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Title :	Act for Establishment of National Performing Arts Center Ch
Date :	2014.01.29
Legislative :	Promulgated by President Order Hua-Zhong-1-Yi-Zi No.10300010731 on January 29, 2014
Content :	Chapter I: General Article 1 This Act is enacted for the establishment of the National Performing Arts Center (“The Center”) for the operation and management of the National Theater, National Concert Hall (“National Theater and Concert Hall”), the National Kaohsiung Theater and Concert Hall, and the National Taichung Theater, the planning, marketing, promotion, and exchange of performing arts and culture and activities, and to promote the national performing arts standards and the international competitiveness of the country. Article 2 The Center shall be a non-departmental public body; its supervisory authority shall be the Ministry of Culture. Article 3 The scope of the Center’ s business shall be as below: 1. The operation and management of the National Theater and Concert Hall, the National Kaohsiung Theater and Concert Hall, and the National Taichung Theater (hereinafter collectively as the “Institutions”); 2. The operation and management of facilities for commissioned exhibition and performance. 3. The marketing and promotion of performing arts. 4. The planning of performing arts groups and activities. 5. The cooperation and exchange of international performing arts and cultures. 6. All other matters related to the Center. Article 4 The Center shall receive funds from the following sources: 1. The grant allocation, donations and subsidies from the government. 2. Revenues from commissioned research and provision of services. 3. Donations from public or private institutions, organizations or individuals domestic or overseas. 4. Revenues from operations and products. 5. All other revenues. The government subsidies under Paragraph 1, Subparagraph 1 shall include human resources costs, program costs, promotion and marketing costs, costs for maintenance and procurement of important facilities such as the building and fixed assets, as well as all other special maintenance costs. The donations under Paragraph 1, Subparagraph 3 shall be deemed as a donation to the government. Every Institution may establish an individual account to manage and plan self-sourced revenue. However, all relevant plans shall be included under the annual planning and annual budget. Article 5 The Center shall stipulate Articles and Association, regulations governing its own human resource management, accounting systems, internal controls, auditing activities and other regulations. It shall submit such

regulations to its board of directors for approval and, upon approval, file them to the supervisory authority for recordation.

The Center may, without contravening any relevant laws or regulation, draft regulations concerning its execution of public affairs and submit such regulations to its board of directors for approval, and upon approval, file them to the supervisory authority for recordation.

Chapter II: Organization

Article 6 The Center shall establish a board of directors with 11-15 seats, to be filled by the supervisory authority submitting candidates from the following for approval and appointment by the Premier of the Executive Yuan. The same shall apply for dismissals:

1. Representatives of related government authorities.
2. Scholars and professionals in fields related to the performing arts.
3. Individuals in the cultural and education field.
4. Experts in the operation and management of private businesses, or independent members of the public.

There shall be three directors from the category in Subparagraph 1 of preceding Paragraph, and no more than four directors from each of the categories under Subparagraph 2-4.

Article 7 The Center shall establish a committee of supervisors with 3-5 seats, to be filled by the supervisory authority submitting candidates from the following for approval and appointment by the Premier of the Executive Yuan; the same shall apply for dismissals:

1. Representatives of related government authorities.
2. Individuals with expertise in accounting, auditing, law, management and related fields.

The supervisor shall elect one individual amongst themselves as the Executive Supervisors.

Article 8 In selecting the directors and supervisors, the supervisory authority shall consider the representativeness, locality and balance of all types of candidates. In particular, there shall be at least one representative selected as a director under each of the categories from Article 6, Paragraph 1, Subparagraphs 2-4 that are from the Aborigine, Hakka and regions where the Institutions are located.

Either gender selected as director or supervisor shall not comprise of less than one-third of the total number of individuals selected.

Article 9 The term for a director or supervisor shall be four years. The same individual may have his or her appointment extended for one time at the end of the term. However, the number of individuals re-appointed may not exceed more than two-thirds of the total number of individuals, but they must make up at least one-third of the total.

