

Title	Civil Associations Act
Amended Date	2011.06.15

Chapter 1 General Provisions

Article 1 The organization and activities of civil associations shall be implemented in accordance with the provisions of this Act; where there are special provisions in other laws, such provisions shall apply.

Article 2 (Deleted)

Article 3 Regulating authorities as called in this Act, at the central and provincial level, refer to the Ministry of the Interior; at the municipal level, refer to municipal

governments; and at the
county (city) level, refer to
county (city) governments.

However, the target
businesses of civil
associations shall be
directed and supervised by
the regulating authorities of
specific businesses.

Article 4

Civil associations are
divided into the following
three categories:

1. Occupational
association.
2. Social association.
3. Political association.

Article 5

The organizational area of
a civil association shall

refer to the corresponding administrative region and subordinate organizations may be established.

Establishment of a subordinate organization as referred to in the above paragraph shall be registered with the local regulating authority in accordance with the provisions of this Act.

Article 6

The site of a civil association shall be located where the regulating authority is located.

However, with the approval of the regulating authority, it

may be located in another
place, and branches may
be established.

Article 7 Two or more civil
associations of the same
level and the same
category may be organized
within the same
organization area unless
otherwise limited by law.
However, their names shall
be different from one
another.

Chapter 2 Establishment

Article 8 To organize a civil
association, the initiators
shall submit an application
form, a draft of the

association's constitution,
and a list of the initiators to
the regulating authority to
apply for approval.

There must be no less than
thirty (30) initiators, and a
person who is over twenty
(20) years old and, besides
the situations prescribed
below, may be an initiator
as referred to in the above
paragraph:

1. He is condemned to
fixed-term imprisonment,
and the imprisonment has
not been executed or
finished yet. However, this
does not include probation.

2. He is under security

punishment or disciplinary

punishment that has not

been executed or finished

yet.

3. He is announced to be

bankrupted, and the rights

have not been recovered.

4. He has been placed

under custodianship and

such custodianship has not

yet been withdrawn.

The format of the

application form referred to

in the first paragraph shall

be prescribed by the central

regulating authority.

Article 9

After the application for

establishment of a civil

association is approved, an
initiators' meeting shall be
called to elect preparation
committeemen to organize
a Preparation Committee,
and an establishment
conference shall be held
after the preparation is
finished.

To call a meeting of the
Preparation Committee and
the establishment
conference, a notice shall
be given to the regulating
authority, and the
regulating authority may
send personnel to attend
the meetings as non-voting
delegates.

Article 10

A civil association shall, within thirty (30) days after the establishment conference is held, report the constitution, a list of the members, and curriculum vitae of the personnel employed to the regulating authority for approval and accreditation, and the regulating authority shall grant an accreditation certificate and an official seal.

Article 11

After being approved and registered by the regulating authority, a civil association may register itself as a

legal person at the governing local court, and shall submit a photocopy of the registration certificate to the regulating authority for reference within thirty (30) days after the registration is finished.

Article 12

The constitution of a civil association shall include the following contents:

1. Name
 2. Tenet
 3. Organizational area.
 4. Site
 5. Task.
 6. Organizations.
 7. Affiliation, disaffiliation,
-

and dismissal of members.

8. Rights and obligations of members.

9. Quota, authority, tenure, appointment, and recall of member representatives, directors, and supervisors.

10. Meeting.

11. Funds and accounting.

12. Procedure for modifying the constitution.

13. Other matters that should be described according to law.

Chapter 3 Members

Article 13 A member representative of a civil association refers to a representative chosen

by the member
organization or elected by
the subordinate
associations or elected by
way of geographical
election according to the
provision of Article 28; the
rights of member
representatives shall be
executed in the same way
as members.

Article 14 Where a member (member
representative) of a civil
association violates a law
or the constitution of the
association, or does not
follow a resolution of the
members' (member

representatives') congress,
thus causing serious
damage to the association,
he may be dismissed with
the resolution of the
members' (member
representatives') congress.

Article 15 In any of the following
occasions, a member of a
civil association shall be
disaffiliated:

1. Death.
2. Deprived of membership.
3. Dismissed by a
resolution of the members'
(member representatives')
congress.

Article 16 All the members (member

representatives) of a civil association have the right to vote, to elect, to be elected, and to recall. Each member (member representative) may take one vote.

Chapter 4 Personnel

Article 17 Each civil association shall set directors and supervisors, and they shall be elected from the members (member representatives). And the quota shall meet the following provisions:

1. In a civil association of the county (city) level or

below, there may not be
more than fifteen (15)
directors.

2. In a civil association of
the province (city) level,
there may not be more than
twenty-five (25) directors.

3. In a civil association
directly under the
jurisdiction of the central
government, there may not
be more than thirty-five (35)
directors.

