

Appendix III

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE REPUBLIC OF CHINA*

To meet the needs of the nation prior to national unification, and pursuant to Article 27, Paragraph 1, Subparagraph 3, and Article 174, Subparagraph 1 of the Constitution, Articles 1, 2, 4, 5 and 8 of the Constitutional Amendment, with addition of Article 12 thereto, as proposed and announced by the Legislative Yuan on August 26, 2004, adopted by the Fourth National Assembly on June 7, 2005, and promulgated by the President on June 10, 2005 are hereby to amend the Constitution:

為因應國家統一前之需要，依照憲法第二十七條第一項第三款及第一百七十四條第一款之規定，增修本憲法條文如左：

Article 1. (Amendment of Constitution and Alteration of Territory)

The electors of the free area¹ of the Republic of China shall cast ballots at a

第一條（修憲、領土變更案之複決）

中華民國自由地區選舉人於立法院提出憲法修正案、領土變更案，經

* Hereinafter referred as “Amendment” or “Constitutional Amendment”. This English version originally translated by the Government Information Office is reworded in part and added with footnotes and captions by Justice Vincent Sze (施文森) .

¹ It means Taiwan, Kinmen, Matsu and the Penghu, over which the ROC now exclusively exercises its sovereignty.

referendum within three months upon the expiration of a six-month period following the public announcement of a proposal passed by the Legislative Yuan² on the amendment of the Constitution or alteration of the national territory. The provisions of Article 4 and Article 174 of the Constitution shall not apply.

The provisions of Articles 25 through 34 and Article 135 of the Constitution shall cease to apply.

Article 2. (Election, Recall and Impeachment of President)

The President³ and the Vice President shall be directly elected by the entire populace of the free area of the Republic of China. This shall be effective from election for the ninth-term President and Vice President in 1996. The Presidential and the Vice Presidential candidates shall register jointly and be listed as a pair on the ballot. The pair that receives the highest number of votes shall be elected. Citizens of the free area of the Republic of China residing abroad may return to the ROC to exercise their electoral rights and

公告半年，應於三個月內投票複決，不適用憲法第四條、第一百七十四條之規定。

憲法第二十五條至第三十四條及第一百三十五條之規定，停止適用。

第二條（總統、副總統之選舉、罷免及彈劾）

總統、副總統由中華民國自由地區全體人民直接選舉之，自中華民國八十五年第九任總統、副總統選舉實施。總統、副總統候選人應聯名登記，在選票上同列一組圈選，以得票最多之一組為當選。在國外之中華民國自由地區人民返國行使選舉權，以法律定之。

² Hereinafter referred as “Legislature”.

³ The “President” in capital letter denotes the President of the Republic, while the “president” in small letter means the chiefs of five branches of the Government. However, to avoid misunderstanding, this revised version tries not to use the word of “president” to the branch chief unless other substitute term seems not possible.

this shall be stipulated by law.

Presidential orders to appoint or remove from office the president of the Executive Yuan⁴ or personnel appointed with the confirmation of the Legislature Yuan in accordance with the Constitution, and to dissolve the Legislature, shall not require the countersignature of the president of the Executive Yuan. The provisions of Article 37 of the Constitution shall not apply.

The President may, by resolution of the Executive Yuan Council, issue emergency decrees and take all necessary measures to avert imminent danger affecting the security of the State or of the people or to cope with any serious financial or economic crisis, the restrictions in Article 43 of the Constitution notwithstanding. However, such decrees shall, within ten days of issuance, be presented to the Legislature Yuan for ratification. Should the Legislative Yuan withhold ratification, the said emergency decrees shall forthwith cease to be valid.

To determine major policies for national security, the President may establish a national security council and a subsidiary national security bureau. The organization of the said organs shall be

總統發布行政院院長與依憲法經立法院同意任命人員之任免命令及解散立法院之命令，無須行政院院長之副署，不適用憲法第三十七條之規定。

總統為避免國家或人民遭遇緊急危難或應付財政經濟上重大變故，得經行政院會議之決議發布緊急命令，為必要之處置，不受憲法第四十三條之限制。但須於發布命令後十日內提交立法院追認，如立法院不同意時，該緊急命令立即失效。

總統為決定國家安全有關大政方針，得設國家安全會議及所屬國家安全局，其組織以法律定之。

⁴ Hereinafter referred as “Premier”.

stipulated by law.

