party's campaign headquarters who, in search of securing the villagers' desire to vote, solicited vote-buying to the villagers at the cost of \$1,000 TWD per vote.
2. One case of two individuals has been indicted in the mayor of county/city elections, which pertains to the 2009 three-in-one election, in which an enthusiastic county constituent with a close tie to a county mayoral candidate, in response to the fierce electoral scenario, had voluntarily solicited vote from another county constituent for the candidate at the cost of \$2,000 TWD per vote at the eve of the voting day.
3. Nine cases of 29 individuals have been indicted at the mayor of township elections, which all pertain to the 2009 three-in-one election, where one individual is of a current mayor running for reelection, two individuals are village chiefs, one individual is of the township representative assembly



chairperson, and the remainder 25 individuals do not hold a civil servant status, except that three of whom are candidates. Five cases are indicted prior to the voting day of December 5, 2009, and two cases of them involve candidate-level, with the criminal modes being offering the voters gifts and providing free meals and drinks.

4. Two cases of 22 individuals have been indicted in the village chief elections, which all pertain to the 2006 village chief election candidates per se or their offspring who arranged a number of constituents to fraudulently migrate their household records to a candidate's constituency to acquire the voting right and vote for the candidate.
5. Four cases of 29 individuals have been indicted in the 7th legislator elections held in January 2008, and three of whom hold a public servant status, who are one each a legislator seeking for reelection, a township mayor and a county councilor, and the rest of 26 individuals do not hold a public servant status, except one of whom is a candidate. Said legislator had rallied for members' support by having his staffers channel donations to an artistic research foundation; Said township mayor had resorted to offering free travel and food and beverage events

by utilizing administration resources to campaign for a certain candidate; Said county councilor had resorted to seeking members' support by tapping into the county government's "councilmen subsidies" under whose position power at the request of a certain candidate. In addition, a major of the individuals that did not hold a public servant status had resorted to false migration, as arranged by a certain candidate, for gaining the right to vote but eventually forfeited voting as the scheme was uncovered.

6. 22 cases of 77 individuals have been indicted in the county/city councilor elections, which all pertain to the 2009 three-in-one elections, and nine individuals are current township representatives or county/city councilors, and among them eight individuals are also candidates, and the rest of 68 individuals do not hold a public servant status, except that two individuals are candidates. 14 cases of which were indicted prior to the election date of December 5, 2009, and among them seven cases were on the candidate level. Among the seven cases, four cases involve the criminal type of offering voters with monetary payout, two cases concern bribing with gifts, and one case pertains to a

current county councilor seeking for reelection who openly indicated to the attending farmers with voting right for rallying the county government or at his own cost for purchasing one farming machine for communal use seizing the opportunity of a senior citizens' banquet gathering, soliciting for support by allegedly offering promissory bribes.

7. 60 cases of 260 individuals have been indicted in the local Farmers Association elections, with six individuals holding a public servant status, and among them two individuals are current mayors of townships, three individuals are village chiefs, one individual is a town hall secretary general. Four individuals hold a representative status, among them, one is a county councilor, three individuals are township representatives who had resorted to either attempting to bribe farmers association representatives for rallying for the positions of a farmers association secretary general or executive commissioner, or bribing whose canvassing staffers in advance in order to successfully seizing the opportunity of steering local faction members to manipulate the positions of farmers association secretary

general or executive commissioner. The rest of 250 individuals do not hold a public servant status, and who are largely farmers association members, member representatives or management staffers.

8. Three cases of five individuals have been indicted in the Fishermen Association elections, with none of whom holding a public servant status, and among them, one case pertains to a candidate for provincial fishermen association executive commissioner who resorted to bribing several said association representatives at the cost of \$100,000 TWD per vote in a bid to successfully steer his faction members vying for the said association commissioner; one case involves a candidate for local fishermen association representative who resorted to bribing two said association members with a carton of cigarettes each; one case pertains to an individual vying for the position of local fishermen association executive supervisor who resorted to bribing the said association members at the cost of \$3,000 TWD per vote in exchange for their support voting for certain representative candidates of the same faction.

Table 2-16 Statistics of indicted vote-buying cases investigated by the Bureau during 1993-2009 (By No. of cases)

Unit : case

Category Year	President and Vice President	Mayor of Taipei/ Kaohsiung	Mayor of county/city	Mayor of township	Village chief	Legislator	Taipei/ Kaohsiung councilor	County/City Councilor	Township representative	Farmers Association	Fishermen Association	Total
1993	—	—	0	0	0	3	—	0	0	9	1	13
1994	—	—	6	12	26	0	—	56	18	3	0	121
1995	—	—	1	0	10	6	—	9	8	1	0	35
1996	1	—	0	2	0	51	—	0	0	0	0	54
1997	0	—	3	1	0	3	—	0	0	42	3	52
1998	0	—	12	15	13	8	—	32	9	3	0	92
1999	0	—	3	2	4	25	—	1	2	1	1	39
2000	6	—	1	0	0	1	—	2	0	1	0	11
2001	1	—	9	1	7	41	—	1	7	81	7	155
2002	0	—	23	57	98	46	—	141	60	9	1	435
2003	2	—	2	7	31	5	—	19	12	3	0	81
2004	7	0	0	2	0	20	3	0	0	0	0	32
2005	0	0	8	85	1	116	0	143	0	16	0	369
2006	1	1	36	94	95	4	3	185	77	1	0	497
2007	1	1	5	6	34	1	24	3	16	0	0	91
2008	5	0	0	3	8	127	2	2	1	0	0	148
2009	1	0	1	9	2	4	0	22	0	60	3	102
Total	25	2	110	296	329	461	32	616	210	230	16	2,327

