

廉政

工作年報

中華民國104年

Anti-corruption Annual Report 2015

Table of Contents

Forwords	12
Editing Description	14
I. Editing Purposes	15
II. Content Description	15
III. Notes	16
Part One. Profile of the Anti-Corruption Division, Investigation Bureau	18
I. Legal and Regulatory Basis	19
II. Organizational Timeline	20
III. Operational Task-sharing	23
IV. Work Objectives	26
A. Determination of implementing the corruption eradication for corruption crackdown	26

B.Purging of governmental procurement to prevent the infiltration of illicit capital	26
C.Enhancement of vote-buying crackdown performance to rectify electoral practices	27
D.Strengthening of the evidence-gathering quality to uphold procedural justice	28
E.Upholding of the administrative neutrality to implement a lawful administration	28
V.Work Emphases	28
A. Case Investigation and Processing Work	28
1.Corruption/malfeasance Cases	29
2.Vote-buying Cases	30
3.Judicial Fraud Cases	30
B. Professional Refinement Work	30
1. Educational Training	30
2. Consultation Meetings	31

Part Two. Anti-corruption Work Implementation Status and Results	32
I. Case Investigation and Processing Work	33
A. Statistics on Referred Cases	34
1. Statistics on Referred Cases over the Years	35
2. Statistics on Applicable Laws of Referred Cases	40
3. Statistics of Suspects Status	46
B. Statistics on Vote-Buying Cases	50
1. Statistics on Indictment Cases Over the Years	51
2. Statistics on Applicable Articles of Indictment Cases	54
3. Statistics on Vote-buying Modes	56
II. Proficiency Refinement Work	58
A. Staging Anti-corruption Refinement Seminars	58
B. Utilizing the Internet to Exchange Learning	59
C. Researching and Compiling Case Study Reports	60
D. Convening Consultation Committee Meetings for Public Projects	60

Part Three. Summary of High Profile Investigations in 2015	62
1. Illegal involvement of General Construction Office Staff Mr. Chou○○ and Others in Taiwan Power Company	63
2. Illegal involvement of Mr. Chang○○ –Head of Wugong Police Station of Luzhou Precinct, New Taipei City Police Department	65
3. Illegal Involvement of Head of Kouhu Township Mayor Mr. Tsai○○ and Others in Yunlin County	66
4. Suspected Bribery of Mr. Chou○○ –A Candidate for Speaker of Pingtung County Council	68
5. Suspected Bribery of Mr. Liu○○ –A Candidate for Taoyuan City Councilman	69
6. Suspected Bribery of Mr. Chang –A Candidate for Caotun Township’s Mayor in Nantou County	70
Part Four. Summary of Prosecution Cases in 2015	71
Case 01 Police Administration	72
Illegal Involvement of Mr. Zhan○○ –Head of the NIA’s Specialized Operation Brigade in Taoyuan	
Case 02 Police Administration	73
Illegal Involvement of Head of Wugong Police Station of Luzhou Precinct Mr. Chang○○ and Others in New Taipei City Police Department	
Case 03 Construction	74
Illegal Involvement of Public Works of Mudan Township Office in Pingtung County	

Case 04 Administration	75
Illegal Involvement of Head of Kouhu Township Mayor Mr. Tsai○○ and Others in Yunlin County	
Case 05 Environmental Protection	76
Collective Involvement in Illegal Matter of the Employees in Fuxing District Garbage Collection Park of Changhua County	
Case 06 Social Welfare	77
Illegal Involvement of Mr. Chung○○ Handling Retirement Reserve in Labor Affairs Bureau of Tainan City Government	
Case 07 Social Welfare	78
Illegal Involvement of Pingtung County Councilman Lin'○○s Embezzlement	
Case 08 Army	79
Involvement in Corruption of the Employees in the 209th Arsenal, Materiel Production and Manufacturing Center, Armaments Bureau, MND	
Case 09 Fire Department	80
Involvement in Interest of Conflict of Former Xinwu Branch Head Mr. Wu○○ and Some Teammates in Taoyuan Fire Department	
Case 10 Others	81
Involvement in Embezzlement of Kaohsiung City Councilman Mr. Chen○○ for Domestic Business Trip	

Case 11 Others	82
Illegal Involvement of Former President of Hsinchu Gas Company Limited Mr. Liu○○ and Others	
Case 12 Others	83
Illegal involvement of General Construction Office Staff Mr. Chou○○ and Others in Taiwan Power Company	
Case 13 Local Civil Servants Vote-buying	84
Involvement in Bribery of Candidate Mr. Chou○○ (and other Councilmen) for Speaker of Pingtung County Council	
Case 14 Local Civil Servants Vote-buying	85
Involvement in Bribery of Mr. Liu○○ –Candidate of Taoyuan City Councilman	
Case 15 Local Civil Servants Vote-buying	86
Involvement in Bribery of Candidate Mr. Chang (and Several People) for Caotun Township’s Mayor in Nantou County	

List of Tables

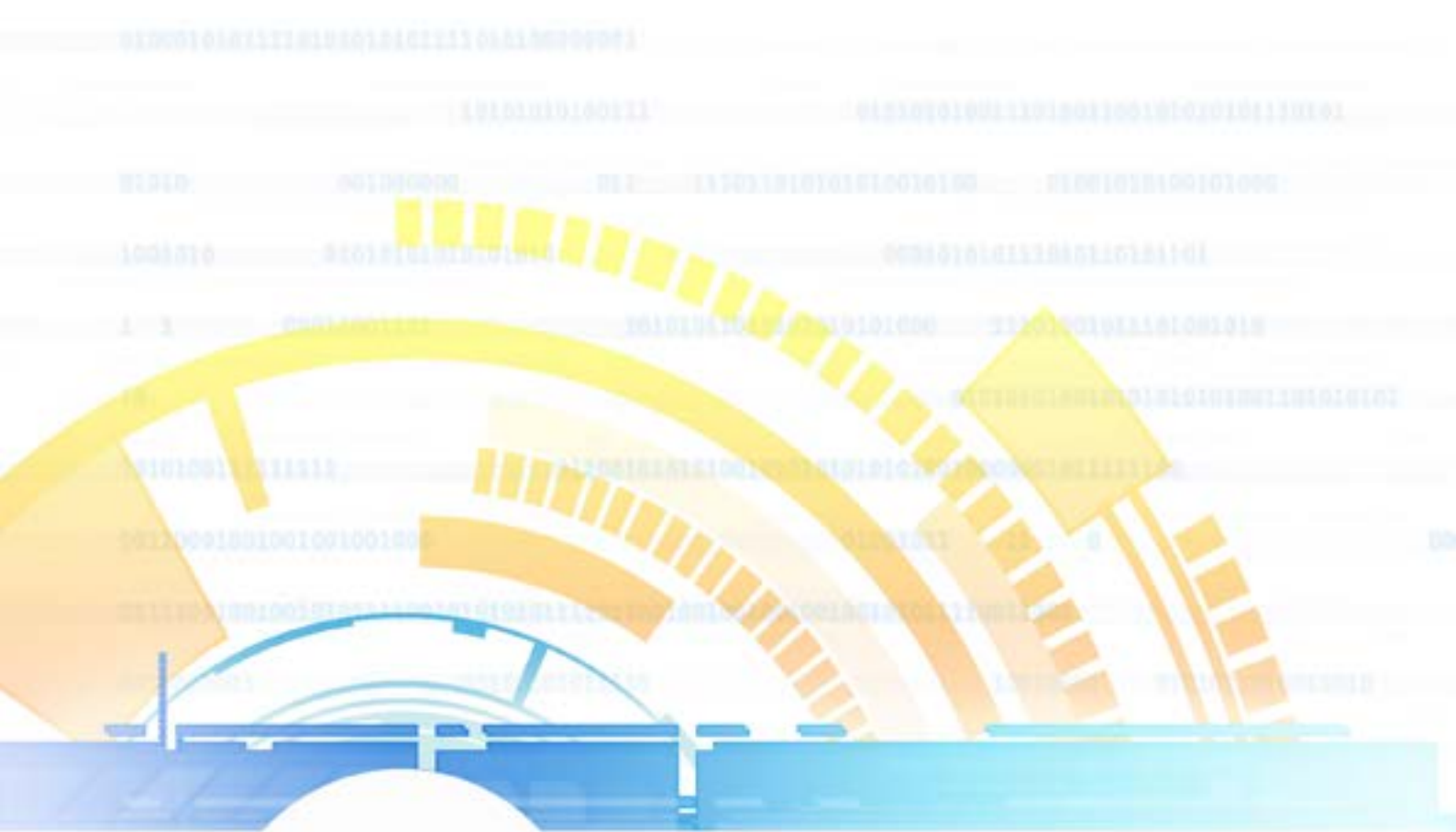
Table 2-01 Summary Table of the Investigation Work Performed in 2015	87
Table 2-02 Summary of Statistics on Cases Referred in 2015	88
Table 2-03 Statistics of Cases Referred from 2010 to 2014	89
Table 2-04 Statistics of Case Sources on Cases Referred in 2015	90
Table 2-05 Statistics of Key Applicable Laws on Cases Referred in 2015	91
Table 2-06 Statistics of Key Applicable Laws on Cases Referred in the Past 5 Years (By No. of Cases)	92
Table 2-07 Statistics of Key Applicable Laws on Cases Referred in the Past 5 Years (By No. of Suspects)	93
Table 2-08 Statistics of Key Applicable Articles of the Anti-corruption Act on Cases Referred in the Past 5 Years	94

Table 2-09	Statistics of Key Applicable Articles of the Criminal Code on Cases Referred in the Past 5 Years	95
Table 2-10	Statistics of Suspect Demographics in Cases Referred in the Past 5 Years (By Status and Gender)	96
Table 2-11	Statistics of Suspect Demographics in Cases Referred in 2015 (By Applicable Laws and Status)	97
Table 2-12	Statistics of Suspect Demographics in Cases Referred in 2015 (By Education and Identification)	98
Table 2-13	Statistics of Elected Public Servants Referred in the Past 5 Years	99
Table 2-14	Statistics of Indicted Vote-buying Cases Investigated by the Bureau (By No. of Cases)	100
Table 2-15	Statistics of Indictment Vote-buying Cases in the Past 10 Years (By No. of Suspects)	101

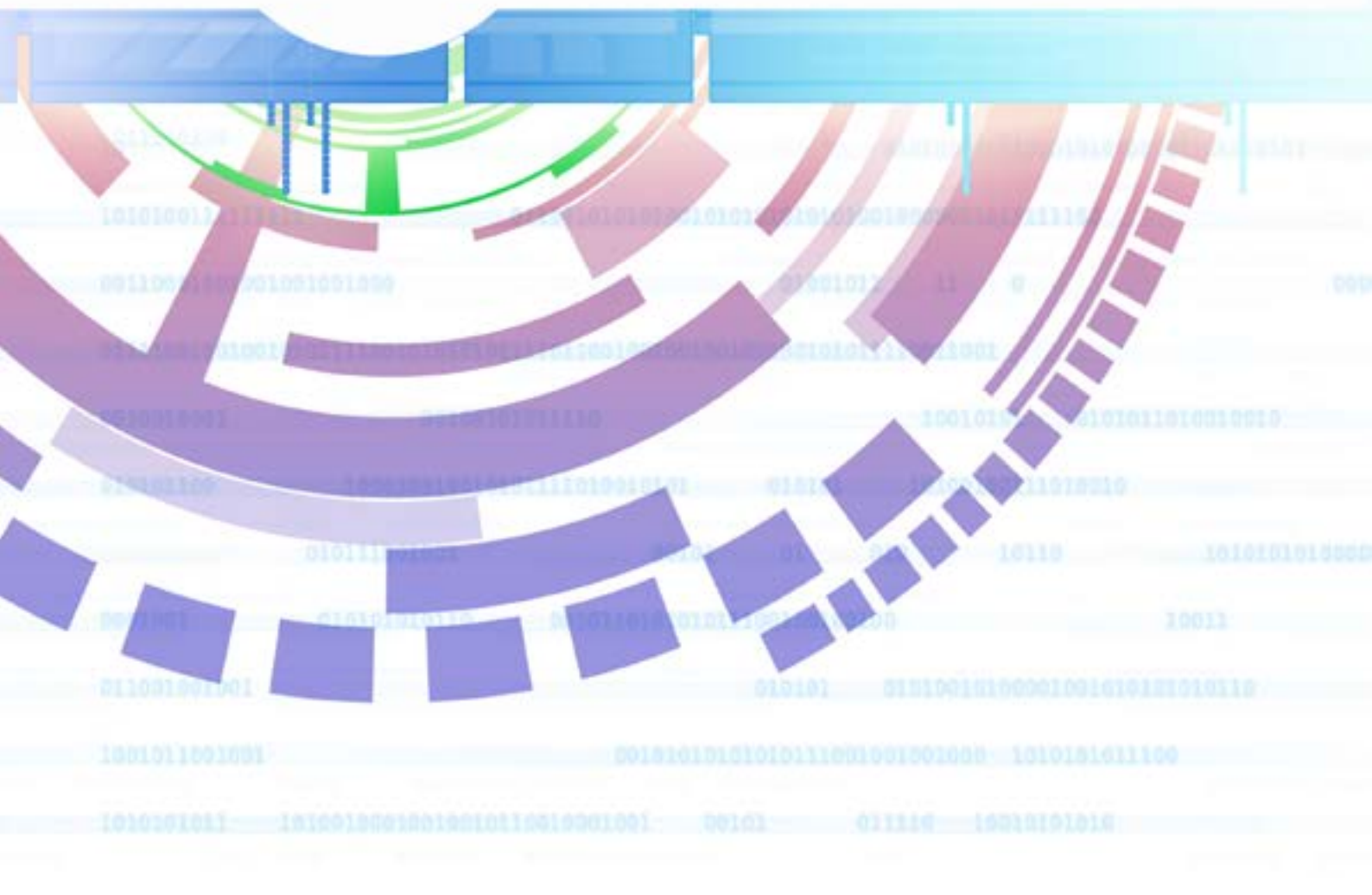
Table 2-16 Statistics of Vote-buying Cases Indicted in 2015(By Key Applicable Laws and No. of Defendants)	102
Table 2-17 Statistics of Vote-buying Cases Indicted in the Past 6 Years	103

List of Figures

Figure 2-01 Scale Drawing of Case Sources on Cases Referred in 2015	104
Figure 2-02 Pie Chart of Ratios of Key Applicable Laws on Cases Referred in 2015 (By No. of Cases)	105
Figure 2-03 Pie Chart of Ratios of Key Applicable Laws on Cases Referred in 2015 (By No. of Suspects)	106
Figure 2-04 Bar Chart of Ratios of Suspects' Gender and Status Information on Cases Referred in 2015	107
Figure 2-05 Bar Chart of Ratios of Public Servants' Status Information on Cases Referred in the Past 5 Years	108
Figure 2-06 Bar Chart of Ratios of Public Servants' Education-level Information on Cases Referred in the Past 5 Years	109
Figure 2-07 Pie Chart of Ratios of Vote-buying Cases Indicted in 2015	110



Forewords

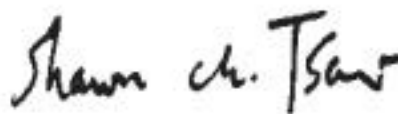


Forewords

To ensure that Taiwan keeps abreast with the anti-corruption trend internationally, and out of respect for the ethics rules binding public and private sectors within the country, we plan to initiate an action plan for “National Integrity Building Action Plan” taking reference from United Nations Convention against Corruption (UNCAC). In this action plan, we will detail the goals and strategies of our anti-corruption infrastructure, and combine several action plans together, including “Proper Politics Action Plan”, “Corruption Elimination Action Plan”, “Follow-up Corruption Elimination Action Plan” and “Anti-corruption Action Plan” with the hope of creating a government and a society of integrity.

The anti-corruption task is part of the Bureau’s overall work. More specifically, our job includes anti-corruption initiatives, preventing and fighting corruption. Ever since the Bureau put emphasis on cracking down on corruption cases, we’ve demonstrated a lot of impressive results with the help of everyone working at the Bureau collectively, meeting the expectations of the general public in Taiwan.

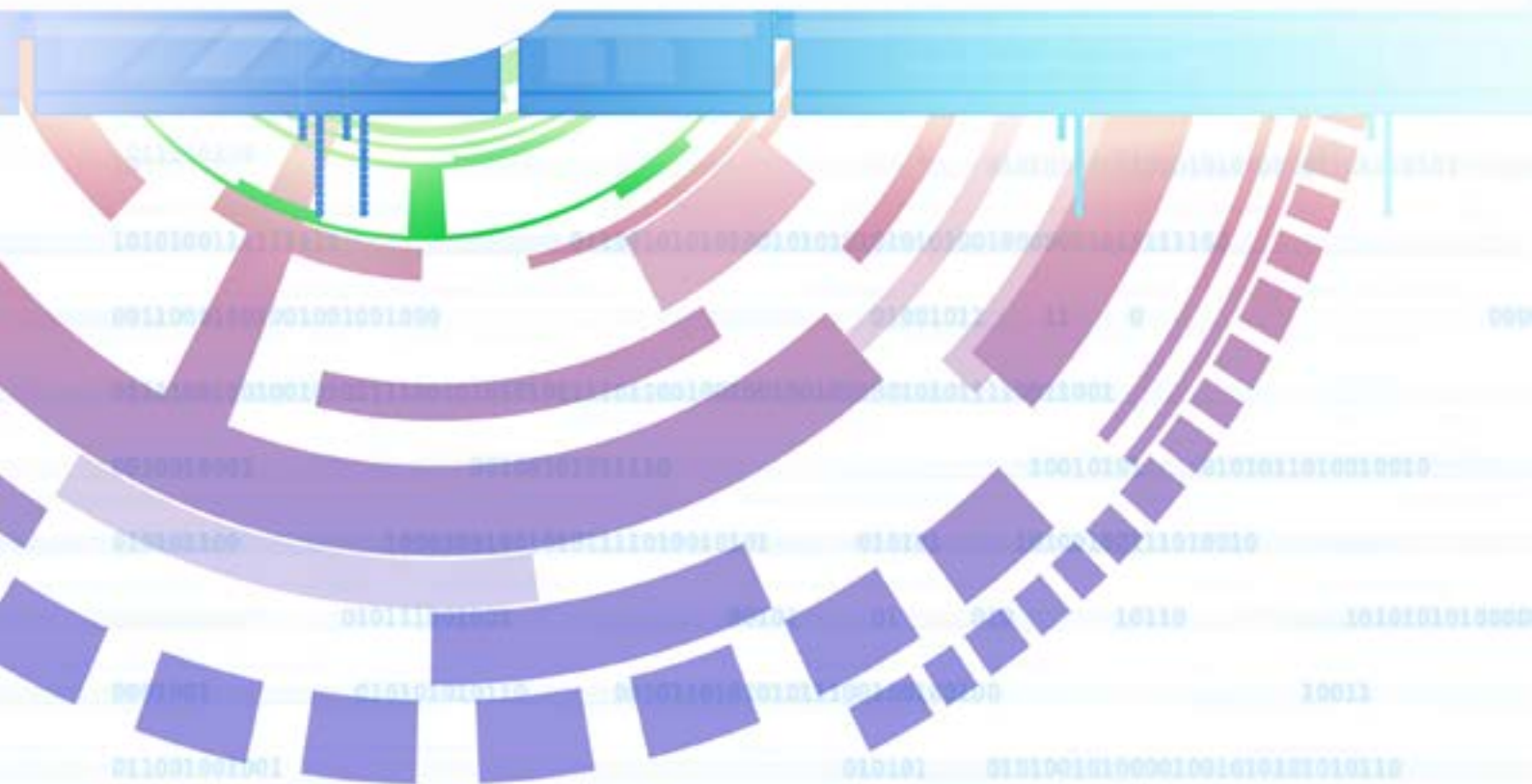
With the changes in the macroeconomics, the Bureau is evaluating the development as well as status quo of the corruption cases following the principle of “Centralized administration which is governed by laws”. The focuses of our work include a sound management of the governed precincts, investing a lot of effort in discovering possible clues, integrating resources and cracking down on cases, following a thorough plan involving teamwork. It is our greatest hope to improve the capacity of our anti-corruption efforts, to optimize the timing of investigations, to collect useful evidence and ultimately enhance the rate of prosecution and conviction.



Date: November 2016



Editing Description



Editing Description

Editing Purpose

The Anti-Corruption Division, Investigation Bureau (hereinafter referred to as the Bureau), Ministry of Justice compiles and publishes the Anti-Corruption Yearbook (hereinafter referred to as the Yearbook) on a yearly basis, aiming at helping readers understand the Bureau's anti-corruption work content and yearly execution statuses, in anticipation that by the annual reflection and review of the Yearbook, the Bureau will be able to continually refine and adjust its anti-corruption work.

Content Description

Part One, “Profile of the Anti-Corruption Division, Investigation Bureau, ” of the Yearbook aims at describing the legal and regulatory basis, organizational timeline, operational task-sharing, work objectives, and work emphases of the Bureau anti-corruption work, in anticipation that all sectors can understand the organizational structure, work philosophy, and execution methods of the Bureau's Anti-Corruption Division of the Bureau.

Part Two, “Anti-corruption Work Implementation Status and Results,” offers the statistical analysis and description on the operational promotional status of the Bureau's Anti-Corruption Division in 2015, which encompasses two parts – the case investigation and processing work and the proficiency refinement work.

Part Three, “Summary of Investigating High Profile Investigations in 2015” focuses on 6 major cases investigated by the Bureau in the year of 2015 that have attracted attention from both the society and the government by describing briefly the processes and influences of the investigation, so that the readers can

understand the difficulties that the Bureau faces while undertaking cases. (This part is excluded from English version)

Part Four, “Summary of Prosecution Cases in 2015” discusses 15 representative cases investigated by the Bureau, which were referred to the District Prosecutors Offices in the past two years, and were then dealt with in 2015; these cases are arranged according to their case types, so that readers can conveniently refer to the criminal patterns and techniques of the various case types. (This part is excluded from English version)

Notes

1. For the units referred in the Yearbook, the “year” is “calendar year”, the “case” is in unit of “case”, the criminal 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 per document; in the indictment stage, one indictment is counted as one case. The count of criminal 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 / non-malfeasance cases” is based on whether the suspect is defined as a civil servant when violating the applicable law (including those applicable to additional penalties based on Article 134 in Criminal Code); if there is at least one civil servant involved in the case, then it is categorized as a corruption / malfeasance case.
4. “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.

5. “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.
6. “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.
7. “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.



Part One. ***Profile of the Anti-Corruption
Division, Investigation Bureau***

Part One.

Profile of the Anti-Corruption Division, Investigation Bureau

Part One.

Profile of the Anti-Corruption Division, Investigation Bureau

I. Legal and Regulatory Basis

As stipulated under Article 2 of the pre-amended Investigation Bureau, Ministry of Justice Organization Act: “ The Investigation Bureau, Ministry of Justice is in charge of the investigative and safeguard matters related to the endangerment of national security and the violation of national interests. The aforesaid investigative and safeguard matters are to be defined by the Executive Yuan” . An abridged explanation on what the Executive Yuan has amended and promulgated, over the years, of the Bureau's administrative responsibility and the portion related to the anti-corruption work is provided below.

The Executive Yuan has on August 27th, 1956 promulgated the Bureau’ s ten administrative responsibilities, and among them, item 5 “corruption and malfeasance matters” and item 10 “investigative and safeguard matters specifically entrusted by superior agencies” have come to provide the legal and regulatory basis of the Bureau’ s execution of anti-corruption work.

At the onset of the second National Assembly representative elections in 1991, the Bureau received instructions from Executive Yuan and Ministry of Justice through the means of special project to join the vote-buying investigation and crackdown work in successive elections; until October 30th, 1998, the Executive Yuan approved the Bureau’ s nine administrative responsibilities subject to Official Document No. 53381 issued by Ministry of Justice (1998), and among them, item 4 “ corruption/malfeasance prevention and vote-buying investigation and crackdown matters,” has clearly enlisted vote-buying investigation and crackdown work as part of the Bureau’ s administrative responsibility, while item 9 has the text amended to “pertinent national security

and national interest investigative and safeguard matters specifically entrusted by superior agencies.”

On December 19th, 2007, the Organic Act for Investigation Bureau, per Official Document No. 09600170531 issued by President’ s Office, Ministry of Justice (formerly the Organic Statute for Investigation Bureau, Ministry of Justice) amended and announced all of its 16 articles, and have gone into effect on March 1st, 2008 subject to the order issued by Executive Yuan No. 0972260255 dated March 20th 2008. Article 2 of said law itemized the Bureau’ s 20 categorized responsibilities, and among them, Subparagraph 4 “corruption/malfeasance prevention and vote-buying investigation and crackdown matters” and Subparagraph 20 “pertinent national security and national interest investigative and safeguard matters specifically entrusted by superior agencies” have come to provide the legal and regulatory basis of the Bureau’ s execution of anti-corruption work.

II. Organizational Timeline

The Bureau's anti-corruption work, up to May 1979, was handled by Division One of the Bureau. Yet with drastic changes taking place in Taiwan’ s politics and economy that year, the Executive Yuan, in a bid to deter economic crime, safeguard the public equity, and maintain the economic order, summoned project meetings on a number of occasions, and, in May of the same year, ordered the Bureau to establish the “Economic Crime Prevention Center” to take over Division One ’ s pertinent crime investigation operations. The Center was declared to and approved by Executive Yuan, subject to the Order No. 5584 to begin its formal operation on June 8th, 1979. In August of the same year, once again according to the “Rectification of Political Practices and Eradication of Corruption Plan” the Executive Yuan has promulgated, said center has been expanded and organized into the “Corruption and Economic Crime Prevention Center” in order to step up the prevention work against corruption and economic crime.