Directors and supervisors who are representatives of government institutions shall enter and resign pursuant to the status of their position without limitation from the appointment limits under the preceding Paragraph; The supervisory authority shall request the Premier of the Executive Yuan to conduct replacements to fill any vacancies in directors and supervisors appointed under Article 6, Paragraph 1, Subparagraphs 2 to 4 and Article 7, Paragraph 1, Subparagraph 2 prior to the end of the term. The term of the replacement shall be until the end of the original individual's term.

Article 10 Individuals under the following circumstances may not be appointed as a director or supervisor:

1. Under a guardianship or assistance declaration that has yet to be revoked.
 2. Final and confirmed sentence above a definite term of imprisonment and has not received a probation announcement.
 3. Under a bankruptcy declaration that has yet to be lifted.
 4. Stripped of all citizen rights and has yet to be restored.
 5. Certified by a public hospital for physical or mental disabilities that would cause the individual to be unable to perform the duties of the position.
- Any director or supervisor with any of the above circumstances or otherwise fail to attend board or supervisor meetings without cause for three continuous instances shall be dismissed.

A director or supervisor may be dismissed in the event of any of the following circumstances:

1. Proven poor conduct or behavior that negatively impacts the image of the Center.
2. Concrete fact of, or a serious violation of the appointment terms regarding, incompetence or dereliction in the performance of duties.
3. Failure to attain, for a continuous two years, the standards prescribed by the supervisory authority for the evaluation of the Center' s annual operations performance.
4. Proven a violation of the Regulations on Administrative Neutrality for Public Officials.
5. Proven acceptance of lobbying or request for assistance for matters within one' s authority, or exploitation of the position to accept invitations or gifts, thereby harming the public interest and the interests of the Center.
6. Proven the use of the Center' s finances for reasons unrelated to the performance of duties.
7. Proven a violation of the recusal principles in this Act or the prohibition from engaging in certain transactions specified under the front half of Article 17, Paragraph 1.
8. All other acts inappropriate for the director or supervisor position.

In the event of any of the aforementioned circumstances, the supervisory authority shall provide the accused individual with a chance to present his or her defense prior to dismissal.

The Center' s appointment, dismissal, replacement procedures and all other related procedures shall be prescribed by the supervisory authority.

Article 11

The Center shall have one Chairperson, who shall be selected by the supervisory authority from the directors for submission to the Premier of the Executive Yuan for appointment; the same shall apply for dismissal.

The appointment of the Chairperson shall follow the operating procedure prescribed by the supervisory authority.

Internally, the Chairperson shall manage and oversee all affairs of the Center, while act as the representative of the Center to the public. If the Chairperson is unable to perform his or her duties, a director designated by the Chairperson shall act in his or her place. If no such director can be designated, the directors shall select one amongst themselves to serve as the acting Chairperson.

A first-term Chairperson shall not be over the age of 65. If the Chairperson reaches the age of 70 prior to

