

Content

Title :	Important Notice of Access to Archives of Agency Against Corruption, Ministry of Justice CH
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Legislative :	1.Promulgated on October 3, 2012 2.Amended on November 17, 2014 3.Amended on June 14, 2017

I. This Important Notice was instituted by the Agency Against Corruption, Ministry of Justice (hereinafter referred to as "AAC") for governing the application of the public for the viewing, copying, or replication of public records of AAC pursuant to Article 17 of the Archives Act.

II. Archives as referred to in This Important Notice are materials of public records expressed in words or not in words and their annexes referred to AAC for filing under the procedure for documentation.

III. The public may apply for the viewing, copying, or replication of public records by filling in an "Application for Access to Archives of AAC" (Appendix I, available from download from AAC website), provide the details of the following, and submit the application with AAC:

(I) The name, date of birth, telephone, address (domicile) and ID card number of the applicant. If the applicant is a legal person or a group or an organization with the position of an administrator or deputy agent, the title, the office or principal place of business or the name, date of birth, telephone, address (domicile) of the administrator or deputy agent.

(II) If it is an agent, the name, date of birth, telephone, address (domicile) and ID card number of the agent. If it is an authorized agent, the authorization of the agent. If it is a deputy agent, specify the relationship.

(III) The items for application.

(IV) Name of file or summary of the contents.

(V) File number.

(VI) Purpose of application.

(VII) The necessity of using the original file.

(VIII) Date of application.

The aforementioned application may be submitted in person or through correspondence. If an electric signature has been authenticated by an accrediting institution, transmission by electronic means is acceptable.

Attachments :

Appendix I Application for Access to Archives.doc

IV. If AAC finds out that the information provided in the application are non-conforming or incomplete, AAC shall notify the applicant to make corrections or provide the supplementary information within 7 days. Applicants who failed to make correction or provide supplementary information by the deadline or correction or supplementary information cannot be made will be rejected by the administering body for the application. On accepting an application, the administering body is responsible for the processing, approval or rejection of the application and gives comments, and shall notify the applicant of the results of the application in writing within 30 days from the date of receiving (Appendix II, Appendix II-1). If the applicant is requested to provide supplementary information, the deadline for the reply is 30 days from the day the supplementary information is provided.

The aforementioned reply in writing shall contain the following information unless the reply is a rejection.

(I) The purpose of approval for access to the file.

- (II) The means, time, and place for using the file.
- (III) Important notice and the fee rate for using the file.
- (IV) Identification documents required for confirmation.

Attachments :

Appendix II Notice of Review for Application of Access to Archives.doc
Appendix II-1 Annex to Notice of Review for Application of Access to Archives.doc

V. As reference for approval or rejection of application for access to file, the administering body shall be responsible for requesting the file from the file keeping body and sign to confirm the application for access to file as required.

VI. If any of the situations specified in Article 18 of the Archives Act is applicable to the application for viewing, copying or replication of public records, AAC may reject the application:

- (I) The archives concern national confidentiality.
 - (II) The archives concern criminal information.
 - (III) The archives concern industrial confidentiality.
 - (IV) The archives concern technique information and qualification reviews.
 - (V) The archives concern personnel management and salaries.
 - (VI) The archives must be kept as confidential under laws or agreements.
 - (VII) Other causes to ensure public interest or a third party's due right or interest.
- If the copying or replication of files involved copyrights, proceed to the Copyright Act and other applicable laws.
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VII. Application for viewing, copying or replication shall be made on the basis of a particular case or file. If a file contains information of the restricted use of information as stated in the previous paragraphs, only the remainder of the information contained in the file could be available. In general, the use of public records from AAC will be in the form of photocopies. If it is necessary to use the original specimen, specify in the application and the reason.

VIII. The place for using the archives of AAC is located at No. 166, Bo' ai Road, Zhongzheng District, Taipei City. The service hours are 09:00 - 12:00 in the morning, and 14:00 - 17:00 in the afternoon, Monday to Friday. The office will be closed on weekends and holidays. If the office is closed on a regular weekday for special reasons, notice will be given.

IX. Persons who are not AAC officials shall present an identification document for admission to the place of using the archives with registration at the main entrance. In the application for access to files, present the notice of approval and must be escorted by a designated person of AAC in the process.

- X. The following are strictly prohibited in the place for using the files:
- (I) Taking food and beverage, smoking, hubbub or annoyance to others.
 - (II) Use pencil or portable PC only for copying records. Follow the instruction in replication of files with photocopy equipment by the users.
 - (III) No littering and cause damage to the environment and the facility of the office.
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XI. The administering body will pass the files to the applicants and request the applicant to sign for receiving the files (Appendix III).

Attachments :

Appendix III Receipt for using archives.doc

XII. Applicants shall keep the files intact when using and the following is strictly prohibited:

- (I) Putting notes to, modifying, changing, pulling out, marking or staining the files.
- (II) Removing the binding of the file.
- (III) Damage the file or modify the contents of the file.

AAC shall stop the applicant from using the file if any of the aforementioned acts is discovered. The offender may also be liable for criminal prosecution by law enforcement agencies.

XIII. Applicants shall not carry the file out of the office. If it is necessary for the applicant to depart from the office, surrender the file to the personnel of AAC for custody. File should be returned on the same day after using. Upon confirmation of the integrity of the file, the personnel of AAC will return the ID card to the applicant.

XIV. If an application for using a file is approved, AAC will charge the user for a fee in accordance with the "Fee Standards for Viewing, Hand-copying or Duplication of Archives" established by the National Archives Administration of AAC. A receipt will be issued to

the applicant.

Data Source : Laws and Regulations Retrieving System