Subsequently, in response to the increasing anticipation for administrative governance transparency and corruption/malfeasance eradication by all sectors of the society, the Bureau, as ordered by the Executive Yuan, subject to the Meeting

Part One.

Profile of the Anti-Corruption Division, Investigation Bureau

Resolution of No. 2095 in Executive Yuan with Official Document No. 3984 issued by Ministry of Justice (1989) dated Feb 14th, 1989, has established the “Division Against Corruption” in February 1989 to be specifically responsible for handling anti-corruption operations. This Division was manned by one Division Director, held concurrently by the Deputy Director General of the Bureau, one Executive Officer, two Division Deputy Directors, and was supported by five sections, where, by its existing manpower, 505 associates were staffed at the time. These associates were assigned to inaugurate Sections and Offices Against Corruption at various Field Investigation Department and Stations. Simultaneously, in northern, central, southern, eastern Taiwan, four Region Mobile Office Units were established to be specifically responsible for investigating and processing major corruption/malfeasance cases. At such point, the anti-corruption work has been segregated from the Bureau’ s other crime investigation operations as an independent focused taskforce.

In 1990, with further research made for operational refinement and process flow improvement, the anti-corruption work’ s foremost guidance principle was established as “prevention outweighs investigation, and investigation is also made for prevention.” A declaration made with the Executive Yuan on October 4th, 1990 has approved to rename the “Division Against Corruption ” on February 1st, 1991 to “Anti-Corruption Division” subject to Official Document No. 28363 issued by Ministry of Justice (1990) which not only acts to instruct Field Investigation Divisions and Station, and Mobile Office Units to actively uncover, investigate, and process major corruption/malfeasance cases, but also to actively coordinate various agencies’ Government Employee Ethics Units and taxation and customs inspection (supervision) units to step up anti-corruption prevention measures in a bid to attain the objectives of rectifying political practices and bringing transparency to administrative governance.

According to the Executive Yuan chairperson’ s rulings at the 33rd and 34th security enforcement meetings held on March 26th and April 23rd respectively in 1992, in order to step up the prevention, investigation, and processing of public works project fraud cases, the Bureau has on May 1st, 1992 established the “Public Works Project Fraud Prevention Taskforce” in the Anti-Corruption Division. It is responsible for planning, promoting, and implementing the operation. All members of the Eastern Region Mobile Office Unit were assigned

to form the “Major Public Works Project Fraud Investigation and Crackdown Taskforce.” This taskforce is specifically responsible for handling major public works project fraud cases, and has also ordered various pertaining field departments, stations, and units to step up the integration of Government Employee Ethics Officers aiming at enhancing the grasp of information by an active gathering of evidence and pursuit of investigation and processing on such cases.

On January 16th, 2002, the Eastern Region Mobile Office Unit was restructured. And also, in a bid to simplify the verification process of corruption cases and enhance work efficiency by upholding the “case guidance consistency” principle, the operational task-sharing for various Sections under the Anti-Corruption Division have been readjusted as of July 1st of the same year as follows: Sections One, Two, and Three are the Investigation Sections, Section Four is the Prevention Section, and Section Five is the General Section. The previous “Public Works Project Fraud Prevention Taskforce” is now revamped to being under the operations of Section One, while vote-buying investigation and crackdown operation once processed by Section Three was taken over by Section One, and from September 8th, 2006, the vote-buying investigation and crackdown work is reclassified and taken over by Section Four.

From 2000 to 2010, with the repeated major anti-corruption cases in Taiwan drawing intense coverage by the news media, prompting the masses with a rising anti-corruption awareness, the Ministry of Justice has formulated an “Anti-corruption Action Plan,” and the Executive Yuan has on November 30th, 2006 approved for it to go into effect. Eradicating corruption/malfeasance and upholding administrative governance transparency are approached from two aspects, corruption eradication and corruption prevention, which the Bureau, in supporting the government policy, has convened meetings with internal duty and field duty units on several occasions to study, discuss, and finalize the “Stepped-up Anti-corruption Task Proposal,” and this is to be manifested through “Simplifying the case-processing flow,” “Adjusting the anti-corruption manpower,” “Amending the performance evaluation guideline,” and “Increasing anti-corruption work performance weighing and administrative rewards,” by which to guide all field duty units to raise their energy in actively uncovering the cases, fulfill their powers and responsibilities in active investigation, strictly

Part One.

Profile of the Anti-Corruption Division, Investigation Bureau

uphold justice in case processing procedure, accelerate case processing effectiveness, investigate and process major benchmark cases, and also to install a toll-free “anti-corruption hot line ” 0800-007-007 to encourage the general public to send in tips and leads with tangible action to demonstrate their anti-corruption and corruption eradication determination.

The Organic Act for Investigation Bureau, Ministry of Justice, which was announced on December 19th, 2007, by the president, went into effect on March 1st, 2008 to legalize the Anti-Corruption Division. The Ministry of Justice has also amended and announced all of the 27 Articles in the Investigation Bureau’ s Regulations for Departmental Affairs on October 17, 2008 subject to an order issued by Ministry of Justice No. 0970803813, and which had been implemented back in March 1st, 2008, and according to Subparagraph 2, Paragraph 1, Article 4, “The Anti-Corruption Division is to carry out its mission through five sections,” and Article 6, “The Anti-Corruption Division is in charge of the following undertakings: I. The planning, guidance, coordination, and evaluation of corruption/malfeasance and vote-buying case investigation and prevention work. II. National security, national interest, and anti-corruption-related investigation specifically entrusted by superior agencies. III. Other pertinent anti-corruption undertakings,” which constitute the current state of Anti-Corruption Division’ s organization and administrative responsibility. This is the organization chart and current responsibilities of Anti-Corruption Division.

III.Operational Task-sharing

The Anti-Corruption Division is in charge of the Bureau’ s anti-corruption operations, and is headed by the Division Director, who oversees the overall management of departmental affairs, and the Division Deputy Director and Senior Specialists, who assist with the processing of departmental affairs.

A. Prior to April 9th, 2012, the Anti-Corruption Division is divided into five sections, where each section’ s operations task-sharing is described below:

Section 1:In charge of the operational planning and supervision on the investigating and administrative processing of public works fraud cases, and monetary goods and labor rendered procurement fraud cases.

Section 2: In charge of the operational planning and supervision on the investigating and administrative processing of general corruption/ malfeasance cases in the northern and eastern regions, and cases specifically assigned by superior agencies.

Section 3: In charge of the operational planning and supervision on the investigating and administrative processing of general corruption/ malfeasance cases in the central and southern regions, and cases specifically assigned by superior agencies.

Section 4: In charge of operations on the planning and execution of the vote-buying investigation and crackdown project, the reexamination and review of the investigation and processing procedure of the referred cases, the review and approval of the study reports of the corruption/ malfeasance cases, the installation and update of the internal network anti-corruption database of the Bureau, the editing and compiling of the anti-corruption yearbook, and the compiling and amending of the anti-corruption work handbook and criminal investigation operations handbook.

Section 5: In charge of general operations on the planning, monitoring, evaluation, business statistics, educational training, and performance evaluation of the anti-corruption work, the organizing of public works consultative committee meetings and irregular operations review meetings, the coordinating and contacting of Division Four, Taxation Agency, Ministry of Finance among other pertinent units, and the processing of the general administrative operations in the Division.

B. As of April 9th, 2012, the Anti-Corruption Division has been temporarily restructured into four sections, where each section's operations task-sharing is described below:

Northern Region Investigation Section:

In charge of the operational planning and supervision on the investigating

Part One.

Profile of the Anti-Corruption Division, Investigation Bureau

and administrative processing of public works fraud cases, monetary goods and labor rendered procurement fraud cases, general corruption/malfeasance cases in the northern region, and Kinmen, Matsu and Yilan areas, and cases specifically assigned by superior agencies.

Central Region Investigation Section:

In charge of the operational planning and supervision on the investigating and administrative processing of public works fraud cases, monetary goods and labor rendered procurement fraud cases, general corruption/malfeasance cases in the central region, and Hualien and Taitung areas, and cases specifically assigned by superior agencies.

Southern Region Investigation Section:

In charge of the operational planning and supervision on the investigating and administrative processing of public works fraud cases, monetary goods and labor rendered procurement fraud cases, general corruption/malfeasance cases in the southern region and Penghu area, and cases specifically assigned by superior agencies.

Vote-buying Investigation Section:

In charge of general operations on the planning, monitoring, evaluation, business statistics, training, and performance evaluation of the anti-corruption work; organizing consultation committee meetings for public projects and operations review meetings on an irregular basis; coordinating and contacting Taxation Agency and Customs Administration under Ministry of Finance as well as other units to review coordination among different units; reviewing the planning and execution of the vote-buying investigation and crackdown project, the reexamination and review of the investigation and processing procedure of the referred cases; reviewing and approving the case studies of the corruption/malfeasance cases; building and updating internal anti-corruption database; editing and compiling anti-corruption yearbook, manual and criminal investigation operations SOP, as well as administrative works.

IV. Work Objectives

A. Determination of implementing the corruption eradication for corruption crackdown

The Bureau, one of Taiwan's corruption eradication agencies, has consistently shouldered the mission of eradicating corruption and graft for more than fifty years, and has accumulated an abundance of corruption/malfeasance case investigation and processing experience. Not only has it culminated many frontline investigation personnel, but also installed solid logistical support, such as technology, forensic identification, communication, and surveillance, making it a well-trained, highly organized anti-corruption infiltration unit.

The government, to demonstrate its determination in fighting corruption and graft and respond to public anticipation, has on July 20th, 2011 established a full-time anti-corruption institution – Agency against Corruption, Ministry of Justice. It is in charge of conducting anti-corruption, corruption prevention, and corruption eradication work, yet still anticipates the Bureau to continue executing one of its previous responsibilities, “corruption/malfeasance case investigation work,” and by working alongside the Agency against Corruption, they look to build a transparent and clean homestead of transparency through joint efforts. With that said, the Bureau will continue to uphold its consistent corruption-eradicating determination by focusing on case investigation and processing, particularly emphasizing on the uncovering of major corruption/malfeasance leads, such as those that are on a higher level, are of organized crime, or involve a substantial amount of money, and the tangible crackdown action to support the government's objective of achieving administrative governance transparency.

B. Purging of governmental procurement to prevent the infiltration of illicit capital

Over the years, the Bureau's investigation and processing of civil servants who seize the opportunity of engaging in corruption/malfeasance criminal conducts, such as accepting bribery and committing fraud through the processing

of public construction procurement, monetary goods procurement, or labor rendered procurement have consistently accounted for a significant percentage of the types of corruption/malfeasance cases investigated and processed in that particular year. Contractors, in fighting for government procurement, tend to be reckless, where well-heeled or powerful ones tend to call together other contractors to perform bid rigging and distribute the benefits. While, to ensure securing the bid or obtaining higher profit margins, these contractors would solicit influential civil servants with bribes or by other means. Due to increased “extra costs”, contractors would be invariably led to jerry build in order to meet contract requirements; however, to successfully pass the acceptance inspection, there is the need to once again solicit influential civil servants with bribes or by other means. Through colluding and sharing the proceeds of government procurement between civil servants and contractors, the quality becomes worrying, and public funds are wasted, thus one of the Bureau's anti-corruption work focuses, through the means of investigation, is on the severe punishment and prevention of illicit funding infiltration, particularly honing in on major public works and large sum procurement as the focused investigation targets, in anticipation to construct a fair and clean government procurement environment.

C. Enhancement of vote-buying crackdown performance to rectify electoral practices

With the vote-buying culture being the main reason leading to the occurrence of corruption and malfeasance practices, a permanent cure lies in the combination of strength of the prosecution, investigation, and police agencies, where they step up the vote-buying investigation and crackdown work on local senior official and representative elections to achieve effectiveness by getting to the root of the problem. Over the years, in response to various public servant, farmers’ and fishermen’s association, or irrigation association elections, the Bureau invariably sets up a taskforce to support the prosecution agency in executing the vote-buying investigation and crackdown work, and also fully mobilizing its internal duty and field duty associates to uncover and obtain vote-buying information, actively investigate and process vote-buying cases, by which to enforce the government’s determination to rectify election practices and maintain the election order, and in turn to erect a fair and transparent voting environment.

D.Strengthening of the evidence-gathering quality to uphold procedural justice

With the current court practice becoming increasingly stringent with the evidential power of the evidence presented, the defendant often resorts to the counterargument that the evidence investigation process provided by the plaintiff contains defects; hence, increasing the conviction rate on cases that the Bureau investigates and processes and attaining the objective of punishing and eradicating the unscrupulous has been the Bureau's ultimate goal. In 2004, the Bureau formulated various SOPs and guidelines, and adjusted the details subject to law amendments in a timely manner. The Bureau has also held anti-corruption seminars on a yearly basis to remind and educate our fellow associates to strictly abide by procedural justice and to ensure that their evidence-gathering process conforms to the legal requirements. So when they prove any suspect to be guilty, they will be holding effective evidence in hand.

E.Upholding of the administrative neutrality to implement a lawful administration

Maintaining “administrative neutrality ” has been the consistent stance of the Bureau, and in a bid to strengthen the foundation of Taiwan's democratic nomocracy, regardless of the political party, local fraction, or religion of the alleged suspects, as long as there are suspicion of criminal acts, such as corruption/malfeasance, or vote-buying, the Bureau will invariably investigate and prosecute the cases in compliance with the law, ensuring that the general public is able to perceive that “the service-oriented Investigation Bureau is here to serve the nation and the general public with the greater public good in mind” .

V.Work Emphases

A. Case Investigation and Processing Work

1. Corruption/malfeasance Cases

The investigation and processing of civil servants corruption/malfeasance crime is the core operation of the Bureau' s anti-corruption work. The so-called "corruption/malfeasance cases" refer to criminal cases where civil servants breach the Anti-Corruption Act stipulated under Paragraph 2, Article 10 of the Criminal Code, breach of Offenses of Malfeasance in Office Chapter of the Criminal Code, non-simple breach of Offenses of Malfeasance in Office as stipulated under Article 134 of the Criminal code, or where a civil servant identify is required as stipulated by other laws before a case may sustain.

When leads are discovered in corruption/malfeasance cases, the Bureau immediately sets up a case to conduct investigation and upholds the principle of not charging falsely or condoning. Yet, a number of leads, such as the act of contactor engaging in bid rigging or license borrowing, judicial fraudulent conduct, destruction of state property by members of the general public, acts of breaching environmental protection laws and regulations by members of the general public, may not formally fall under the aforesaid "corruption/malfeasance cases," yet, in view of how such conducts have a high probability of being associated with civil servants, the Bureau would also set up a case to conduct investigation, and once investigated and verified that no civil servants are involved in it, the case would be enlisted as a "non-corruption/non-malfeasance case."

Cases where public school teachers, public hospital medical staff, and public enterprise personnel, whose identities are classified as civil servants prior to the amendment of the Criminal Code on July 1st, 2006, allegedly involve themselves in corruption/malfeasance crimes, would be classified as corruption/malfeasance cases. Following the amendment of the Criminal Code, a majority of the aforesaid personnel is no longer public servants; however, the Bureau would still set up cases to conduct investigation on conducts that are constituted as embezzlement, fraud, forging and tempering of documents, and these cases would be enlisted as "non-corruption/non-malfeasance cases" .

2. Vote-buying Cases

The conducts of soliciting and accepting bribes that breach the Presidential and Vice Presidential Election and Recall Act, Civil Servants Election and Recall Act, the Farmers Association Act, the Fishermen Association Act, the Act of Irrigation Association Organization , and the offenses of interference with voting Chapter of the Criminal Code do fall under the scope of “vote-buying cases” under the Bureau’ s responsibilities, and are all investigation and crackdown subjects of the Bureau.

3. Judicial Fraud Cases

“Judicial Fraud” cases refer to those cases relating to judicial authorities (including all levels of courts, Prosecutors Office, Administrative Enforcement Agency etc.), the judicial police (including the National Police Agency under the Ministry of the Interior, the Coast Guard Administration under the Executive Yuan, the Military Police Command under the Ministry of National Defense, the Agency Against Corruption under the Ministry of Justice and the Bureau), prisons, detention centers, correctional institutions, taxation authority staff, lawyers or other persons, taking advantage of the people when dealing with criminal, civil, administrative, enforcement, correctional, investigative, administrative remedy and other cases due to either hastiness, inexperience, being unversed in the law or litigation proceedings, for purposes of taking bribes, sinecures, reducing responsibility, or to blackmail the suspect, accused, party, litigant, obligor or their families, as well as cases of champerty.

B. Professional Refinement Work

1. Educational Training

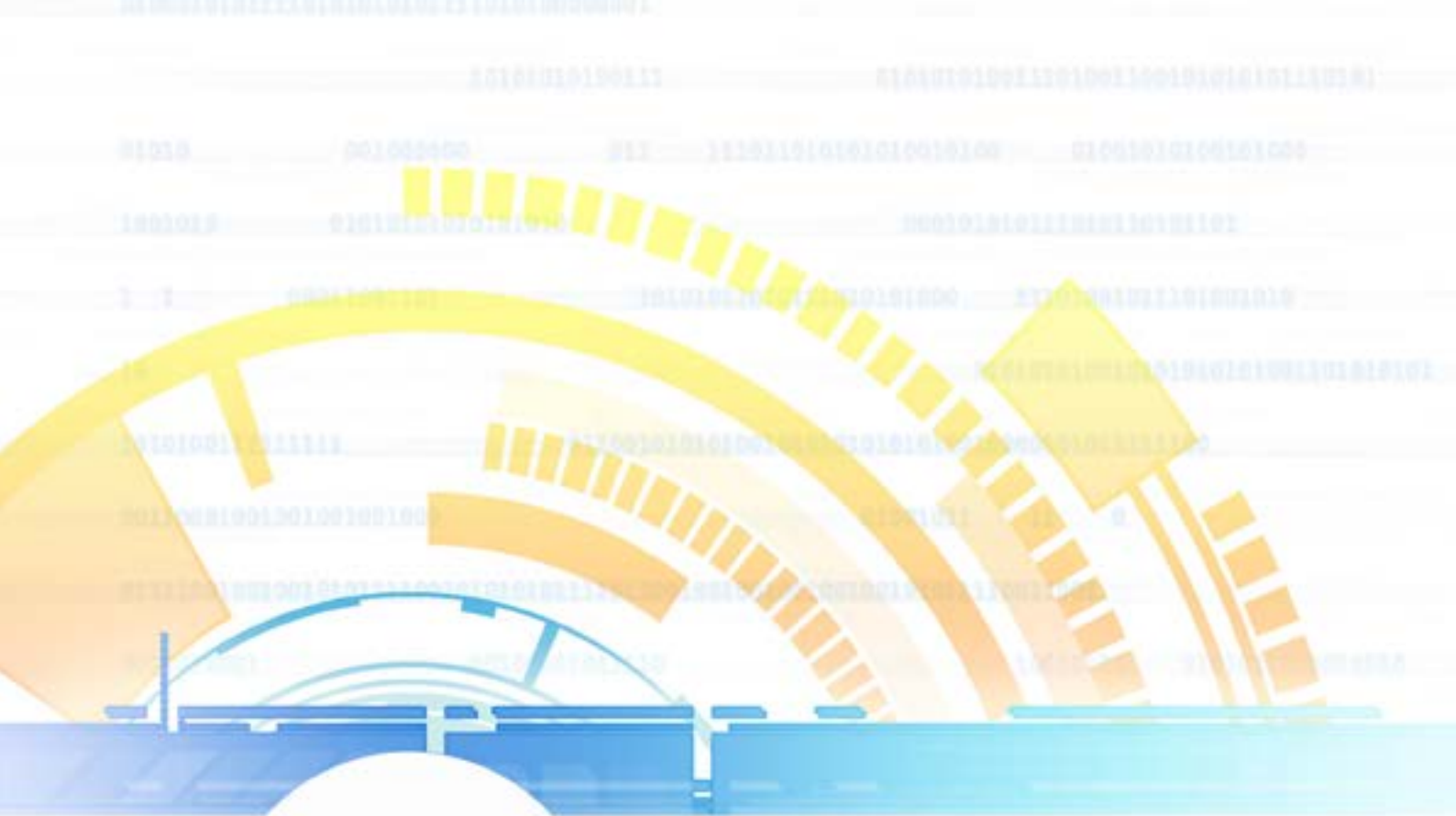
With lifelong learning offering a viable means for civil servants to advance their professional competency to keep up with the times, the Bureau holds anti-corruption work refinement seminars on a regular basis, holds internal duty and field duty associates' operational opinion exchange meetings on an irregular basis, and also researches and compiles work handbooks based on operational needs and practical views, and uses the internal network, the “anti-corruption

database” of the Bureau to offer the latest information; for example, uploading information, such as the latest laws, regulations and administrative directions, the successful investigation and processing experience of certain special types of cases in the form of “case study reports” , selective recordings of each prosecutors office’ s anti-corruption executive group meeting important resolutions, legal advice, and Ministry of Justice’ s first instance acquittal case analyses onto the database, in anticipation that the Bureau associates would be familiar with various case processing procedures and laws and regulations, by which to step up their practical investigative skills, achieve the goals of mutual observation and learning and experience exchange, and in turn to raise the professional standards and enhance the work performance.

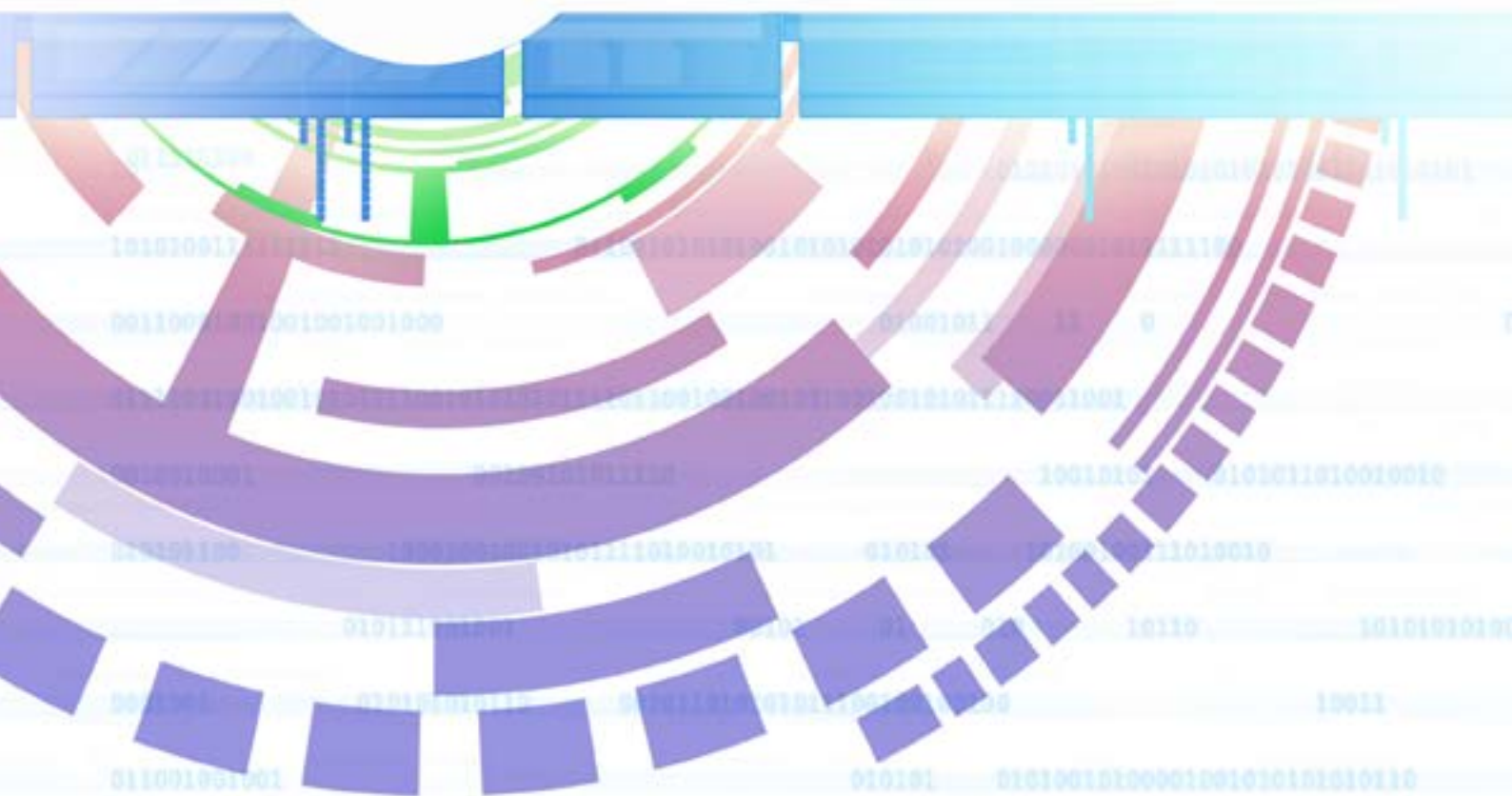
2. Consultation Meetings

On December 1st, 1993, The “Public Works Consultative Committee ” was established. Taiwan's scholars, experts, and community leaders related to the public works field are hired to be consultative committee members, where they utilize topical discussions or case consultation means to offer various fraud prevention recommendations, by which to step up the investigation and evaluation methods of public works projects to prevent fraud. The commission's range of consultation is as follows:

- a. Consultation on the professional knowledge of public works projects.
- b. Quality evaluation of public works projects.
- c. Exploration and discussion of problems in public works projects.
- d. Other matters regarding fraud prevention of public works projects.



Part Two. ***Anti-corruption Work
Implementation Status and
Results***



Part Two.

Anti-corruption Work Implementation Status and Results

Part Two.