Note 1 : Color red indicates a year with election

Note 2 : Before the year 2003, category "Mayor of county/city" includes the election of "Mayor of Taipei/Kaohsiung"; category "county/city councilor" includes the election of "Taipei/Kaohsiung councilor"

Note 3 : Every sort of representatives election includes it's speaker and vice speaker campaign such as Legislative Yuan Premier and Vice Premier, county/city speaker and vice speaker, township representatives assembly chairperson and vice chairperson. Farmers association election includes the campaign for representatives, commissioners and supervisors of the association, and so does Fishermen association election.

Note 4 : In addition to the major indictment cases, the statistics also count some cases of summary judgment application, deferred prosecution and non-prosecution ex officio

Table 2-17 Statistics of No. of suspects in indicted vote-buying cases investigated by the Bureau in the past 6 years ( By No. of suspects )

Unit : person

Category Year	President and Vice President	Mayor of Taipei/ Kaohsiung	Mayor of county/city	Mayor of township	Village chief	Legislator	Taipei/ Kaohsiung councilor	County/City Councilor	Township representative	Farmers Association	Fishermen Association	Total
2004	27	0	0	0	0	101	12	0	7	0	0	147
2005	0	0	18	417	20	547	0	509	0	133	0	1,644
2006	21	3	203	735	407	23	5	1,080	339	9	0	2,825
2007	2	16	10	29	258	4	108	19	79	0	0	525
2008	28	0	0	8	33	653	3	4	2	0	0	731
2009	2	0	2	29	22	29	0	77	0	260	5	426
Total	80	19	233	1,218	740	1,357	128	1,689	427	402	5	6,298

Note 1 : Color red indicates a year with election

Note 2 : Every sort of representatives election includes it's speaker and vice speaker campaign such as Legislative Yuan Premier and Vice Premier, county/city speaker and vice speaker , township representatives assembly chairperson and vice chairperson. Farmers association election includes the campaign for representatives, commissioners and supervisors of the association, and so does Fishermen association election.

Note 3 : Defendants may be candidates, other persons who conducted bribes, bribe receivers or other criminals connected with vote-buying.



## **ii Statistics of applicable laws on indicted cases**

Table 2-18 depicts the key applicable law and head count of the defendants indicted in the vote-buying cases in 2009, which tally to two individuals breaching the Presidential and Vice Presidential Election and Recall Act, 73 individuals breaching the Public Servant Election and Recall Act, 253 individuals breaching the Farmers Association Act, five individuals breaching the Fishermen Association Act, and 93 individuals breaching the Criminal Code, totaling 426 individuals.

The number of defendants indicted on charges of fraudulent conducts, such as “soliciting, promising or offering bribes or other illicit gain” and so forth totals to 199 individuals, which account for 46.7% (199 persons/426 persons). Among them, one case of two individuals fall under Paragraph 1, Article 86 of the Presidential and Vice Presidential Election and Recall Act of “Bribery to voters”; 30 cases of 65 individuals fall under Paragraph 1, Article 99 of the Public Servant Election and Recall Act(new amendment) of “Bribery to voters”, and also one case of two individuals fall under Article 90-1 of the before amendment, which still fall under the before amendment in light that the criminal conduct has occurred in the seventh legislator election period in 2007;

four cases of six individuals fall under Subparagraph 1, Paragraph 1, Article 102 of the Public Servant Election and Recall Act (new amendment) of “Bribery to voters in the name of donating something to groups or organizations”, where the subjects of bribery, although being “groups” or “organizations” but it is in fact pertains to rallying the support of members with voting right in a group or an organization; 55 cases of 119 individuals fall under Subparagraph, 2, Paragraph 1, Article 47-1 of the Farmers Association Act of “Bribery to voters”; the Farmers Association Act, taking into consideration the characteristics in farmers association secretary general's selection process, has separately stipulated under Article 47-2 “Bribery to board commissioners or candidates”, and two cases of two individuals have been indicted for violating the charge in 2009; three cases of three individuals have been indicted under Subparagraph 2, Paragraph 1, Article 50-1 of the Fishermen Association Act of “Bribery to voters”.

The number of defendants indicted for “bribery accepting conducts” of “demanding, promising or taking bribes or other illicit gains” totals to 171 individuals, which account for 40.1% (171 persons/426 persons). Among them, 43 individuals fall under Paragraph 1,

Article 143 of the Criminal Code of “Voters taking bribes”; 126 individuals fall under Subparagraph 1, Paragraph 1, Article 47-1 of the Farmers Association Act of “Voters taking bribes”; and also two individuals fall under Subparagraph 1, Paragraph 1, Article 50-1 of the Fishermen Association Act of “Voters taking bribes”.

