Content

Title：	Organization Act of Diplomatic Missions of the Republic of China (Taiwan) Ch
Date：	2012.02.03
Legislative：	Promulgated by Presidential Order Hua Zong 1 Yi Zi No. 10100022891 on Febuary 3, 2012
Content：	**Article 1** This Act is promulgated to govern the organizational structure of diplomatic missions of the Republic of China (), so as to effectively manage and utilize resources allocated for diplomatic affairs. **Article 2** The term “diplomatic missions” in this Act refers to any of the following: 1. Embassies, consulates general or consulates set up by the government in countries with which the Republic of China () has diplomatic relations; 2. Representative offices or offices set up by the government in countries with which the Republic of China () does not have diplomatic relations; 3. Missions set up by the government in the headquarters of international organizations. Central government agencies (hereinafter referred to as the “Agencies”) other than the Ministry of Foreign Affairs (hereinafter referred to as “MOFA”) may set up subordinate departments within diplomatic missions only after consulting with MOFA and gaining approval from the Executive Yuan. **Article 3** The competent authority for the implementation of this Act shall be MOFA. The establishment, adjustment, abolishment and jurisdiction areas of diplomatic missions shall be submitted by MOFA to the Executive Yuan for approval. **Article 4** Diplomatic missions shall operate with an organizational structure that consists of different divisions. These divisions shall be set up according to the workload of each respective diplomatic mission. The names of these divisions, as well as their powers and responsibilities, shall be

stipulated by an organization chart subject to approval by the Executive Yuan, following consultations between MOFA and the Agencies concerned.

After consulting with MOFA, Agencies, based on their respective organization acts, may assign personnel to diplomatic missions to work in the internal divisions of diplomatic missions or their subordinate sections. Aforementioned personnel shall be directed and supervised by the relevant diplomatic missions.

Article 5 Title, rank and number of head and deputy head positions at diplomatic missions are as follows:

1. Embassies and representative offices: one Ambassador, political appointee or civil servant at senior grade 13-14, and one to three Ministers at senior grade 12-13;
2. Missions: one Permanent Representative, political appointee or civil servant at senior grade 13-14, and one to three Deputy Permanent Representatives at senior grade 12-13;
3. Consulates general and offices: one Consul General at senior grade 12, and one or two Deputy Consuls General at senior grade 10-11;
4. Consulate: one Consul at junior grade 9 or senior grade 10, and one or two Deputy Consuls at junior grade 7-8.

The titles, ranks and number of positions of diplomatic missions shall be further defined by a separate organization chart.

Agencies that are allowed to send personnel to diplomatic missions shall consult with MOFA regarding the title, rank and number of positions. Organization charts based on these consultations shall be submitted to the Executive Yuan for approval.

Before this Act enters into effect, personnel at diplomatic missions who are properly registered pursuant to the Temporary Assigned Worker Assignment Act but have not yet obtained civil servant qualification shall continue to be employed in accordance with original laws and regulations, until they leave.

Aforementioned personnel shall have the same rank as

in their previous position when they are rotated back to their original agency or transferred to other diplomatic missions according to rotation regulations.

Article 6 The scope of duties and responsibilities of the heads and deputy heads of diplomatic missions are as follows

1. Embassies and representative offices: Following the directions of MOFA, heads of embassies and representative offices shall be responsible for diplomatic and other relevant matters designated by MOFA in relation to the countries and areas within the jurisdiction of their embassy or representative office. Deputy head(s) shall assist the head in these matters.
2. Consulates general, consulates, offices: Following the directions of MOFA, heads of consulates general, consulates and offices shall be responsible for diplomatic and other relevant matters designated by MOFA in relation to the countries and areas within the jurisdiction of their consulate general, consulate or office. In addition, they shall be instructed and supervised by the head of the embassy or representative office in their respective countries or areas. Deputy head(s) shall assist the head in these matters.
3. Missions: Following the directions of MOFA, heads of missions shall be responsible for matters related to the international organizations they are assigned to cover, as well as other international organizations based in the countries and areas within the jurisdiction of their mission. They shall also work on all matters designated by relevant Agencies. Deputy head(s) shall assist the head in these matters.

Personnel assigned to diplomatic missions by the Agencies shall be responsible for duties designated by the Agencies and shall be directed and supervised by the head of the diplomatic mission. If personnel do not submit to the coordination, instruction or supervision of the head of the diplomatic mission, or are deemed not qualified for the post, the head of the diplomatic mission may report to MOFA in order to

relate this message to the relevant Agency and adjust their assignments. MOFA shall establish rules governing the unified supervision of diplomatic missions and shall submit these to the Executive Yuan for approval.

When the head of a diplomatic mission has not yet been appointed, a qualified civil servant serving in the diplomatic mission with the appropriate rank and grade, or personnel mentioned in paragraph 4 of Article 5 of this Act, may be designated by MOFA to be the acting head.

Article 7 MOFA may give diplomats appropriate nominal titles and ranks based on operational needs.

Article 8 The appointment, removal, promotion or transfer of the supervisor or highest-ranking official from the Agencies stationed in diplomatic missions shall be conducted after consulting with MOFA. MOFA shall be informed of the appointment, removal, promotion or transfer of other personnel from the relevant Agencies.

MOFA and the Agencies may conduct exchanges between diplomats depending on actual needs. Qualification and quota of relevant personnel shall not be limited by Article 3, Article 4 and Article 5 of the Regulation Governing the Appointment of Diplomats and Consular Affairs Personnel of the Diplomatic Missions Abroad.

Rules governing candidates, procedures, personnel management and other related matters shall be formulated by MOFA in coordination with the relevant Agencies and shall be submitted to the Executive Yuan for approval.

Article 9 If MOFA personnel stationed abroad are ordered to return to Taiwan, they shall return to MOFA or its subordinate departments and be given the same title they held while stationed abroad, except if they are given another title at MOFA headquarters or subordinate departments in accordance with the Organization Act of MOFA and its subordinate departments. MOFA shall set a quota on the number of aforementioned titles at MOFA headquarters and its subordinate departments with organization charts.

Article 10 According to the actual needs of diplomatic

missions, MOFA and the relevant Agencies may hire professionals in accordance with the Contract-based Worker Employment Act. The number of these professionals shall not exceed 3% of the total personnel of diplomatic missions allocated under their budget.

Article 11 Diplomatic missions may hire local professionals or local employees in accordance with labor regulations of the host country to assist in the affairs of diplomatic missions, according to their actual needs.

Article 12 Central government agencies other than those under the Executive Yuan that dispatch personnel to diplomatic missions according to relevant laws and regulations shall consult with MOFA and define an organization chart. Personnel shall be dispatched to relevant divisions of diplomatic missions. Paragraph 2 of Article 6, Article 7 through Article 9, and Article 11 of this Act shall be applicable to them.

Article 13 The date that this Act enters into effect shall be gazetted by the Executive Yuan.

Data Source： Laws and Regulations Retrieving System