Anti-corruption Work Implementation Status and Results

I. Case Investigation and Processing Work

Table 2-01 depicts the overall state of the year 2015 case investigations and processing work of the Anti-Corruption Division of the Bureau, which is divided into two categories, namely “anti-corruption cases” and “vote-buying cases” , with a total of 758 cases investigated and processed in 2015. Among them, 399 cases pertained to “anti-corruption cases” , which comprised 383 cases that were referred officially to the prosecutors for indictments after investigations, 14 cases that were forwarded to the prosecutors with written reports and indicted afterward, and 2 other cases that were cooperated with the prosecutors in the investigation, whereby the prosecution agencies have brought indictments, summary judgments, deferred prosecutions, or non-prosecutions ex officio in 2015. Another 359 cases pertained to “vote-buying cases” , in which the Bureau supported the prosecutor’ s office in the investigation and processing, where the prosecutor's office had, in 2015, brought indictments, summary judgments, deferred prosecutions, or non-prosecutions ex officio.

To truthfully demonstrate the execution state of investigation and processing work of the corruption/malfeasance prevention and vote-buying investigation and crackdown cases, starting from 2003, the basis of statistical analysis for “anticorruption cases” has been revamped from prosecutorial data to referral data, while the basis of statistical analysis for “vote-buying cases” is still on the panel data of the prosecutor's office in support of the practical operation state. The 2015 case investigation and processing work will be introduced separately in designated chapters focusing still on “referred cases” and “vote-buying cases” .

A. Statistics on Referred Cases

The referred cases comprise two major categories, namely “corruption/malfeasance” and “non-corruption/non-malfeasance,” which is classified based on the key applicable articles at the time of referral. The corruption/malfeasance case types, Before 2014, through mirroring the type of fraud practices prone to occur as demonstrated in the “National Integrity Building Action Plan,” were divided into 22 categories, namely public works, procurement, judicial corruption and malfeasance, law enforcement, firefighting, correction, urban planning, construction management, land administration, taxation, custom affairs, financial affairs, medical care, education, company registration, motor vehicle management, funeral and interment, environmental protection, spoil of land conservation, rivers and gravel management, public welfare subsidy, subvention, while those that were unable to be classified into these specific categories were grouped under the “others” category. Non-corruption/non-malfeasance cases were divided into 8 categories, namely public works, procurement, judiciary fraud, medical care, education, environmental protection, spoil of land conservation, and others. Among which the category of judiciary fraud has become one of the main focuses of investigation and processing by the Bureau since 1989, which is a matter that the superior agency has particularly instructed, whose goal is to maintain a good judicial culture, to uncover judicial corruption and malfeasance clues. The two categories, medical care and education, are a response to the 2005 amendment of the definition of civil servants in Article 10 of the Criminal Code, where in principle, physicians in public hospitals, teachers in public schools and staff of state-owned enterprises no longer have the civil servant identity, and corruption/malfeasance laws, such as Anti-corruption Act are not applicable. However, the division of labor of the operations at the Bureau still classified the processing of cases involving embezzlement, fraud, abuse of trust, or other criminal offenses under the Criminal Code of these personnel to the Anti-Corruption Division. The two categories, environmental protection and spoil of-land conservation, are also matters that the superior agency has particularly instructed. Since 1999, the responsibilities of the Bureau covers cases, such as excessive cultivation, burial abuse, deforestation, illegal mining of sand and gravel in rivers, excessive digging of gravel in agricultural land, dumping of waste soil, and abuse of industrial waste pouring that simply violate laws, such

Part Two.

Anti-corruption Work Implementation Status and Results

as Soil and Water Conservation Act, Slope Land Conservation and Utilization and Transfer of Reserved Mountainous Land, Water Act, Forestry Act, Urban Planning Law, Regional Plan Act, Mortuary Service Administration Act, Offense of Larceny of the Criminal Code, and Waste Disposal Act.

After 2015, the Bureau re-categorized the types of corruption cases to comply with the announcement of Ministry of Justice entitled “Categories and principles of special notation for corruption cases by Ministry of Justice” . The categories include the following: (1) Supervisory management for industry and commerce (2) Banking and insurance (3) Revenue (4) Customs affairs (5) Telecommunication regulation (6) Highway administration (7) Transportation, tourism and weather (8) Justice (9) Legal (10) Law enforcement (11) Fire department (12) Construction (13) Civil affairs, household registration, military service, and land administration (14) Immigration and coast guard (15) Environmental protection (16) Medical service (17) Social welfare (18) Education (19) Agriculture, forestry, fishery and animal husbandry (20) River and gravel management (21) Military affairs (22) Foreign affairs (23) National security intelligence (24) National properties management (25) State-owned enterprises (26) Administrative affairs (27) Others. A total of 27 categories were listed. There are 5 categories for special corruption case notations, including (1) Procurement (2) Vandalizing national lands (3) Allowances (4) False claim for public funding (5) Alternative military service. Non-corruption/non-malfeasance related cases should be categorized as aforementioned standards as well, in order to list out the performance of the Bureau holistically. The Bureau does not specify the natures of procuring projects related to engineering, financial and labor or categorizing the amount with tiers to provide a big picture and specific statistical data.

1.Statistics on Referred Cases over the Years

Table 2-02 shows the statistical data for the number of cases regardless of categories, the total number of people involved and the amount of money involved. We reserved table 2-03 to enable readers to compare table 2-02 with the outdated categories from 2000-2014 to get a sense of the complete picture of the Bureau’ s historical performance.

In 2015, a total of 383 cases were charged to the prosecution agencies,

and among them, 138 cases (706 individuals) were related to “corruption/ malfeasance cases” , including 310 civil servants or quasi-civil servants, 18 elected representatives, and 379 non-public servants. Compared with 2014, the total number of referral cases decreased by 37 cases, or 21.1% (37/175 cases); the total number of suspects being charged reduced by 186 individuals, or 20.9% (186/892 individuals). Among 138 corruption cases, most of them had to do with the categories of law enforcement, construction and others.

A total of 19 cases were in the low enforcement category, where 110 people were involved. These cases were related to having illegal connection with casinos, or having illegal prostitution. A majority of them were categorized as follows: (1) Leveraging the opportunity of cracking down on crimes to take bribery, such as embezzling money from the drivers of fraud groups, letting go drug users in exchange for clues to other cases to help with personal performance, coercing people who did not violate the weapons control to fake being a suspect, accepting bribery from illegal massage parlors and casino owners in exchange for no police charges. (2) Administration cases related to transportation, such as not reporting any cases of violating transportation laws in exchange for bribery, releasing foreigners who have an expired visa after receiving bribery; (3) Inquiry for classified information, such as accepting the entrustment of investigating the car registration record, criminal record and customs records etc. under the table; (4) Embezzlement of public funds, such as forging overtime allowance by requesting blank receipts from restaurant owners, forging work hours records, overtime shift and business travel reports in exchange for extra allowance.

There were a total of 14 cases (83 individuals involved) under the category of “Construction” . Major crimes include the following: economic development section employee in a district office illegally approved to build roads and install culverts in the section of the roads unapproved by the authorities concerned, and the employee with an intent to benefit the contractor illegally arranged the final acceptance of all works and proceeded with payment process; employees in county government infrastructure team receiving bribery to help certain vendors in the process of procurement assessment, assisting certain vendors to win the bid for contracts related to drainage; employees responsible for reviewing the final result of contracts related to building street lights or road maintenance not completing their due diligence in exchange for receiving dinner receptions;

Part Two.

Anti-corruption Work Implementation Status and Results

employees in charge of supervising sewage construction neglecting terminating the contract or confiscating deposit even though they are aware of the chosen vendors outsourcing the projects in exchange for free trips and dinner receptions; economic affairs department employees in the government infrastructure team attempting to request bribes from vendors who were interested in bidding for construction projects related to sewage by deliberately delaying response time, and employees in general administration team for public road maintenance embezzling public properties.

There are 44 cases (involving 242 individuals) categorized as “Others” . Major crimes include legislators who applied for funding of assistants’ salaries with false report, Chief Councilman receiving bribes from vendors to pressure City Government to approve their bid for construction projects in the form of motions in meetings; chief of village was leveraging the opportunity of relocation projects and affirmation of residency requirement, forging application forms and untruthful residential information to falsely receive government funding; chief of village embezzling the gift certificates and equipment of the community guards by forging their signatures; chairman of town council requesting allowance for gas and car maintenance by using business cars for private purposes, city councilmen requesting fake invoices to claim reimbursement from the Council for international field trips even though they did not attend at all, employees in Irrigation Association forging the name and amount of projects to claim reimbursement from the Association.

As can be extrapolated from the statistical data in past Annual Reports, corruption/ malfeasance cases in government procurement-related “public works” and “procurement” categories continue to account for a certain level of percentages in terms of the referred cases, suspect count, corruption amount, or profiting amount, which highlights how government procurement continues to be the primary tool by which unscrupulous civil servants or elected representatives to collude with business owners for illicit gains. The rest that do not involve government procurement often pertain to the corruption/malfeasance act of civil servants or elected representatives who resort to their positional powers and opportunities to blackmail related parties for monetary property, defraud treasury and property, or accepting bribes.

A total of 245 “non-corruption/non-malfeasance” cases were referred in 2015, which involved 745 individuals, comprising of 20 civil servants and quasi-civil servants, 1 elected representative, 724 non-public servants, decreased by 82 cases (132 individuals) or 25.1% (82/327 cases) and 15.1% (132/877 individual) when compared with that of 2014.

Table 2-03 shows that among non-corruption/non-malfeasance cases under the “Procurement” category continues to take the first spot over the years, where the criminal facts often pertain to bidders breaching various criminal charges stipulated under Article 87 of the Government Procurement Act, followed by the 168 cases that fell under the “other” category, where the criminal facts often pertain to members of the public stealing state-owned land or sand/gravel illegally developing hillsides, illegally occupying public lands to build residential houses or run a farming business, violating the usage of non-urbanland areas as classified by the county/city governments. The second most common cases had to do with “education” which had 22 cases related to false claims for allowance or research funding. The third most common case had to do with “environmental protection” . Among the 17 cases, most were related to transporting or dumping waste illegally, and piling business waste without proper approval.

The investigation and processing of non-corruption/non-malfeasance cases primarily begins after the verification of the clues about the alleged involvement of civil servants in corruption/malfeasance, where the portion of criminal evidence on corruption/malfeasance is deemed unclear, or the law a civil servant has breached is other than the charge of corruption/malfeasance, or people who do not qualify for the definitions of “civil servants” under Paragraph 2 Article 10 in Criminal Code, such as employees and teachers at school or staff in state-owned enterprise become involved in crimes or violating other Criminal Code, thus eventually, these are referred to the prosecutor's office as non-corruption/non-malfeasance cases. Of said types of cases, the content is often closely related to the civil servants' ethics and government agencies' image. For example, of the procurement cases that fall under the non-corruption/non-malfeasance category, where a civil servant undertaking the procurement operation has colluded with bidders in bid rigging, even though the said civil servant may not be classified as a criminal suspect of corruption/malfeasance, he or she has, however, severely sabotaged the government agencies' ethics; also, just as in judiciary fraud

Part Two.

Anti-corruption Work Implementation Status and Results

cases, there were cases of people without a lawyer's license claiming that they were lawyers and claiming legal fees from the general public by pretending to be allowed to process litigation cases for clients or take bribery as middlemen. This type of behavior also infringes on people's faith in our judicial system. Consequently, the investigation and processing of such type of cases also contribute greatly to establishing a clean government, and even if the cases do not involve corruption/malfeasance directly, it is still necessary to eliminate the crime.

It's worth noting that the Agency Against Corruption, Ministry of Justice (hereinafter referred to as AAC) was established on July 20th, 2011¹. Prior to this date, the Bureau was the only judicial police institute responsible for cracking down corruption. Now, the two agencies collaborate together to take responsibility for investigating corruption cases. The Bureau is no longer the only team that works on anti-corruption. Even though after years of efforts on fighting and preventing corruption, this has now ceased to be one of our job descriptions, however, our core business on prosecuting corruption cases and anti-corruption action will continue to remain as part of our job. To be honest, what changes the most is that our sources of leads will be affected. People in Taiwan now have one more channel to report suspicious cases, and the central and local governments are required to report to AAC so our sources of leads will definitely suffer. Clues are the “focus” when initiating the investigation of a case. Quality clues help successfully carry out the investigation of cases, which is one of the factors that influences the overall effectiveness of the case investigation and processing work of investigating authorities.

Table 2-04 shows the statistics of case sources on cases referred in 2015, and figure 2-01 indicates the percentage of these sources of information for all cases going through the prosecution process that year. We found out the following pattern: (I) the top 3 sources include our own efforts, sources transferred from Detective Agency and reports from random people. The sources of leads of corruption cases were also from top 3 sources, presenting a roughly consistent phenomenon with the preceding overall number of leads. The lead sources of non-corruption/non-malfeasance cases were also from the top 3 sources, a similar ranking with the overall leads number. (II) Out of all the sources of leads, only 1.6% belong to the ones provided by ethical institutes and sustain as cases to

be investigated. There were only 3 sources of lead for corruption case and it was prosecuted after reported by ethical institutes before the establishment of AAC. There were 3 cases of non-corruption/non-malfeasance sources of leads reported by ethical institutions. A majority of them are about violation against Government Procurement Act reported by all levels of ethical institutes and these cases assigned to the Bureau for investigating by the prosecutor's office. There are many qualified and valuable sources from ethnical institutes related to corruption that are worth investigating. (III) The Bureau² found most of the sources for leads to criminal cases, accounting for as high as 37.6% (144/383 cases), topping all sources in corruption and non-corruption cases. It is mostly the Bureau's field work personnel gathering and reporting unlawful cases through business areas and through using connections. From that they uncover the suspects and actively file cases. One can see that such leads remain fundamental to the anti-corruption work of the Bureau, and are unique intangible assets.

2. Statistics on Applicable Laws of Referred Cases

Table 2-05 depicts the statistics on the state of key applicable laws for the various types of referred cases in 2015

Among 138 “corruption/malfeasance” cases referred in 2015, most of them were referred by the key applicable law - Anti-corruption Act. A total of 115 cases were referred by the Act, which accounted for 83.3% (115 /138 cases), with detailed circumstances as described in merged table 2-08. Followed by those referred by the Criminal Code with 20 cases, which accounted for 14.5% (20/138 cases), with suspects encompassing borough mayors in local townships, district executives, elected representative, policemen, officers in prisons, military officers, staff in tax bureaus, staff in mortuary units, employees in county or city government, employees in township councils, borough mayors for villages; 10 of the crimes involve forging untruthful reports and documents, which accounts for the highest percentage. The second most common had to do with disclosing classified information unrelated to national defense - with 4 cases.

Among the 245 “non-corruption/non-malfeasance” cases referred in 2015, most of them were referred by the Government Procurement Act with 179 cases, which accounted for 73.1% (179/245 cases), and among them, most of them were

Part Two.

Anti-corruption Work Implementation Status and Results

referred by “offenses of using fraud or other means to prevent the bidders from entering the bid or mislead the bid opening with inaccurate results” (commonly known as fraudulent bid rigging) as stipulated under Paragraph 3, Article 87 of said Act with 108 cases; followed by those referred by “offenses of borrowing others' name or credential documents to enter bid in an attempt to influence the procurement result or obtain improper gains” (commonly known as entering bid by borrowing someone else's license) as stipulated under Paragraph 5, Article 87 of said Act with 55 cases; trailed by those referred by “offenses of negotiating for other bidders not to enter the bid or participate in price competition in an attempt to influence the bid price or obtain improper gains” (commonly known as joint bid rigging) as stipulated under Paragraph 4, Article 87 of the same Act with 11 cases; the rest 5 cases were referred of an attempt under Paragraph 6 Article 87. Most of the suspects are vendors involved in the bidding process, and the institutes who open the bids involving the cases include central governments, county/city governments, township councils, public hospitals, public schools, and some state-owned enterprises. Among them there are procurements for military units which indicating that the vendors in Taiwan are not afraid of leveraging sensitive procurements for illegal profits.

Among the 245 “non-corruption/non-malfeasance” cases, the second most common cases are related to violating Criminal Code – 43 cases, accounting for 17.6% (43/245 cases). Among these cases, a majority of them, a total of 24 cases, were categorized as “Others” . There were 10 cases categorized as “Education” . They were all common frauds involving employees of public schools falsely claiming reimbursement for activity funding, business travel and teaching salaries. There were 3 cases violating “Judicial fraud” among common fraud acts, which involve people claiming they were lawyers and who took victims' money to appear as having the rights to process legal cases, defending clients in court or having connections in court to help victims in legal cases. The other 6 cases were mostly related to falsification of documents, categorized as “Environmental protection” , “Medical service” and “River and gravel management” . There were 23 cases prosecuted in the category of “Others” , accounting for 9.4% (23/245 cases). These cases violate various laws, including Waste Disposal Act, Soil and Water Conservation Act, Regional Planning Act, and Attorney Regulation Act.

Table 2-06 depicts the case count statistics on cases referred between 2011 and 2015 classified by “key applicable laws”, and Figure 2-02 depicts case count statistics by percentage on cases referred in 2015 classified by “key applicable laws”.

Of the anti-corruption type cases the Bureau had investigated and processed, those that fell under the Anti-corruption Act has consistently ranked the highest, followed by those under the Government Procurement Act and the Criminal Code. In terms of 2015, 115 cases were referred by the Anti-corruption Act, which accounted for 30% (115/383 cases) out of all cases referred, which dropped to second place, 179 cases were referred by the Government Procurement Act, which accounted for 46.7% (179/383 cases) out of all cases referred, which leaped to first place, and 63 cases were referred by the Criminal Code, which accounted for 26.7% (63/383 cases) out of all cases referred, which remained in third place; the ranking change were mostly due to long pending cases of active cleaning of government procurement cases in 2015; only 26 cases were referred by other laws, which accounted for 6.8% (26/383 cases) out of all cases referred, which largely pertained to non-corruption/non-malfeasance cases, of which the Waste Disposal Act was one of the key applicable laws on environmental conservation criminal cases, which ranked fourth place over the past five years.

Table 2-07 depicts the head count statistics on cases referred between 2011 and 2015 classified by “key applicable laws”, and Figure 2-03 depicts head count statistics by percentage on cases referred in 2015 classified by “key applicable laws”.

The head count on suspects referred by the Anti-corruption Act in 2015 were 631 individuals, which accounted for 43.5% (631/1,451 individuals) of all suspects referred, those referred by the Government Procurement Act was 577 individuals, which accounted for 39.8% (577/1,451 individuals) of all suspects referred, and there were 183 individuals that breached the Criminal Code, which accounted for 12.6% (183/1,451 individuals) of all suspects referred. Of the ranking on suspect count referred between 2011 and 2015 were in the order of the Anti-corruption Act, the Government Procurement Act, and the Criminal Code in principle, as to those referred by the Waste Disposal Act, the number was fairly significant, it has been ranked in the fourth or fifth place in the past five years.

Part Two.

Anti-corruption Work Implementation Status and Results

Table 2-08 depicts the cases referred by the Anti-corruption Act and the state of applicable charges between 2011 and 2015. Said table shows, except 2013, the top three in the case referral rankings were Subparagraph 4, Paragraph 1, Article 6; Subparagraph 2, Paragraph 1, Article 5; and Subparagraph 5, Paragraph 1, Article 4, and that the state of rankings has been basically identical for the past five years.

In 2015, 115 cases were applicable to the laws related to Anti-Corruption Act. A majority of the cases – 28 of them – violated Subparagraph 4, Paragraph 1, Article 6 regarding “offenses of profiting on matters under one's administration or supervision” of the same Act. The second most common violation was against Subparagraph 2, Paragraph 1, Article 5 “offenses of defrauding monetary property by seizing the opportunity of one’ s position” – 26 cases, followed by 22 cases violating Subparagraph 3, Paragraph 1, Article 5 “offenses of accepting bribes without breaching one's duties” , and 15 cases violating Subparagraph 5, Paragraph 1, Article 4 “ offenses of accepting bribes and breaching one's duties ” of the same Act.

“Offenses of defrauding monetary property by seizing the opportunity of one's position” is a common corruption/malfeasance crime civil servants often commit, where the criminal conducts can roughly be summarized into two types, one being to embezzle public funds from relevant agencies by using figureheads, invoices, or other proof of receipt, and the other being to defraud the public's money by seizing the public’ s unfamiliarity with civil servants’ job content, scope of authority, or operating guideline, the majority is usually of the first type, where the criminal suspects had the power or opportunity to make claim for funding, and knowingly aware that no funds were paid in advance, no actual trading or no event was staged, has opportunistically presented fake receipts and false staff lists to request for reimbursements, and by such means, defraud monetary gains. Among the 26 cases referred in 2015: A. The first category was related to government procurement projects and mainly involved employees of central or local administration institutions claiming false invoices for reimbursement, or putting money in their pocket and claiming to purchase equipment or items for work. B. The second category is “Others” unrelated to government procurement projects. People who were involved in the first category claimed reimbursement falsely in the name of business trips, meal allowance,

overtime pay, salary, special fees, assistants' salaries, labor cost for junior officers in the village/boroughs or opportunities of event planning with fake name lists, invoices or documentations. In 2015, there were 15 cases in which civil servants were found “breaching one's duty by demanding, agreeing promissorily to, or accepting bribery” , where 15 cases fell under the public works category, most of which the suspects supervising or undertaking public works used their authority to give a hard time to vendors, requesting vendors to pay for entertainments with working girls, and extending delivery date or conducting fraudulent verification after construction. Some of the cases involve disclosing the minimum price of bidding projects to the bidders in exchange for bribes or sexual entertainment. Others involve administrators or supervisors adding or lowering the budget without considering the total price index of construction and engineering materials to profit certain vendors in exchange for more than thousands of bribery from them. In addition, some police officers turned a blind eye to illegal casinos, brothels or car owners who broke the laws by accepting bribery in exchange for bribery.

Among the 28 cases referred by “offenses of profiting on matters under one's administration or supervision” , cases mainly fell under the public works or procurement category that related to government procurement, and the criminal conducts primarily pertained to: conscious that a bidder was engaged in bid rigging, license borrowing, or unqualified, yet took no action, and escorted the bidder to secure the bid; conscious that a contractor was jerry building during construction, and the property payments or the services provided are inconsistent with the tender specifications, yet still allowing it to pass the acceptance inspection and letting the contractor to successfully obtain the payment .

In 2015, there were 22 cases in which civil servants were found “demanding, agreeing promissorily to, or accepting bribery for the conducts in duty” . The difference between this criminal charge and the aforesaid “breaching one's duty by demanding, agreeing promissorily to, or accepting bribery ” is that although the civil servants accepted bribery, the processing and results of government duties do not violate the laws and are still within their positional power, except basing solely their discretionary power, they still have a significant impact on matters of interest for bribers. In addition, originally, the law does not punish the bribers. The president promulgated the amendments to the Anti-corruption Act on

Part Two.

Anti-corruption Work Implementation Status and Results

June 29th, 2011, where those bribers whose request “will not let the civil servant breach his duties ” are given less than three years of imprisonment, it is still less compared to those whose request “will let the civil servant breach his duties” and are given more than one year but less than seven years of imprisonment. Most of the cases under this category were related to cases involving government or public infrastructure procurement projects, in which the vendors hoped to have a smooth process for contract fulfillment, or push the government offices to pay as soon as possible after the work is done, or a potential business opportunity in the future. Some cases involved employees responsible for procurement in township (city) offices profiting from their job, such as receiving bribery on a regular basis or accepting prostitution.

Among the 3 cases related to “offenses of fraud on one’ s project or procurement under management” , involving employees working in county/city government or township (city) offices taking kick-backs from the vendors for a certain percentage of the project cost by changing the rules of work, upping the cost of the project or disclosing the floor price to the vendors, fraud bidding or deliberate failure of reviewing work results etc.

Some civil servants leveraged their power to stand in between the government power and the people's rights to “coerce or occupy properties of the general public via work” , or to execute their power at work to profit and convince the people involved to offer their properties. A total of 4 cases in 2015 were prosecuted related to this type, with chief of village, police officer, and government officers responsible for environmental protection or construction extorting money from the general public.

Table 2-09 indicates that a majority of cases violate Paragraph 1, Article 339 of Criminal Code – offenses of fraud (illegally gaining properties). This has been the top one criminal act except for the offenses of larceny of real estate occupying real property violating Paragraph 2, Article 320 of Criminal Code in 2014.

In 2015, “corruption/malfeasance” cases referred by the Criminal Code as the key applicable law added up to 20 cases; and “non-corruption/non-malfeasance” cases to 43 cases, totaling 63 cases, where the former largely fell under offenses of Malfeasance in office under Chapter 4 or offenses of

forging instruments or seals related to official documents under Chapter 15 of the Criminal Code, and the latter largely fell under offenses of property crime under Article 320 through Article 342 or offenses of forging instruments or seals related to private documents under Chapter 15 of the Criminal Code.

In 2015, the majority of cases – 23 cases – had to do with violations of Paragraph 1, Article 339 of offenses of fraud (illegally gaining properties) , accounting for 36.5% of the total cases violating Criminal Code (23/63 cases). Most of the cases were related to fraud against the judicial system, employees in public sectors and public/private schools committing embezzlement. The second most common case related to violations of Paragraph 1, Article 320 of offense of larceny – 14 cases, or 22.2% (14/63 cases). Most of the cases were related to illegal occupation of national forests or state-owned lands, followed by 10 cases violating Article 213 in Criminal Code of forging untruthful reports and documents, which account for 15.9% of the total (10/63 cases). Most of the cases had to do with employees of administration institutions not basing on facts the documentation of incidents for official documents.

3. Statistics of Suspects Status

Table 2-10 depicts the statistics on the status and gender of criminal suspects in cases referred between 2011 and 2015, and Figure 2-04 depicts the gender and status ratio of suspects of a variety of identities referred in 2015. In 2015, among the 1,451 suspects, 1,143 of them were male suspects, or 78.8% (1,143/1,451 individuals). The number of male suspects taking the position of high/middle/junior civil servants account for 94.1% (32/34 individuals), 86.6% (110/127 individuals) and 87.8% (115/131 individuals). Obviously, males are a higher percentage than females among the suspects. The historical data also showed the same trend.