4. The quota of supervisors
of a civil association of any
level may not exceed
one-third (1/3) of that of the
directors of the association.

5. Alternate directors and

alternate supervisors may
be set in a civil association
of any level, and the quota
may not exceed one-third
(1/3) of that of the directors
and supervisors of the
association.

Where the quota of
directors and supervisors is
not less than three (3)
respectively, standing
directors and standing
supervisors may be elected
by and from the directors
and supervisors, and the
quota may not exceed
one-third (1/3) of the total
number of directors and
supervisors respectively;

furthermore, a chairperson
of the board of directors
shall be elected by the
directors from the standing
directors, or elected by and
from the directors if there is
no standing director. Where
there are three (3) or more
standing supervisors, one
shall be elected by and
from them to act as the
convener of the board of
supervisors.

Article 18 The board of directors and
the board of supervisors of
a civil association shall
perform their duties
separately according to the

resolution of the members'
(member representatives')
congress and the provision
of the constitution.

Article 19

The elected directors and
supervisors of an upper
level civil association are
not limited to the
representatives designated
by lower level civil
associations.

A person other than the
directors and supervisors of
a civil association may be
designated by the
association as a
representative to attend an
upper level civil

association.

Article 20

The tenure of the directors and supervisors of a civil association may not exceed four (4) years, and they may be reappointed only if they are elected again upon expiration of the tenure unless otherwise prescribed by law or otherwise limited in the constitution. The chairperson of the board of directors may be reappointed only once.

Article 21

The directors and supervisors of civil associations all are

positions of no pay.

Article 22

Where a director or supervisor of a civil association violates a law, the constitution, or a resolution of the members' (member representatives') congress, the case shall be handled in accordance with the related laws and the constitution; furthermore, the director may be recalled by the members' (member representatives') congress.

Article 23

A director or supervisor of a civil association who meets any of the following conditions shall be relieved

from the position

immediately, and the

vacancy shall be filled by

the alternate directors or

alternate supervisors in

order:

1. Deprived of membership

(qualification of member

representative).

2. Resigned due to certain

reasons and approved by

the board of directors or the

board of supervisors.

3. Dismissed or removed.

4. Suspended from the

rights for a term of longer

than a half of the tenure.

Article 24

A civil association may,

according to the provision
of its constitution, employ
staff to handle the affairs
and business of the
association.

Chapter 5 Meeting

Article 25 The members' (member
representatives') congress
of a civil association is
divided into two types:
periodical meetings and
temporary meetings, and
both shall be convened by
the chairperson of the
board of directors.

Article 26 To call a meeting of the
members' (member
representatives') congress,

a civil association shall give
notice to the members
(member representatives)
fifteen (15) days in
advance. However, this is
not applicable where a
temporary meeting is called
due to emergency and with
the notice received only
one day before the meeting
is called.

The meeting referred to in
the above paragraph shall
be reported to the
regulating authority, and
the regulating authority
may send personnel to
attend the meeting as a
non-voting delegate.

Article 27

A resolution of the members' (member representatives') congress of a civil association requires the attendance of more than one half of the members (member representatives) and the consent of more than one half or a bigger proportion of the attendees. However, the following matters may be resolved only with the consent of not less than two-thirds of the attendees:

1. Formulation and amendment of the constitution.
2. Dismissal of a member

(member representative).

3. Recall of a director or supervisor.

4. Disposal of properties.

5. Disincorporation of the association.

6. Other important matters related to the rights and obligations of the members.

Article 28

Where a civil association has three hundred (300) or more members (member representatives), the organizational area may be subdivided to elect representatives according to the percentage of members (member

representatives) and to call
a representative's congress
to perform the duty of the
member's congress.

Article 29

The board of directors and
the board of supervisors of
a civil association shall hold
a meeting every three (3)
months, and may notify the
alternate directors and
alternate supervisors to
attend the meeting as
non-voting delegates.

A resolution of the meeting
referred to in the above
paragraph needs the
attendance of more than
one half of the directors or

the supervisors and the
consent of more than one
half of the attendees.

Article 30 Where the convener of the
board of directors or the
board of supervisors of a
civil association has not
called the meeting of the
board of supervisors or the
board of supervisors
without due reason for two
times, the regulating
authority shall relieve him
from the position and elect
or appoint a new convener.

Article 31 The directors or
supervisors of a civil
association shall personally

attend the meetings of the
board of directors or the
board of supervisors, and
may not entrust others to
represent them. Absence
without due reason for two
(2) consecutive times will
be regarded as resigning,
and the vacancy will be
filled by the alternate
directors or alternate
supervisors in sequence.

Article 32 Where a meeting of the
members' (member
representatives') congress
or the board of directors of
a civil association can not
be called according to law,

the regulating authority
may designate one of the
directors to convene the
meeting; where a meeting
of the board of supervisors
cannot be called according
to law, the regulating
authority may designate
one of the supervisors to
convene the meeting.

