

J. Y. Interpretation No.24 (September 3, 1953) *

ISSUE: Are directors, supervisors and the president of a state-run enterprise as well as civil and military personnel “public officers”?

RELEVANT LAWS:

Articles 75 and 103 of the Constitution (憲法第七十五條、第一百零三條).

KEYWORDS:

concurrent serving (兼任), public officers (公職), state-owned enterprises (公營事業). **

HOLDING: Directors (members of the board), supervisors and the president of a state-owned enterprise as well as civil and military public officials are all within the scope of the Public Functionary Service Act, and should be within the scope of the so-called public officers and positions in accordance with Articles 103 and 75 of the Constitution. No Members of the Control Yuan and Legislative Yuan may concurrently serve as such.

解釋文：公營事業機關之董事、監察人及總經理，與受有俸給之文武職公務員，均適用公務員服務法之規定，應屬於憲法第一百零三條、第七十五條所稱公職及官吏範圍之內。監察委員、立法委員均不得兼任。

* Translated by Professor Andy Y. Sun.

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