In addition, the number of defendants who engage in coercing, intimidating or by other means to obstruct others from campaigning or obstruct others from the freedom of exercising whose voting right to fall under Paragraph 1, Article 47-3 of the Farmers Association Act of “Using unlawful ways to disrupt campaigns” totals to two cases of six individuals who have breached the law for vying for the positions of farmers association secretary general, executive commissioner or executive supervisor; one case of 14 individuals fall under Paragraph 1, Article 146 of the Criminal Code of “Offending electoral correctness”, which pertains to “phantom population” cases of false migration for gaining the right to vote in the 2006 Taipei City village chief elections, and which still falls under the before amendment in light that the criminal conduct has occurred prior to the amendment of the same law on January 24, 2007; three cases of 33 individuals

fall under Paragraph 2, Article 146 of the new amendment of “False migration for gaining the right to vote”; one case of three individuals fall under Article 214 of the Criminal Code of “Causing a civil servant to make fraudulent entries into official documents”. The above totals to 56 individuals, which accounts for 13.2% (56 persons/426 persons).

Of key applicable laws the defendants are subject to among the 2009 vote-buying cases, the number of defendants breaching the Farmers Association Act and Fishermen Association Act accounts for the most, totaling 258 individuals, which account for 60.6% (258 persons/426 persons), which stems from the farmers and fishermen association elections of all levels held in the year. Currently, the domestic Farmers Association is in a three-tier system, which consists of the local farmers associations, county/city farmers associations and a provincial farmers association, and among them, the county/city farmers associations and the central-ruled municipality farmers associations are comprised of member representatives derived from the local farmers association elections, and the provincial farmers association is comprised of representatives derived from the county/city farmers association

elections; the farmers associations of all levels encompass the member representatives, cultivation affairs section heads, commissioners, supervisors, an executive commissioner and an executive supervisor, however the secretary general is appointed by the board of commissioners, with a total of 300 farmers association reelections held in 2009. And the local Fishermen Association is in a two-tier system, meaning the regional fishermen associations and the provincial fishermen association, and of which the provincial fishermen association is comprised of representatives derived from the regional fishermen association elections; the fishermen association elections of all levels consist of the member representatives, fishery affairs section heads, commissioners, supervisors, an executive commissioner and an executive supervisor, however the secretary general is appointed by the board of commissioners, with a total of 40 fishermen association reelections of all levels held in 2009. The Farmers Association and Fishermen Association elections, although not as public servant elections, yet their organizations that certain a public equity nature and their members are also inextricably related to the local politics, do render the necessity

for upholding election fairness, and for which the Bureau consistently allocates significant manpower and resources to work with the prosecution agencies with active investigation and crackdown, which has fostered a total of 67 cases (where one indictment is counted as one case) indicted by April 2010.

**Table 2-18 Statistics of vote-buying cases investigated by the Bureau and indicted in 2009 ( By No. of suspects and key applicable laws )**

Measures		Indictment	Summary Judgment Application	Deferred Prosecution	Non-Prosecution ex officio	Total
Applicable Laws						
The Presidential and Vice Presidential Election and Recall Act	Paragraph 1,Article 86 ( Bribery to voters )	2	0	0	0	2
The Public Servant Election and Recall Act ( new amendment )	Paragraph 1,Article 99 ( Bribery to voters )	59	2	0	0	61
	Paragraph 2,Article 99 ( Preparation for bribing voters )	0	0	4	0	4
	Subparagraph 1,Paragraph 1,Article 102 ( Bribery to voters in the name of donating something to groups or organizations )	6	0	0	0	6
The Public Servant Election and Recall Act ( before amendment )	Paragraph 1,Article 90-1 ( Bribery to voters )	2	0	0	0	2
The Farmers Association Act	Subparagraph 1,Paragraph 1,Article 47-1 ( Voters taking bribes )	78	7	12	29	126
	Subparagraph 2,Paragraph 1,Article 47-1 ( Bribery to voters )	102	8	9	0	119
	Subparagraph 2,Paragraph 1,Article 47-2 ( Bribery to board commissioners or candidates )	2	0	0	0	2
	Paragraph 1,Article 47-3 ( Using unlawful ways to disrupt campaigns )	4	0	2	0	6
The Fishermen Association Act	Subparagraph 1,Paragraph 1,Article 50-1 ( Voters taking bribes )	2	0	0	0	2
	Subparagraph 2,Paragraph 1,Article 50-1 ( Bribery to voters )	3	0	0	0	3
The Criminal Code	Paragraph 1,Article 143 ( Voters taking bribes )	31	0	11	1	43
	Paragraph 1,Article 146 ( Offending electoral correctness )	14	0	0	0	14
	Paragraph 2,Article 146 ( False migration for gaining the right to vote )	0	27	6	0	33
	Article 214 ( Causing a civil servant to make fraudulent entries into official documents )	3	0	0	0	3
Total		308	44	44	30	426



### **iii Statistics of indicted cases by region**

The elections to be staged in 2009 consist of the Farmers and Fishermen Association elections of all levels, the mayor of county/city, county/city councilor and mayor of township “three-in-one” public servant elections scheduled on December 5.