The President may, within ten days following passage by the Legislature of a no-confidence vote against the Premier, declare the dissolution of the Legislature Yuan after consulting with its Speaker⁵. However, the President shall not dissolve the Legislature while martial law or an emergency decree is in effect. Following the dissolution of the Legislature, an election for legislators shall be held within 60 days. The new Legislature shall convene *sua sponte* within ten days after the results of the said election have been confirmed, and the term of the said Legislature Yuan shall be reckoned from that date.

The terms of office for both the President and the Vice President shall be four years. The President and the Vice President may only be re-elected to serve one consecutive term; and the provisions of Article 47 of the Constitution shall not apply.

Should the office of the Vice President become vacant, the President shall nominate a candidate(s) within three months, and the Legislature shall elect a new vice president, who shall serve the remainder of the original term until its

總統於立法院通過對行政院院長之不信任案後十日內，經諮詢立法院院長後，得宣告解散立法院。但總統於戒嚴或緊急命令生效期間，不得解散立法院。立法院解散後，應於六十日內舉行立法委員選舉，並於選舉結果確認後十日內自行集會，其任期重新起算。

總統、副總統之任期為四年，連選得連任一次，不適用憲法第四十七條之規定。

副總統缺位時，總統應於三個月內提名候選人，由立法院補選，繼任至原任期屆滿為止。

⁵ It means the president of Legislature.

expiration.

Should the offices of both the President and the Vice President become vacant, the Premier shall exercise the official powers of the President and the Vice President. A new President and a new Vice President shall be elected in accordance with paragraph 1 of this article and shall serve out each respective original term until its expiration. The pertinent provisions of Article 49 of the Constitution shall not apply.

For recall of the President and/or the Vice President, a motion shall be initiated by one-fourth of total number of the Legislators, endorsed by two-thirds of total number of the Legislators, and finally must be passed by more than one-half of valid ballots in a vote in which more than one-half of the electorate in the free area of the Republic of China takes part.

Should a motion to impeach the President or the Vice President initiated by the Legislature and petitioned to the grand justices of the Judicial Yuan for adjudication be upheld by the Constitutional Court, the party so impeached shall forthwith be dismissed from office.

總統、副總統均缺位時，由行政院院長代行其職權，並依本條第一項規定補選總統、副總統，繼任至原任期屆滿為止，不適用憲法第四十九條之有關規定。

總統、副總統之罷免案，須經全體立法委員四分之一之提議，全體立法委員三分之二之同意後提出，並經中華民國自由地區選舉人總額過半數之投票，有效票過半數同意罷免時，即為通過。

立法院提出總統、副總統彈劾案，聲請司法院大法官審理，經憲法法庭判決成立時，被彈劾人應即解職。

Article 3. (Appointment, Acting Pro Tempore, and Responsibilities of the Premier)

The Premier shall be appointed by the President. Should the Premier resign or the office thereof become vacant, the Vice Premier shall act pro tempore as the Premier pending appointment of new Premier by the President. The provision of Article 55 of the Constitution shall be suspended from its application.

The Executive Yuan (hereinafter referred as “Executive”) shall be responsible to the Legislature in accordance with the provision enumerated as follows in substitute for Article 57 of the Constitution which shall be suspended from its application:

1. The Executive shall present to the Legislature a report on its administrative policies and how to enforce these policies. The Legislators, while the Legislature is in session, have right to interpellate the Premier and the principal officers of his Cabinet;
2. The Executive may, if deeming a statutory, budgetary, or treaty bill passed by the Legislature difficult to execute, upon with the approval of the President and within ten days of the bill's submission to the

第三條（行政院院長之任命、代理及行政院對立法院負責）

行政院院長由總統任命之。行政院院長辭職或出缺時，在總統未任命行政院院長前，由行政院副院長暫行代理。憲法第五十五條之規定，停止適用。

行政院依左列規定，對立法院負責，憲法第五十七條之規定，停止適用：

- 一、行政院有向立法院提出施政方針及施政報告之責。立法委員在開會時，有向行政院院長及行政院各部會首長質詢之權。
- 二、行政院對於立法院決議之法律案、預算案、條約案，如認為有窒礙難行時，得經總統之核可，於該決議案送達行政院十日內，移請立法院覆議。立法院對於行政院移