Figure 2-05 depicts the statistics on the ratio head count of civil servants of all ranks, quasi-civil servants, elected representatives, and related public servants referred between 2011 and 2015. In 2015, the highest percentage of people committing crime went to junior civil servants, about 37.5%, followed by middle-level of 36.4% and quasi-civil servants of 10.9%. The smallest percentage belonged to elected representatives, at 5.4%. 2015 had the highest percentage of

Part Two.

Anti-corruption Work Implementation Status and Results

junior civil servants being involved in criminal acts, otherwise the majority of civil servants committing the crime were mid-level in other years.

Table 2-11 depicts the key applicable laws adopted on criminal suspects of various types of identities referred in 2015.

In 2015, civil servants of various ranks, quasi civil servants, and elected representatives referred by the Anti-Corruption Act totaled to 287 individuals, making it the most widespread applicable law on public servants with alleged corruption/malfeasance crime. Among the 344 “nonpublic servants” referred by the same law, 338 individuals colluded with civil servants to commit corruption/malfeasance crime as stipulated under Article 4 through Article 6, and 6 individuals committed offenses of bribery as stipulated under Article 11, where bribing subjects included: county/city mayors, personnel responsible for procurement and those in public enterprises, such as township elected representatives, staff members in City and County Governments in matters related with public works, civil affairs, and general administration (such as directors, chiefs, technicians, commissioners, and so forth), township/city office staff members (such as executive directors, construction section chiefs, technicians, contract employee, and so forth), employees of Central Government Agency, the staff of motor vehicles agencies, policemen, national universities and colleges or principals of public elementary and junior high schools.

In 2015, a total of 10 civil servants were charged with violating the Government Procurement Act, involving general civil servants in the administration institutions who colluded with vendors to influence bidding results that had nothing to do with their job responsibilities. However, a total of 574 people were charged that were non civil servants, accounting for 39.6% (574/1,451 individuals), which was quite astonishing. According to the statistics of the Bureau’s Annual Report from 2003 to 2015, we observed the same trend. Therefore, we can conclude that people in Taiwan have never ceased to try to distort the bidding process among government construction or procurement projects.

Table 2-12 depicts the statistics on the education of suspects of all types of identities referred in 2015. When eliminating the portion of unknown education, the table shows that the higher the rank of the civil servants involved in the case,

the higher their education was likely to be, while the education of the elected representatives tends to be lower than that of the administrative agency civil servants, a majority of the non-public servants held senior high school degree, followed by those who held university degrees; as compared with the previous years, the number of those with university degrees or junior colleges degrees have gradually increased. 126 individuals with at least a master's degree, 13 were quasi-civil servants, and most of them were employees in public schools, overseeing procurement to become involved in corruption by profiting from vendors in the bidding process or accepting bribery.

Figure 2-06 depicts the distribution ratio of education among public servants referred between 2011 and 2015.

Among the public servants (including civil servants, quasi-civil servants and elected representatives), we were certain about the education record of 321 people. About 33 of them held a degree from junior college (106/321 individuals), which was the majority, followed by 28% of people with college degrees (90/321 individuals), and 19.6% of masters degrees (63/321 individuals). 14.6% of them graduated with a high school degree (47/321 individuals), and 4.7% of people graduated with a middle school degree (15/321 individuals). A special case was in 2013 where a large amount of investigations were conducted on professional training college teachers who had been commissioned for research by the National Science Council and it was found that fraudulent expenditure was mostly done by those with a Master' s degree or higher. This should be a one-time phenomenon and not the norm. The growth and decline rate in 2015 is basically the same and no difference when compared with the past four years, where those with university degree and junior college degree continue to rank in the top two. The ratio of those with a junior high school or lower degree has been on a declining trend. It is probably related to the universal education and general increase of our nation' s education.

Table 2-13 shows the statistical data of all types of elected civil servants being prosecuted from 2011 to 2015. Among them, a total of 19 people were legislators of different levels in 2015, and 19 of them were leaders of self-governing groups. Below is the summary:

- a. 1 legislator was referred to the prosecutor's office

Part Two.

Anti-corruption Work Implementation Status and Results

The Bureau referred one legislator who claimed public funding to pay for his/her assistant but reported a higher salary than what's being paid to the assistant, and used the rest of the amount for other purposes after receiving the passbook and personal chop of his/her assistant for documentation.

b. 1 speaker of county/city council was referred to the prosecutor's office

The Bureau referred one speaker of county/city council who accepted bribery from a vendor of construction, and he pressured the city government in the form of motions and inquiries to help the vendor win the bid to proceed with construction.

c. 12 County/City Councilmen were referred to the prosecutor's office

The Bureau referred 12 County/City Councilmen to the prosecutor's office, who used false invoices and claimed reimbursement for international field trips that they did not attend, who requested bribery from vendors by recommending the county government to provide subsidy and combining the percentage of collective subsidies of several councilmen to procure equipment from a vendor and demanding the township office employees to collaborate and honor the contract.

d. 3 chairpersons, 1 vice chairperson and 1 representative of township/city council were referred the prosecutor's office

The Bureau referred 3 chairpersons, 1 vice chairperson and 1 representative of township/city council to the prosecutor's office, who claimed reimbursement for gas and maintenance costs for a business car that they used for personal/private business, who requested borough office to pave concrete for personal lands in the name of his identify of chief representative of the borough to pay the vendor and demanded related employees collaborate by hiding it under other contracted road maintenance projects. There was also a case of a citizen's representative taking bribery from business owners who illegally piled up waste oilcans that he could pressure county councilmen to coerce the Agency of Environmental Protection and prevent the business owners from being fined or penalized.

e. 8 county/city mayors were referred to the prosecutor's office

The Bureau referred 8 county/city mayors who hired their children and spouses without giving them real jobs in the name of a town's mayor to receive salary falsely, or falsely claimed reimbursement for accommodations and meal allowance for business trips as a county mayor, and who violated the Civil Service Employment Act to hire the daughter of his wife's uncle as a town's mayor to be in the garbage collection force in the mayor's office.

f. 11 borough chiefs were referred to the prosecutor's office

The Bureau referred 11 borough chiefs, who embezzled the employees' salaries as a village's mayor during festivals, who falsely claimed report bonuses from citizens in the borough who reported crimes to the judicial police administration in the name of rewarding the police, and who confiscated public equipment for personal use after employment as a borough chief. There was a case of a borough chief moving the funding for an Irrigation Association's equipment from the township's office to the banking account of the community guard team and making withdrawals for personal use, and embezzled donations from religious groups to low-income citizens for Chinese New Year as a borough chief.

B. Statistics on Vote-Buying Cases

Vote-buying cases tallied in the yearbook refer to the cases, following the Bureau's support of the prosecution agency with investigation and processing, that the prosecutor's office has proceeded to file for public prosecution, applied for summary judgment, by deferred prosecution, or by ex officio non-prosecution, and due to the nature of these cases being different than those referred through the anti-corruption category, thus, the two are tallied separately. Given that the circumstances of applying for summary judgment, deferred prosecution, or ex officio non-prosecution are rulings the prosecutor makes that are applicable to summary procedural cases or minor cases, which in nature are similar to prosecution, where the defendant is deemed to have allegedly committed the crime different from the absolute non-prosecution cases as stipulated under Article 252 of the Code of Criminal Procedure, the yearbook, for the convenience of description, hereby classifies them as "indictment cases."

1.Statistics on Indictment Cases Over the Years

Elections that the existing law regulates in terms of vote-buying conduct can be divided into two domains, “civil servants election” and “non-civil servants election” , where the former encompass nine types of elections, namely the president/vice president, legislators, mayors of the special municipality, county/city mayors, township mayors, village chiefs, councilors of the special municipality, county/city councilors, township council representatives, while the latter encompass three types of elections, namely the farmers' association representatives and employees, fishermen's association representatives and employees, irrigation association executive directors and commissioner.

The working objectives of the bribery crackdown missions that the Bureau executes are defined according to the differences in category and nature of the various types of elections by drafting specific project working plans for the respective division holding the purview, where they spearhead the bribery crackdown force, supported by the Navigation Investigation Division and backup manpower from the four region mobile offices from northern, central, southern, and eastern Taiwan and the Bureau’ s head office, to complete the various project missions with maximum bribery crackdown energy.

Tables 2-14 and Table 2-15 give the number of indictment cases on vote-buying the Bureau investigated and processed between 1995 and 2015 and statistics on the number of suspects indicted over the past ten years, Relevant figures in the election year of various types of elections are labeled in red, so as to clearly indicate the bribery crackdown results on various elections over time. Taking 2015 as an example, the figures in black represents those elections that were not held in 2015, the statistical figures pertain to the results of elections held in 2013 or earlier that the Bureau has investigated and gathered evidence on, where the prosecutor has indicted the cases in 2015; while the figures in red represent elections that were held that year, where the prosecutor has indicted the cases that same year.

The main mission of the Bureau in 2014 was to conduct a due diligence of the bribery cases of 2014 Local Civil Servants on November 29th 2014 in different divisions to ensure that the elections for government officials were absolutely fair. The Bureau plans to initiate investigation projects and is allocating administrative

resources on the principle of “centralized administration” to gradually kick off each task in line with the election schedules and the key points of bribery investigation of the Ministry of Justice. Even though the election ended in 2014, most of the bribery cases were prosecuted in 2015. A total of 359 cases went through prosecution involving 1,725 people.

Table 2-14 and Table 2-15 depict 2015 vote-buying cases the prosecutor has brought prosecution directly, or applied for summary judgment, deferred prosecution, or ex officio non-prosecution, which totaled to 359 cases, involving 1,725 individuals, where the defendants’ identities, except the individual per se, often involved a candidate’s campaign staffers, family and friends, and supporting members of the public who allegedly gave bribes, and voters who accepted bribes in the electoral district.

Among the 359 indictment cases mentioned above, the bulk pertained to the 2013 Farmers’ and Fishermen’s Associations Elections with 1 case, the Irrigation Association with 1 case, and the 2014 rudimentary village chief elections with 117 cases, township council representatives with 79 cases, township mayors with 2 cases, and the county/city councilors with 83 cases, councilors of the special municipality with 32 cases. The general state of indictments is separately described as follows,

a. County mayors:

In 2015, 2 cases involving 6 people were prosecuted for suspected vote-buying cases of county/city mayoral elections of local civil servants. In these cases, some candidates bribed voters with around NT\$1,000 per person through their connections.

b. Councilors of the Special Municipality:

In 2015, a total of 32 cases (206 people) were prosecuted for involvement in bribery of City Councilman Election of Local Civil Servants. Most of these cases were related to vote buying through cash, but some candidates paid about NT\$1,000 per person to the voters in other names through their connections, such as compensation for food/beverages or allowances during rallies.

c. County/City Councilors Elections:

In 2015, a total of 83 cases (379 people) were prosecuted for involvement in

Part Two.

Anti-corruption Work Implementation Status and Results

bribery of County/City Councilman Election of Local Government Officials located in Hsinchu County, Miaoli County, Changhua County, Nantou County, Yunlin County, Chiayi County/City, Hualien County, Taitung County, Pingtung County, Penghu County and Kinmen County. Most of the cases were related to bribery in cash through a list of bribable voters obtained from vote captains, NT\$500 or NT\$1,000 cash per vote was used to buy votes from the voters of the electoral district.

d. Township Mayors:

In 2015, the authorities concerned prosecuted 44 cases (144 individuals) in Hsinchu County, Miaoli County, Nantou County, Yunlin County, Chiayi County, Hualien County, Taitung County, and Pingtung County. In each case, cash was used to buy votes. Through a list of bribable voters obtained from vote captains, NT\$1,000, NT\$2,000 or NT\$3,000 per vote was used to buy votes from the voters of the electoral district.

e. Township Council Representatives:

341 individuals were prosecuted in 79 vote-buying cases during the 2015 Local Civil Servants Council Representative Elections in Yilan County, Hsinchu County, Miaoli County, Changhua County, Nantou County, Yunlin County, Chiayi County, Hualien County, Taitung County, Pingtung County, Penghu County and Kinmen County. In each case cash was used to buy votes through a list of bribable voters obtained from vote captains, NT\$500, NT\$1,000 per vote was used to buy votes from the voters of the electoral district.

f. The Village Chief Elections:

Of the 2015 county/city rudimentary village chief elections, 117 charges were made, involving 638 individuals. All the cases involved buying votes with cash. Bribery was also done through gifting gift packages. As the village chief elections tend to cover a smaller electoral district, and there are fewer votes, candidates and voters are familiar with each other, rendering electoral grudges unavoidable. If a few voters' voting intentions can be influenced, it may cause a significant turnaround in the election results, therefore some candidates or supporters are willing to take the risk of winning elections by attempting to buy votes. With charges laid in 117 cases in 2015, coupled with 19 charges laid in 2014, 3 cases in 2013, and 18 cases in 2012, the number of cases totaled 157. The number is

much higher than any other election for civil servants, so it is obvious that the bribery culture is still prevalent in local elections for village chiefs. It is necessary to alter this culture.

g. Farmers' and Fishermen's Associations Elections:

10 individuals in 1 case were charged in 2015 on vote-buying in 2013 Farmers' and Fishermen's Associations Elections at all levels, and 172 individuals in 75 cases were charged in 2013, among all the cases, 1 case (2 individuals) was pertinent to the fishermen's association election. Since March 16th 2013, each level of farmers' and fishermen's associations rolled out elections for their representatives. May 1st, the detectives found bribery suspects in several areas, including Taipei City, Taipei County, Yilan County, Taoyuan City, Taichung City, Changhua County, Nantou County, Tainan City, Pingtung County and Hualien County. The candidates included those running for representative, board members, chairman, and general director etc. Among these candidates, those running for representative were found to bribe the most. They used cash most of the time, occasionally using gifts. In some cases, candidates and vote brokers tried to bribe members of the farmers' and fishermen's associations. In the cases where charges were laid, many suspects were incumbent general directors and chairmen who collaborated with current representatives and board members to support a certain candidate as a group and used bribery during the election for representatives and board members. They manipulated the results of the election and supported certain candidates as their top choice during a by-election to maintain their vested interests. Based on the number of cases and individuals being indicted, it is obvious that bribery is still very prevalent among elections for farmers' and fishermen's associations even though these are not civil servant positions.

h. Irrigation Association:

1 individual in 1 case was charged for vote buying in the 2015 Irrigation Association Elections of Taichung City. A team head of the Association was found to have bribed the voters, indicating that bribery is still a concern among elections for non-government officers related to Irrigation Association elections.

2. Statistics on Applicable Articles of Indictment Cases

Part Two.

Anti-corruption Work Implementation Status and Results

Of the existing law that bans and also clearly stipulates criminal penalty of the vote-buying conduct, in the domain of civil servants elections, the presidential/vice presidential elections are deemed more unique and important, and thus, are independently stipulated in the Presidential and Vice Presidential Election and Recall Act, and for the other types of civil servants elections, they are stipulated in the Civil Servants Election and Recall Act, and of those not stipulated by said two laws, relevant stipulations in the offenses of interference with voting Chapter of the Criminal Code are applied; in the domain of non-civil servant elections, they are separately regulated, according to the type of organizations that stages the elections, under the Farmers Association Act, Fishermen's Association Act, and Organic Act of the Irrigation Association.

Table 2-16 depicts the statistics on key articles applicable to the defendants being indicted in the vote-buying cases and the defendant count in 2015, which is described separately by varied applicable article:

a. Vote-Buying the Voters:

Using the means of treating voters to meals, travel excursion, gifts or violence, and so forth, for the purpose of securing voter commitment, or even resorting to vote-buying by distribution of money, the tactic leads voters to determine their vote not by a candidate's competency and morality, but rather by the amount of gain, which causes the election result to be unfair. As the practice runs against the ultimate purpose of electing the candidate that is able and capable, the law of Taiwan has long banned such type of vote-buying conducts, and in the previous investigation and crackdown projects, the Bureau has consistently enlisted it as the crackdown focus.

Regarding elections for civil servants, the prosecutors prosecuted 780 people in 2015 under the Civil Servants Election and Recall Act for “bribery to voters” .

In the area of election for non-government officers, the prosecutor charged 10 people in 2015 based on Farmers Association Act for “bribery to eligible voters” . In addition, the prosecutor targeted one person for sentencing based on the organization charter of the Irrigation Association for “bribery to voters” .

b. Vote-buying Candidates:

In the domain of civil servants elections, 2 individuals were prosecuted in

2015 under the Civil Servants Election and Recall Act for “offering bribes for making candidates abandon campaign for elections” .

3. Statistics on Vote-buying Modes

Vote-buying cases, by soliciting or accepting bribes, are distinguished by law into two categories, namely “bribery ” and “ other improper gains, ” and the purpose that no tangible content has been specified has been to cater to the ever-changing society trends and technological development. To enable candidates and voters to understand the boundaries of legal guidelines, the Supreme Prosecutors Office has promulgated the “Illustrated Vote-Buying Criminal Conduct Examples ” for the general public to reference to and abide by, with timely revisions and amendments made alongside the state of practical implementation development, and of the latest amended version on November 14th, 2011, it not only enlisted the 23 types of tangible vote-buying modes the practical legal practicing sector had reached a consensus on, but it had also enlisted the collective provision of “soliciting, promising, or presenting other forms of bribes or improper gains” as type 24, in a bid to prevent any omission, which will curtail candidates or their supporters from having any opportunistic mindsets; however, it does still emphasize that whether a particular conduct constitutes as vote-buying is still subject to rendering by the prosecutor based on the specific circumstances of each case in compliance with the legal stipulations.

By examining vote-buying cases the Bureau has investigated and processed over the years, some of the more common vote-buying modes can be summarized into six major types, namely vote-buying with money, gift giving, food and beverage entertainment, travel entertainment, funding donations to organizations and others; Table 2-17 and Figure 2-07 depict statistics on cases the prosecutor has since indicted in the past six years and the cases the Bureau has investigated and processed in 2015 grouped by vote-buying modes, which are separately described as follows:

a. Vote-Buying with Money:

In 2015, 302 cases of money vote-buying cases were indicted, which accounted for 84.1% of the 359 indictment cases in the same year, while a total of 895 cases were indicted in the past six years, which accounted for 82.6% of the 1,084 total indictment cases, making it difficult to say the proportions

Part Two.

Anti-corruption Work Implementation Status and Results

were not high, and highlighting how vote-buying voters using money remains an efficient and higher “rate of return ” means of vote-buying for candidates or their supporters.

The amount of vote-buying made directly to voters in cash often heels to the unit of five hundred TWD bills or one thousand TWD bills. From village chief elections in smaller electoral districts to township councilor/mayor, county/city mayor elections, or even legislator and presidential elections, the majority of the votes were around TWD \$500, with a certain number of cases over TWD \$1, 000. The amount of vote-buying was higher only in aboriginal electoral districts compared to the general electoral districts, where a vote can reach as high as TWD \$2,000.

b. Vote-Buying with Gifts:

In 2015, 14 cases of gift vote-buying case were indicted, which accounted for 3.9% of the indictment cases in the same year. Said vote-buying type often entails candidates offering bribe to voters directly on the pretense of paying a visit to voters but is actually for bestowing gift, by which to garner voters' favor and asking voters to vote and support their being elected.

c. Vote-Buying with Food and Beverage:

In 2015, 8 case of food and beverage vote-buying case was indicted. Said vote-buying mode often resorted to the name of hosting an activity by which to invite members with voting rights and who participated in the event to a complimentary banquet, during which, arrangements are made for the candidate to take the stage to deliver a keynote or toast table by table in canvassing, demanding the attendees' support by voting for the candidate in the future.

d. Vote-Buying with Travel Excursions:

In 2015, 1 case of Travel Excursions vote-buying case was indicted. In recent years, the trend of the usage of the more eye-catching travel excursion as the vote-buying mode has been on the decline.

e. Vote-Buying with Funding Donations:

In 2015, 1 case related to funding donation was indicted. This type of corruption is related to candidates indirectly committed the crime of vote buying

in the name of donation or sponsorship for all types of activities.

f. Others:

In 2015, 33 cases were unable to be categorized in the afore-mentioned types, about 9.2% of the total prosecution cases. Most of those cases had to do with candidates who had registered for an election, bribing/coercing candidates that had yet to register with TWD\$ 1 million in exchange for giving up their candidacy.

In the past six years, the number of indictment cases on conventional vote-buying modes, such as through food and beverage, travel excursion, funding donations, and so forth has appeared scattered, when compared with vote-buying through money and gifts. The reasoning for this is that conducting bribery methods such as food or travel is much more likely to incite prosecution. To avoid this, bribers mostly choose not to use these methods. However, cash bribery ranks as the most common type every year even though it is difficult to obtain evidence of it as it's usually private. The reasons are as follows: The Bureau has been allocating resources toward the areas that are historically infamous for cash vote-buying in line with the government policies a year from an election to start to collect information, identify the potential candidates that have malicious intentions and focus on them. Prior to the election, the Bureau would engage all forces to investigate these candidates. Therefore, we have been able to nip such crimes in the bud, and scare other speculators away from committing the same crime. In addition, a lot of concerned citizens report information related to potential vote-buying in time so that we can collect evidence easily in the very beginning to confirm the fact of a criminal act. For this reason, active public participation has also been credited as one of the reasons contributing to whether the electoral practices are done transparently and legitimately.

II. Proficiency Refinement Work

A. Staging Anti-corruption Refinement Seminars

In order to assist internal duty and field duty case-processing associates in becoming familiar with the legal and regulatory stipulations, in enriching

Part Two.

Anti-corruption Work Implementation Status and Results

investigative and crackdown skills, and in absorbing new case-processing knowledge so as to raise the professional competency of anti-corruption work, the Anti-Corruption Division held the “2015 Anti-Corruption Work Refinement Seminar ” at the Bureau's management training center from August 24th to 26th (3 days) for mobilized training of internal duty and field duty section chiefs, deputy directors, secretaries, unit chiefs, and processors, a total of 100 individuals.

In terms of curriculum, we invited internal staff members who are experienced field detectives and prosecutors of the Taiwan High Prosecutors Office, officers of Keelung Customs, Customs Administration, MOF, and officers of National Taxation Bureau of the Northern Area, MOF, as guest speakers. They talked about how to investigate embezzlement cases of public infrastructure deals from the perspective of public prosecution, lessons learned from individual investigation cases, experiences in discovering clues, sharing resources from the tax units, customs administration and related departments that can help in the investigation, and types of bribery they have witnessed. They went through their experiences and brought up discussions by sharing lessons learned to help our colleagues improve their professional skillsets. These seminars also created a platform for all the attendees to exchange what they’ ve learned and help each other to enhance their skillsets and work performance.

B. Utilizing the Internet to Exchange Learning

Thanks to the increasingly convenient Internet technology, information conveyance, exchange, and integration are able to transcend regional boundaries without any time constraint. Through utilizing the Internet database, the objectives of information integration and convenient access can now be achieved. In light of this, the Anti-Corruption Division launched the internal network “Anti-Corruption Database” of the Bureau at the end of 2004, by which to attain the anticipated functions of joint learning and sharing, and to compile case investigation and processing-related laws and regulations, practical views on the substantive laws and procedural laws, various operational guidelines of the Bureau, and the internal duty and field duty associates' routine work results, experiences, and reflections, with the database presenting categories, namely the bulletin board, operations profile, anti-corruption laws and regulations, operational guidelines,

case study reports, reference literature, yearbooks, bribery crackdown area, etc., which are updated regularly, in anticipation of sharing with the Bureau associates and attain the ideology of refining professional competency and innovative working mentality.

C. Researching and Compiling Case Study Reports

In 2015, the Bureau investigated Mr. Chou ○ ○ and several people from General Operations Team in Taiwan Power involving a corruption case, a case of suspected illegal involvement of Mr. Chang ○ ○ – Head of Wugong Police Station of Luzhou Precinct, New Taipei City Police Department, a case of suspected illegal involvement of Mr. Tsai ○ ○ – Mayor of Kouhu Township in Yunlin County, a case of suspected involvement in bribery of Mr. Liu ○ ○ – Candidate of Taoyuan City Councilman, a case of suspected involvement in corruption of Mr. Chang ○ ○ and several people in Nantou County who are candidates for Caotun Township' Mayor, a case of suspected involvement in corruption of candidate Mr. Chou for Speaker of Pingtung Chief Council and so on. Each case was under the media spotlight and had the attention of the general public and the government. These cases also triggered a lot of ensuing policy changes and reorganization.

The investigation process of said cases was extremely difficult, and not something that can be completed overnight. It invariably relies on a combination of factors, such as “perseverance, creativity, teamwork, determination” , in which the criminal suspects’ job environments, investigation skills, and coordination and cooperation measures are of special reference value for the associates of the whole Bureau when investigating and processing similar cases.