Table 2-19 depicts the statistics on the indicted cases by various district prosecutors offices of a variety of vote-buying cases in 2009. Among the 102 cases indicted in 2009, the ranking by case number shows 14 cases by the Pingtung District Prosecutors Office, 13 cases by the Miaoli District Prosecutors Office, 12 cases by the Yunlin District Prosecutors Office, and 10 cases by the Taoyuan District Prosecutors Office that take up the majority, with a total indictment case count tallied to 48% (49 cases/102 cases). To group by the election type, the indicted case count is largely taken by 2009 the Farmers and Fishermen Association elections, with 13 cases by the Pingtung District Prosecutors Office, nine cases by the Miaoli District Prosecutors Office, and five cases each by the Yunlin, Taoyuan and Nantou District Prosecutors Offices; of the 2009 mayor of county/city, county/city councilor and mayor of township “three-in-one”

public servant elections, five cases are indicted each by the Taoyuan and Yunlin District Prosecutors Offices as the most, followed by four cases by the Miaoli District Prosecutors Office; of the seventh legislator elections held in January 2008, two cases are indicted by the Taitung District Prosecutors Office in 2009, one case each by the Banciao District Prosecutors Office and the Kaohsiung District Prosecutors Office; of the 12th President and Vice President election held in March 2008, one case is indicted by the Yunlin District Prosecutors Office in 2009.

Table 2-20 depicts the statistics on the individuals indicted by various district prosecutors offices on all types of vote-buying cases in 2009. Among the 426 individuals indicted in 2009, to gauge by the number of individuals indicted, the majority is comprised of 65 individuals indicted by the Taoyuan District Prosecutors Office, 62 individuals by the Yunlin District Prosecutors Office, 49 individuals by the Pingtung District Prosecutors Office, and 37 individuals by the Kaohsiung District Prosecutors Office, which account for 50% of the indicted head count (213 persons/426 persons). To divide by the election type, the 2009 Farmers and Fishermen Association elections account for a large percentage,

which in a sequence of 50 individuals by the Taoyuan District Prosecutors Office, 45 individuals by the Pingtung District Prosecutors Office, 36 individuals by the Yunlin District Prosecutors Office and 33 individuals by the Hsinchu District Prosecutors Office; the 2009 three-in-one elections have 24 individuals by the Yunlin District Prosecutors Office as the most, trailed by 15 cases each by the Taoyuan District Prosecutors Office and the Chiayi District Prosecutors Office, and followed by 14 individuals by the Kinmen District Prosecutors Office.

While the “three-in-one” public servant elections held in 23 counties and cities in 2005, the same sorts of elections held only in 17 counties and cities in 2009 in light that the Executive Yuan has ruled that Taipei County is to be upgraded to a central-ruled municipality, and Taichung County/City, Tainan County /City, and Kaohsiung County/City are all merged and upgraded as central-ruled municipalities, thus the prosecutors agencies holding the jurisdiction of the foresaid regions have not reported any vote-buying cases in the 2009 “three-in-one” public servant elections, as enlisted in Tables 2-19 and 2-20.

With illegal corruption and fraud often begin with vote-buying, representatives or public-elected heads

alike who seize the position through election fraud often resort to corruption and unlawful conducts during their tenures for extorting personal gains, while eradicating election fraud remains the only means to prevent unscrupulous candidates from being elected, and to achieve the ultimate purpose of rectifying the situation from the very source. With “vote-buying investigation and crackdown” being the Bureau's legally designated responsibility, and of the wide range of public servant elections or Farmers and Fishermen Association elections of all levels over the years, the Bureau consistently setup a taskforce first to mobilize internal and field associates to support the prosecutors agencies to execute bribery investigation missions. In the example of the 2009 “three-in-one” public servant elections, the Ministry of Justice has announced the “2009 three-in-one elections' bribery investigation and crackdown working guideline” by unveiling the “one objective, three principles” bribery crackdown policy, meaning the “preventing the bribes from being offered, and bribery will invariably lead to failing the election” bribery crackdown working objective and the “forceful investigative crackdown, proper procedures and correct pursuit” three bribery crackdown principles, which

the Bureau has drafted project working plans of a series of package measures by upholding the foresaid bribery crackdown policy directives focusing mainly on investigating and cracking down election cash bribery and backed by offering gifts, banquets and travel to steadfastly promote the project work; in addition “anti-vote-buying awareness campaign work” has been stepped at schools of all levels, vocational associations and private organizations in anticipation to achieve the maximum results with limited manpower and resources, and to reiterate the government's determination of rectifying the election practices and upholding the election order. By April 2010, a total of 219 cases (where one indictment is counted as one case) have been indicted since the Bureau carried his 2009 “three-in-one” public servant elections crackdown project into execution, and which also include 3 speakers and vice speakers of county/city council election bribery cases; nevertheless, with the Yearbook's statistical period spanning from January 1, 2009 to December 31, 2009, it may be difficult to showcase the project's overall working results.

