

**TAIWAN CONSTITUTIONAL COURT**  
**FIRST TERM 2023**

For the Oral Arguments from January to April 2023

Date	Case Name	Petitioner(s)	Case No.	Issue	Deadline for Amicus Curiae Applications and Expert Opinions
February 7, 2023	Case on the <i>Blankettgesetz</i> (Blank Form Statute) in the Securities and Exchange Act	I-Chun NAN, Hsiang-Ming CHEN	110-Hsien-Erh-67	In the case of violating the Securities and Exchange Act and other pertaining laws, whether the applied provisions of Article 43-1, Paragraphs 3 and 4, Article 175, Paragraph 1 of the Securities and Exchange Act, regarding the violation of Article 11, Paragraph 1 of the Regulations Governing Public Tender Offers for Securities of Public Companies, are in contradiction to the doctrine of specific authorization and the principle of <i>nullum crimen sine lege certa</i> .	Amicus Curiae applications should be turned in by December 30, 2022. Once permitted, Amici curiae shall turn in their expert opinions by January 31, 2023.

February 21, 2023	Case on Establishing Multiple Corporate Unions in the Same Factory or Workplace	Corporate Union of the Maintenance Division of the China Airlines	111- Hsien- Min- 350	In the cases regarding the Labor Union Act, whether the applied provisions of Article 2, Paragraph 1 and 2 of the Enforcement Rules of Labor Union Act are unconstitutional.	Amicus Curiae applications should be turned in by January 3, 2023. Once permitted, Amici curiae shall turn in their expert opinions by January 31, 2023.
		Corporate Union of the Sha-Lu Factory of the Aerospace Industrial Development Corporation (consolidated)	111- Hsien- Min- 3792		

March 14, 2023	Case on the Criminalization of Defamation	Chang-Sheng CHU	110- Hsien- Erh- 247	In the case of defamation, whether the applied provision of Article 310 of the Criminal Code and J.Y. Interpretation No.509 are in conflict with the liberty and security of person, freedoms of speech, the principle of proportionality, the principle of clarity and definiteness of law ( <i>Rechtsbestimmtheitprinzip</i> ), the principle of equality, and the prohibition of arbitrariness.	Amicus Curiae applications should be turned in by December 30, 2022. Once permitted, Amici curiae shall turn in their expert opinions by February 14, 2023.
		【1】 Ying-Chieh LU (consolidated)	109- Hsien- Erh-55	In the case of defamation, whether the applied J.Y. Interpretation No.509 is in violation of the principle of proportionality, the due process of law, the principle of clarity and definiteness of law ( <i>Rechtsbestimmtheitprinzip</i> ), and the principle of equality, consequently infringing people's right to freedoms of speech bestowed by Article 11 of the Constitution.	

		<p><b>【2】</b> Jung-Chi HSU (consolidated)</p>	<p>110- Hsien- Erh- 404</p>	<p>In the case of defamation, whether the applied provision of Article 310 of the Criminal Code is in violation of Article 11 and 23 of the Constitution, causing severe infringement to the petitioner's right to freedoms of speech.</p>	
		<p><b>【3】</b> Chieh-Jen HSIAO (consolidated)</p>	<p>Hui- Tai- 13751</p>	<p>In the case of defamation, whether the applied provisions of Article 310 and 311 of the Criminal Code violate the freedom of religious belief enshrined in Article 13 of the Constitution, and the freedoms of speech enshrined in Article 11 of the Constitution.</p>	

		【4】 I-Teng CHEN (consolidated)	109- Hsien- Erh-56	In the case of defamation, whether the applied provisions of Article 310 of the Criminal Code and J.Y. Interpretation No.509 are in conflict with the principle of clarity and definiteness of law ( <i>Rechtsbestimmtheitprinzip</i> ), the due process of law, the principle of proportionality, and the principle of equality, consequently infringing the petitioner's right to freedoms of speech bestowed by Article 11 of the Constitution.	
March 27, 2023	Case on the Search and Seizure of Law Firm's Offices	Lee and Li, Attorneys-at- Law	Hui- Tai- 11067	In the case of search and seizure, whether the applied provisions of Article 122, Paragraph 2 and Article 133, Paragraph 1 of the Criminal Code, permitting search and seizure of law firm's offices without sufficient evidence of certain lawyer has committed a crime, are in violation of the right of instituting legal	Amicus Curiae applications should be turned in by December 30, 2022. Once permitted, Amici curiae shall turn in

				proceedings/ right to judicial remedy guaranteed by Article 16 of the Constitution, and freedom of secrecy of correspondence guaranteed by Article 12 of the Constitution.	their expert opinions by March 1, 2023.
April 11, 2023	Case on Phantom Voters/ False Census Registration to Alter the Composition of an Electorate	Ling-Chih HU	Hui-Tai-9433	In the case of interference of voting, whether the applied provisions of Article 146, Paragraph 1 and 2 (the later amended and promulgated on January 24, 2007) of the Criminal Code are unconstitutional.	Amicus Curiae applications should be turned in by December 30, 2022. Once permitted, Amici curiae shall turn in their expert opinions by March 13, 2023.
		【1】 I-Chiang LI (consolidated)	Hui-Tai-10956	In the case of interference of voting, whether the applied provisions of Article 146, Paragraph 1 of the Criminal Code is unconstitutional.	
		【2】 Ju-Sung LIU and others (consolidated)	Hui-Tai-10957	In the case of interference of voting, whether the applied provisions of Article 146, Paragraph 1 of the Criminal Code is unconstitutional.	

		<p><b>【3】</b> Jung-Hui SU and others (consolidated)</p>	107-Hsien-Erh-96	In the case of interference of voting, whether the applied provisions of Article 146. Paragraph 2 and 3 of the Criminal Code (amended and promulgated on January 24, 2007) are unconstitutional.	
<p>April 24, 2023 (CANCELED)</p>	<p>Case of Revocation of Driver's Licenses for Life Under Article 37 of the Road Traffic Management and Penalty Act</p>	<p>Panel 6 of the Taipei High Administrative Court</p>	108-Hsien-San-57	<p>UPDATE: Taiwan Constitutional Court announces to cancel the oral argument of Case 108-Hsien-San-57 (Case of Revocation of Driver's Licenses for Life Under Article 37 of the Road Traffic Management and Penalty Act) scheduled on April 24, 2023, since the petitioner, Panel 6 of the Taipei High Administrative Court, has withdrawn the complaint. The withdrawal was permitted by the Taiwan Constitutional Court on April 17, 2023.</p>	<p>Amicus Curiae applications should be turned in by December 30, 2022. Once permitted, Amici curiae shall turn in their expert opinions or information by March 24, 2023.</p>

				<p>In hearing the traffic offence case Taipei High Administrative Court 108-Su-579, the court is convinced that the applicable provision of Article 37, Paragraph 1 of the Road Traffic Management and Penalty Act does not meet the required protection of people's right to work and the principle of proportionality, therefore in violation of Article 15 and 23 of the Constitution.</p>	
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(updated on April 20, 2023)

**Notes:**

1. Cases scheduled for Oral Argument from January to April 2023 in the Taiwan Constitutional Court are as shown on this chart. For the reason that cases that require oral argument may increase, this chart is subject to change.
2. Documents of each cases are open to the public. Please refer to the TCC's website at “查詢服務→ 公開書狀案件→公開書狀之案件列表（已受理）” (this feature is only available in Traditional Chinese). Outline of Issues and the Notice on Court Audience of each cases shall be announced separately.