Executive, request the Legislature to reconsider the bill. The Legislature shall reach a resolution on the returned bill within 15 days after its receipt. Should the Legislature be in recess, it shall convene *sua sponte* within seven days and reach a resolution within 15 days after the commencement of session. Should the Legislature forthwith not reach a resolution within said period of time, the original bill shall become void *ab initio*. Should more than one-half of total number of Legislators uphold the original bill, the Premier shall immediately accept as such.

3. With endorsement of more than one-third of the total number of Legislators, the Legislature may move for a no-confidence vote against Premier. Seventy-two hours after the no-confidence motion is made, an open-ballot vote shall be taken within 48 hours. Should more than one-half of the total number of Legislators approve the motion, the Premier shall tender his resignation within ten days, and at the same time may request that the President dissolves the Legislature. Should the no-

請覆議案，應於送達十五日內作成決議。如為休會期間，立法院應於七日內自行集會，並於開議十五日內作成決議。覆議案逾期未議決者，原決議失效。覆議時，如經全體立法委員二分之一以上決議維持原案，行政院院長應即接受該決議。

- 三、立法院得經全體立法委員三分之一以上連署，對行政院院長提出不信任案。不信任案提出七十二小時後，應於四十八小時內以記名投票表決之。如經全體立法委員二分之一以上贊成，行政院院長應於十日內提出辭職，並得同時呈請總統解散立法院；不信任案如未獲通過，一年內不得對同一行政院院長再提不信任案。

confidence motion fail, the Legislature may not move for another no-confidence motion against the same Premier within one year.

Guidelines may be forth by law for all state organs' set-up procedure, their duties and responsibilities, and total number of personnel.

The organization, infrastructure, and number of personnel of each state organ shall be based upon the policies or needs of operation of each state organ in accordance with the law as referred to in the preceding paragraph.

Article 4. (Election and Number of Legislators)

Beginning with the Seventh Legislature, the Legislature shall have 113 Legislators, who shall serve a term of four years, which is renewable if re-elected. The election of the Legislators for the seats allocated as follows shall be completed within three months prior to the expiration of each term, in accordance with the following provisions, the restrictions in Article 64 and Article 65 of the Constitution notwithstanding:

1. Seventy-three seats from the Special Municipalities, counties, and cities in the free area. At least one member shall be elected from each

國家機關之職權、設立程序及總員額，得以法律為準則性之規定。

各機關之組織、編制及員額，應依前項法律，基於政策或業務需要決定之。

第四條（立法委員之人數及分配）

立法院立法委員自第七屆起一百一十三人，任期四年，連選得連任，於每屆任滿前三個月內，依左列規定選出之，不受憲法第六十四條及第六十五條之限制：

- 一、自由地區直轄市、縣市七十三人。每縣市至少一人。

each county and city.

2. Three seats each from among the lowland and highland aborigines in the free area.
3. A total of thirty-four seats from the nationwide constituency and among citizens residing abroad.

The number of seats set forth in Subparagraph 1 of the preceding paragraph shall be determined in proportion to the population of each Special Municipality, county, or city, which shall be divided into electoral constituencies equal in number to the number of Legislators to be elected. The number of seats set forth in Subparagraph 3 shall be determined from the lists of political parties in proportion to the number of votes won by each party that obtains at least 5 percent of the total votes, and the number of elected female members on each party's list shall not be less than one-half of the total number.

When the Legislature convenes each year, it may hear a report on the state of the nation by the President.

Following the dissolution of the Legislature by the President and prior to the inauguration of its newly-elected Legislators, the Legislature shall be regarded as in recess.

