

Title : Act of Assignment for Officers And Noncommissioned Officers of the Armed Forces (Amended)

Article 1 The rules of Taking Position of the Arm Forces Officers is based on these Regulations.

Article 2 The positioning of the Arm Forces Officer should base on a certain Military Position he had taken for his rank.

The title of each Military Position, commissioning of rank and expertise, are determined in the Table of Organizing System and Organization. Military Position Titles other than those listed on the table are based on those being approved and setup by the Ministry of National Defense.

The Organizing System and Organization are determined by the Ministry of National Defense.

Article 3 The conditions of taking the position of the Arm Forces Officers are as follows :

Subparagraph 1

Officer's Rank : The existing Rank should match the organized Rank or one rank lower but higher use as its principle, if under a special circumstances that need to lower use a high rank or more two ranks lower but higher use, its .

Subparagraph 2

Should be reported to its system belonging responsible unit for approval .

Department : In principle, the officer should be working within the department, however if a position is needed in the other department, the officer can be allocated to that department after the approval from its responsible unit, the allocated period is limited to three years, and when the time is up the officer should return to his former department or be transferred.

Subparagraph 3

Expertise: Taking the position by his main or next expertise, and if necessary takes an on job training.

Subparagraph 4

Educational Attainment : Should possess an educational background that could be used in the job to be taken.

Subparagraph 5

Experience : Should have the necessary experience relevant to the job to be taken.

Article 4 In order to continue the development of the Military Officer(s), the educational attainment, experiences and on job training should be well coordinated, planned and properly managed.

Article 5 The candidates for a Commanding Officer, Superior Officer Position and Leadership Position can be prepared in advance for future selection.

Article 6 The Terms of the Ranking Officer's Positions are as follows :

Subparagraph 1
Important Military Position : 2 ~ 3 years.

Subparagraph 2
Ordinary Military Position : 1 ~ 3 years.

Subparagraph 3
Professional Technology Military Position : 2 ~ 4 years

If the terms of the positions stated on the above items expired, if necessary it can be extended depends on the personnel situation.

The Terms of the Junior Officer Positions are determined by the Ministry of National Defense according to its needs.

Article 7 Military Officer(s) that have one of the following situations will be transferred :

Subparagraph 1
Change of Organized System, Organization or needed in a mission.

Subparagraph 2
A need to adjust the expertise to cover up defects.

Subparagraph 3
Those who need to plan a practice from a certain kind of experience.

Subparagraph 4
Term had expired or with outstanding performance.

Subparagraph 5
On training or has completed training for assignment

Subparagraph 6
Transfer rotation of an area.

Subparagraph 7
Job misbehavior.

Subparagraph 8
Hading been promoted to a higher rank or planning for a promotion.

Subparagraph 9
Not able to adjust to the people and environment or work Inefficiently.

Subparagraph 10
Totally ill or not able to perform duty due to casualty or disable.

Subparagraph 11
Other major reasons that required to be transferred.

Article 8 Military Officer(s) that have one of the following situations will be suspended :

Subparagraph 1
Missing.

Subparagraph 2
Having been detained as a suspect of a crime.

Subparagraph 3

Has been determined as a hoodlum, and was informed by the Police agency or had been forced to report to the authority and prosecuted.

Article 9 Military Officer(s) that have one of the following situations will be dismissed :

Subparagraph 1

Ordered to be transferred, Retired, Discharged or recruitment terminated.

Subparagraph 2

War, Died or sick while on duty.

Subparagraph 3

Beening captured and prison.

Subparagraph 4

Beening approved to participate in a Public Servant's competition.

Subparagraph 5

Beening approved to take position out of Military Position.

Subparagraph 6

Beening suspended for three months.

Subparagraph 7

Exempted from Officer for the reason of possibility of loosing the Citizenship.

Article 9- 1 Military Officers may apply for leave without pay under any of the following circumstances, and the authority-in-charge may reject the application given the mission requirements except for the situations prescribed in the following :

1.After being in service for one year , either one of the parents may apply to nurture their children under the age of three.

2.Preparing to follow their spouses sent overseas for more than one year due to military mission requirements.

The period of leave without pay prescribed in Subparagraph (1) of the preceding paragraph, shall not be longer than the day their children reach the age of three and two years. When nurturing two or more children occur at the same time, the period of their parental leave without pay shall be computed aggregately, provided that, the period shall not be longer than two years from limited to two years the youngest one has be nurtured.

The period of leave without pay prescribed in Subparagraph (2) of Paragraph (1), of this Article shall not be longer than their spouses' abroad service time. Military Officers shall be reinstated upon the period of leave without pay has expired or the cause of leave is eliminated.

Article 10 Where Military Officers have any of the following situations shall be dismissed :

Subparagraph 1

Being finally and irrevocably sentenced to an imprisonment for a definite period or a more severe punishment, and not on probation or permitted to commute the

sentence to payment of a fine.

Subparagraph 2

Being finally and irrevocably judged to a rehabilitative measure, under observation for rehabilitation and force rehabilitation, but excluding protection custody.