- the end of the term, the Chairperson shall be replaced. However, if there are special considerations that have been approved by the Executive Yuan, the aforementioned limitations do not apply.
- Article 12 The board of directors shall be responsible for the following:
1. The review and discussion of development goals and plans.
 2. The raising of funds of operational budget for the Center and allocating the government subsidies budget among the Institutions.
 3. The approval of the Institutions' annual operational guidelines.
 4. The review and discussion of the annual operational plan.
 5. The review and discussion of the annual budget, final accounting and performance targets.
 6. The review and discussion of the organic regulations.
 7. The review and discussion of the disposition of self-owned real estate property or burdens to be placed on such property.
 8. All matters specified in this Act that require a review and resolution from board meetings.
 9. The appointment and dismissal of the General Supervisor of Arts at each Institution.
 10. Review and discussion of all other important matters.
- Article 13 A board meeting shall be held every three months. If necessary, an ad hoc board meeting may be convened by the Chairperson, who will chair that meeting. Each board meeting shall have a quorum of more than half of the directors, and resolutions shall have the approval of more than half of the directors in attendance. However, resolutions on Paragraphs 1-9 of the preceding Article shall require the approval of more than half of the total number of directors.
- Article 14 The committee of supervisors shall be responsible for the following:
1. The review of the annual operational final accounting.
 2. The supervision of the Center' s operational and financial status.
 3. The audit of the accounting reports, documents and financial data.
 4. The audits or reviews of all other important matters.
- A supervisor exercises his or her powers independently. The Executive Supervisors shall represent the committee of supervisors in attending the board meetings.
- Article 15 The directors, supervisors and the Executive Supervisors shall personally participate or attend the board meetings or supervisors' meetings. No proxies may be used for attendance.
- Article 16 The directors and supervisors shall comply with the principles of recusal. There shall be no exploitation of authority, opportunity or methods from the official position for personal gain or the benefit of related individuals. The scope of recusal and sanctions for violations thereof shall be prescribed by the supervisory authority.
- Directors and supervisors may not be spouses or relatives within second degree of relationship either by blood or by marriage, of one another.
- The term "related individuals" refer to a spouse or relatives within second degree of relationship or closer.
- Article 17 Directors, supervisors and their related persons may not

engage in transactional activity, such as sales, leasing and contractor work, with the Center. However, transactions with just cause and approved by special resolutions of the board of directors shall be exempt from the aforementioned limitation.

In the event the Center incurs damages as a result of the violation of the preceding Paragraph, the violator shall be held liable for compensation.

The Center shall actively disclose the board's special resolution for the circumstance described in Paragraph 1 within 20 days of passage, as well as report the special resolution to the supervisory authority for recordation.

Article 18 The Center's Chairperson, directors and supervisors shall be unpaid positions.

Article 19 There shall be one General Supervisor of Arts for each Institution of the Center, who shall be appointed through the proposal by the Chairperson for the approval by the board of directors. The General Supervisor of Arts shall manage the affairs of each Institution under the guidance of the board of directors, as well as attend each board meeting. The General Supervisor of Arts shall be the representative of the Institution he or she works in to the public.

The General Supervisor of Arts shall be responsible for the following:

1. The drafting of the annual operational plan for the Institution he or she works in.
2. The drafting of the annual budget, incentive target and the presentation of the final accounting report for the Institution he or she works in.
3. The hiring and termination of staff at the Institution he or she works in.
4. The execution and supervision of the operational affairs of the Institution he or she works in.
5. The approval of all other operational plans for the Institution he or she works in.

The rules for directors and the Chairperson stipulated under Article 10, Paragraph 1, the front half of Paragraph 2, Paragraph 3, Paragraph 4, Article 11, Paragraph 4, Article 16, Article 17, Article 21, Paragraph 6, Article 25, Paragraph 2 and Paragraph 3 shall apply to the General Supervisor of Arts appointed under Paragraph 1 of this Article.

Article 20 If required by operational needs, each Institution of the Center may establish a subordinate operational unit or a performing arts group upon approval by the board of directors and the supervisory authority after the board submits the proposal for review. This shall also apply to the dismissal of such subordinate operational unit or performing arts group.

Chapter III: Operations and Supervision

Article 21 The scope of supervision for the supervisory authority shall be as follows:

1. The review and approval of the developmental goal and plan.
2. The review, approval and recordation of the regulations, annual operational plan and budget, the annual execution results and the final accounting report.
3. The inspection of assets and financial status.
4. The evaluation of the operational performance.
5. The appointment and recommendation of directors and supervisors.
6. The rendering of necessary sanctions against directors and supervisors who has violated the law in the course of their work.

7. The rendering of sanctions against the Center' s violation of the Constitution, law, or regulations, including revocation, change, nullification, cure in a limited time, suspension of execution or other measures.
8. The approval of the disposition of self-owned real estate or of the burdens to be placed on such property
9. The supervision of all other acts in accordance with the law.