Chapter 6 Funds

Article 33 The financial sources of
civil associations are as
follows:

1. Admission fee.
2. Perennial membership
dues.
3. Funds for public

undertakings.

4. Donations from the

members.

5. Entrusted incomes.

6. Fund and its interests.

7. Other incomes.

The amount and payment

method of the fees listed in

Subparagraphs 1~4 of the

above paragraph shall be

approved by the member's

(member representative's)

congress, and shall be

reported to the regulating

authority for examination

and approval prior to

implementation.

Article 34

A civil association shall

compile reports on
budgeting and final
accounting each year,
submit it to the members'
(member representatives')
congress for approval, and
report it to the regulating
authority for examination
and reference. However, a
final accounting report shall
be sent to the board of
supervisors for auditing
first, and then submitted
along with the result of the
auditing to the members'
(member representatives')
congress.

Article 35 An occupational association refers to an association organized by the institutions and associations in the same trade or the jobholders of the same occupation with a view to associate the relationship between colleagues, enhance common benefits, and promote social economic construction.

Article 36 (Deleted)

Article 37 The members of a vocational association shall be those who are engaged in the corresponding

occupation within the
organizational area of the
association.

An occupational
association of a lower level
shall be affiliated in the
vocational association of
the upper level as a
member.

Article 38 Where a member (member
representative) of an
occupational association
cannot attend a meeting of
the members' (member
representatives') congress,
he may entrust in writing
another member (member
representative) to represent

him. However, the number of the entrusted attendees may not exceed one-third of the attendees who attend the meeting by themselves. Each member (member representative) may represent only one other.

Chapter 8 Social Associations

Article 39 A social association refers to an association composed of individuals and (or) associations for the purpose of promoting culture, academic research, medicine, health, religion, charity, sports, fellowship, social service, or other

public welfare.

Article 40 (Deleted)

Article 41 The position title, election, and recall of the personnel of a social association may be otherwise prescribed in its constitution, but shall be approved by the regulating authority.

Article 42 Where a member (member representative) of a social association cannot attend a meeting of the members' (member representatives') congress, he may entrust in writing another member (member representative) to represent him; each

member (member
representative) may
represent only one other.

Article 43 The board of directors and
the board of supervisors of
a social association shall
hold a meeting at least
every six (6) months.

Chapter 9 Political Associations

Article 44 A political association
refers to an association
organized by the citizens of
the Republic of China with
a view to help form political
volition and to promote
political participation for the
citizens based on common
ideas of democratic politics.

Article 45

A political association that meets any of the following is a party:

1. A national political association intending to recommend candidates to participate in the election of public officials establishes a party in accordance with the provisions of this Act and reports to the central regulating authority for approval and registration.

2. A national political association already registered with the purpose of recommending candidates to participate in the election of public

officials.

Article 46

Where a party is

established in accordance

with the provision of

Subparagraph 1 of the

above article, the

constitution of the party and

a roll list of the principals

shall be submitted within

thirty (30) days after the

establishment conference

is called to the central

regulating authority for

registration and to receive a

certificate and official seal.

The party referred to in

Subparagraph 2 of the

above article shall, before

the day when a public
announcement for election
is issued, submit its
constitution and a roll list of
the principals to the central
regulating authority to apply
for registration.

Article 46-1 Where a party recorded in
accordance with the
provision of the above
article meets any of the
following provisions, it may
be registered as a legal
person at the court
according to law after it is
approved by the central
regulating authority:

1. The party has been

recorded for over one year.

2. The party has five (5) or more public officials elected by the public in central, municipal, and county (city) governments.

3. The party possesses not less than NT\$10,000,000 of properties.

The registration of a party as a legal person and other matters referred to in the above paragraph shall be applied to the provisions set forth in the Civil Code on public welfare associations unless otherwise prescribed in this Act.

Article 47 The national administrative region shall be the organizational area of a party, and no regional party may be founded. However, branches may be established.

Article 48 A party established under Article 46 may recommend candidates to participate in election of public officials according to law.

Article 49 A political association shall be organized and operated according to the principle of democracy, and prescribe the positions, quota, tenure, election, and recall

of personnel as well as
meetings, funds, and other
matters in its constitution.

Article 50 A party has the right to

equally use public places

and public-operated

medias according to law.

Article 50-1 A party may not set up

organizations in

universities, the court, or

the army.

Article 51 A political association may

not accept donations from

foreign associations, legal

persons, individuals, or the

associations or legal

persons of which the

majority of members are

foreigners.

Article 52

The Ministry of the Interior

shall set a Party Review

Commission to review the

punishment made on

parties.

