

## J. Y. Interpretation No.1 (January 6, 1949) \*

**ISSUE:** May a member of the Legislative Yuan concurrently take another government post?

**RELEVANT LAWS:**

Article 75 of the Constitution (憲法第七十五條) .

**KEYWORDS:**

Member of the Legislative Yuan (立法委員), government post (官吏), resign (辭職) .\*\*

**HOLDING:** Article 75 of the Constitution provides that no Member of the Legislative Yuan shall concurrently hold a government post. Those members who wish to take a government post shall immediately resign from office in the Legislative Yuan. If a member took the government post without formally resigning from office in the Legislative Yuan, it would appear that he or she has no intention to stay in the Legislative Yuan. Therefore, he or she shall be deemed to have resigned from office in the Legislative

**解釋文：**立法委員依憲法第七十五條之規定不得兼任官吏，如願就任官吏，即應辭去立法委員。其未經辭職而就任官吏者，亦顯有不繼續任立法委員之意思，應於其就任官吏之時視為辭職。

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\* Translated by Robert Huai-Ching Tsai.

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Yuan at the time he or she took the government post.