

J. Y. Interpretation No.71 (January 9, 1957) *

ISSUE: What are the requirements for a public functionary to serve concurrently in a foreign institution?

RELEVANT LAWS:

Article 14, Paragraph 1 of the Public Functionary Service Act
(公務員服務法第十四條第一項) .

KEYWORDS:

temporary job (臨時工作) , public functionary (公務員) .**

HOLDING: J. Y. Interpretations Nos.6 and 11 have interpreted the restriction of Article 14, Paragraph 1 of the Public Functionary Service Act. A public functionary may not hold a temporary position at a foreign institution because holding such position violates the character and dignity of his office. Whether or not holding such temporary position is common practice, it does not conform to the spirit of the abovementioned Article.

解釋文：本院釋字第六號及第十一號解釋係依公務員服務法第十四條第一項所定限制而為解釋，如公務員於公餘兼任外籍機構臨時工作，祇須其工作與本職之性質或尊嚴有妨礙者，無論是否為通常或習慣上所稱之業務，均應認為該條精神之所不許。

* Translated by Lawrence L. C. Lee.

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