

J. Y. Interpretation No.21 (July 10, 1953) *

ISSUE: How will the 90-day period prior to the expiry of the presidential term as provided in Article 29 of the Constitution be calculated?

RELEVANT LAWS:

Articles 29 and 47 of the Constitution (憲法第二十九條及第四十七條) .

KEYWORDS:

the term of the Presidency (總統任期) , the National Assembly (國民大會) , the end of the Presidential term (每屆總統任滿) , implementation of the Constitution (憲法實施) , inaugurate (就職) .**

HOLDING: Article 47 of the Constitution provides that the term of the Presidency is six years. Article 29 of the Constitution provides that the National Assembly shall call a meeting ninety days before the end of the Presidential term. After implementation of the Constitution, the first President of the Republic of China was inaugurated on May 20th, 1948.

解釋文：憲法第四十七條規定總統任期為六年，同法第二十九條規定，國民大會於每屆總統任滿前九十日集會。憲法實施以後，首屆總統係於民國三十七年五月二十日就職，應至民國四十三年五月二十日任滿。所謂任滿前九十日，應自總統任滿前一起算，以算足九十日為準。

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The first Presidential term shall end on May 20th, 1954. The calculation of ninety days before the end of the Presidential term shall start from the day before the end of the Presidential term and run for ninety full days.