Subparagraph 3

Wanted for a crime.

Subparagraph 4

Be dismissed in accordance with Act of Punishment of the Arm Forces .

Subparagraph 5

Other major reasons that need to be dismissed.

Article 11 Military Officer(s) that have been Dismissed , and have conform to the rules of returning to service, and have one of the following situations are reinstated :

Subparagraph 1

Been missing and had returned, and had passed the exams.

Subparagraph 2

Been disqualified from a Public Servant's competition and have not exceed three months.

Subparagraph 3

Been dismissed from the position outside the Military Position, and had been certified for not having a bad record by the agency he had served.

Subparagraph 4

Been detained for a case , but was later not prosecuted or found not guilty as a result of the interrogation a trial.

Subparagraph 5

Been found guilty but announced to a remission , probation or sentenced to an imprisonment, fine or convert to a fine have been confirmed.

Subparagraph 6

Other reasons for dismissal have disappeared and have match the rules for taking a position.

For those who have been suspended for less than three months and the reasons have disappeared, should be reinstated to his former position or transfer to another position.

Article 12 Military Officer(s) that has been terminated , and the reasons for termination have disappeared or have reached one year, except for Treason, Corruption and other major reasons that prohibit them from reinstating , the Officer(s) can apply for approval of a reinstatement if an investigation had proven that the applicant has changed and had conformed to the rules of Service Reinstatement with the following conditions :

Subparagraph 1

Vacancy situation permits.

Subparagraph 2

Personal expertise is required by the Military.

Subparagraph 3

Conform to conditions for taking the position.

Article 13 The responsibilities of assigning, transferring, and suspending of Military Officers are as follows:

Subparagraph 1

Generals shall be approved by the President.

Subparagraph 2

Lieutenant Generals and Major Generals :

Item 1

Important Military Position shall be submitted to the President for approval by the Ministry of National Defense.

Item 2

Ordinary Military Position shall be approved by the Ministry of National Defense.

Subparagraph 3

Colonels and Captains :

Item 1

Important Military Position of Colonels shall be submitted to the President for approval by the Ministry of National Defense.

Item 2

Ordinary Military Position of Colonels shall be approved by the Ministry of National Defense or each Headquarter.

Item 3

Lieutenant Colonels, Majors and Captains shall be approved by Ranking Officers not lower than Major Generals.

Subparagraph 4

Non-commissioned officers shall be approved by their Commanding Officers with a rank of not lower than Lieutenant Colonel.

Article 14 The responsibilities of suspending and dismissing of Military Officers shall be as follows :

Subparagraph 1

Generals, Lieutenant Generals and Major Generals of Important Military Positions shall be submitted to the President for approval by the Ministry of National Defense.

Subparagraph 2

Lieutenant Generals and Major Generals of Ordinary Military Positions shall be approved by the Ministry of National Defense.

Subparagraph 3

Colonels shall be approved by the Ministry of National Defense or each Headquarter.

Subparagraph 4

Captains and Non-commissioned officers shall be approved by their Commanding Officers with a rank of not lower than Major General.

Article 15 The Responsibilities of leave without pay and reinstating Military Officers are as follows :

Subparagraph 1

Generals, Lieutenant Generals and Major Generals of Important Military Positions shall be submitted to the President for approval by the Ministry of National Defense.

Subparagraph 2

Lieutenant Generals and Major Generals of Ordinary Military Positions shall be approved by the Ministry of National Defense.

Subparagraph 3

Colonels, Captains and Non-commissioned officers shall be approved by the Ministry of National Defense or each Headquarter.

Article 16 The Military Officers can implement the allocation of Job Positions between Military Branches base on war requirements.

Article 17 The Military Officer can recruit, as required, a job position from an organization outside the military unit. However, any person who has one of the following situation can not be recruited :

Subparagraph 1

Had received a Military Officer's basic education, and has been in the position for less than five years.

Subparagraph 2

Graduated from a college in the country or abroad, attended an Advance Study or had completed a practice , and has been in the position for less than two years.

Subparagraph 3

Possess an expertise that is needed in the military.

Article 18 Military Officer Holding Concurrent Jobs are as follows :

Subparagraph 1

Concurrently holding another Civil Servant's Job or Business other than the Military Position, However, those who are abided by the laws are not restricted.

Subparagraph 2

In order to cope with the military needs, and not disturbing mission of the existing job, can order an officer to take another military job concurrently.

Article 19 When an Officer is on a training, on leave or other matters , and can not fulfill his duty within a short period, the job position should be replaced by a suitable personnel. The rules and regulations of a Military Officer's taking leave are determined by the

Ministry of National Defense.

Article 20 The inauguration, resignation or replacement of a Military Officer, a Position turn-over must be processed when taking over or leaving the position ; The rules and regulations are determined and set by the Ministry of National Defense.

Article 21 The Enforcement Rules of these Regulations are determined by the Ministry of National Defense.

Article 22 This Regulation shall take effect on the date of announcement.