The territory of the Republic of China, defined by its existing national bounda-

二、自由地區平地原住民及山地原住民各三人。

三、全國不分區及僑居國外國民共三十四人。

前項第一款依各直轄市、縣市人口比例分配，並按應選名額劃分同額選舉區選出之。第三款依政黨名單投票選舉之，由獲得百分之五以上政黨選舉票之政黨依得票比率選出之，各政黨當選名單中，婦女不得低於二分之一。

立法院於每年集會時，得聽取總統國情報告。

立法院經總統解散後，在新選出之立法委員就職前，視同休會。

中華民國領土，依其固有疆域，非經全體立法委員四分之一之提議，

ries, shall not be altered unless initiated upon the proposal of one-fourth of the total number of the Legislators, passed by at least three-fourths of the Legislator present at a meeting attended by at least three-fourths of the total number of the Legislators, and approved by electors in the free area of the Republic of China at a referendum held upon expiration of a six-month period of public announcement of the proposal, wherein the number of valid votes in favor exceeds one-half of the total number of electors.

Should the President issue an emergency decree after dissolving the Legislature, the Legislature shall convene *sua sponte* within three days to vote on the ratification of the decree within seven days after the session begins. However, should the emergency decree be issued after the election of new Legislators, the new Legislators shall vote on the ratification of the decree only after their inauguration. Should the Legislature withhold ratification, the emergency decree shall forthwith be void.

Impeachment of the President or the Vice President by the Legislature shall be initiated upon the proposal of more than one-half of the total number of the Legislators and passed by more than two-thirds of the total number of the Legislator,

全體立法委員四分之三之出席，及出席委員四分之三之決議，提出領土變更案，並於公告半年後，經中華民國自由地區選舉人投票複決，有效同意票過選舉人總額之半數，不得變更之。

總統於立法院解散後發布緊急命令，立法院應於三日內自行集會，並於開議七日內追認之。但於新任立法委員選舉投票日後發布者，應由新任立法委員於就職後追認之。如立法院不同意時，該緊急命令立即失效。

立法院對於總統、副總統之彈劾案，須經全體立法委員二分之一以上之提議，全體立法委員三分之二以上之決議，聲請司法院大法官審理，不適用憲法第九十條、第一百條及增修條文第七條第一項有關規定。

whereupon it shall be presented to the Grand Justices of the Judicial Yuan for adjudication. The provisions of Article 90 and Article 100 of the Constitution and Article 7, Paragraph 1 of the Constitutional Amendment shall not apply.

Except in case of *flagrante delicto*, no Legislator may be arrested or detained without the permission of the Legislature, when that body is in session. The provisions of Article 74 of the Constitution shall cease to apply.

Article 5. (Nomination, Appointment, and Term of Office of Chief Justice, Deputy-Chief Justice, and Justices, Organization of Constitutional Court, Definition of Unconstitutionality, and Budget)

The Judicial Yuan (hereinafter referred as “Judiciary”) shall have 15 grand justices (hereinafter referred as “Justice”). The 15 Justices, including a Chief and a Deputy-Chief to be selected from amongst them, shall be nominated and, appointed upon confirmation of the Legislature by the President. This shall take effect from the year of 2003, and Article 79 of the Constitution shall be suspended from its application accordingly. Except the one possessed of qualification as a judge and

立法委員除現行犯外，在會期中，非經立法院許可，不得逮捕或拘禁。憲法第七十四條之規定，停止適用。

第五條（司法院院長、副院長、大法官之提名、任命、任期、憲法法庭之組成、違憲之定義及概算之不得刪減）

司法院設大法官十五人，並以其中一人為院長、一人為副院長，由總統提名，經立法院同意任命之，自中華民國九十二年起實施，不適用憲法第七十九條之規定。司法院大法官除法官轉任者外，不適用憲法第八十一條及有關法官終身職待遇之規定。

transferred from the bench, the Justice shall enjoy no lifetime tenure protection as provided in Article 81 of the Constitution and other pertinent regulations.

Each Justice shall serve a term of eight years, the time of which be measured on an individual basis regardless of when appointed, and may not be reappointed for a consecutive term. However the Justices who be elected as Chief Justice and Deputy-Chief Justice shall not enjoy an eight-year term protection.

Among the Justices nominated by the President in the year of 2003, eight members of those, including the Chief Justice and Deputy-Chief Justice, shall serve for four years, the remaining shall serve for eight years. The provision of the preceding paragraph regarding term of office shall not apply.

