



## Office of the President, Republic of China (Taiwan)

### President Lee decrees emergency rule

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President Lee Teng-hui promulgated an emergency decree yesterday designed to speed relief efforts that many say have come too late and have not been effective in easing the plight of those injured and rendered homeless by Tuesday's killer temblor.

The special decree, lasting six months and encompassing a wide range of legal measures, marks the fourth time the ROC government has taken this extraordinary step since it retreated to Taiwan in 1949 following a civil war.

It enables the government to raise funds by issuing bonds beyond the 15% ceiling. "The legal cap leaves the Cabinet little room to borrow money," said Vice Premier Liu Chao-shiuan, briefing the media.

The nation has accumulated trillions of New Taiwan dollars in debt, and this figure is expected to surge, as the reconstruction effort is bound to be hugely expensive.

The measure also allows the government to commandeer water resources, empty private property and appropriate many means of transportation for relief purposes. Troops can be mobilized to help maintain order and speed up relief and reconstruction work.

Under the decree, the entire counties of Taichung and Nantou, as well as several townships in other central counties, have been declared disaster areas.

To shelter the dispossessed-numbering about 100,000 in Nantou alone-the order allows temporary suspension of codes governing urban planning and construction.

Meanwhile, the Central Bank of China may consider extending long-term soft loans to people whose homes were destroyed in the quake.

The government may also cordon off and evacuate disaster areas, by force if necessary, to expedite the relief effort and prevent the outbreak of disease.

The interim rules call for stiff penalties to be imposed on those caught hoarding or charging exorbitant prices for essential commodities.

Refugees due for compulsory military service may apply for one-week service normally reserved for the physically unfit.

First proposed on Tuesday, the idea of an emergency order had been repeatedly dismissed by the Cabinet as unnecessary until Friday evening when President Lee Teng-hui agreed to its implementation.

The Cabinet called a special meeting yesterday morning and arrived at the recommendation after five hours of closed-door discussion. It was then submitted to Lee to formally sign off on the program, which he did later in the evening.

The Constitution empowers the president to take necessary measures to cope with any serious financial or economic crisis, an authority Lee will exercise for the second time.

Upon assuming the presidency after the death of late president Chiang Ching-kuo in 1988, Lee canceled the right of public assembly and demonstration for one month.

The Legislature, whose ratification is necessary for the measures to be legal, said it will give its approval during the next session Tuesday.

Legislative Speaker Wang Jing-pyng said major legislative caucuses all responded positively to the decree.

Backing the emergency order, New Party legislator Lee Ching-hua criticized the government for failing to act sooner.

"Many who volunteered their help have complained of the lack of organization in the rescue operations," said Lee. He suggested former Provincial Governor James Soong, who has been at odds with the ruling Kuomintang, be tapped to marshal the reconstruction effort.

As he is familiar with the island's 309 townships, Soong would help streamline the mammoth undertaking, the New Party leader claimed.

In defending his administration, Premier Vincent Siew described the promulgation of the emergency decree as "timely."

#### The Full Text of Emergency Decree

The following order is issued by the President of the Republic of China on September 25, 1999:

On September 21, 1999, Taiwan was hit by the strongest earthquake to ever strike the island. Taichung and Nantou counties were devastated, while areas of Taipei City, Taipei County, Miaoli County, Taichung City, Changhua County, Yunlin County, and other counties and cities also suffered severe property damage and heavy human casualties. People's lives have been severely disrupted. Rescue and relief operations, provision of temporary shelter for the victims, and post-quake reconstruction work demand immediate attention. The

following emergency order is issued by resolution of the Executive Yuan Council meeting in accordance with Article 2, Paragraph 3 of the Additional Articles of the Constitution of the Republic of China.

1. In order to provide financial resources for the reconstruction of disaster areas, the central government shall reduce its budget allocations on items that can be postponed, make necessary alterations in budgets at all levels of government to meet emergency needs, and issue public bonds or borrow money not exceeding NT\$80 billion. The Executive Yuan shall assume overall control over such financial resources in accordance with relief and reconstruction plans to be executed by the various central government agencies, which may make advance disbursements out of the fund if necessary. Pertinent restrictions in the Budget Law and the Law on Public Debts shall not apply to the said measures in the preceding paragraph. However, related expenditures shall be compiled for inclusion in the government budget at a later date.

2. The Central Bank may make special appropriations to be provided to banks so as to offer long-term, low-interest or interest-free emergency loans to earthquake victims for the reconstruction of their homes. Procedures concerning the said loans shall be prescribed and supervised by the Central Bank.

3. Government agencies at all levels may utilize publicly owned property not currently in public use for providing temporary shelter to earthquake victims. The time period for such utilization shall be determined by the government agencies appropriating its use and the regulatory organization which manages the property, notwithstanding the restrictions on the time period of such use stipulated in Article 40 of the National Property Law and the Local Property Regulations. Property owned and used by government organizations at all levels that is suitable for providing temporary shelter to earthquake victims shall immediately be converted to property for non-public use, and shall be appropriated for use as stipulated in the preceding paragraph.

4. The government may, in order to build temporary shelter to earthquake victims and proceed with reconstruction in affected areas, simplify relevant administrative procedures, notwithstanding relevant restrictions in the Urban Planning Law, Regional Planning Law, Environmental Impact Evaluation Law, Water and Soil Conservation Law, Construction Law, Land Law, and National Property Law.

5. In order to carry out repairs and reconstruction in transportation systems and public works in the disaster areas, the central government may simplify administrative procedures, notwithstanding relevant laws and environmental regulations, when such work is conducted in urban planning areas, mountainous terrain, forests, rivers and streams, and national parks.

6. In applying for reissuance of documents and certificates, or registering for inheritance of property, earthquake victims or their family members shall be exempted from all fees, while relevant government agencies shall expedite and simplify these processes.

7. In order to swiftly carry out disaster relief, provide temporary shelter and execute reconstruction work, the central government may expropriate water supplies, vacant land, housing, machinery and equipment, vehicles, ships, and aircraft from the private sector, notwithstanding relevant laws and regulations. Health and medical personnel hired for disaster relief shall not be subject to the constraints of the Civil Servant Employment Law.

8. In order to safeguard public order in the disaster areas and to swiftly carry out relief efforts, provide temporary shelter and engage in reconstruction work, the central government may dispatch the armed forces to carry out relevant duties.

9. In order to expedite disaster relief efforts, prevent the outbreak of epidemics, provide temporary shelter, and engage in reconstruction work, the government may impose regional controls, and may forcibly evacuate residents when necessary.

10. Military conscripts from families victimized by this disaster may serve as national guardsmen.

11. Any person found guilty of obstructing relief efforts, hoarding or profiteering shall be imprisoned for no less than one year and no more than seven years, or subject to a fine of not more than NT\$5 million. Acts of fraud, embezzlement, theft, extortion, robbery, banditry or other improper methods of obtaining disaster relief donations, commodities or properties of victims, shall be subject to penalties exceeding by one half the relevant ones prescribed under the penal code or the special penal code. Those who attempt criminal actions described in the preceding two paragraphs shall be punished accordingly.

12. This emergency order shall be effective from the day of issuance until March 24, 2000.

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