Article 22 The supervisory authority shall invite representatives from relevant government entities, scholars and independent members of the public to evaluate the operations performance of the Center. The academic experts and independent members shall number no less than two-thirds of the total number of individuals, and either gender shall comprise of no less than one-third of the total number of individuals.
The method, procedure and all other relevant matters regarding the evaluation of operations performance shall be prescribed by the supervisory authority.
The evaluation shall include the following:
1. The Center' s annual performance results.
2. The Center' s operational performance incentives and rate of success in achievement of goals.
3. The Center' s rate of success in the proportion of self-generated funds.
4. The Center' s recommendations in grant allocation.
5. All other relevant items.

Article 23 The Center shall establish the development goals and plans and report such to the supervisory authority for review and approval.
The Center shall establish the annual operational plan and budget, which shall be approved by the board of directors and, then, reported to the supervisory authority for recordation

Article 24 Within three months after the end of the fiscal year, the Center shall submit the annual performance results and the final accounting report to a certified public accountant for audit, followed by submitting those documents to the board of directors for review. Once the board passes the documents, they shall be reported to the supervisory authority for recordation and be submitted to the audit authority.
The aforementioned final accounting report may be audited by the audit authority. The results of the audit may be sent to the supervisory authority or other relevant authorities for further required procedures.

Chapter IV: Human Resources and the Protection of the Rights of Current Employees

Article 25 All personnel hired by the Center shall be processed in accordance with the Center' s human resources regulations. The staff shall not be deemed public officials, and their rights and obligations shall be clearly set out in their employment contracts.
Spouses or relatives of the third degree or closer in blood or in law of the directors and supervisors shall be prohibited from working at the Center' s general affairs, accounting and human resources departments.
The Chairperson shall not hire his or her spouse and relatives of the third degree or closer in blood or in law to work at any position in the Center.

Article 26 All public officials employed or assigned under civil service laws at government authorities (agencies) (hereinafter "Original Authority") who are transferred to the Center for continued employment upon the government authority restructuring shall retain their status as public officials. The laws relating to public

officials for appointment, service, sanctions, performance review, training, salary, insurance, guarantees, association, retirement, severance, pensions, welfare and other interests that previously applied to the transferred individuals shall continue to apply. For those that may no longer apply the original laws relating to public officials, the Executive Yuan and the Examination Yuan shall separately establish different procedures to resolve the issue.

The management of individuals from human resources, accounting and ethics under continuing employment as stated in the preceding Paragraph shall be the same as that for other public officials.

Except for the head of the Center, Employees described in the two preceding Paragraphs may use the previously applicable organizational act when applying for promotions or undergoing qualification reviews.

Employees described under Paragraphs 1 and 2 of this Article may obtain a position at the Center by applying for retirement or severance at any time pursuant to the applicable civil service retirement or severance laws. However, no lump sum relief aid shall be paid to such employees, and the employees shall be subject to the human resources regulations of the Center.

Article 27 The supervisory authority shall assist individuals at the Original Authority who does not wish to transfer to the Center in transferring to another position. The individual may also choose to apply for retirement or severance pursuant to the applicable civil service retirement or severance laws on the day of the authority restructure and receive a lump sum relief aid equivalent to seven months' salary. However, for those who attained the mandatory age of retirement, an additional payment shall be provided based on the number of months of he or she retired early.

If an individual that chose retirement or severance in the preceding Paragraph obtains another public position or new work for a non-departmental public body within seven months of the effective date of retirement or severance, the new government authority or non-departmental public bodies shall collect back the lump sum relief aid (retirement, severance) minus the number of months of resigned period and return the amount to the treasury.

The lump sum relief aid in the preceding two Paragraphs shall refer to the monthly pay of the public official based on seniority at the month of retirement or severance under the applicable civil service retirement or severance laws, plus any additional differential pay for expertise or supervisory and managerial duty.

