

J. Y. Interpretation No.5 (August 16, 1952) *

ISSUE: Are the political party administrators considered as civil servants under the Criminal Code?

RELEVANT LAWS:

the Constitution (憲法) ; the Criminal Code (刑法) .

KEYWORDS:

implementation of the Constitution (行憲) , political party (政黨) , affairs of the party (黨務) , civil servant (公務員) . **

HOLDING: After implementation of the Constitution, the personnel of any political party in charge of the affairs of the party shall not be considered as civil servants under the Criminal Code.

解釋文：行憲後各政黨辦理黨務人員，不能認為刑法上所稱之公務員。

* Translated by Li-Chih Lin, Esq., J.D.

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