Table 2-19 Statistics of vote-buying cases investigated by the Bureau and indicted in 2009 ( By No. of cases and district prosecutors offices )

Category District Prosecutors Offices	President and Vice President	Mayor of Taipei/Kaohsiung	Mayor of county/city	Mayor of township	Village Chief	Legislator	Taipei/Kaohsiung Councilor	County/City Councilor	Township Representative	Farmers Association	Fishermen Association	Total
Keelung	0	0	0	0	0	0	0	1	0	0	1	2
Shihlin	0	0	0	0	1	0	0	0	0	0	0	1
Taipei	0	0	0	0	0	0	0	0	0	0	0	0
Banciao	0	0	0	0	0	1	0	0	0	1	0	2
Taoyuan	0	0	0	1	0	0	0	4	0	5	0	10
Hsinchu	0	0	0	0	0	0	0	2	0	4	0	6
Miaoli	0	0	0	2	0	0	0	2	0	9	0	13
Taichung	0	0	0	0	1	0	0	0	0	4	0	5
Nantou	0	0	0	0	0	0	0	1	0	5	0	6
Changhua	0	0	0	1	0	0	0	1	0	4	0	6
Yunlin	1	0	0	1	0	0	0	5	0	5	0	12
Chiayi	0	0	1	2	0	0	0	0	0	4	0	7
Tainan	0	0	0	0	0	0	0	0	0	2	0	2
Kaohsiung	0	0	0	0	0	1	0	0	0	2	0	3
Pingtung	0	0	0	0	0	0	0	1	0	11	2	14
Yilan	0	0	0	0	0	0	0	2	0	3	0	5
Hualien	0	0	0	1	0	0	0	0	0	0	0	1
Taitung	0	0	0	0	0	2	0	0	0	1	0	3
Kinmen	0	0	0	1	0	0	0	1	0	0	0	2
Lienjiang	0	0	0	0	0	0	0	0	0	0	0	0
Penghu	0	0	0	0	0	0	0	2	0	0	0	2
Total	1	0	1	9	2	4	0	22	0	60	3	102

Note : In addition to the major indictment cases, the statistics also count some cases of summary judgment application, deferred prosecution and non-prosecution ex officio



Table 2-20 Statistics of vote-buying cases investigated by the Bureau and indicted in 2009 ( By No. of suspects and district prosecutors offices )

Category District Prosecutors Offices	President and Vice President	Mayor of Taipei/ Kaohsiung	Mayor of county/city	Mayor of township	Village Chief	Legislator	Taipei/ Kaohsiung Councilor	County/City Councilor	Township Representative	Farmers Association	Fishermen Association	Total
Keelung	0	0	0	0	0	0	0	1	0	0	1	2
Shihlin	0	0	0	0	14	0	0	0	0	0	0	14
Taipei	0	0	0	0	0	0	0	0	0	0	0	0
Banciao	0	0	0	0	0	3	0	0	0	8	0	11
Taoyuan	0	0	0	1	0	0	0	14	0	50	0	65
Hsinchu	0	0	0	0	0	0	0	3	0	33	0	36
Miaoli	0	0	0	5	0	0	0	5	0	17	0	27
Taichung	0	0	0	0	8	0	0	0	0	12	0	20
Nantou	0	0	0	0	0	0	0	2	0	6	0	8
Changhua	0	0	0	4	0	0	0	2	0	15	0	21
Yunlin	2	0	0	2	0	0	0	22	0	36	0	62
Chiayi	0	0	2	13	0	0	0	0	0	11	0	26
Tainan	0	0	0	0	0	0	0	0	0	11	0	11
Kaohsiung	0	0	0	0	0	23	0	0	0	14	0	37
Pingtung	0	0	0	0	0	0	0	4	0	41	4	49
Yilan	0	0	0	0	0	0	0	8	0	4	0	12
Hualien	0	0	0	1	0	0	0	0	0	0	0	1
Taitung	0	0	0	0	0	3	0	0	0	2	0	5
Kinmen	0	0	0	3	0	0	0	11	0	0	0	14
Lienjiang	0	0	0	0	0	0	0	0	0	0	0	0
Penghu	0	0	0	0	0	0	0	5	0	0	0	5
Total	2	0	2	29	22	29	0	77	0	260	5	426

Note : Defendants may be candidates, other persons who conducted bribes, bribe receivers or other criminals connected with vote-buying.

#### **iv Statistics of vote-buying modes**

The conducts of election vote-buying, which although vary by election type, and are separately regulated by the Presidential and Vice Presidential Election and Recall Act, Public Servant Election and Recall Act, Criminal Code, Farmers Association Act, and Fishermen Association Act, but do share common elements, which pertain to soliciting, promising or offering bribes or other illicit gain to persons with voting right agreeing for them not to exercise their voting right or conduct a certain exercise of their right. An overview of the vote-buying cases the Bureau has investigated and processed over the years shows that some of the common modes include the five modes of: vote-buying with money, vote-buying with gifts, vote-buying with food and beverage, vote-buying with travel excursion, and vote-buying through funding donations.

Table 2-21 depicts a statistical table on vote-buying cases indicted over the most recent three years by vote-buying mode, which shows that vote-buying with money accounts for the highest percentage, and the rest in sequence are vote-buying with gifts, vote-buying with food and beverage, vote-buying with travel excursion, and vote-buying with

funding donations; while the “others” mode includes simplistic false migration for gaining the right to vote (or the so-called phantom population cases), of 13 cases reported in 2007, 3 cases in 2008 and four cases in 2009.