Article 28 If the Original Authority retained employees pursuant to the Contract-based Worker Employment Act or the Executive Yuan and Subordinate Agencies Contracted-Employment Regulations (hereinafter "Original Authority's Contract Employees") whose contract terms have not yet expired but do not wish to be transferred to the Center, the individuals may choose to leave on the day of the authority restructure. However, the individual shall be subject to the Regulations for Payment of Severance Deposit to Contract Employees of Government Authorities and Public Schools, and he or she shall receive an additional lump sum payment equivalent to seven months' salary based on the monthly salary of the individual during the last month of employment prior to resignation. However, for an individual whose contract will soon expire, he or she will receive a

payment based on the number of months of he or she early terminated the contract.

If the individuals in the preceding Paragraph incur a loss of years of insurance by withdrawing from the Government Employee and School Staff Insurance ("GESSI") under the Original Authority, unless the individual otherwise meets the requirements to receive the GESSI pension for retirement purposes, he or she shall receive a compensation for such loss of insurance coverage.

If an individual that resigned in the preceding Paragraph obtained another public position or work for a non-departmental public body within seven months of the effective date of retirement or severance, the new government authority or non-departmental public bodies shall collect back the lump sum relief aid minus the number of months he or she was not working. If the individual plans to again enroll in GESSI and begins receiving pension payments or senior benefits once more, the insurer shall make deductions from the compensation and remit the amount to the competent authority superior to the Original Authority without being subject to the restrictions set forth in Article 18 of the Public Official and Teachers' Insurance Act on the transfer, offset, attachment or guarantee of the right of the insured to receive insurance payment. Notwithstanding the above, if the new pension payment or senior benefit is less than the original compensation provided, only the amount equivalent to the new pension payments or senior benefits from the compensation shall be returned. The compensation for loss of GESSI years in the preceding two Paragraphs is subject to the lump pension or senior benefit payment standards under Article 14 of the Public Official and Teachers' Insurance Act.

For an Original Authority' s Contract Employee who will be transferred to the Center on the day of the authority restructure, he or she shall complete the resignation process on the day of the authority restructure and receive the severance deposit pursuant to Regulations for Payment of Severance Deposit to Contract Employees of Government Authorities and Public Schools; there will be no lump sum payment of seven months' salary, and he or she shall then be subject to the Center' s human resources regulations. If the individual incur a loss of years of insurance by withdrawing from GESSI, unless the individual otherwise meets the requirements to receive the GESSI pension for retirement purposes, he or she shall receive a compensation for such loss of insurance coverage.

Article 29 For police officers stationed at the Original Authority pursuant to the Regulations Governing the Establishment and Management of Police Stationed at Various Government Institutions, Organizations and Public Schools who do not wish to transfer to the Center, the supervisory authority shall assist with such individuals in transferring to another position. The police officer may also choose to apply for retirement or severance pursuant to the applicable civil service retirement or severance laws on the day of the authority restructure and receive a lump sum payment equivalent to seven months' salary. However, for those who attained the mandatory age of retirement, the payment shall be provided based on the number of months of he or she retired early.

If an individual that chooses retirement or severance in the preceding Paragraph obtains another public position

or new work for a non-departmental public body within seven months of the effective date of retirement or severance, the new government authority or non-departmental public bodies shall collect back the lump sum payment minus the number of months he or she was not working and return the amount to the treasury.

The lump sum payment in the preceding two Paragraphs shall refer to the pay at the month of retirement or severance, plus any additional differential pay for expertise or managerial duty.

For police officers stationed at the Original Authority who will be transferred to the Center on the day of the authority restructure, he or she shall complete the resignation or severance process on the day of the authority restructure in accordance with the applicable civil service retirement or severance laws; there will be no lump sum payment of seven months' salary, and he or she shall then be hired by the Center's human resources regulations.