D. Convening Consultation Committee Meetings for Public Projects

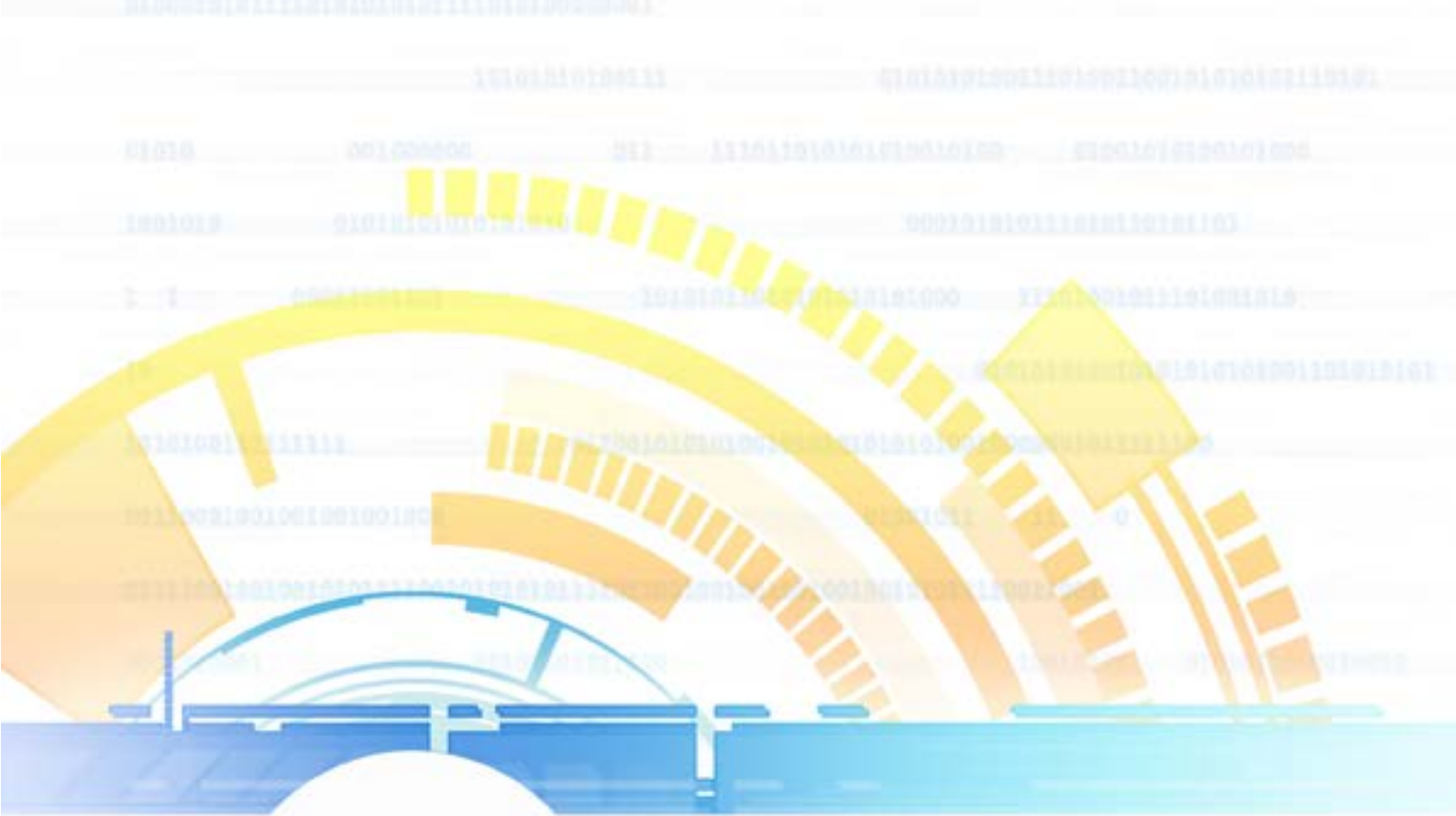
The Bureau's Consultation Committee meeting for Public Projects chaired by the head of the Bureau took place at 2:30pm on Oct. 18th 2013 at the Joint Training Center in Anho. 13 current Committee members were invited, including Huang ○ ○ , Tzeng ○ hua, Yao ○ ○ , Chen ○ ○ , Fang ○ ○ , Ou ○ ○ , Tsai ○ , Lee ○ ○ , Chen ○ ○ , Yen ○ , Chen ○ ○ , Wang ○ ○ and Wu ○ ○ , as well as 45 colleagues who work the field and at the office. At the meeting, it was

Part Two.

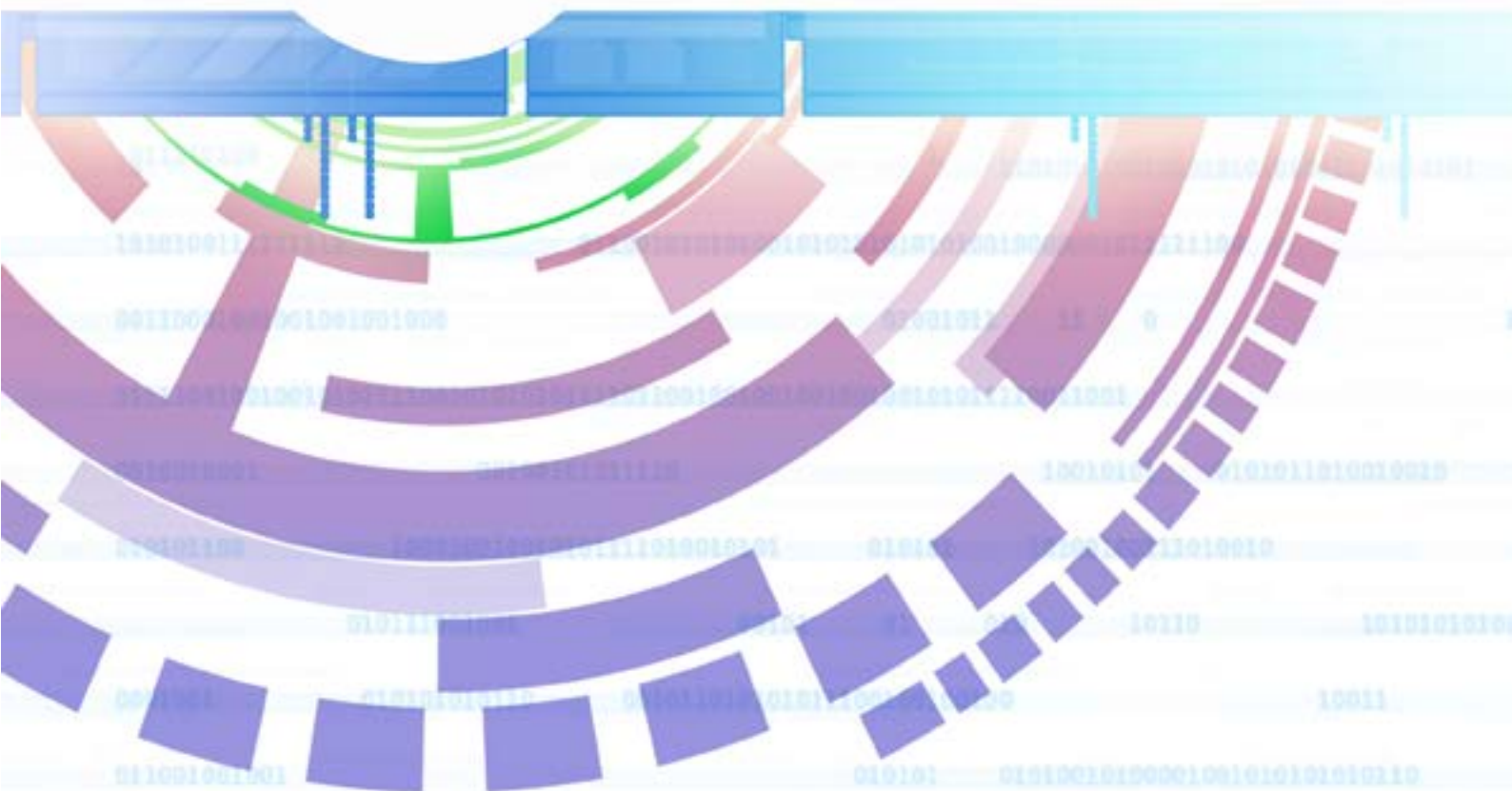
Anti-corruption Work Implementation Status and Results

determined to continue to employ the current 13 members on a two-year tenure. The head of the investigation team in the north region under office against corruption reported “Summary of preventing corruption for public projects in the Bureau” , followed by the representative of north flexible work station reporting “Illegal construction of Wanli-Dahua freeway by Taiwan Area Freeway Bureau” , a representative from Taichung city reporting “Illegal case of reconstruction for South Taimali bridge by Taiwan Railway Bureau” , and a representative from Nantou county reporting on “a case of illegal post-disaster construction by Nantou county and city mayors” .

The Committee members present gave several pieces of advice in regards to technical, systemic and practical directions; they also pointed out areas of focus and required training for these cases. Their advice is very useful and will be an important reference for similar cases such as public works projects and preventing administrative corruption in the future. Relevant meeting notes were provided after the meeting to those working in the field.



Part Three. ***Summary of High Profile
Investigations in 2014***



Part Three.

Summary of High Profile Investigations in 2015

Part Three.

Summary of High Profile Investigations in 2014

壹、臺電公司綜合施工處周○○等涉嫌貪瀆案

1. Illegal involvement of General Construction Office Staff Mr. Chou○○ and Others in Taiwan Power Company

本案起訴情形，可參閱本年報第四部分起訴案例 12。

一、發掘由來

案係新北市調查處主動發掘，啟動本案調查，並據以逐步蒐集證據，擴大偵辦。

二、偵辦歷程

本案先後對 20 名公務員及廠商進行非公開之調查作為，執行通訊監察期間長達 1 年 3 個月，期間清查相關公務人員、廠商資金往來情形，另輔以行動蒐證作業，蒐獲周○○等人收受賄賂之重要事證。

本案因案情複雜，涉案人數眾多，於發動偵辦前，與承辦檢察官進行多次會議，擬定涉嫌事實及偵辦方向，第一波執行即順利突破關鍵白手套及涉案廠商心防，除坦承行賄外，亦以證人身分供述周○○等人犯罪情節，經檢方聲押，法院裁定周○○等人收押禁見。

104 年 3 月 24 日發動第一波偵辦後，復又執行 8 波偵辦作為，計搜索 34 個處所，並約談、查證 49 人次，製作 58 份筆錄，另借提 9 人，調閱採購案卷宗資料達二十箱。專案小組成員不眠不休，夙夜匪懈，審慎檢視及比對各種卷證資料，分析數千筆金融帳戶交易明細，終於釐清案件全貌。

本案查獲周○○等公務員收受賄賂合計新臺幣（下同）246 萬元，案經調查完竣移送

新北地檢署依法偵辦，檢察官起訴周○○等 12 人，並具體求處重刑。

三、偵後影響

周○○等相關涉案人員於案發後經台電公司停職，媒體也高度關注本案發展，亦嚴厲指責國營事業周○○等公務員之貪腐行徑，社會引起輿論，並獲民眾廣大迴響，促成主管機關注意加強整飭國營事業人員之操守。

相關涉案人員於案發後經服務機關停職，媒體也高度關注本案發展，除報導偵辦進度外，亦指責涉嫌人等之收受不正利益行徑，引起輿論廣大迴響與國人省思，有助吏治整飭及政風端正。臺北地檢署於 104 年 1 月 16 日起訴蘇○○等人。

貳、新北市警局蘆洲分局五工派出所所長張○○涉嫌不法案

2. Illegal involvement of Mr. Chang○○—Head of Wugong Police Station of Luzhou Precinct, New Taipei City Police Department

本案起訴情形，可參閱本年報第四部分起訴案例 02。

一、發掘由來

案係桃園市調查處主動發掘，配合檢方指揮，逐步蒐集證據並擴大偵辦。

二、偵辦歷程

本案為新北市政府警察局（下稱：新北市警局）刑事警察大隊技正張○○、五工派出所前後任所長張○○、張○○及蘆洲分局蘆洲派出所所長呂○○等 4 名中階警官涉嫌投資及包庇地下錢莊業者，致借貸之民眾畏懼地下錢莊背後之警方勢力，而求告無門。

本案既為警察包庇地下錢莊業者，首在於找出重利罪之被害人，本案地下錢莊業者因跑路而居無定所，偵辦之初即遭遇困難，無法得知何被害人，經逐步蒐集證據清查，終尋獲並製作多位被害人筆錄，其中有多位被害人供出因無法償還高額利息，其所有之不動產遭過戶於警官及警官之女性密友。

於鞏固重利罪法辦要件後，持檢察官簽發之拘票，守捕拘提地下錢莊業者到案詢問，經送檢向法院聲請羈押獲准，嗣借提在押地下錢莊業者到案，於詢問時乃全盤託出張○○等人投資及朋分不法利益等情，全案蒐證完整後，即對張○○等人之辦公處所及住家等 8 處執行搜索，並傳喚張○○等 11 人到案詢問，張○○、張○○經檢方複訊後，由新北地院裁定 200 萬元、150 萬元交保並限制住居，張○○、呂○○經檢方諭知各以 20 萬元交保，全案調查完竣後移送新北地檢署偵辦，並由檢察官對該 4 名警官及重利業者提起公訴。

三、偵後影響

張○○等 4 名中階警官，於案發後均遭新北市警局停職，媒體亦高度關注本案，除經聯合報、自由時報列為頭版頭條新聞報導外，中國時報及電視媒體亦大篇幅報導本案，引起輿論廣大迴響，對於澄清警政不良之風氣，具有正面意義。

叁、雲林縣口湖鄉鄉長蔡○○等涉嫌不法案

3. Illegal Involvement of Head of Kouhu Township Mayor Mr. Tsai○○ and Others in Yunlin County

本案起訴情形，可參閱本年報第四部分起訴案例 04。

一、發掘由來

案係匿名檢舉，啟動本案調查，雲林縣站據以逐步蒐集證據，擴大偵辦。

二、偵辦歷程

本案緣起雖為內容空泛之匿名檢舉信件，但經雲林縣站站調卷、行蒐及據點鏢而不捨透過諮詢掌握楊○○實際任職於華新○○股份有限公司鹽水廠，並發掘口湖鄉公所從 104 年起即利用呂○○及楊○○作為人頭詐領薪餉，本案始獲偵辦切入契機。

本案因案情複雜，發動偵辦前，與承辦檢察官進行多次會議，擬定涉嫌事實及偵辦方向，並於 104 年 6 月 12 日全站動員第一波執行搜索蔡○○住居所及口湖鄉公所，同步傳喚涉嫌人蔡○○、蔡○○、楊○○、鄉公所主任秘書魏○○、行政室主任蔡○○、財政課長林○○、行政室承辦人陳○○等 10 人到案，順利突破案關犯罪嫌疑人及證人心防，坦承犯案，經檢察官複訊後，向雲林地方法院聲押禁見蔡○○、蔡○○、楊○○及魏○○等 4 人獲准，呂○○限制住居。

104 年 6 月 18 日持續清查資金、研閱扣押物及相關採購案資料，復又執行偵辦製作 9 份筆錄，終於釐清案件全貌。

本案查獲不法所得合計 11 萬 5,792 元，案經調查完竣移送雲林地檢署依法偵辦，檢察官計起訴 5 人，對蔡○○具體求處有期徒刑 10 年，雲林地方法院判決蔡○○有期徒刑 7 年。

三、偵後影響

蔡○○曾任國大代表、雲林縣議員及北港朝天宮董事長等職，係前立法委員曾蔡○○之胞弟，99 年擔任口湖鄉鄉長迄今，因有黑道背景，人稱縱貫線教父，前科資料為殺人、

殺人未遂等重罪，經從政漂白後涉嫌改以教唆旗下小弟開槍恐嚇等不法，成為雲林縣治安一大隱憂，近年來雲林地檢署、雲林縣警察局多次以槍砲彈藥及違反組織犯罪條例等罪嫌予以偵辦均未果，係雲林縣一大頭號人物。偵辦後經新聞運用得宜，除國內電子及平面媒體均有大篇幅報導外，蔡○○經羈押禁見後，口湖鄉反對蔡○○疑為己私利興建火葬場之自救會民眾徹夜燃放砲竹煙火慶祝，使人民極度有感，實屬社會矚目案件。

本案類型係屬利用人頭詐領薪餉吃空缺案件，為國內近二十年來所罕見，蔡○○於案發後自知事證明確難逃法律制裁，於 105 年 7 月間自行辭退鄉長一職，魏○○經服務機關送公務員懲戒委員會撤職處分，除媒體報導持續追蹤本案後續情形外，亦嚴厲指責犯罪涉嫌人等之貪腐奢華行徑，引起輿論廣大迴響與國人省思，有助吏治整飭及政風端正。

肆、屏東縣議會議長參選人周○○涉嫌賄選案

4. Suspected Bribery of Mr. Chou○○—A Candidate for Speaker of Pingtung County Council

本案起訴情形，可參閱本年報第四部分起訴案例 13。

一、發掘由來

案係屏東地檢署發交，並指揮屏東縣調查站偵辦。

二、偵辦歷程

經對議長候選人周○○之樁腳縣議員王○○等人賄選事實進行初步偵證後，掌握本案賄選手法為招待旅遊及現金賄選，配合屏東地檢署指揮偵辦，經過滬銀行交易資料及通訊紀錄，勾勒出王○○等人行賄模式，另輔以對人員動態行蹤之掌握，蒐獲賄選之重要事證。

本案因案情複雜，涉案人數眾多，於 104 年 4 月 22 日發動偵辦前，與承辦檢察官進行多次研案，擬定涉嫌事實及偵辦方向，實施通訊監察，分析賄選對象近 10 線電話通聯紀錄，並調閱酒店訂房及監視畫面及相關帳戶明細等，並傳喚縣議員柯○○等人查證，發動數波偵辦作為，共動員屏東縣站、臺中市處及南部地區機動工作站等 140 名調查人員，執行搜索 3 個處所，製作 55 份筆錄。

本案偵辦期間，王○○等經送檢察官複訊後，諭令共犯縣議員潘○○、歸○○等人交保候傳外，並向屏東地方法院聲押王○○、廖○○、林○○、潘○○等人獲准；經於 104 年 9 月 16 日移送屏東地檢署偵辦，該署於 104 年 10 月 1 日對周○○等 13 人提起公訴。

三、偵後影響

本案由於屬於議會議長層級賄選，涉案人均係當選縣議員，偵辦之初，投入大量人力配合檢方指揮偵辦，與檢方討論偵辦時程及相關蒐證作為，即執行通訊監察及相關人員動態掌握，最後掌握關鍵證據，得以偵破周○○等人涉嫌賄選犯行，回應社會對於查察地方議會議長賄選之歪風，展現政府查察賄選之決心，對本局偵辦賄選案件極具有正面宣傳效果。

伍、桃園市議員候選人劉○○涉嫌賄選案

5. Suspected Bribery of Mr. Liu○○—A Candidate for Taoyuan City Councilman

本案起訴情形，可參閱本年報第四部分起訴案例 14。

一、發掘由來

案係臺北市調查處主動發掘，並配合桃園地檢署指揮，擴大偵辦。

二、偵辦歷程

經對劉○○賄選事實進行初步偵證後，掌握本案賄選手法為金錢行賄有投票權人並約其支持，配合桃園地檢署指揮偵辦，經過濾銀行交易資料，勾勒出劉○○等人行賄模式，蒐獲賄選之重要事證。

本案因案情複雜，涉案人數眾多，於 103 年 11 月 21 日發動偵辦前，與承辦檢察官進行多次研案，擬定涉嫌事實及偵辦方向。於發動偵辦時，動員臺北市處 20 餘名調查人員，並由桃園市警察局支援，執行傳喚鄧○○、劉○○、受賄選民劉○○等 31 人到案，並搜索 1 個處所及拘提劉○○ 1 人，製作 60 餘份筆錄。

本案偵辦期間，劉○○等人經送檢察官複訊後，除諭令共犯胡○○等 6 人交保候傳外，並向桃園地方法院聲押劉○○、胡○○等 2 人獲准；臺北市調查處於 104 年 1 月 21 日、2 月 10 日移送桃園地檢署偵辦，該署於 104 年 2 月 26 日、104 年 3 月 10 日對劉○○等 31 人提起公訴。

三、偵後影響

由於跨地區辦案，本案偵辦期間配合檢方指揮，投入一定人力配合偵辦，與檢方保持密切聯繫，經與檢方研案後，決定本案切入點，於偵辦時機成熟即約詢相關選民，並蒐獲相關重要事證，順利偵破劉○○、胡○○等人涉嫌賄選犯行，對於端正直轄市市議員選風，具有一定嚇阻效果，展現政府查察賄選之決心。

陸、南投縣草屯鎮鎮長候選人張○○涉嫌賄選案

6. Suspected Bribery of Mr. Chang—A Candidate for Caotun Township's Mayor in Nantou County

本案起訴情形，可參閱本年報第四部分起訴案例 15。

一、發掘由來

案係南投縣調查站主動發掘，立案偵辦，並配合南投地檢署指揮，擴大偵辦。

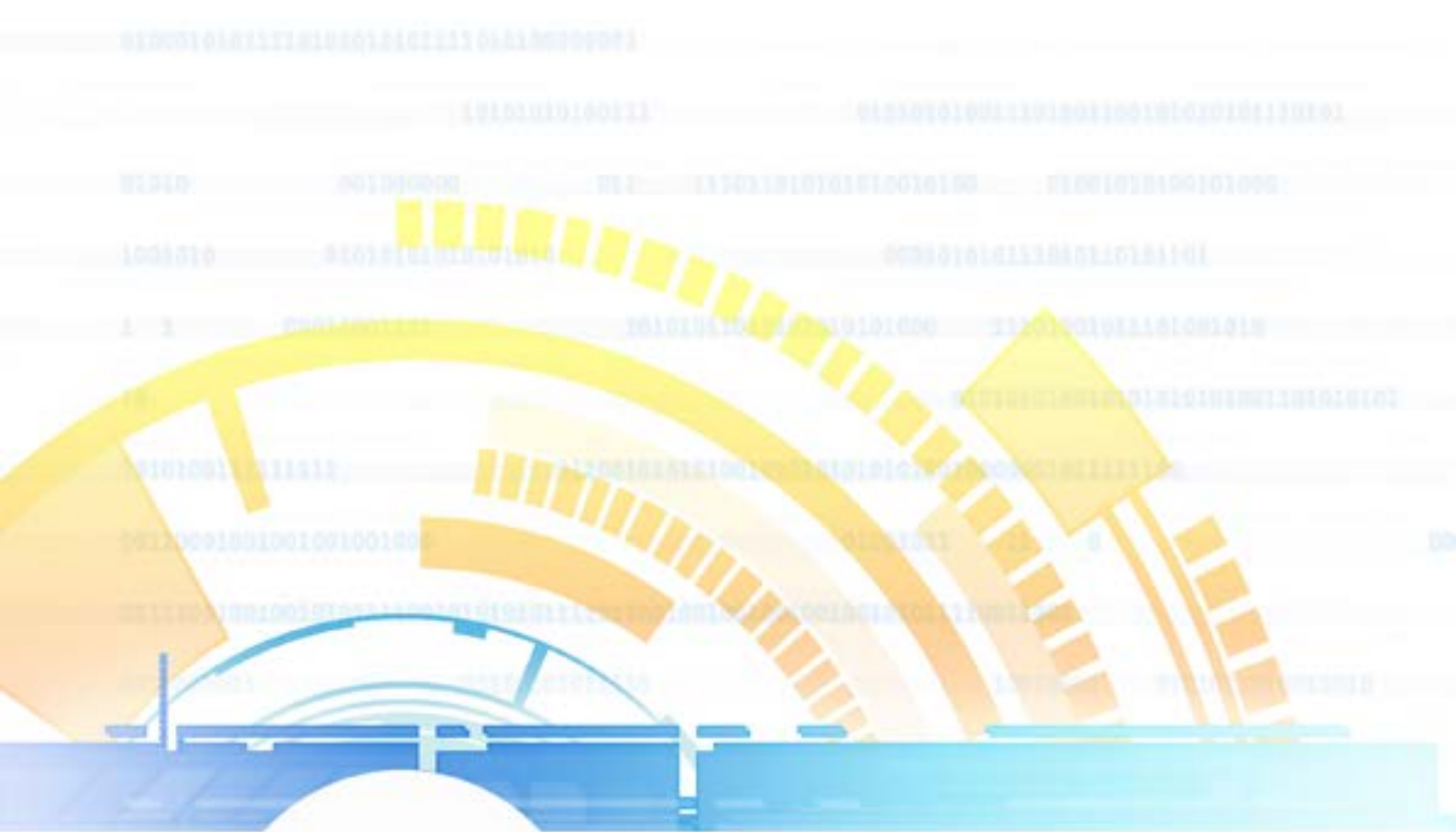
二、偵辦歷程

本案經對候選人張○○涉嫌賄選事實進行初步偵證後，掌握本案賄選手法為張○○為求當選該屆南投縣草屯鎮鎮長，遂與南投縣第 18 屆第二選區議員候選人莊○○，基於共同對草屯鎮中原里里長候選人等有投票權人賄選之犯意，分別於 103 年 5 至 7 月間，以贊助競選經費為由，交付 4 至 10 萬元不等之現金予草屯鎮中原里里長等數名里長候選人，並配合南投地檢署指揮，實施通訊監察及人員動態追蹤之掌握，蒐獲賄選重要事證。

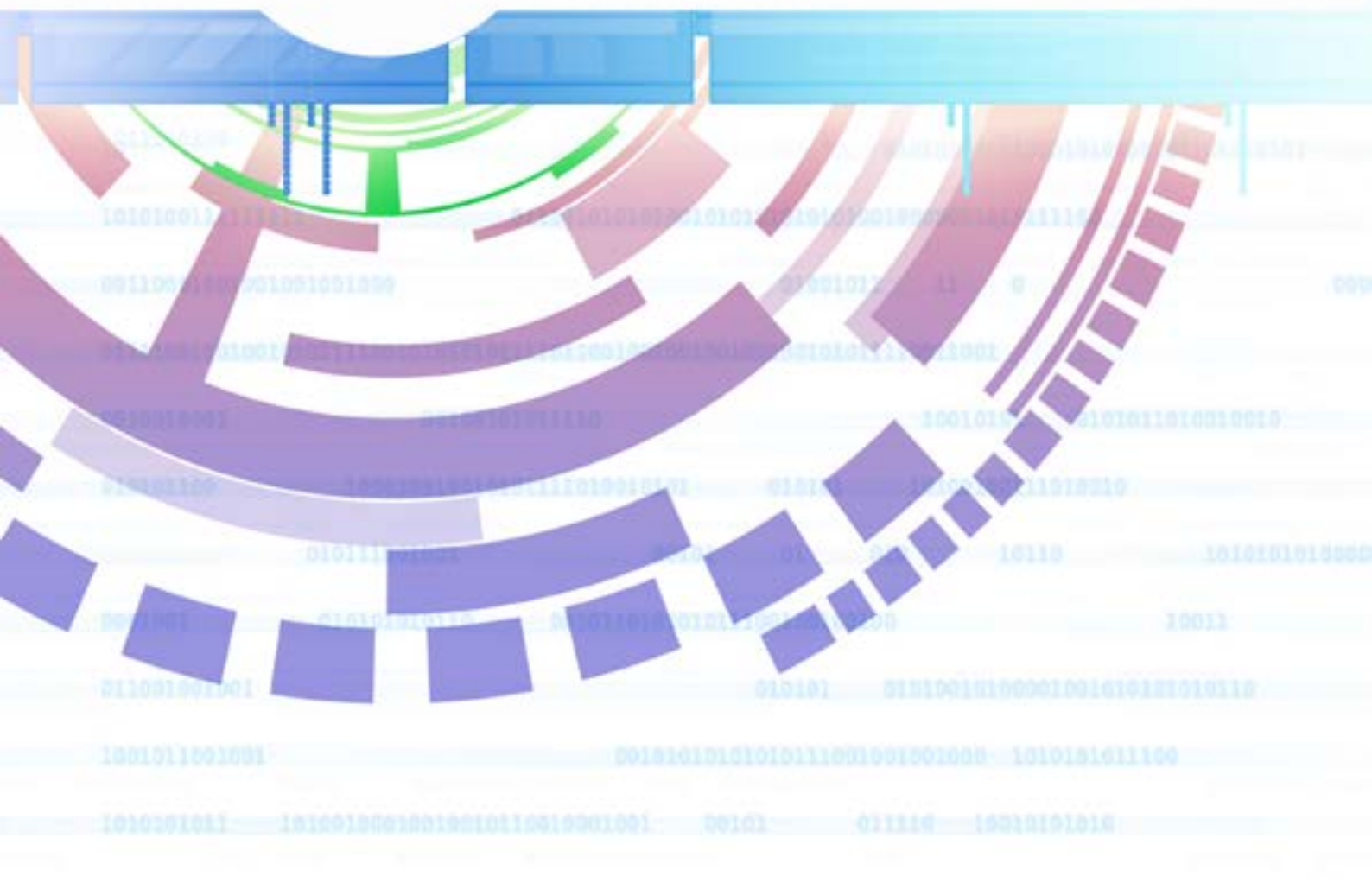
本案於 103 年 10 月 29 日發動偵辦前，已與承辦檢察官進行多次研案，擬定涉嫌事實及偵辦方向，實施通訊監察，密集行動蒐證，並傳喚選民洪○○等人查證，另於發動偵辦時，動員南投縣站、臺中市調查處、中部地區機動工作站及南投縣政府警察局刑警大隊等人員，執行搜索 5 個處所，製作 26 份筆錄。經南投縣調查站於 103 年 12 月 11 日移送南投地檢署偵辦，該署於 103 年 12 月 18 日對張○○等 4 人提起公訴。

三、偵後影響

本案偵辦期間，投入大量人力執行通訊監察及行動蒐證，適時將掌握到重要案情及事證，回報給檢方，在與檢方會商後，由於鞏固相關之重要證據，順利偵破張○○等人涉嫌賄選犯行，回應民眾對嚴厲打擊地方鄉鎮市長賄選之期待，展現本局依法查察賄選之決心。



Part Four. ***Summary of Prosecution Cases
in 2015***



Part Four.