Figure 2-09 depicts a percentage diagram on vote-buying cases indicted in 2009 by vote-buying mode. Among the 102 cases indicted in 2009, 71 cases of vote-buying with money take the lead, which account for 69.6% (71 cases/102 cases), and the remainder in sequence are 14 cases of vote-buying with gifts, which account for 13.7% (14 cases/102 cases); five cases of vote-buying in the name of false funding donations, which account for 4.9% (5 cases/102 cases); four cases of vote-buying with travel excursion, which account for 4% (4 cases/102 cases); three cases of vote-buying with food and beverage, which account for 2.9% (3 cases/102 cases); and five cases fall under the “others” category, which account for 4.9% (5 cases/102 cases). A summary description is as follows,

1. Of vote-buying with money, the Farmers and Fishermen Associations elections pertain to an election scheme divided by level and tier, which somewhat differs from the direct “three-in-one” public servants elections. The amounts offering to the

“members” in the Farmers Association elections tend to fall between \$1,000 and \$5,000 TWD per vote, and there is even one case in which \$7,500 TWD was offered per vote for false migration for gaining the right to vote; the amounts offered to bribe the “member representative” is roughly at \$100,000 to \$250,000 TWD per vote, where apportion of the bribe was retained by the “member representative candidate” who accepted it, and the rest was largely allocated to be a fund for bribing members, such kind of case scenarios often occurred in Taoyuan, Hsinchu and Miaoli areas; of payout made directly to “elected member representatives” holding the votes for commissioners, the amount of bribes vary from \$10,000 to \$50,000 TWD; the amount for bribing a “commissioner” can be as high as two, three million dollars, which tallied to two cases, and which all pertain to a secretary general candidate's dire attempt to reverse the situation when failing to secure the support of over one-half of the commissioner board by resorting to soliciting the support of the rival commissioners with handsome payouts. One case of bribing the “member representative” at the cost of \$100,000 TWD per vote in the

Fishermen elections is reported, which occurred in the Pingtung area, and there is also one case of bribing the “member” at the cost of \$3,000 TWD per vote, which occurred in the “Taipei” area. The amounts of bribe often seen at the “three-in-one” public servant elections are at \$1,000, \$2,000, and \$3000 TWD, notwithstanding there is an amount of bribe as much as \$5,000 TWD, which pertain to one case each at the township mayor elections and the county/city councilor elections, and both of which occurred in the Kinmen area, which are considered to be related to the fierce election scenario, the minute differences, and as the transportation fee for constituents residing on the Taiwan island to return home and vote.

2. Of vote-buying with gifts, the gifts on offer pertains to five cases with tea gift sets, two cases with alcohol gift sets, and the rest pertain to a variety of gift sets of sausages, the Sun cakes, peanut oil, cigarettes, soy sauce and the like; in addition, one case involves the Farmers Association election, where a current secretary general seeking for reelection had resorted to, seizing the opportunity of issuing the member representative electee certificates, offering the electees Farmers Associa-

tion supermarket merchandise coupons valued at \$1,500 TWD and prearranged ballots, asking to vote and support the commissioner candidate of the same faction.

3.Of vote-buying disguised in the name of funding donations, three cases pertain to the candidates, in a bid to rally for votes by the temple believers, openly voiced to donating the temple refurbishing and rebuilding funding, the believers' pilgrimage meal and travel expenses, the patrol squad's office furniture expenditures and the like, and at the same time demanded the believers for support and vote for the candidate; one case pertains to the candidate, in a bid to rally for the support of the campaign team in the constituency, offered to sponsor the team's sports apparel funding in exchange for demanding the athletes to support with their votes; one case pertains to using the county government's "councilman funding" for subsidizing the local community groups.

4.Of vote-buying with travel excursion, the four cases indicted all pertain to Farmers Association elections, with two cases reported in the Taoyuan area, and one case each in the Miaoli area and the Yunlin area, where the

case scenarios are similar, and which all pertains to those interested in the position of the Farmers Association executive commissioner, secretary general or executive supervisor who, soon after the member representative elections, had organized the electees of the same faction to take group travel excursions, by which to grasp their whereabouts and prevent them from contacting the rival faction, until they turned up to vote on the day of the executive commissioner and executive supervisor elections.

5.Of vote-buying with food and beverage, one case each has been found with the legislator elections, mayor of township elections and county (city) councilor elections, which all pertain to gathering a number of constituents with free banquet meal and demanding the constituents to vote for a certain candidate, and arranging the candidate be present to solute to the banquet participants.

6.Of the five cases that fall under the "others" category, four cases involve false migration for gaining the right to vote, which pertain to one case each found in the legislator elections and the Farmers Association elections, two cases in the village chief elections, which largely concern arranging tens



of friends and relatives in moving their household records to the same address in advance, on prediction of a fierce election campaign, to gain the right to vote and increase the supporting ballots. One other case concerns an individual interested in contesting the Farmers Association secretary general position in the Yunlin area, who upon learning that three Farmers Association members whose landholding each has not reached 0.1 hectare to render them ineligible to qualify as a member representative candidate, had schemed to forge the farmland transaction contact and file for title transfers by indicating the three members to submit their friends and family's farmland ownership deeds and presented to said members with title transfer regulatory fees varying from eight thousand to twenty-three thousand TWD once the foresaid qualification had been made, and at the same time demanded the members that once they were elected as member representatives, they would have to vote the commissioner candidates he had sought.