Article 30 For laborers (including technicians and drivers) working at the Original Authority who do not wish to transfer to the Center, the supervisory authority shall assist with such individuals in transferring to another position. The laborer may also choose to apply for retirement or severance pursuant to the applicable civil service retirement or severance laws on the day of the authority restructure and receive a lump sum relief aid equivalent to seven months' salary. However, for those who attained the mandatory age of retirement, the payment shall be provided based on the number of months of he or she retired early.

If an individual that chooses retirement or severance in the preceding Paragraph obtains another public position or new work for a non-departmental public body within seven months of the effective date of retirement or severance, the new government authority or non-departmental public bodies shall collect back the lump sum relief aid (retirement, severance) minus the number of months he or she was not working.

The lump sum relief aid in the preceding two Paragraphs shall refer to the pay based on seniority at the month of retirement or severance, plus any additional differential pay for expertise.

For laborers working at the Original Authority who will be transferred to the Center on the day of the authority restructure, he or she shall complete the resignation or severance process on the day of the authority restructure in accordance with the applicable civil service retirement or severance laws; there will be no lump sum payment of seven months' salary, and he or she shall then be subject to the Center's human resources regulations.

Article 31 The payments specified under Articles 27 through 30 in relation to the aforementioned lump sum relief aid and compensation for loss of GESSI years may be paid by disbursements from the supervisory authority within the scope of the original budget without being subject to the restrictions under Articles 62 and 63 of the Budget Act.

Article 32 The provisions regarding the payment of lump sum relief aid or monthly payment in this Act shall not apply to those individuals who received additional payment as a result of his or her retirement, severance or resignation pursuant to the relevant laws due to the downsizing, merging, re-subordinating, restructuring or abolition of a government authority (agency).

Article 33 Regarding individuals who were suspended or terminated from duty at the Original Authority (including pending terminations), or on unpaid leaves but desire to be transferred to the Center as a result of the authority restructure, the Original Authority shall provide a list of names to the Center for continued enforcement. Applications for early reinstatement from individuals on unpaid leaves shall be approved.

In the event that the individuals in the preceding Paragraph who resume work from unpaid leave or resume receiving pay but do not wish to be transferred to the Center, Article 27 shall apply mutatis mutandis thereto, under which the supervisory authority shall assist in transferring such individuals to another position, or the individuals may apply for retirement or severance, as well as receive a lump sum relief aid.

Article 34 Articles 26, 27 and 31 through 33 shall apply mutatis mutandis to persons employed by the Original Authority under the Act Governing the Appointment of Educators.

Chapter V: Accounting and Finances

Article 35 The Center's fiscal year shall be identical to the government's fiscal year.
The accounting system used by the Center shall be set in accordance with the Standards for Establishing Accounting Systems for Non-Departmental Public Bodies. The Center's financial statements shall be audited by a certified public accountant.

Article 36 The grant allocation from government authorities for the year of the establishment of the Center and for the integration of the Original Authorities may be adjusted by the supervisory authority within the scope of the original budget without being subject to the restrictions under Articles 62 and 63 of the Budget Act.

Article 37 The grant allocation to the Center from government authorities shall be processed in accordance with the legal budgetary procedure and supervised by the audit authority.
In the event the grant allocation to the Center from government authorities comprise of more than 50% of the Center's budget source, the supervisory authority shall submit the Center's annual budget report to the

Legislative Yuan for review.
The Center shall stipulate and submit for recordation by the supervisory authority its internal regulations on the management of income and expenses for the Center's self-sourced funds and matters relating to their use and management.

Article 38 In the event the Center needs to make use of public property in the course of its business operations, they may be donated, leased or otherwise provided for use without compensation by a government authority (agency); the related provisions under Articles 25 and 26 of the Budget Act and Articles 28 and 60 of the National Property Act shall not apply to donations. However, the real property and ancillary facilities under the Center's Institutions shall be maintained or donated as national property. Upon approval by the Executive Yuan, the Institutions shall be integrated into the Center. After the establishment of the Center, if necessary for carrying out its business, the Center may procure public real property. The price shall be based on the announced current value of the land. The value of construction improvements on the land shall be based on its current value as assessed by the tax authority in that year. In the event there is no assessed value for the current year, the value shall be based on the estimate from the

public property management authority.
Property procured by the Center using the grant allocation from the government authority for a designated purpose shall be deemed public property.
With the exception of public property leased or provided without compensation in Paragraph 1, and public property acquired under the preceding Paragraph, all property obtained by the Center shall be the Center' s own property.

