

法規委員會除辦理本會法規委員會法制業務外，並兼辦訴願委員會、技師懲戒委員會及技師懲戒覆審委員會業務。

### 壹 法規委員會業務

#### 一、法規委員會組織

本會之法規委員會委員由具有工程、採購、法律等背景之專家及本會高級人員組成，共計13人，辦理本會主管法規、行政規則、解釋函令之審議及相關法制事項。

#### 二、委員會審議情形

- (一) 法規會本年度計召開委員會議27次。
- (二) 委員會議除審查法規解釋疑義外，完成審查之法案舉其要者計有「政府採購法部分條文修

正案」、「政府採購法施行細則第一百零八條修正案」、「公共工程基本法制定案」、「促進民間參與公共建設法第三條修正案」、「投標廠商資格與特殊或巨額採購認定標準部分條文修正案」、「採購評選委員會組織準則修正案」、「機關辦理研究發展計畫採購作業要點訂定案」、「中央機關未達公告金額採購招標辦法部分條文修正案」、「採購稽核小組組織準則修正案」、「政府採購電子領投標作業規定訂定案」等，其中「政府採購法部分條文修正案」業送立法院審議，「公共工程基本法制定案」原送經行政院審查完成，惟後以政策考量送回本會再加以研議，其餘均已發布施行。



九二一校園重建工程：南投縣石岡國小

In addition to handling its own legal matters, the Legal Affairs Committee also takes care of business for the Appeals Review Committee, Professional Engineers Disciplinary Committee (First Grade), and Professional Engineers Disciplinary Committee (Second Grade)

## 1 Operations of the Legal Affairs Committee

### 1. Organization of the Legal Affairs Committee

The PCC's Legal Affairs Committee is comprised of experts with engineering, procurement, and legal backgrounds, along with high-ranking PCC personnel, and has a total of 13 members. It handles the review and other legal matters related to laws, administrative regulations, and legal interpretations under the supervision of the PCC.

### 2. Status of the PCC's Review Work

- (1) The Legal Affairs Committee held a total of 27 meetings during this fiscal year.
- (2) In addition to reviewing laws and regulations, and making interpretations of doubtful points, the Committee completed the review of the following major bills, among others, during this fiscal year:

Partial Revision of the Government Procurement Law, Revision of Article 108 of the Implementation Regulations for the Government Procurement Law, Basic Public Construction Law, Revision of Article 3 of the Law for the Promotion of Private Participation in Infrastructure Projects, Partial Revision of Bidding Supplier Qualifications and Determination Standards for Large Procurement Projects, Revision of the Organizational Rules for the Procurement Selection Committee, Procurement Operating Guidelines for Agencies Carrying Out Research and Development Projects, Partial Revision of Central Government Agency Bid Tendering Methods for Procurement Projects Failing to Reach the Announced Value, Revision of Organizational Regulations for the Procurement Control Unit, and Regulations Governing Electronic Procurement Bidding. Of these, the Partial Revision of the Government Procurement Law has already been sent to the Legislative Yuan for deliberation, and the Basic Government Procurement Law completed review in the Executive Yuan but was returned to the PCC for further study because of policy considerations. The rest have been promulgated and implemented.





## 貳 訴願委員會業務

訴願會本年度共召開委員會議二次，審查政府採購法決標訴願案件三案。

## 參 技師懲戒及技師懲戒覆審業務

一、本會依技師法第四十四條、技師懲戒及技師懲戒覆審委員會組織規程第一條之一之規定分別設置技師懲戒委員會及技師懲戒覆審委員會，委員由具有工程、採購、法律等背景之專家、學者、機關代表及本會高級人員組成。

二、本年度共召開技師懲戒委員會四次、技師懲戒覆審委員會一次、技師懲戒委員會及技師懲戒覆審委員會聯席會議一次。

三、懲戒案件統計及處理情形（89.1.19－90.12.31）

### （一）技師懲戒委員會

#### Professional Engineers Disciplinary Committee (First Grade)

實體終結 Substantially Completed	懲戒 Disciplined	撤銷執照 Revocation of license	3
		停止執業 Cessation of practice	0
		申 誡 Reprimand	1
		警 告 Warning	0
	不予懲戒 Not Disciplined	30	
程 序 終 結 Procedurally Completed	6		
處 理 中 In Disposition	61		
懲戒案件總數 Total Number	101		

### （二）技師懲戒覆審委員會

#### Professional Engineers Disciplinary Committee (Second Grade)

實體終結Substantially Completed	懲 戒Disciplined	撤銷執照Revocation of license	0
		停止執業Cessation of practice	1
		申 誡Reprimand	0
		警 告Warning	0
	不予懲戒Not Disciplined	0	
程 序 終 結Procedurally Completed	0		
處 理 中In Disposition	0		
懲戒覆審案件總數Total Number	1		

## 2 Operation of the Appeals Review Committee

The Appeals Review Committee convened two meetings during this fiscal year to review three appeals concerning bidding under the Government Procurement Law.

## 3 Operation of the Professional Engineers Disciplinary Committees (First and Second Grades)

1. In accordance with the stipulations of the Technician's Law and Article 1-1 of the Organizational Statute of the Professional Engineers Disciplinary Committees (First and Second Grades), the PCC has established a Professional Engineers Disciplinary Committee (First Grade) and Professional Engineers Disciplinary Committee (Second Grade) with memberships comprised of experts, scholars, representatives of government agencies, and high-ranking PCC personnel with backgrounds in engineering, procurement, and law.
2. The Professional Engineers Disciplinary Committee (First Grade) was convened four times and the Professional Engineers Disciplinary Committee (Second Grade) was convened one time this year, and a joint meeting of the two committees was also convened one time.
3. Handling of disciplinary cases (Jan. 19, 2000 - Dec. 31, 2001)



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