The “vote-buying criminal conduct examples” promulgated by the Supreme Prosecutors Office, and motioned by the Ministry of Justice on September 1, 2009 enlist 24 items, which are arranged in

sequence as follows,

1. Offering cash, checks, gift coupons, merchandise coupons or other forms of marketable securities as “canvassing remuneration”, “refreshment stipend”, “late meal stipend”, or in any other name.
2. Offering sundry goods with economic value, such as electric rice cookers, thermal water dispensers, radios and the like.
3. Offering free or a self-paid amount disproportionate to the cost of local or overseas tourism travel, local tourist bus travel or religious pilgrimage activity.
4. Offering free or a self-paid amount disproportionate to the cost of food and beverage or buffets in the name of fund-raising, exchange activity or other similar reasons.
5. Offering transportation means, transportation stipends to and from the place of residence to the voting station.
6. Offering to increase wages or working bonuses.
7. Offering activity funding, group apparel, or activity supplies and so forth in the name of donations to religious groups, hometown associations, other institutions or organizations and so forth.
8. Offering development funding

- to county/city, village/township, communities or organization and so forth in the name of funding allocation or subsidy function.
9. Hosting events for distributing objects, prizes, monetary prizes in the name of holiday festivities.
  10. Offering prizes in the name of lucky draw or answering games with prizes.
  11. Offering entertainment at dance halls, bar lounges, cabaret halls or other amusement venues.
  11. Offering to acquire the national identification cards.
  13. Offering to forfeit one's debt.
  14. Offering to pay the party dues on behalf of the constituents for cultivating figurehead party members.
  15. Offering to pay taxes, insurance premiums or other forms of regulatory fees, penalty fines on behalf of the constituents.
  16. Selling meal coupons and promising for redeeming several times of the amount of the meal coupon value when the candidate has been elected.
  17. Gathering member of the public for gambling and promising the gamblers for winning several times of the gambling bets when the candidate has been elected.
  18. Offering or brokering job opportunities or good positions.
  19. Giving away the welfare lottery tickers, such as the Lotto game, Big Lotto, Instance Scratch and so on.
  20. Giving away agricultural, fishery specialty products.
  21. Offering labor rendered service free of charge or at disproportionate costs.
  22. Issuing wages, pay, consulting fees or other subsidies in the name of hiring.
  23. Offering prearranged vote-buying bribery funds in the name of covering the election canvassing activity funding.
  24. Soliciting, promising or offering any other modes of bribes or illicit gains.
- Yet whether the foresaid conducts constitute as vote-buying is still subject to the rendering of the processing prosecutor depending on the circumstance of each case.
- Among the aforementioned 102 cases of vote-buying cases indicted in 2009, except four cases of false migration for gaining the right to vote that do not fall under the scope of the Ministry of Justice's "vote-buying criminal conduct examples", the remainder of the 98 cases do coincide with nine illustrated modes of the listing, which are Item 1, Item 3, Item 4, Item 5, Item 7, Item 8, Item 15, Item 20 and Item 23.
- The foresaid statistics of vote-buying modes are intended to highlight in the

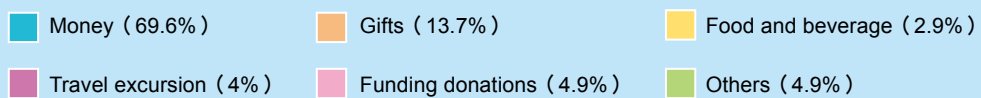
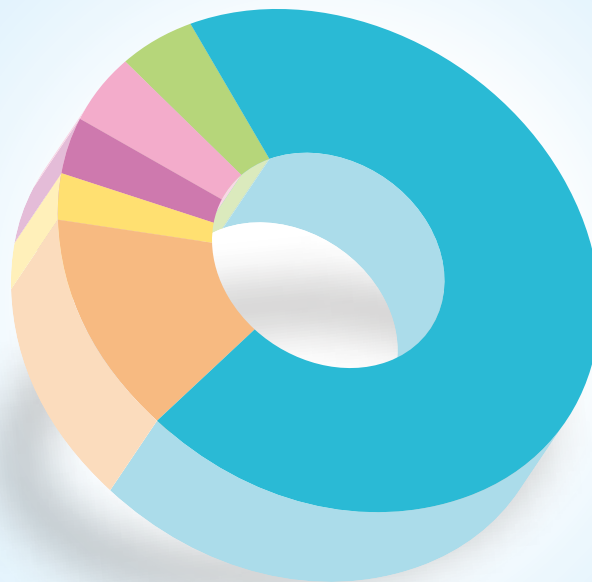
vote-buying investigation and crackdown, with which to steer the implementation focus. With frequent elections in recent years, and in light that the state of vote-buying has not yet to be eradicated, the Bureau invariably allocate significant manpower and resources when it comes to the election season by setting up a designated project to execute election fraud investigation and crackdown mission. To refine the associates' election fraud crackdown skills and to enforce passing down the experience, we held focus seminars and/or mission forums staged in advance that enable the associates to fully understand the election fraud investigation policy and focal direction, and the Bureau also stringently demands “abiding by administrative neutrality and upholding procedural justice” to actively execute the project mission, with which to safeguard the election practices and enhance the nation's integrity and transparency.