The Center shall be registered as the manager of the public property provided for use without compensation under Paragraph 1 and the public property procured under Paragraph 3. All revenues from the use shall be deemed the Center' s income without being subject to the restrictions under Article 7, Paragraph 1 of the National Property Act. The regulations regarding management, use of and revenues from public property as well as related matters shall be prescribed by the supervisory authority.

When the use of the public property is abolished, the property shall be transferred to the care of public property management authorities at each level.

When the Center no longer needs to use the donated public real property, the property shall be returned to the donating authority; the Center shall not unilaterally dispose of such property.

Article 39 All information related to the Center shall be made available in accordance with the relevant requirements under the Freedom of Government Information Law. The Center shall take the initiative in disclosing its financial statements, information on its annual operations and the annual evaluation of operations performance.

The supervisory authority shall submit an analysis report on the evaluation of operations performance in the preceding Paragraph to the Legislative Yuan for recordation. If necessary, the Legislative Yuan shall have the authority to request the head of the supervisory authority to accompany the Chairperson of the Center or relevant division head to appear at the Legislative Yuan to give a presentation on the operational status and answer questions.

Article 40 Debts incurred by the Center shall be limited to self-liquidating by nature and should be reported to the supervisory authority for approval. In the event the execution result of the budget shows that the debt cannot be repaid by self-liquidation, the Center shall promptly draft improvement measures and report them to the supervisory authority for approval.

Article 41 The Center' s procurements shall be carried out according to the principles of openness and fairness. Except for compliance with the treaties or agreements concluded by the Republic of China or the provisions specified under Article 4 of the Government Procurement Act and proceeding in accordance with those rules, the provisions of the Government Procurement Act does not apply to the Center' s procurements. The Center shall draft its regulations on implementation of procurement and submit them to the supervisory authority for approval.

If there are other laws governing the procurements that are to proceed in accordance with Article 4 of the Government Procurement Act under the preceding Paragraph, the other laws shall prevail.

Chapter VI: Supplementary Provisions

Article 42 To contest an administrative decision made by this

- Center, an administrative appeal may be filed with the supervisory authority pursuant to the Administrative Appeal Act.
- Article 43 After the implementation of this Act, the Act for Establishment of National Chiang Kai-Shek Cultural Center shall be abolished. Re-elections of the original board of directors and committee of supervisors shall be held pursuant to Articles 6 through 11 of this Act.
- Article 44 Retained employees and individuals appointed pursuant to the Act Governing the Appointment of Educators who were transferred from the Original Authority National Chiang Kai-Shek Cultural Center on March 1, 2004 may apply mutatis mutandis Article 27 of this Act and complete the procedure therein within six months since the implementation of this Act.
- Article 45 In the event of a change of circumstances or poor performance causing the Center to be unable to achieve the objectives it was established for, the Center may be dissolved upon the approval by the Executive Yuan of the proposal to dissolve the Center submitted by the supervisory authority.
- When the Center is dissolved pursuant to the preceding Paragraph, the supervisory authority shall assist the Retained employees to transfer to another position, or the employees may choose to apply for retirement or severance pursuant to the applicable civil service retirement or severance laws. All contracts with the rest of the employees shall be terminated, and the remaining assets shall be reverted to the treasury. The supervisory authority shall assume all related debts.
- Article 46 The implementation date of this Act shall be determined by order of the Executive Yuan.

Data Source : Ministry of Culture Laws and Regulations Retrieving System