The Justices shall, in addition to discharging their duties in accordance with Article 78 of the Constitution, form a Constitutional Court to adjudicate matters relating to the impeachment of President and Vice President, and dissolution of political parties violating the Constitution.

A political party shall be considered unconstitutional if its goals or activities endanger the existence of the Republic of China or the nation's free and democratic constitutional order.

司法院大法官任期八年，不分屆次，個別計算，並不得連任。但並為院長、副院長之大法官，不受任期之保障。

中華民國九十二年總統提名之大法官，其中八位大法官，含院長、副院長，任期四年，其餘大法官任期為八年，不適用前項任期之規定。

司法院大法官，除依憲法第七十八條之規定外，並組成憲法法庭審理總統、副總統之彈劾及政黨違憲之解散事項。

政黨之目的或其行為，危害中華民國之存在或自由民主之憲政秩序者為違憲。

The proposed budget submitted annually by the Judiciary may not be eliminated or reduced by the Executive; however, the Executive may indicate its opinions thereon and include it in the central government's proposed budgetary bill for submitting to the Legislature for deliberation and approval.

Article 6. (Powers and Responsibilities of the Examination Yuan, Nomination and Confirmation of Chief Examiner, Deputy-Chief Examiner, and Examiners)

The Examination Yuan (hereinafter referred as "Examination") shall be the highest examination body of the State and responsible for the matters enumerated as follows; and the provision of Article 83 of the Constitution shall be suspended from its application:

1. Holding of civil tests;
2. Matters relating to civil servants' qualification screening, tenure protection, retirement, pension, and death compensation;
3. Legal matters relating to civil servants' employment, discharge, performance evaluation, salary scale, promotion, transfer, commendation and award.

司法院所提出之年度司法概算，行政院不得刪減，但得加註意見，編入中央政府總預算案，送立法院審議。

第六條（考試院之職權、院長、副院長、考試委員之提名及同意權之行使等）

考試院為國家最高考試機關，掌理左列事項，不適用憲法第八十三條之規定：

- 一、考試。
- 二、公務人員之銓敘、保障、撫卹、退休。
- 三、公務人員任免、考績、級俸、陞遷、褒獎之法制事項。

The Examination shall have a president (hereinafter referred as “Chief Examiner”), a vice president (hereinafter referred as “Deputy-Chief Examiner”), and a number of Examiners, all of whom shall be nominated and appointed, upon confirmation of the Legislators, by the President; and the provision of Article 84 of the Constitution shall be suspended from its application.

The provisions of Article 85 of the Constitution concerning the holding of civil tests in different region, with prescribed numbers of persons to be selected according to various provinces and regions, shall cease to apply.

Article 7. (Powers and Responsibilities of Control Yuan; Nomination of Chief Ombudsman, Deputy-Chief Ombudsman and Ombudsmen; Exercise of Impeachment)

The Control Yuan (hereinafter referred as “Control”) shall be the highest control body of the State and exercise the powers of impeachment⁶, censure and audit; and the pertinent provisions of Article 90 and Article 94 of the Constitution

考試院設院長、副院長各一人，考試委員若干人，由總統提名，經立法院同意任命之，不適用憲法第八十四條之規定。

憲法第八十五條有關按省區分別規定名額，分區舉行考試之規定，停止適用。

第七條（監察院之職權、院長、副院長、監察委員之產生及彈劾權之行使）

監察院為國家最高監察機關，行使彈劾、糾舉及審計權，不適用憲法第九十條及第九十四條有關同意權之規定。

⁶ The provision is inapplicable to the impeachment of the President and / or the Vice President, see Article 4, Para. 7 of the Amendment, *supra*.

concerning the exercise of the power of confirmation shall be suspended from their application.

The Control shall have 29 members (hereinafter referred as “Ombudsmen”), including a president (hereinafter referred as “Chief Ombudsman”) and a vice president (hereinafter referred as “Deputy-Chief Ombudsman”), all of whom shall serve a term of six years. The Ombudsmen shall be nominated and, upon confirmation of Legislature, appointed by the President. The provisions of Article 91 through Article 93 of the Constitution shall cease to apply.

The Control’s impeachment proceedings against a public functionary in central government, or local governments, or against personnel of the Judiciary or the Examination, shall be initiated by two or more Ombudsmen, and be investigated and voted upon by a committee of not less than nine Ombudsmen, the restrictions specified in Article 98 of the Constitution notwithstanding.