Summary of Prosecution Cases in 2015

Part Four.

Summary of Prosecution Cases in 2015

案例 01 移民署桃園專勤隊分隊長詹○○涉嫌不法案

Case 01 Illegal Involvement of Mr. Zhan○○-Head of the NIA's Specialized Operation Brigade in Taoyuan

◎案件類型：移民及海岸巡防

◎主辦單位：桃園市調查處

◎起訴日期：104 年 2 月 3 日

◎起訴機關：桃園地方法院檢察署

◎起訴被告：詹○○

◎起訴法條：貪污治罪條例第 6 條第 1 項第 4 款對於主管或監督之事務圖利罪等

內政部移民署專勤第一大隊桃園縣專勤隊專員兼分隊長詹○○，利用負責辦理外來人口面談、查察、訪視、查緝、人口販運防制等業務之機會，基於圖利之犯意，與人口販運業者蔡○○、謝○○相互勾結，協助蔡○○、謝○○等人以假結婚名義申請大陸地區女子來台定居，於申請之大陸女子來台案件審查不通過時，詹○○即利用蔡○○提供之人頭手機與謝○○等人聯繫，並相約於桃園市國際路咖啡廳會商，由詹○○洩漏該等申請案不通過之原因，並指導蔡○○如何解套通過審查，經由詹○○指導協助，蔡○○、謝○○等人共仲介 19 名大陸女子來台賣淫，詹○○圖利金額達新臺幣（下同）1,140 萬元以上，另收受業者現金賄賂計 5、6 次，每次金額約 2 至 3 萬元。

案例 02 新北市警局蘆洲分局五工派出所所長張○○等涉嫌不法案

Case 02 Illegal Involvement of Head of Wugong Police Station of Luzhou Precinct Mr. Chang○○ and Others in New Taipei City Police Department

◎案件類型：警政

◎主辦單位：桃園市調查處

◎起訴日期：104 年 6 月 13 日

◎起訴機關：新北地方法院檢察署

◎起訴被告：張○○ 等 8 人

◎起訴法條：貪污治罪條例第 6 條第 1 項第 4 款對於主管或監督之事務圖利罪等

地下錢莊業者蘇○○因傷害案件遭嘉義地檢署通緝，於 98 年 9 月間為新北市警局蘆洲分局五工派出所員警查獲，由所長張○○製作蘇○○筆錄，從中得知其係地下錢莊從事重利放貸，於事後主動聯絡蘇○○，並要求入股參與重利放貸，其後陸續引介蘆洲分局偵查隊隊長張○○、後接任所長張○○入股，渠等與蘇○○等人約定，按月索取投資金額百分之二至三利息、借款手續費及盈餘三分之一等賄款，由蘇○○以現金送至張○○等人辦公處所或其等指定地點，親交本人，此外，蘇○○另須固定招待渠等至有女陪侍之酒店消費，藉以換取不予查緝其所從事重利放貸之犯行，合計張○○等人以此收取不法利益約 663 萬餘元。

案例 03 屏東縣牡丹鄉公所發包工程涉嫌不法案

Case 03 Illegal Involvement of Public Works of Mudan Township Office in Pingtung County

◎案件類型：營建

◎主辦單位：高雄市調查處

◎起訴日期：104 年 11 月 26 日

◎起訴機關：屏東地方法院檢察署

◎起訴被告：陳○○ 等 2 人

◎起訴法條：貪污治罪條例第 4 條第 1 項第 3 款購辦公用物品浮報價額、數量、收取回扣或其他舞弊情事罪等

於 99 年間，陳○○利用擔任屏東縣牡丹鄉鄉長機會，勾結營造業者鄭○○等人，為獨壟斷鄉公所發包之工程，共同合意先由營造廠商指定施工地點並提出需求，透過工程設計規劃業者製作計畫書圖，再交給鄉公所，並以公所名義發文給屏東縣政府轉經費補助單位申請預算經費，俟經費核撥後，由陳○○核定工程底價，並指示鄭○○統一分配工程給予特定營造業者郭○○等 8 人，受指定的廠商須自行協調其他成員或熟識的營造業者陪標，形成公開投標的假象，並另須提供決標金額約 3% 至 10% 的金錢，委託由鄭○○引介的許○○於投標截止日在牡丹鄉公所外顧標，向有意投標的外來廠商或無意投標而僅欲收取走路工，支付 3,000 元至 8 萬元不等的圍事費用，打消彼等投標或擾亂意願，以確保受指定分配工程的集團成員能順利得標承攬。

案例 04 雲林縣口湖鄉鄉長蔡○○等涉嫌不法案

**Case 04 Illegal Involvement of Head of Kouhu Township Mayor Mr. Tsai○○
and Others in Yunlin County**

◎案件類型：行政事務

◎主辦單位：雲林縣調查站

◎起訴日期：104 年 8 月 10 日

◎起訴機關：雲林地方法院檢察署

◎起訴被告：蔡○○等 5 人

◎起訴法條：貪污治罪條例第 5 條第 1 項第 2 款利用職務上之機會詐取財物罪

於 104 年間，蔡○○擔任口湖鄉鄉長與其女兒蔡○○，共同基於職務上詐取財物之犯意，由蔡女要求鄉公所約雇人員楊○○先後提供渠配偶呂○○及胞兄楊○○為人頭，虛偽僱用擔任蔡○○司機，鄉公所主任秘書魏○○明知此情，仍向蔡○○確認後，代為決行同意聘用，復由楊○○冒簽呂○○及楊○○上下班之簽到退紀錄，致使鄉公所財政、主計人員陷於錯誤而核章給付呂、楊 2 人薪資，而由楊○○代為領取該 2 人頭薪資計 11 萬餘元後，即交付給蔡○○支用或代蔡○○繳交汽車貸款。

案例 05 彰化縣福興區域性垃圾聯合處理場人員涉嫌集體不法案

Case 05 Collective Involvement in Illegal Matter of the Employees in Fuxing District Garbage Collection Park of Changhua County

◎案件類型：環保

◎主辦單位：彰化縣調查站

◎起訴日期：104 年 7 月 29 日

◎起訴機關：彰化地方法院檢察署

◎起訴被告：林○○等 3 人

◎起訴法條：貪污治罪條例第 5 條第 1 項第 3 款不違背職務之行為收受賄賂罪等

芳苑鄉公所清潔隊隊員兼任福興垃圾處理場場長林○○與得標「芳苑鄉垃圾轉運焚化廠處理標案」之業者良○工程負責人陳○○及另家垃圾清除業者祥○公司負責人謝○○等 3 人，基於共同犯意，於 102 年 1 月至 103 年 2 月間，先後偽造清運車輛 GPS 紀錄、福興垃圾處理場地磅單及清運表單、進廠確認單等，俾製造不實轉運紀錄，藉以夾帶該 2 公司私下收取自民間廠商產出之事業廢棄物，進入焚化廠處理，再向芳苑鄉公所詐領垃圾轉運費 332 萬餘元及焚化廠垃圾處理費 109 萬餘元。

林○○因違背前述職務，而收受廠商陳○○每月 1 萬 5 千元至 2 萬 5 千元不等賄款，另提撥其中一部分款項，按月 3 千元轉交福興垃圾處理場職員薛○○，藉以封口，其餘款項均自行留用。另林○○於 102 年間起將堆置福興垃圾處理場內屬公物之白鐵、紙類等資源回收物，私下變賣給資源回收業者郭○○，未將變賣款項繳回公庫，涉嫌侵占公款。

案例 06 臺南市政府勞工局仲○○辦理勞工退休準備金涉嫌不法案

Case 06 Illegal Involvement of Mr. Chung○○ Handling Retirement Reserve in Labor Affairs Bureau of Tainan City Government

◎案件類型：社會福利

◎主辦單位：臺南市調查處

◎起訴日期：104 年 7 月 31 日

◎起訴機關：臺南地方法院檢察署

◎起訴被告：仲○○ 等 23 人

◎起訴法條：貪污治罪條例第 5 條第 1 項第 2 款利用職務上之機會詐取財物罪

臺南市政府勞工局科員仲○○於 98 年起，利用承辦業務之機會，以職務上所掌資訊系統查悉已解散、廢止或撤銷停歇業 20 家公司之勞工退休準備金專戶，因故尚未結清，仍存有大筆款項，乃與臺南市民林○○基於共同犯意，由林○○招攬符合請領舊制勞工退休金年齡之人頭李○○等 22 人，並以各公司勞工退休金監督委員會名義，偽造該等委員會、主委、副主委印章，蓋印於變更申請書、會議紀錄、印鑑卡等文書，並偽造公司負責人身分證影本，以原印鑑遺失為由，向臺南市政府勞工局申辦公司通訊地址及原專戶印鑑變更，其後仲○○再利用經辦業務之機會，逕自審核通過並認可公司負責人身分，再將相關文件轉送臺灣銀行，待收到勞工局核准函後，即以人頭名義向該行申請領取舊制勞工退休金，再由林○○帶領人頭親赴臺灣銀行兌領支票，並給付人頭酬金 3 萬元至 5 萬元不等，餘款以三七比例與仲○○分贓，合計詐得金額 3,329 萬餘元。

案例 07 屏東縣議員林○○詐領補助款涉嫌不法案

Case 07 Illegal Involvement of Pingtung County Councilman Lin'○○s Embezzlement

- ◎案件類型：社會福利
- ◎主辦單位：南部地區機動工作站
- ◎起訴日期：104 年 12 月 8 日
- ◎起訴機關：屏東地方法院檢察署
- ◎起訴被告：林○○等 3 人
- ◎起訴法條：貪污治罪條例第 5 條第 1 項第 2 款利用職務上之機會詐取財物罪

屏東縣縣議員林○○利用議員有建議補助民間團體之機會，與其夫陳○○等人基於共同之犯意，由陳○○借用人頭擔任理事長及會員，成立親子文化服務協會等社團，並為規避屏東縣政府對民間團體補助經費作業要點第五點第三項之限制，偽造各協會會員出席大會或理監事開會名單，製作不實之活動計畫書及活動經費概算表等，由林○○簽立載明受補助協會、活動名稱或購買設備品項等之建議箋，或委由其他縣議員李○○等人簽立空白建議箋，交由林○○或陳○○自行填寫受補助協會、活動名稱或購買設備品項等欄位，據以向屏東縣政府申請補助。於補助核准後，陳○○向三○企業社負責人黃○○購買之不實發票，或向榮○工房負責人凌許○○等人索取空白收據，據以向屏東縣政府申請核銷撥款，於款項撥入前述協會所設銀行帳戶後，陳○○再以現金領出或轉匯至名下帳戶，移作繳交私人信用卡帳單及或購置私人電器用品，合計詐取金額達 959 萬餘元。

案例 08 國防部軍備局生製中心第 209 廠人員經辦軍品項採購涉貪案

Case 08 Involvement in Corruption of the Employees in the 209th Arsenal, Materiel Production and Manufacturing Center, Armaments Bureau, MND

◎案件類型：軍方事務

◎主辦單位：臺中市調查處

◎起訴日期：103 年 6 月 12 日

◎起訴機關：臺中地方法院檢察署

◎起訴被告：張○○等 3 人

◎起訴法條：貪污治罪條例第 5 條第 1 項第 3 款不違背職務之行為收受賄賂罪等

張○○軍火商集團因旗下公司資本額均未達國軍 CM-32 雲豹八輪甲車「動力底盤系統乙項」採購案投標門檻，惟覬覦本標案、後續擴充採購，及衍生之維修、零件採購等巨額利益，與國防部軍備局生產製造中心第 209 廠庫房倉儲管理員李○○及中興電工機械公司董事長江○○共同勾結，以中興電工名義投標，順利以最低價得標承攬後，即分包給張○○集團旗下億○公司、晉○公司等，由該等廠商負責供應部分料件，再由中興電工機械公司向 209 廠進行履約交貨，張○○透過劉○○先後交付 10 次賄款給李○○，金額計 117 萬餘元，要求李○○於履約驗收時放水，使本採購案得以順利通過驗收。

案例 09 前桃園縣消防局新屋分隊分隊長吳○○等人涉嫌圖利案

Case 09 Involvement in Interest of Conflict of Former Xinwu Branch Head Mr. Wu○○ and Some Teammates in Taoyuan Fire Department

- ◎案件類型：消防
- ◎主辦單位：桃園市調查處
- ◎起訴日期：104 年 5 月 22 日
- ◎起訴機關：桃園地方法院檢察署
- ◎起訴被告：吳○○等 8 人
- ◎起訴法條：貪污治罪條例第 6 條第 1 項第 4 款對於主管或監督之事務圖利罪等

桃園縣消防局新屋分隊分隊長吳○○及隊員彭○○、林○○、莊○○、賴○○等 5 人，先後於 100 年間起迄 103 年 7 月間止，辦理新屋保齡球館消防安全設備複檢及審核安檢記錄表時，明知該球館 100 年下半年、101 年上半年、101 年下半年、102 年上半年及 103 年上半年消防安全設備檢修申報書所列缺失達檢查項目八成以上，且缺失幾乎相同未見改善，亦未通知申報消防安全設備檢修申報書之消防技師徐○○、胡○○、蔡○○、吳○○等人到場會同複檢，未依申報缺失逐項檢查，即於消防安檢紀錄表相關複檢項目勾選符合不實內容，藉使新屋保齡球館前、後任負責人劉○○、劉○○免遭裁罰及停業等處分，亦獲得免於支付改善缺失所需費用之不法利益。

案例 10 高雄市議員陳○○涉嫌詐領國內考察活動補助案

Case 10 Involvement in Embezzlement of Kaohsiung City Councilman Mr. Chen○○ for Domestic Business Trip

◎案件類型：其他

◎主辦單位：高雄市調查處

◎起訴日期：104 年 9 月 7 日

◎起訴機關：高雄地方法院檢察署

◎起訴被告：陳○○ 等 2 人

◎起訴法條：貪污治罪條例第 5 條第 1 項第 2 款利用職務上之機會詐取財物罪

現任高雄市議員陳○○於 103 年 2、3 月間，透過不知情之蔡○○協助，藉蔡員代購赴廈門旅遊機票之便，另自福○旅行社行銷專員張○○取得其所開立之旅行業代收轉付收據，張○○明知陳○○並未透過福○旅行社代辦國內經建考察行程，且未收取任何相關費用，仍將不實之摘要、數量、單價及金額等事項，登載於其業務上作成之旅行業代收轉付收據上，透過蔡○○轉交予陳○○，再由陳○○指示不知情之助理鄭○○提供給高雄市議會民政委員會專員李○○，據以製作黏貼憑證請款，向高雄市議會詐領國內考察補助費。

案例 11 新竹瓦斯股份有限公司前總經理劉○○等人涉嫌不法案

Case 11 Illegal Involvement of Former President of Hsinchu Gas Company Limited Mr. Liu○○ and Others

◎案件類型：其他

◎主辦單位：新竹縣調查站

◎起訴日期：104 年 10 月 30 日

◎起訴機關：新竹地方法院檢察署

◎起訴被告：劉○○ 等 13 人

◎起訴法條：貪污治罪條例第 5 條第 1 項第 3 款不違背職務之行為收受賄賂罪等

上○企業、金○企業歷年來均得標承作新竹瓦斯公司標案，該兩企業社負責人郭○○、郭○○因而熟稔新竹市政府工務處人員余○○、新竹瓦斯公司人員劉○○、吳○○、李○○、范○○、王○○、蘇○○、范○○、曾○○等人，郭○○、郭○○為求所承包案件能順利快速結算領得工程款，或取得各該承辦人、監工人員之配合監督作業、審核流程通過，各基於行賄犯意，自 92 年起即行賄時任瓦管處承辦人李○○，直至 101 年起更擴大行賄上開除謝○○之外所有人員，並遭吳○○、李○○、黃○○藉勢勒索財物。

另圳○企業、亭○企業歷年來均得標新竹瓦斯公司發包竹北地區大樓表外管新裝、改裝等公共工程標案，陳○○、陳○○因而熟稔該等案件承辦、監工人員謝○○、范○○，該兩企業社負責人陳○○、陳○○○○兄弟為求所承包案件能順利快速結算領得工程款，或取得各該承辦人之配合監督作業、審核流程通過，各基於行賄犯意，交付謝○○按照工程款定額比例之回扣，並不定時招待謝○○、范○○至新竹縣市有女陪侍之酒店。

案例 12 台電公司綜合施工處周○○等涉嫌貪瀆案

**Case 12 Illegal involvement of General Construction Office Staff Mr. Chou○○
and Others in Taiwan Power Company**

◎案件類型：其他

◎主辦單位：新北市調查處

◎起訴日期：104 年 8 月 19 日

◎起訴機關：新北地方法院檢察署

◎起訴被告：周○○ 等 10 人

◎起訴法條：貪污治罪條例第 4 條第 1 項第 5 款違背職務之行為收受賄賂罪等

台電公司營建處辦理林訓實習工場建築工程採購案，由泛○公司以底價 86% 之 16 億 6,800 萬元搶標並順利得標，兆○公司、榮○公司則為泛亞公司之下包協力廠商。台電公司營建處後續辦理林訓實習工場水電空調工程，由大○公司以底價 67% 之 5 億 8,900 萬元搶標並順利得標，昶○公司則為大同公司之下包協力廠商。台電公司綜合施工處林口工作隊經理周○○、電氣分隊主辦高○○、張○○、政風課課長張○○等人，分別負責前述林訓實習工場建築工程及林訓實習工場水電空調工程承辦、監驗、核撥工程款、辦理工程變更、計畫書審查等職務，係依政府採購法從事於採購事務之公務員，共同基於違背職務收受賄賂之犯意，分別向大同公司吳○○、莊○○、兆弘公司傅○○及榮聖公司陳○○等人要求、期約及收受賄賂，並基於各自負責職務，分別放水通過審查、關說取得下包工程、掩護承包商工程施作數量短少、申請估驗計價時浮報工程款。

案例 13 屏東縣議長參選人周○○等涉嫌賄選案

Case 13 Involvement in Bribery of Candidate Mr. Chou○○ (and other Councilmen) for Speaker of Pingtung County Council

◎案件類型：地方公職人員賄選

◎主辦單位：屏東縣調查站

◎起訴日期：104 年 10 月 30 日

◎起訴機關：屏東地方法院檢察署

◎起訴被告：周○○ 等 12 人

◎起訴法條：公職人員選舉罷免法第 100 條第 1 項對有投票權人行賄罪

屏東縣議員周○○與郭○○搭檔參選屏東縣議會正副議長，基於賄選犯意，由縣議員王○○及潘○○透過廖○○安排縣議員歸○○、潘○○及陳○○等人住宿臺中市酒店，王○○並交付歸○○等人，每人 1 萬 8,000 元現鈔，要求該等議員支持周○○競選議長，廖○○另安排潘○○等人至臺中市酒家飲宴，除支付飲宴費用 5 萬餘元，並於席間拿出現金約 20 餘萬元，發放給在場議員當作零用金。

王○○為便於議員赴議會開會及正副議長選舉投票，南返前要林○○帶潘○○等人至臺中市選購西裝皮鞋等服飾，採購費用由廖○○買單支付，共花費 10 萬餘元。

王○○安排南返歸○○等人入住高雄市湖內區汽車旅館，住房費 2 萬餘元由王○○支付，王○○及潘○○則先行返回屏東與周○○討論選情，隔日顏○○等議員由林○○及陳○○等人載赴屏東縣議會投票，該次選舉結果由周○○及江○○分別當選正、副議長。

案例 14 桃園市議員候選人劉○○涉嫌賄選案

Case 14 Involvement in Bribery of Mr. Liu○○-Candidate of Taoyuan City Councilman

◎案件類型：地方公職人員賄選

◎主辦單位：臺北市調查處

◎起訴日期：104 年 3 月 10 日

◎起訴機關：桃園地方法院檢察署

◎起訴被告：劉○○等 13 人

◎起訴法條：公職人員選舉罷免法第 99 條第 1 項對有投票權人行賄罪

桃園市第 7 選區市議員候選人劉○○、競選總部幹部鄧○○及桃園縣劉姓會大崙區互助會會長劉○○，為使劉○○能順利當選，共同基於賄選犯意，劉○○將 5 萬元買票賄款交付予劉○○，由劉○○尋找籍設桃園市第 7 選區之大崙互助會第 9 至 12 班成員，進行現金買票，於 103 年 10 月中旬起，劉○○以每票 1,000 元之代價，分向劉○○、劉黃○○、吳○○、劉黃○○等人現金買票，要求投票支持市議員候選人劉○○。

案例 15 南投縣草屯鎮鎮長候選人張○○等人涉嫌賄選案

Case 15 Involvement in Bribery of Candidate Mr. Chang (and Several People) for Caotun Township's Mayor in Nantou County

- ◎案件類型：地方公職人員賄選
- ◎主辦單位：南投縣調查站
- ◎起訴日期：103 年 12 月 18 日
- ◎起訴機關：南投地方法院檢察署
- ◎起訴被告：張○○等 3 人
- ◎起訴法條：公職人員選舉罷免法第 99 條第 1 項對有投票權人行賄罪

南投縣草屯鎮第 17 屆鎮長候選人張○○，為期能順利當選鎮長，基於賄選之犯意，於 103 年 4 月某日於福○禮儀公司設址處，向草屯鎮加老里里長候選人洪○○交付 4、5 萬元賄款，要求洪○○於該次鎮長選舉時支持本人，惟經洪○○當場拒絕後，始行離去。

張○○於 103 年 5 月中旬某日，前往草屯鎮土城里里長候選人施○○住處，將分別裝有 10 萬元及 5 萬元賄款之牛皮紙袋，交付與施○○，要求施○○及其妹妹同時為鎮民代表候選人施○○，於鎮長選舉時不要支持另一鎮長候選人洪○○，經施○○當場拒絕，張○○仍將賄款留下離去，事後施○○託由施○○將該等款項退還與張○○。

張○○於 103 年 6 月某日，於草屯鎮敦和宮旁巷子內，將裝有數額不詳賄款之牛皮紙袋，交付給中原里里長候選人李○○，表示係對其贊助競選里長之經費，要求李○○於該鎮長選舉時支持本人，經李○○當場拒絕後，始行離去。