Table 2-21 Statistics of vote-buying cases indicted in the past 3 years  
( By vote-buying mode )

Unit : case

Year \ Mode	Money	Gifts	Food and beverage	Travel excursion	Funding donations	Others	Total
2007	41	16	12	3	1	18	91
2008	82	17	26	7	7	9	148
2009	71	14	3	4	5	5	102
Total	194	47	41	14	13	32	341

Figure2-09 Pie chart of ratios of vote-buying cases indicted in 2009  
( By vote-buying mode )





### **III. The educational and training work**

#### **(I) Staging anti-corruption focus seminars**

In a bid to familiarize internal and field associates with legal and regulatory stipulations, improve their investigative skills, absorb new case knowledge, and in response to the mayor of county/city, county/city councilor and mayor of township elections soon to be held in December 2009, the Anti-Corruption Division has on October 7 through 9, 2009 staged a “2009 anti-corruption focus seminar” at the Bureau’s Staff Training Center, offering rotation training to 150 assistant special agents in charge, section chiefs, unit chiefs, special agents and those designated to work at Section 4, National Tax Administration, Ministry of Finance. In program arrangements, Anti-Corruption Division director Zhan conveyed the focus working policies of stepping up the anti-corruption work, enforcing clean election practices to pledge the government’s determination in eradicating corruption and vote-buying; and invitations had been extended to judge Chen Dong-hao, chief prosecutor Chen Hong-da, prosecutor Tsai Zhong-shi and attorney Ding Zhong-yuan who were

well-versed in practical implementation to lecture on subjects covering “the analysis of a not-guilty judgment on corruption cases”, “how to improve the conviction ratios on corruption cases”, “vote-buying cases’ indictment key elements and evidence-gathering tips”, “how best for judicial agencies to abide by due process of law in response to corruption criminal cases that are under inquiry, investigation, or trial; also to duly address passing down the working experience, the section chiefs of the Anti-corruption Division and selected outstanding field-office special agents were on hand to present anti-corruption work review and enhancement and their firsthand experience reports in anticipation to strength lead discovery, surpass the evidence-gathering hurdles, refine the corruption-investigating skills; at last, Division director Zhan presided a “general forum”, through which to exchange opinions and feedback.

At the general forum, Division director Zhan began by briefly describing the content of the “National anti-corruption infrastructure action plan” and supportive measures to be rendered by the Bureau, and moved to aspiring internal and field associates the importance of abiding by Bureau case processing guideline, familiarizing with legal/regulatory stipulations and

practical interpretation, stepping up uncovering leads on major corruption and vote-buying cases, improving the quality of corruption case investigation particularly of extortion and profiting cases, abiding by the stipulations of not disclosing any ongoing cases under investigation, upholding the due process of law, tracking down the illicit criminal gains, stepping up the contact and coordination between the prosecution and the governmental ethics authorities, as well as continuing with anti-corruption prevention and awareness campaign work, who in response to the 2009 year-end “three-in-one” elections, further reiterates the need to actively focus on vote-buying inquiry and investigative work by enforcing the “vote-buying investigative guidelines” through tangible work performance, meaning abiding by the three vote-buying crackdown principles of “stepping up bribery crackdown, upholding proper procedures and an accurate pursuance”, with which to achieve the working objective of “preventing the solicitation of bribes, and bribing will only lead to failing an election”, and who also reiterated the need to stringently monitoring the quality of vote-buying intelligence and by enlisting cash vote-buying as a focus in vote-buying crackdown.

In addition, of questions and recommendations put forth by associates participating in the seminar, the Anti-Corruption Division invariably responded with tangible answers. Last but not the least, Division director Zhan also aspired all associates participating in the training seminar with his mottos of upholding “integrity, honest, self-discipline with a commitment for prudence, devotion and self preservation” to achieve the eventual triumph.

## **(II) Online learning and experience sharing**

Thanks to the prevalence of the Internet technology, it not only surpasses the hurdles and time constraint in data conveyance, exchange and integration but the adaptation of virtual database has further made information integration and accessibility a reality. With that said, the Anti-Corruption Division had at the end of 2004 unveiled an internal bureau network, “the anti-corruption database”, designed with learning and sharing as the projected functions, serving to consolidate relevant laws and regulations in case investigation, provide tangible legal and practical interpretation on punishment law and procedure law, enlist various bureau operating guidelines and the routine work

performance, experience and feedback of internal and field associates. The database is comprised of eight parts, namely the bulletin board, operations introduction, anti-corruption laws and regulations, operating guidelines, anti-corruption campaign, case profile, reference literature, yearbooks, and is routinely updated once every two weeks, which is open to all bureau associates for sharing the resources and achieving the ideology of refining their professional know-how and fostering innovative work perspectives.





中華民國九十八年

# 廉政工作年報

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