The Party Review

Commission shall be

composed of just persons,

and the number of

commissioners who come

from the same party may

not exceed one half of the

total number; the

organization of the

Commission shall be

prescribed by the Ministry

of the Interior.

Chapter 10 Supervision and Punishment

Article 53 (Deleted)

Article 54 After a civil association is approved and registered, the alteration of its constitution, curriculum vitae of the employed personnel or list of the principals shall be reported to the regulating authority for examination and reference within 30 days.

Article 55 Where a civil association has not been established within six (6) months after the establishment is permitted, the permit shall be abolished. However, the

term may be prolonged by
up to three (3) months with
the approval of the
regulating authority.

Article 56

Where it is necessary to
incorporate or divide civil
associations due to
adjustment of
organizational area or other
reasons, an application
may be submitted to the
regulating authority for
approval of incorporation or
division.

Where it is necessary to
modify the administrative
organization area or name
of a civil association, a

meeting record letter may
be submitted to the
regulating authority for
inspection. The modified
name of civil association
should not be similar to that
of a civil association
already registered.

Tenure of office for a civil
association resolved in the
forgoing paragraph will
obtain the resolution of
member meeting or
member representative
meeting.

Article 57

The regulating authority
may encourage civil
associations of excellent

performance, and the
regulations on such
encouragement shall be
prescribed by the central
regulating authority.

Article 58 Where a civil association
violates a law or its
constitution or encumbers
public welfare, the
regulating authority may
warn it, cancel its
resolution, or stop whole or
a part of its business, and
order it to improve within a
specified time limit; in case
improvement is not made
within the time limit or in
serious circumstances, the

following punishments may

be executed:

1. Recall of the personnel.

2. Setting a time limit for

correction.

3. Abolishment of the

permit.

4. Disincorporation.

The punishment of

warning, cancellation of

resolution, and stoppage of

business referred to in the

above paragraph also may

be executed by the

regulating authority of a

target business. However,

the punishment of

cancellation of resolution or

stoppage of business shall

be executed based on

negotiation with the

regulating authority.

Punishment of parties shall

be limited to warning,

setting time limit for

correction, and

disincorporation. To get a

party disincorporated, the

regulating authority shall

transfer the case along with

related evidence to the

Constitutional Courtroom

composed of Grand

Justices of the Judicial

Yuan for judgment.

The transfer referred to in

the above paragraph may

be performed only provided

that not less than two-thirds
of the present
commissioners of the Party
Review Commission think
that the party has breached
the Constitution.

Article 59

A civil association shall be
disincorporated in any of

the following occasions:

1. The permit is abolished
by the regulating authority.

2. Bankrupted.

3. Incorporated or divided.

4. Corrections are not

finished within the specified
time limit.

5. A resolution of

disincorporation is

approved in the members'
(member representatives')
congress.

The provision of
Subparagraph 4 of the
above paragraph is not
applicable to
disincorporation of parties.

Article 60 Where a civil association is
established without
applying for a permit or
registration according to
law, and it is not
disincorporated within the
time limit set forth by the
regulating authority, a fine
of not more than
NT\$60,000 shall be levied.

Where the permit of a civil association is abolished by the regulating authority and a time limit is set for disincorporation but it is not disincorporated before the time limit expires, the provision of the above paragraph shall apply.

Article 61

Where a civil association is established without applying for a permit or registration according to law and a time limit for disincorporation has been set by the regulating authority, but it is not disincorporated within the

time limit and activities are still held in the name of the association despite the order of stoppage issued by the regulating authority, the principal plotter will be condemned to fixed-term imprisonment or penal servitude of up to two (2) years.

Where the permit of a civil association is abolished by the regulating authority and a time limit is set for disincorporation, but it is not disincorporated before the time limit expires and activities are still held in the name of the association,

the principal plotter will be punished according to the provision of the above paragraph.

Article 62

Where donations are accepted that infringe on the provision of Article 51, perpetrators will be condemned to fixed-term imprisonment or penal servitude of up to two (2) years, or a sum of NT\$60,000 will be fined.

The donation accepted by a person who commits the crime prescribed in the above paragraph shall be expropriated. In case the

whole or a part of the
donation cannot be
expropriated, a sum equal
to the price shall be
replevied.

Article 63 Where a sum fined under
this Act is not paid within
the time limit after a notice
has been given, the case
will be transferred to the
court for coercive
execution.

Chapter 11 Supplementary Provisions

Article 64 (Deleted)

Article 65 (Deleted)

Article 66 Regulations on election
and recall of elected
personnel, personnel

management, and disposal
of financial affairs of civil
associations shall be
prescribed by the central
regulating authority.

Article 67

This Act shall become
effective as of the date of
promulgation.

The articles of this law
amended on 12th May of
2009 of the Republic of
China take effect on 23rd
November of 2009.