張○○於 103 年 7、8 月某日，於草屯鎮新豐里里長候選人陳○○住處，將裝有數額不詳賄款之牛皮紙袋，交付給陳○○，要求陳○○於鎮長選舉時支持本人，經陳○○當場拒絕後，始行離去。

List of Tables

Table 2-01 Summary Table of the Investigation Work Performed in 2015

Unit: Case

Category		No. of Case	Description
Corruption Cases	Referred Officially to Prosecutors	383	Cases referred officially to prosecutors for indictments in 2015 after investigations
	Forwarded to Prosecutors	14	Cases forwarded to prosecutors with written reports and indicted afterward in 2015 after investigations.
	Others	2	Cooperated with the prosecutors in the investigation, whereby the prosecution agencies have in 2015 brought indictments, summary judgments, deferred prosecutions, or non-prosecutions ex officio.
	Subtotal	399	Accounts for 52.67% of the year.
Vote-buying Cases		359	The Bureau has cooperated with the prosecutors in the investigation, whereby the prosecution agencies have in 2015 brought indictments, summary judgments, deferred prosecutions, or non-prosecutions ex officio., which accounts for 6.3% °
Total		758	<p>Note 1 : The period for statistics is between January 1 and December 31, 2015.</p> <p>Note 2 : The chapter "Investigation Work" of this Yearbook indicates the "referred cases" and "vote-buying cases"</p>

Table 2-02 Summary of Statistics on Cases Referred in 2015

Unit: case/person/TWD

Category	Item	No. of Case	No. of Suspects			Amount of Money Involved in Cases			
			Civil servant	Representative	Non-civil servant	Corruption	Profiting	Procurement	Others
Corruption / Malfeasance	Supervisory management for industry and commerce	1	8	0	0	—	4,620,000	—	—
	Taxation	3	3	0	1	—	174,543	—	—
	Highway administration	1	2	0	17	—	850,000	—	—
	Legal	5	8	0	19	151,600	90,200	—	22,230,169
	Law enforcement	19	52	0	58	2,534,661	49,760,855	—	528,559
	Construction	14	47	1	35	1,630,013	4,669,785	—	5,500
	Civil affairs, household registration, military service, and land	13	46	0	26	32,095,924	440,867,517	—	—
	Environmental protection	7	8	0	27	11,772,000	3,150	—	—
	Medical service	1	2	0	0	—	—	—	—
	Social welfare	3	3	0	26	42,887,000	—	—	—
	Education	10	20	0	3	13,215,800	4,603,286	—	2,752,150
	Agriculture, forestry, fishery and animal husbandry	2	1	0	3	4,817,297	—	—	3,837,178
	River and gravel management	2	7	0	7	351,205	—	—	21,355
	Military affairs	7	13	0	6	51,457,457	108,350,000	—	60,000
	Foreign affairs	1	1	0	0	478,677	—	—	—
	State-owned enterprises	1	1	0	0	1,029,000	—	—	—
	Administrative affairs	4	8	0	5	115,792	117,953	—	—
	Others	44	80	17	145	166,696,749	194,830,831	62,104,000	1,427,000
	Sub-total	138	310	18	378	329,233,175	808,938,120	62,104,000	30,861,911
Non-corruption/non-malefeasance	Highway administration	1	0	0	3	—	—	5,464,696	—
	Transportation, tourism and	2	0	0	7	—	—	4,459,000	—
	Legal	3	0	0	3	—	—	—	27,126,700
	Civil affairs, household registration, military service, and land	1	0	0	3	—	—	587,400	—
	Environmental protection	17	0	1	33	—	—	1,553,989	64,500
	Medical service	5	4	0	19	—	—	8,955,600	—
	Education	22	3	0	52	—	—	69,159,428	2,440,303
	River and gravel management	2	0	0	8	—	—	23,069,500	—
	Military affairs	9	0	0	36	—	—	134,435,800	—
	National security	1	0	0	2	—	—	780,000	—
	State-owned enterprises	9	4	0	23	—	—	83,033,384	146,400
	Construction	5	0	0	12	—	—	268,769,866	—
	Others	168	9	0	523	—	—	5,380,735,943	52,466,539
	Sub-total	245	20	1	724	—	—	5,981,004,606	82,244,442
Total		383	330	19	1102	329,233,175	808,938,120	12,086,217,212	987,189,113

Table 2-03 Statistics of Cases Referred from 2010 to 2014

Unit: case

Category \ Year		2010	2011	2012	2013	2014	Subtotal
Corruption / Malfeasance	Public works	59	58	46	45	36	244
	Procurement	38	53	61	156	32	340
	Judicial corruption and malfeasance	1	2	3	4	3	13
	Law enforcement	24	35	24	40	29	152
	Firefighting	2	1	2	2	0	7
	Correction	6	2	4	1	1	14
	Urban planning	1	5	1	0	0	7
	Construction management	5	7	5	3	8	28
	Land administration	3	7	2	3	2	17
	Taxation	2	0	2	2	1	7
	Customs affairs	2	7	1	4	4	18
	Financial affairs	1	0	0	0	0	1
	Medical care	2	8	0	2	2	14
	Education	5	4	7	2	4	22
	Company registration	0	0	0	0	0	0
	Motor vehicle management	1	1	2	2	1	7
	Funeral and interment	7	4	2	0	1	14
	Environmental protection	8	12	5	5	5	35
	Spoil of land conservation	0	1	0	0	3	4
	Rivers and gravel management	1	2	1	0	0	4
	Public welfare subsidy	1	1	1	3	1	7
	Subvention	1	9	4	6	5	25
	Others	80	85	47	48	37	297
	Sub-total	250	304	220	328	175	1,277
Non-corruption/non-malfeasance	Public works	101	73	69	69	61	373
	Procurement	128	119	105	107	136	595
	Judiciary fraud	7	10	14	6	9	46
	Low enforcement	0	0	0	0	1	1
	Firefighting	0	0	0	0	1	1
	Urban planning	0	0	0	0	17	17
	Customs affairs	0	0	0	0	1	1
	Financial affairs	0	0	0	0	1	1
	Medical care	4	3	1	2	4	14
	Education	10	14	17	6	3	50
	Environmental protection	3	13	22	11	19	68
	Spoil of land conservation	17	18	16	12	65	128
	Others	24	20	14	12	9	79
	Sub-total	294	270	258	225	327	1,374
Total		544	574	478	553	502	2,651

Table 2-04 Statistics of Case Sources on Cases Referred in 2015

Unit: case

Categories	Reports from the public	Self-surrenders	Prosecutors offices	Governmental ethics authorities	MJIB initiative	Others	Subtotal
Corruption/malfeasance	20	2	27	3	81	5	138
Non-corruption/non-malfeasance	32	0	116	3	63	31	245
Total	52	2	143	6	144	36	383

Table 2-05 Statistics of Key Applicable Laws on Cases Referred in 2015

Unit: case

Applicable laws		Anti-corruption Act	Government Procurement Act	Criminal Code	Others	Subtotal
Category						
Corruption/Malfeasance	Supervisory management for industry and commerce	1	—	0	0	1
	Taxation	2	—	0	1	3
	Highway administration	1	—	0	0	1
	Legal	3	—	2	0	5
	Law enforcement	13	—	6	0	19
	Construction	14	—	0	0	14
	Civil affairs, household registration, military service, and land administration	11	—	2	0	13
	Environmental protection	7	—	0	0	7
	Medical service	0	—	1	0	1
	Social welfare	2	—	1	0	3
	Education	10	—	0	0	10
	Agriculture, forestry, fishery and animal husbandry	2	—	0	0	2
	River and gravel management	2	—	0	0	2
	Military affairs	5	—	2	0	7
	Foreign affairs	1	—	0	0	1
	State-owned enterprises	1	—	0	0	1
	Administrative affairs	2	—	1	1	4
	Others	38	—	5	1	44
	Sub-total	115	—	20	3	138
Non-Corruption/non-malfeasance	Highway administration	—	1	0	0	1
	Transportation, tourism and weather	—	2	0	0	2
	Legal	—	0	3	0	3
	Civil affairs, household registration, military service, and land administration	—	1	0	0	1
	Environmental protection	—	1	2	14	17
	Medical service	—	4	1	0	5
	Education	—	12	10	0	22
	River and gravel management	—	1	1	0	2
	Military affairs	—	8	1	0	9
	National security	—	1	0	0	1
	State-owned enterprises	—	8	1	0	9
	Construction	—	5	0	0	5
	Others	—	135	24	9	168
	Sub-total	—	179	43	23	245
Total		115	179	63	26	383

Table 2-06 Statistics of Key Applicable Laws on Cases Referred in the Past 5 Years (By No. of Cases)

Law \ Year	2011		2012		2013		2014		2015	
	No. of case	%	No. of case	%	No. of case	%	No. of case	%	No. of case	%
Anti-corruption Act	247	42.9%	200	41.8%	299	54.1%	145	28.9%	115	30.0%
Government Procurement Act	177	30.8%	159	33.3%	157	28.4%	169	33.7%	179	46.7%
Criminal Code	120	20.9%	83	17.4%	74	13.4%	132	26.3%	63	16.4%
Narcotics Hazard Prevention Act	1	0.2%	0	0.0%	1	0.2%	0	0.0%	0	0.0%
Controlling Guns, Ammunition and Knives Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
The Smuggling Penalty Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Civil Servant Service Act	0	0.0%	0	0.0%	1	0.2%	3	0.6%	1	0.3%
Waste Disposal Act	13	2.3%	23	4.8%	10	1.8%	18	3.6%	10	2.6%
Forestry Act	1	0.2%	1	0.2%	1	0.2%	1	0.2%	1	0.3%
Soil and water Conservation Act	5	0.9%	2	0.4%	3	0.5%	10	2.0%	3	0.8%
Utilization and Transfer of Reserved Mountainous Land	1	0.2%	1	0.2%	2	0.4%	7	1.4%	0	0.0%
Urban Planning Law	0	0.0%	0	0.0%	0	0.0%	2	0.4%	0	0.0%
Regional Plan Act	8	1.4%	5	1.0%	4	0.7%	14	2.8%	7	1.8%
Attorney Regulation Act	1	0.2%	4	0.8%	0	0.0%	0	0.0%	1	0.3%
Water Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Water Pollution Control Act	0	0.0%	0	0.0%	1	0.2%	1	0.2%	1	0.3%
Tax Collection Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Act on Recusal of Public Servants Due to Conflict of Interest	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Mortuary Service Administration Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Computer-Processed Personal Data Protection Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.3%
The Classified National Security Information Protection Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Political Donations Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.3%
Total	574	100.0%	478	100.0%	553	100.0%	502	100.0%	383	100.0%

Table 2-07 Statistics of Key Applicable Laws on Cases Referred in the Past 5 Years (By No. of Suspects)

Law \ Year	2011		2012		2013		2014		2015	
	No. of case	%	No. of case	%	No. of case	%	No. of case	%	No. of case	%
Anti-corruption Act	874	38.9%	825	45.1%	1532	57.2%	831	46.5%	631	43.5%
Government Procurement Act	754	33.6%	535	29.2%	604	22.5%	504	28.2%	577	39.8%
Criminal Code	525	23.4%	354	19.3%	460	17.2%	327	18.3%	183	12.6%
Narcotics Hazard Prevention Act	1	0.05%	5	0.3%	1	0.0%	0	0.0%	0	0.0%
Controlling Guns, Ammunition and Knives Act	1	0.05%	0	0.0%	2	0.1%	0	0.0%	0	0.0%
The Smuggling Penalty Act	4	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
The Communication Security and Surveillance Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Civil Servant Service Act	0	0.0%	0	0.0%	1	0.0%	3	0.2%	1	0.1%
Waste Disposal Act	17	0.8%	37	2.0%	18	0.7%	67	3.7%	20	1.4%
Forestry Act	2	0.1%	15	0.8%	23	0.9%	1	0.1%	13	0.9%
Soil and water Conservation Act	10	0.4%	2	0.1%	4	0.1%	21	1.2%	6	0.4%
Utilization and Transfer of Reserved Mountainous Land	1	0.05%	4	0.2%	1	0.0%	12	0.7%	0	0.0%
Urban Planning Law	0	0.0%	0	0.0%	0	0.0%	2	0.1%	0	0.0%
Regional Plan Act	17	0.8%	9	0.5%	4	0.1%	19	1.1%	10	0.7%
Business Entity Accounting Act	28	1.2%	35	1.9%	24	0.9%	0	0.0%	0	0.0%
Tax Collection Act	3	0.1%	1	0.1%	0	0.0%	0	0.0%	0	0.0%
Money Laundering Control Act	4	0.2%	2	0.1%	5	0.2%	0	0.0%	0	0.0%
Attorney Regulation Act	1	0.05%	6	0.3%	0	0.0%	0	0.0%	1	0.1%
Computer-Processed Personal Data Protection Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.1%
The Classified National Security Information Protection Act	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Water Pollution Control Act	0	0.0%	0	0.0%	0	0.0%	2	0.1%	7	0.5%
Political Donations Act	2	0.1%	0	0.0%	1	0.0%	0	0.0%	1	0.1%
Total	2,244	100.0%	1,830	100.0%	2,680	100.0%	1,789	100.0%	1,451	100.0%

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	Subparagraph	Details of the Anti-corruption Act	2011	2012	2013	2014	2015
				Year	Year	Year	Year	Year
4	1	1	Larceny or embezzlement of public equipments or properties.	20	10	12	7	8
4	1	2	Obtaining properties by coercion, extortion, conversion or collection on an illegal excuse or by misusing his power and influence.	10	7	8	5	4
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.	23	15	19	10	3
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.	28	39	28	25	15
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	0	0	0
5	1	2	Obtaining properties by committing fraudulence through one's position.	61	46	157	24	26
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.	21	31	25	25	22
6	1	1	Retaining properties that should be released to people for the intention of making illegal profits.	0	0	1	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.	6	1	2	3	7
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.	76	50	43	43	28
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.	2	1	4	1	0
6-1			If it is obvious that the increase in property of civil servants do not correspond with their income, with the received orders from the prosecutor, they are to provide explanations for the property from suspicious sources and eventually give no explanations, give unreasonable explanations, or give false explanations.	—	0	0	1	0
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	0	0	1	2
Total				247	200	299	145	115

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	2011	2012	2013	2014	2015
			Year	Year	Year	Year	Year
122	2	Offense of accepting bribes and breaching one's duties	0	0	1	0	0
123	1	Quasi-bribery-taking	0	0	0	1	0
129	2	A civil servant intercepting or embezzling money or objects that should be issued to people	3	0	1	0	0
132	1	A civil servant disclosing a non-state secret (excluding national defense secrets) without authorization	15	6	5	12	0
132	2	A civil servant disclosing a non-state secret (excluding national defense secrets) without authorization due to negligence	0	1	0	0	0
132	3	A non-civil servant disclosing a non-state secret (excluding national defense secrets) without authorization	0	0	1	0	4
138		Destroying or hiding documents, objects supervised by civil servants	0	1	0	0	0
157	1	Luring someone to enter a lawsuit and then taking the case	0	0	0	1	0
165		Destruction of criminal evidence	0	0	0	1	0
168		Perjury	0	0	0	0	0
169	1	Malicious accusation	0	0	0	1	0
210		Forgery of official documents	3	4	1	6	1
211		Forgery of official documents	1	2	1	2	0
212		Forgery of limited kinds of documents	0	0	0	0	0
213		A civil servant fraudulently filling in something on official documents	17	5	12	7	10
214		Causing a civil servant to make fraudulent entries into official documents	1	0	1	1	0
215		Fraudulently filling in something on private documents due to business	3	2	4	1	2
216		Using the forged, falsified, or false information-entry documents	3	0	2	5	0
217	1	Forging a seal, the impression of a seal, or a signature	1	0	0	0	0
217	2	Using a seal, the impression of a seal without authority	0	0	0	1	0
218	1	Forging a public seal or the impression of a public seal	0	0	0	0	0
218	2	Using a public seal or the impression of a public seal without authority	0	1	0	0	0
231	2	A civil servant harboring a person who makes others to have sexual intercourse	1	0	0	1	0
266	1	Gambling	0	0	0	0	0
268		Organized gambling parties	0	0	1	1	0
304	1	Offense of coercion	0	0	0	1	1
305		Threatening to cause injury to the life, body, freedom, or property of another	1	0	0	0	0
320	1	Larceny	2	0	1	4	14
320	2	Larceny of real estate	5	7	3	42	0
321	1	Larceny accompanied with gangs or weapons, or by way of intrusion, or performing at night	0	0	0	0	0
335	1	Embezzlement	1	0	1	1	3
336	1	Embezzling properties possessed on the occasion of official matters or public welfare	3	2	0	0	2
336	2	Embezzling properties possessed on the occasion of profession or business	4	4	1	2	0
339	1	Fraud (illegally gaining properties)	38	34	33	26	23
339	2	Fraud (illegally gaining profits)	2	3	0	0	2
339	3	Failure of fraud	0	1	1	2	0
339-1	2	Exercising unlawful control over other's property from a fees-collecting apparatus	1	0	0	0	0
342	1	Abuse of trust	15	10	4	13	1
Total			120	83	74	132	63

Table 2-10 Statistics of Suspect Demographics in Cases Referred in
the Past 5 Years (By Status and Gender)

Unit: person

Yea	Status	High-ranking civil servant		Middle-ranking civil servant		Low-ranking civil servant		Quasi-civil servant		Elected representative		Non-civil servant		Subtotal
		Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
2011		116	11	285	39	201	53	21	8	34	7	1,219	250	2,244
		127		324		254		29		41		1,469		
2012		92	11	247	20	120	10	92	33	16	4	956	229	1,830
		103		267		130		125		20		1,185		
2013		164	37	327	56	224	46	192	51	51	21	1,183	328	2,680
		201		383		270		243		72		1,511		
2014		72	1	162	25	86	9	101	33	18	3	1,057	222	1,789
		73		187		95		134		21		1,279		
2015		32	2	110	17	115	16	27	11	14	5	845	257	1,451
		34		127		131		38		19		1,103		
Total		476	62	1,131	157	746	134	433	136	133	40	5,260	1,286	9,994
		538		1,288		880		569		173		6,546		

Table 2-11 Statistics of Suspect Demographics in Cases Referred in
2015 (By Applicable Laws and Status)

Unit: person

Status \ Law	Anti-Corruption Act	Government Procurement Act	Criminal Code	Others	Subtotal
High-ranking civil servant	27	7	0	0	34
Middle-ranking civil servant	104	1	22	0	127
Low-ranking civil servant	111	2	17	1	131
Quasi-civil servant	28	0	10	0	38
Elected representative	17	0	1	1	19
Non-civil servant	344	574	126	58	1,102
Total	631	584	176	60	1,451

Table 2-12 Statistics of Suspect Demographics in Cases Referred in
2015 (By Education and Status)

Unit: person

Status \ Educational level	Master or above	Bachelor	College	Senior high school	Junior high school or below	Unknown	Subtotal
High-ranking civil servant	17	11	3	2	0	1	34
Middle-ranking civil servant	25	44	32	16	3	7	127
Low-ranking civil servant	6	23	66	20	8	8	131
Quasi-civil servant	13	9	4	8	2	2	38
Elected representative	2	3	1	1	2	10	19
Non-civil servant	63	192	173	232	175	267	1,102
Total	126	282	279	279	190	295	1,451

Table 2-13 Statistics of Elected Public Servants Referred in the Past
5 Years

Unit: person

Elected representative		No. of suspect						Principal of local self-governing body	No. of suspect					
		2011	2012	2013	2014	2015	Subtotal		2011	2012	2013	2014	2015	Subtotal
Legislative Yuan	Legislator	2	3	0	0	1	6	Mayor of County / City	1	6	1	1	0	9
County/ City Council	Speaker of the Council	0	0	0	0	1	1	Mayor of Township	33	15	29	9	8	94
	Vice-speaker of the Council	0	0	1	1	0	2	Village Chief	28	21	50	6	11	116
	County/City Councilor	9	5	44	6	12	76							
Township Council	Chairperson of the Council	8	4	4	4	3	23							
	Vice-chairperson of the Council	3	2	1	1	1	8							
	Township Councilor	19	6	25	9	1	60							
Total		41	20	75	21	19	176	Total	62	42	80	16	19	219

Table 2-14 Statistics of Indicted Vote-buying Cases Investigated by the Bureau (By No. of Cases)

Unit: case

Year	President and vice president	Mayor of the special municipality	Mayor of County / City	Mayor of Township	Village Chief	Legislator	Councilor of the special municipality	County/City Councilor	Township councilor	Farmers association	Fishermen association	Irrigation association	Subtotal
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
2010	0	0	14	67	56	4	2	130	49	8	1	11	342
2011	0	0	1	5	122	0	64	1	23	2	0	1	219
2012	5	0	0	1	6	30	0	0	3	1	0	0	46
2013	0	0	0	0	2	1	0	1	0	74	1	0	79
2014	0	0	0	2	8	1	1	4	6	4	0	13	39
2015	0	0	2	44	117	0	32	83	79	1	0	1	359
Total	30	2	121	403	614	494	131	779	352	308	17	12	3,277

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 the special municipality"; category " county/city councilor" includes the election of "Councilor of the special municipality"

Note 3 : Every sort of representatives election includes it's speaker and vice-speaker campaign such as the speaker and vice-speaker of Legislative Yuan, the speaker and vice-speaker of the special municipality council, the speaker and vice-speaker of county/city council, township council chairperson and vice-chairperson. Farmers association election includes the campaign for representatives, commissioners, and supervisors of the association, and so does fishermen association election. Irrigation association election includes the campaign for commissioners and the president .

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 2-15 Statistics of Indictment Vote-buying Cases in
the Past 10 Years (By No. of Suspects)

Unit: person

Year \ Category	President and vice president	Mayor of the special municipality	Mayor of County / City	Mayor of Township	Village Chief	Legislator	Councilor of the special municipality	County/City Councilor	Township councilor	Farmers association	Fishermen association	Irrigation association	Subtotal
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
2010	0	0	39	304	172	15	12	773	195	39	2	46	1,597
2011	0	0	11	13	616	0	532	1	80	5	0	1	1,259
2012	8	0	0	4	18	208	0	0	16	3	0	0	257
2013	0	0	0	0	3	3	0	6	0	170	2	0	184
2014	0	0	0	17	19	3	4	7	33	18	0	82	183
2015	0	0	6	144	638	0	206	379	341	10	0	1	1,725
Total	61	19	271	1,283	2,186	938	870	2,346	1,085	514	9	130	9,712

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 the speaker and vice-speaker of Legislative Yuan, the speaker and vice-speaker of the special municipality council, the speaker and vice-speaker of county/city council, township council chairperson and vice-chairperson. Farmers association election Includes the campaign for representatives, commissioners, and supervisors of the association, and so does fishermen association election. Irrigation association election includes the campaign for commissioners and the president.

