

Content

Title :	Enforcement Rules of the Culture and the Arts Reward and Promotion Act 
Date :	2023.05.22
Legislative :	1.Announced on April 30th,1993 2.Amended on September 5th,1998 3.Amended on November 22nd,2005 4.Amended on February 8th,2022 5.Amended on May 22nd,2023 6.Amended on October 26th,2023
Content :	Article 1 These Rules are drafted in line with Article 34 of the Culture and the Arts Reward and Promotion Act (“the Act”). Article 2 “Traditional culture and the arts” as mentioned in Item 1 of Paragraph 2 of Article 3 of the Act means traditional performing arts, traditional handicraft arts, cultural asset preservation techniques, traditional artisans, and other traditional cultural technical abilities, artistic skills, and techniques. Article 3 “Cultural organizations” as mentioned in Item 8 of Paragraph 2 of Article 3 of the Act means the following types of organizations established in accordance with the law: Museums and art museums; Libraries, archives, and file archives; Memorial halls, culture halls, artifact museums, and exhibition halls; Theaters, opera houses, concert halls, performance halls, and experimental theaters; Culture centers, art centers, culture and the arts centers, and art museums; Living art centers; and Other organizations concerned with culture and the arts. Article 4 “Culture and arts enterprises” as mentioned in Paragraph 3 of Article 3 of the Act means organizations, schools, juridical persons, groups, or businesses where the main scope of purpose of establishment, registration, or business is in line with Paragraph 2 of Article 3 of the Act and which are established in accordance with the law and duly registered. Article 5 “Occupational accident insurance” as mentioned in Article 10 of the Act means insurance as detailed in the Labor Occupational Accident Insurance and Protection Act. The central competent authority shall clearly state in the contract for the purchase of goods and services related to culture and the arts that vendors that are the direct hirers of labor involved shall enroll laborers in occupational accident insurance in line with the Labor Occupational Accident Insurance and Protection Act. Vendors that are unable to enroll laborers in occupational accident insurance are to enroll them in other commercial insurance schemes that offer accident, disability, and death protections. Article 6 Definitions of terms used in Paragraph 1 of Article 15 of the Act: 1. Public building: Buildings of a memorial nature or for which, in accordance with the law, a government agency (organization), administrative institution, public school, or public enterprise has been issued a

construction license by the central competent authority and which include investment by a private organization.

2. Major construction project: A project by a government agency (organization), administrative institution, public school, or public enterprise that, in accordance with the law, includes investment by a private organization and the budget for which exceeds NT\$500 million. Excluded from this are public construction efforts that are emergency or rush repairs of a short-term nature.
3. Implementing agency (organization): Government agency (organization), administrative institution, public school, or public enterprise engaged in the new construction, expansion, refurbishment, or repair of a public building or carrying out a major construction project.
4. Public art: Painting, handicraft, statuary, or other work of planar or three-dimensional art created via a variety of techniques with various media that is installed or displayed in a public space.
5. Cost of the building or public construction project: Includes the direct engineering costs, including engineering fees, quality control fees, environmental protection fees, site safety and sanitation fees, materials inspection fees, contractors' management fees, profit, and taxes.
6. The installation of public art should encourage and include traditional handicrafts or traditional cultural elements.

Monies drawn on funds or accounts set up according to Paragraph 3 of Article 15 of the Act are to be used for items related to culture and the arts. In addition to being used for public art and its management and maintenance, a priority for at least one-fourth of the budget shall be support for the passing on of traditional handicraft techniques, purchase and storage of artifacts and training of personnel.

When installing public art as described in the previous paragraph, central industry competent authorities shall entrust and appoint its subordinate agencies/organizations or related agencies/organizations, juridical persons, or groups to handle management and maintenance, traditional handicrafts, the purchase and storage of artwork and artifacts, the passing on of traditional handicraft techniques, and the training of personnel.

Article 7 Donations made in line with Paragraph 1 of Article 28 of the Act to agencies (organizations) should fit the establishment goal and functions, the storage policy, the maintenance and care provided by, and the operational management of the agency (organization).

The professional board of inquiry mentioned in Paragraph 2 of Article 28 of the Act shall be composed of experts and scholars selected for their related professional experience and dispatched or hired by the agency (organization) receiving the donation.

Article 8 When the government, in accordance with Paragraph 1 of Article 32 of the Act, commissions juridical persons, organizations, or groups in the culture and arts sphere to confer awards or grants, it shall ensure that the professional skills of the commissioned juridical person, organization, or group is commensurate with the nature of the case.

Article 9 Rules concerning information transparency and recusal as mentioned in Paragraph 3 of Article 32 of the Act shall improve transparency and openness mechanisms concerning awards or grants and shall make it easier to share and ensure fair-use of information on awards and grants. They should also include content on improving administrative efficiency and clean governance.

The transparency and openness mechanisms mentioned in the preceding Paragraph shall include publicization of the review results and the list of reviewers' names.

Recusal of reviewers for awards and grants shall be governed by Article 32 and Article 33 of the Administrative Procedure Act.

Article 10 These Rules shall come into force on the day of their announcement.

Data Source : Ministry of Culture Laws and Regulations Retrieving System