In case of impeachment against the Control’s own personnel on ground of dereliction of duty or violation of the law, the provisions of Article 95 and Article 97, Paragraph 2 of the Constitution, as well as the preceding paragraph, shall apply.

監察院設監察委員二十九人，並以其其中一人為院長、一人為副院長，任期六年，由總統提名，經立法院同意任命之。憲法第九十一條至第九十三條之規定停止適用。

監察院對於中央、地方公務人員及司法院、考試院人員之彈劾案，須經監察委員二人以上之提議，九人以上之審查及決定，始得提出，不受憲法第九十八條之限制。

監察院對於監察院人員失職或違法之彈劾，適用憲法第九十五條、第九十七條第二項及前項之規定。

The Ombudsmen shall be beyond party affiliation and independently exercise their powers and fulfilling their duties in accordance with the law.

The provisions of Article 101 and Article 102 of the Constitution shall cease to apply.

Article 8. (Remuneration for Legislators and Assembly Delegates)

The remuneration or pay for the Legislators shall be regulated by law. Except for general annual adjustments, any unilateral increase of remuneration or pay initiated by the Legislature shall only take effect as of its subsequent term.

Article 9. (Establishment of Self-Governing System for Provinces and Counties)

The system of self-government in the provinces and counties, which shall be established by the enactment of appropriate laws, shall include the following provisions, the restrictions in Article 108, Paragraph 1, Subparagraph 1; Article 109; Article 112 through Article 115; and Article 122 of the Constitution notwithstanding:

1. A province shall have a provincial government composed of nine

監察委員須超出黨派以外，依據法律獨立行使職權。

憲法第一百零一條及第一百零二條之規定，停止適用。

第八條（立委之報酬、待遇之訂定）

立法委員之報酬或待遇，應以法律定之。除年度通案調整者外，單獨增加報酬或待遇之規定，應自次屆起實施。

第九條（省、縣地方制度之訂定）

省、縣地方制度，應包括左列各款，以法律定之，不受憲法第一百零八條第一項第一款、第一百零九條、第一百十二條至第一百五條及第一百二十二條之限制：

- 一、省設省政府，置委員九人，其中一人為主席，均由行政

members, one of whom shall be the governor. All members shall be nominated by the Premier and appointed by the President.

2. A province shall have an advisory council made up of a number of advisors, who shall be nominated by the Premier and appointed by the President.
3. A county shall have a county council, members of which shall be directly elected by the people of the said county.
4. The legislative powers vested in a county shall be exercised by the county council of the said county.
5. A county shall have a county government headed by a magistrate who shall be elected by the people of the said county.
6. The relationship between the central government and the provincial and county governments.
7. A province shall execute the orders of the Executive and supervise the counties on their self-Governing matters.

The modifications of the functions, operations, and organization of the Taiwan Provincial Government may be specified by law.

院院長提請總統任命之。

二、省設省諮議會，置省諮議會議員若干人，由行政院院長提請總統任命之。

三、縣設縣議會，縣議會議員由縣民選舉之。

四、屬於縣之立法權，由縣議會行之。

五、縣設縣政府，置縣長一人，由縣民選舉之。

六、中央與省、縣之關係。

七、省承行政院之命，監督縣自治事項。

台灣省政府之功能、業務與組織之調整，得以法律為特別之規定。

Article 10. (Economic Development, Assistance to Small and Medium-Sized Enterprises)

The State shall encourage the development and investment in science and technology, facilitate industrial upgrading, promote modernization of agriculture and fishery, emphasize exploitation and utilization of water resources, and strengthen international economic cooperation.

Environmental and ecological protection shall be given equal consideration with economic and technological development.

The State shall assist and protect the survival and development of private small and medium-sized enterprises.

The State shall manage government-run financial organizations in accordance with the principles of business administration. The management, personnel, proposed budgets, final budgets, and audits of the said organizations may be specified by law.

The State shall promote national health insurance and promote the research and development of both modern and traditional medicines.