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

Table 2-16 Statistics of Vote-buying Cases Indicted in 2015

(By Key Applicable Laws and No. of Defendants)

Unit: person

Key applicable laws		Measures	Prosecutions	Summary Judgment Application	Deferred Prosecution	Non- Prosecution ex officio	Subtotal
The Public Servant Election and Recall Act	Paragraph 1, Article 97 (Offering bribes for making candidates abandon campaign for elections)		19	0	0	0	19
	Paragraph 2, Article 97 (Candidates taking bribes in consideration of quitting the campaign)		2	0	0	0	2
	Paragraph 1, Article 99 (Offering bribes to voters)		780	0	3	0	783
	Paragraph 2, Article 99 (Preparation for bribing voters)		18	0	0	0	18
	Paragraph 1, Article 100 (Offering bribes to voters in district council chairperson campaign)		15	0	0	0	15
	Paragraph 2, Article 100 (Voters taking bribes in district council chairperson campaign)		15	0	0	0	15
	Article 103 (Undertaking vote-buying to seek profit)		2	0	0	0	2
	Article 104 (Spreading rumors or false sayings about candidates)		7	0	0	0	7
Presidential and Vice Presidential Election and Recall Act	Paragraph 1, Article 86 (Bribery to voters)		0	0	0	0	0
The Farmers Association Act	Subparagraph 1, Paragraph 1, Article 47-1 (Eligible voters taking bribes)		0	0	0	0	0
	Subparagraph 2, Paragraph 1, Article 47-1 (Offering bribes to eligible voters)		10	0	0	0	10
	Subparagraph 3, Paragraph 1, Article 47-1 (Offering bribes for making candidates abandon campaign for elections)		0	0	0	0	0
	Subparagraph 4, Paragraph 1, Article 47-1 (Candidates taking bribes in consideration of quitting the campaign)		0	0	0	0	0
The Fishermen Association Act	Subparagraph 2, Paragraph 1, Article 50-1 (Offering bribes to eligible voters)		0	0	0	0	0
The Act of Irrigation Association Organization	Subparagraph 1, Paragraph 1, Article 38-1 (Eligible voters taking bribes)		0	0	0	0	0
	Subparagraph 2, Paragraph 1, Article 38-1 (Offering bribes to eligible voters)		0	1	0	0	1
	Subparagraph 3, Paragraph 1, Article 38-1 (Offering bribes for making candidates abandon campaign for elections)		0	0	0	0	0
Criminal Code	Paragraph 1, Article 143 (Voters taking bribes)		590	1	3	0	594
	Paragraph 1, Article 146 (Procuring an incorrect result from voting by fraud or other illegal means)		192	12	53	0	257
	Paragraph 1, Article 165 (Forging, destroying, or concealing evidence in the criminal cases)		1	0	0	0	1
	Article 168 (Malicious accusation)		1	0	0	0	1
Total			1,652	14	59	0	1,725

Table 2-17 Statistics of Vote-buying Cases Indicted in the Past
6 Years

Unit: case

Year \ Type	Money	Gifts	Food and beverage	Travel excursion	Funding donations	Others	Subtotal
2010	295	19	4	1	3	20	342
2011	156	22	8	3	5	25	219
2012	36	0	2	0	0	8	46
2013	75	2	0	0	0	2	79
2014	31	5	1	0	0	2	39
2015	302	14	8	1	1	33	359
Total	895	62	23	5	9	90	1,084

List of Figures

Figure2-01 Scale Drawing of Case Sources on Cases Referred in 2015

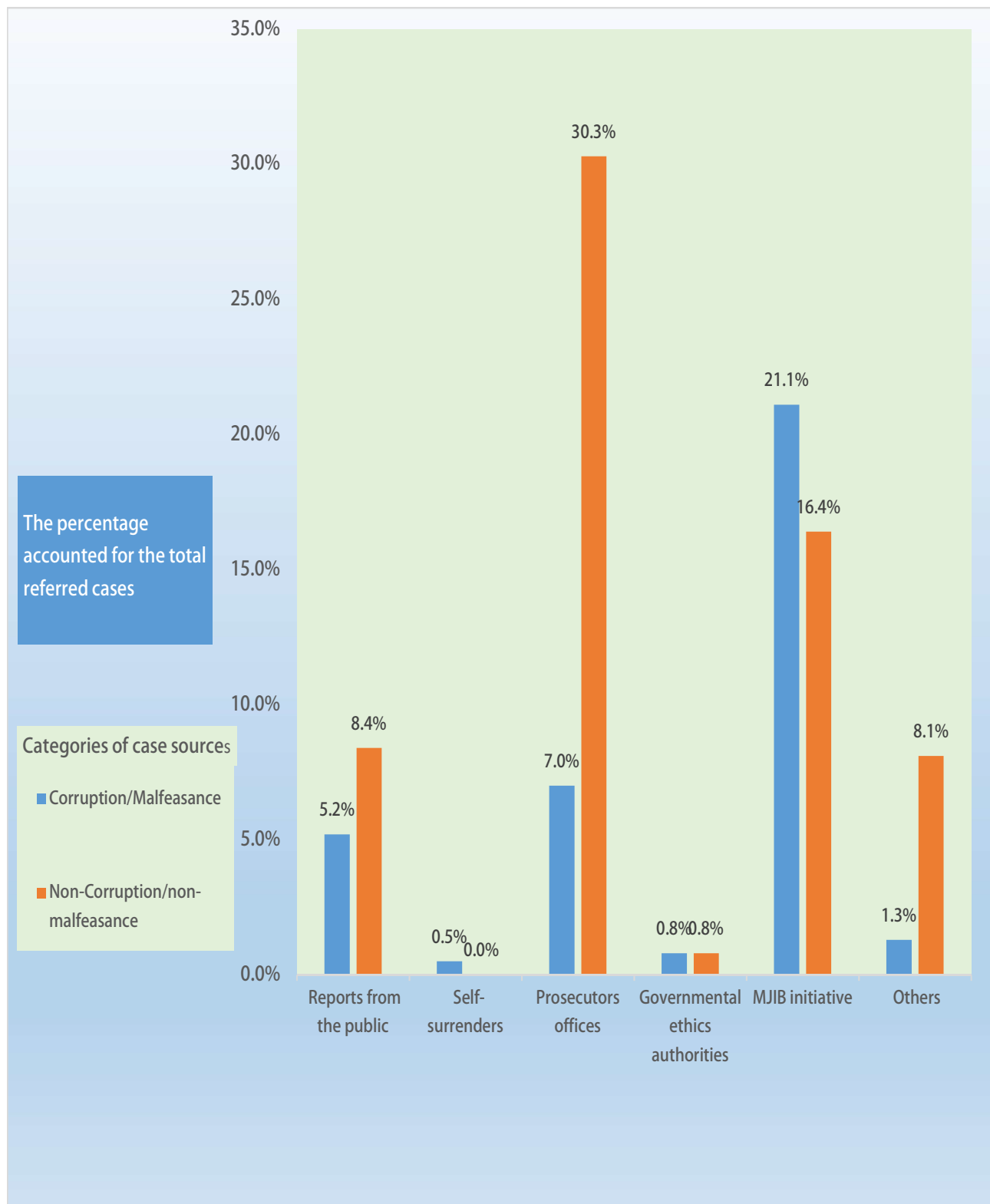


Figure 2-02 Pie Chart of Ratios of Key Applicable Laws on Cases Referred in 2015 (By No. of Cases)

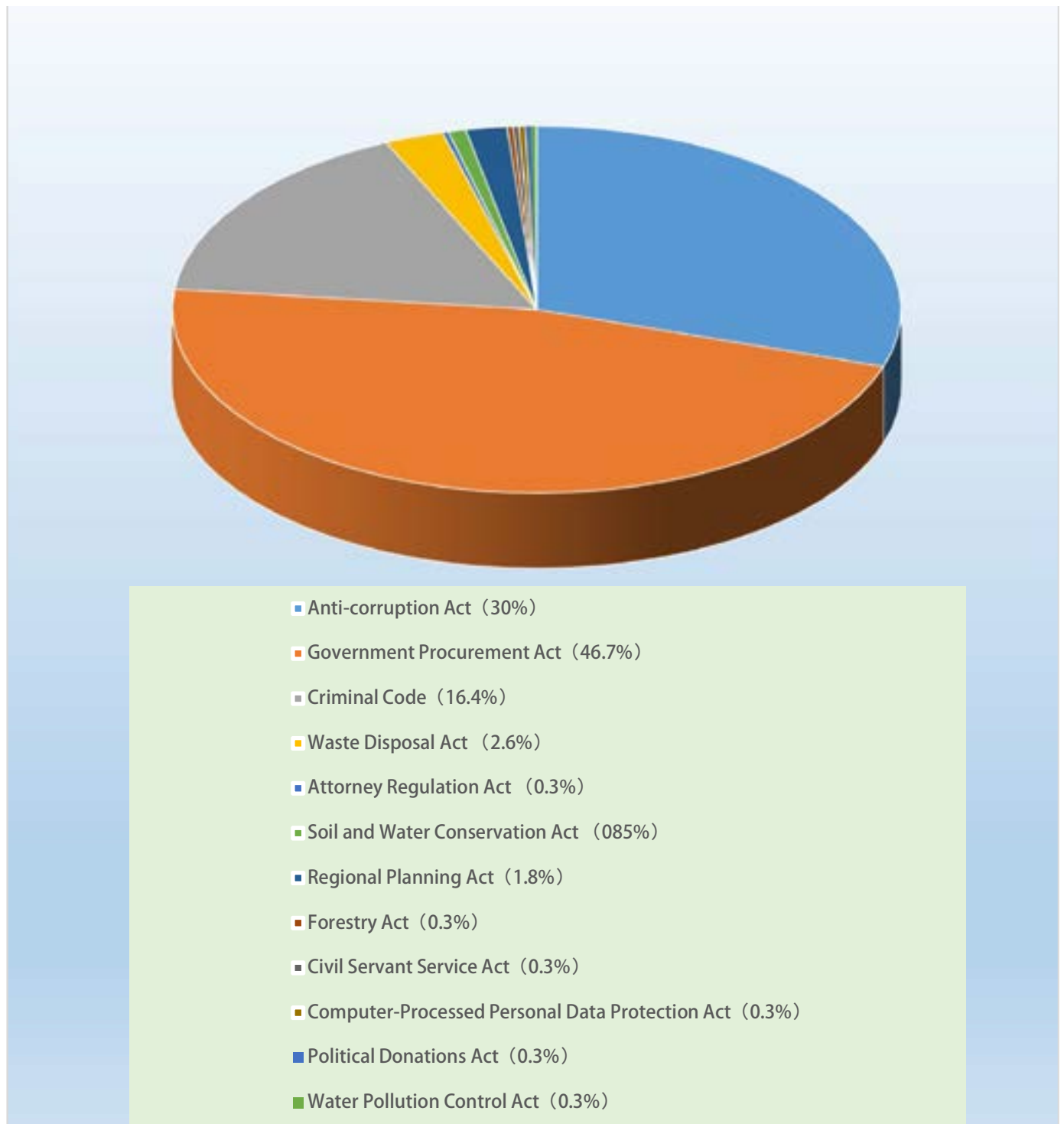
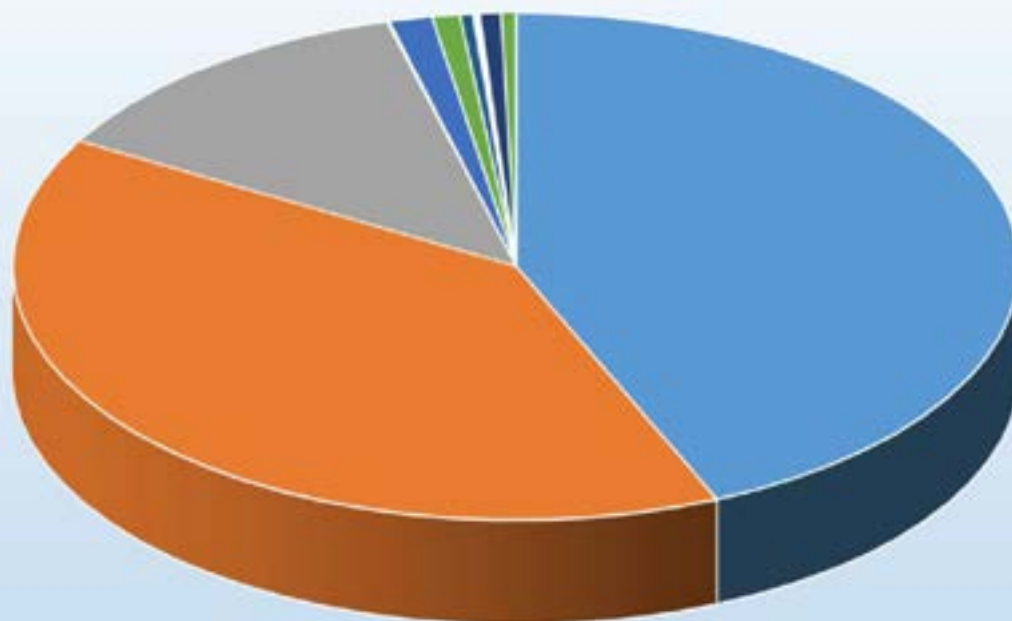


Figure 2-03 Pie Chart of Ratios of Key Applicable Laws on Cases Referred in 2015 (By No. of Suspects)



- Anti-corruption Act (43) %
- Government Procurement Act (40.2) %
- Criminal Code (12.8) %
- Civil Servant Service Act (0.1) %
- Waste Disposal Act (1.4) %
- Forestry Act (0.9) %
- Soil and Water Conservation Act (0.4) %
- Attorney Regulation Act (0.1) %
- Political Donations Act (0.1) %
- Computer-Processed Personal Data Protection Act (0.1) %
- Regional Planning Act (0.6) %
- Water Pollution Control Act (0.5) %

Figure 2-04 Bar Chart of Ratios of Suspects' Gender and Status
Information on Cases Referred in 2015

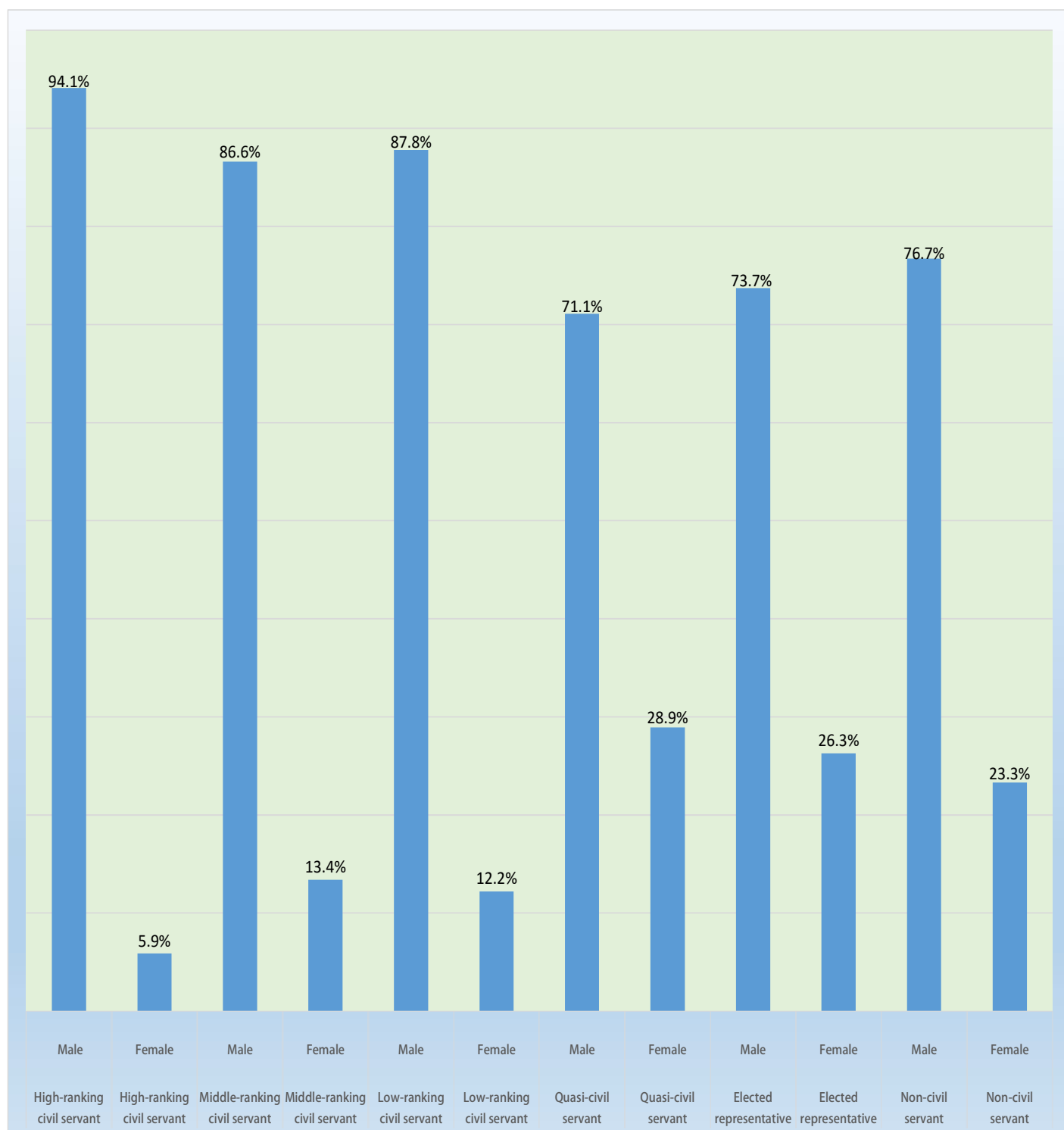


Figure 2-05 Bar Chart of Ratios of Public Servants' Status

Information on Cases Referred in the Past 5 Years

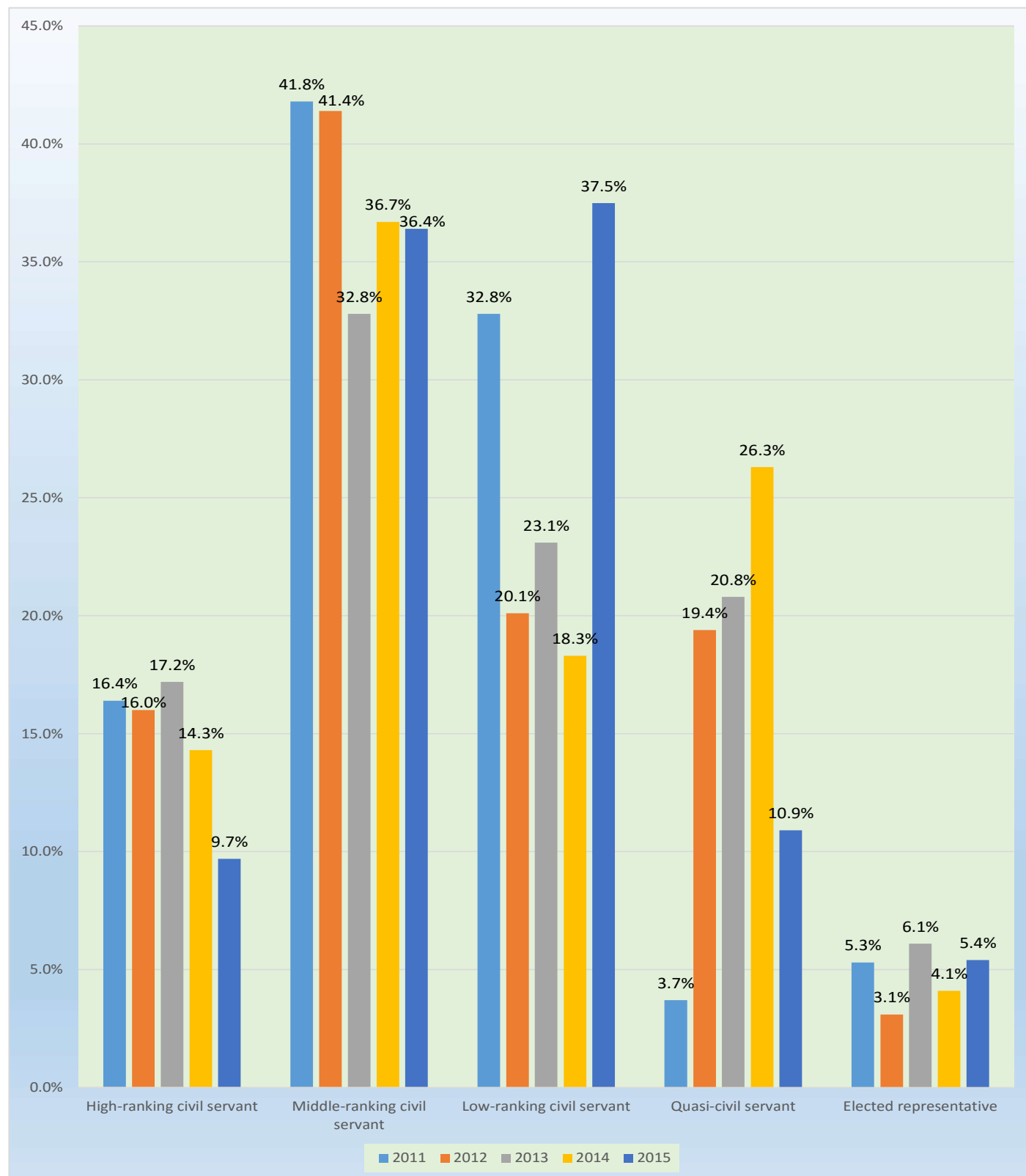


Figure 2-06 Bar Chart of Ratios of Public Servants' Education-level Information on Cases Referred in the Past 5 Years

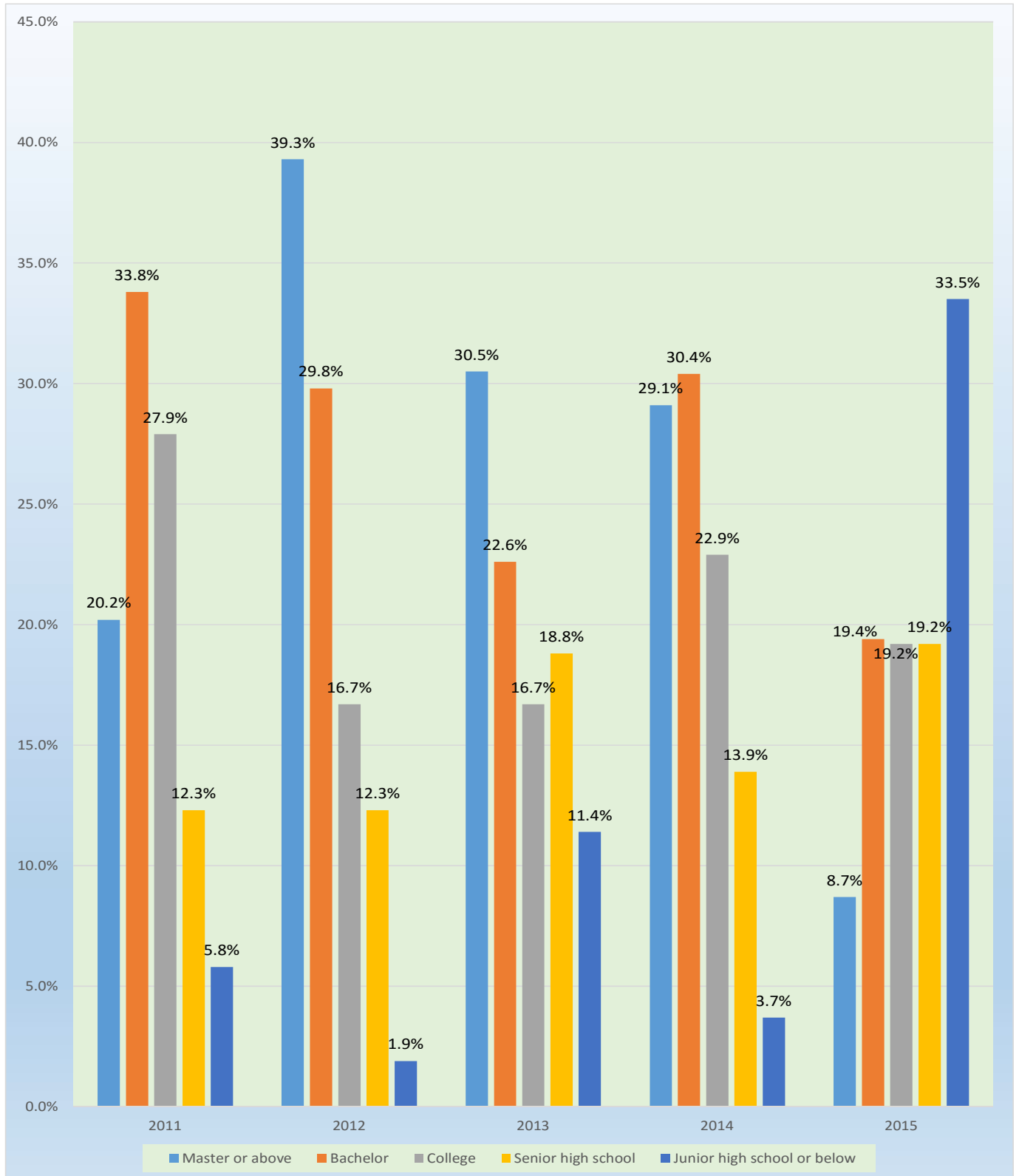
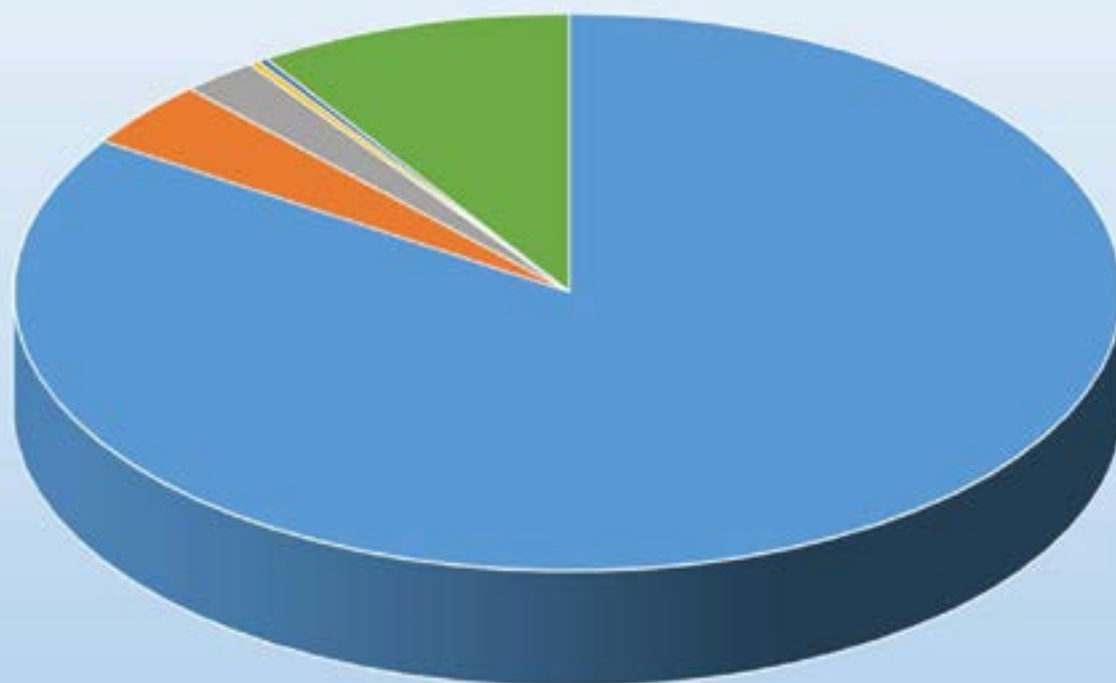


Figure 2-07 Pie Chart of Ratios of Vote-buying Cases Indicted in 2015



■ Money (84.1%)	■ Gifts (3.9%)	■ Food and beverage (2.2%)
■ Travel excursion (0.3%)	■ Funding donations (0.3%)	■ Other (9.2%)

中華民國 104 年 廉政工作年報

出版機關：法務部調查局

發行人：蔡清祥

編者：法務部調查局廉政處

地址：新北市新店區中華路 74 號

電話：(02) 2911-2241

網址：<http://www.mjib.gov.tw>

出版年月：中華民國 105 年 12 月

創刊年月：中華民國 83 年 10 月

刊期頻率：年刊

其他類型版本說明：本刊同時登載於法務部調查局網站

本年報屬贈閱品，版權所有，如有引用，請詳載出處

ISSN 1680665-4

GPN:2008300072

廉政

中華民國103年
工作年報

Anti-corruption Annual Report 2014