The State shall protect the dignity of women, safeguard their personal safety,

第十條（經濟發展、中小企業之扶助、金融機構企業化經營、婦女之保障、全民健保、身心障礙者之保障、原住民之保障等）

國家應獎勵科學技術發展及投資，促進產業升級，推動農漁業現代化，重視水資源之開發利用，加強國際經濟合作。

經濟及科學技術發展，應與環境及生態保護兼籌並顧。

國家對於人民興辦之中小型經濟事業，應扶助並保護其生存與發展。

國家對於公營金融機構之管理，應本企業化經營之原則；其管理、人事、預算、決算及審計，得以法律為特別之規定。

國家應推行全民健康保險，並促進現代和傳統醫藥之研究發展。

國家應維護婦女之人格尊嚴，保障婦女之人身安全，消除性別歧視，促

eliminate sexual discrimination, and further substantive gender equality.

The State shall guarantee availability of insurance, medical care, obstacle-free environments, education and training, vocational guidance, and support and assistance in everyday life for physically and mentally handicapped persons, and shall also assist them to attain independence and to develop (their potentials).

The State shall emphasize social relief and assistance, welfare services, employment for citizens, social insurance, medical and health care, and other social welfare services. Priority shall be given to funding social relief and assistance, and employment for citizens.

The State shall prize military servicemen for their contributions to society, and to retired servicemen guarantee their medical care, and livelihood or furnish them opportunities to be educated or employed if so desired.

Priority shall be given to funding education, science, and culture, and in particular funding for compulsory education, the restrictions specified in Article 164 of the Constitution notwithstanding.

The State takes cultural pluralism as her pride and shall actively preserve and foster the development of aboriginal languages and cultures.

進兩性地位之實質平等。

國家對於身心障礙者之保險與就醫、無障礙環境之建構、教育訓練與就業輔導及生活維護與救助，應予保障，並扶助其自立與發展。

國家應重視社會救助、福利服務、國民就業、社會保險及醫療保健等社會福利工作，對於社會救助和國民就業等救濟性支出應優先編列。

國家應尊重軍人對社會之貢獻，並對其退役後之就學、就業、就醫、就養予以保障。

教育、科學、文化之經費，尤其國民教育之經費應優先編列，不受憲法第一百六十四條規定之限制。

國家肯定多元文化，並積極維護發展原住民族語言及文化。

The State shall, in accordance with the will of the ethnic groups, safeguard the status and political participation of the aborigines. The State shall also guarantee and provide assistance and encouragement for aboriginal education, culture, transportation, water conservation, health and medical care, economic activity, land, and social welfare, measures for which shall be established by law. The same protection and assistance shall be given to the people of the Penghu, Kinmen, and Matsu areas.

The State shall accord to nationals of the Republic of China residing overseas protection of their rights of political participation.

Article 11. (Rights and Obligations between the People of Free Area and Chinese Mainland Area)

Rights and obligations between the people of free area and those of Chinese mainland area, and the disposition of other related affairs may be specially prescribed by law.

Article 12. (Procedure to Amend Constitution)

Amendment of the Constitution shall be initiated upon the proposal of one-fourth

國家應依民族意願，保障原住民族之地位及政治參與，並對其教育文化、交通水利、衛生醫療、經濟土地及社會福利事業予以保障扶助並促其發展，其辦法另以法律定之。對於澎湖、金門及馬祖地區人民亦同。

國家對於僑居國外國民之政治參與，應予保障。

第十一條（兩岸人民關係法之制定）

自由地區與大陸地區間人民權利義務關係及其他事務之處理，得以法律為特別之規定。

第十二條（憲法修改之程序）

憲法之修改，須經立法院立法委員四分之一之提議，四分之三之出席，

of the total numbers of the Legislators, passed by at least three-fourths of the Legislators present at a meeting attended by at least three-fourths of the total Legislators of the Legislature, and approved by electors in the free area of the Republic of China at a referendum held upon expiration of a six-month period of public announcement of the proposal, wherein the number of valid votes in favor exceeds one-half of the total number of electors. The provisions of Article 174 of the Constitution shall not apply.

及出席委員四分之三之決議，提出憲法修正案，並於公告半年後，經中華民國自由地區選舉人投票複決，有效同意票過選舉人總額之半數，即通過之，不適用憲法第一百七十四條之規定。

