

工程技術顧問公司管理條例施行細則英譯

條次	項次	中文	初步修正	現行英譯
1		本細則依工程技術顧問公司管理條例（以下簡稱本條例）第四十三條規定訂定之。	These Enforcement Rules are duly enacted in accordance with Article 43 of the Act Governing the Administration of Professional Engineering Consulting Firms (hereinafter referred to as the Act).	These Enforcement Rules are duly enacted in accordance with Article 43 of the Act Governing the Administration of Professional Engineering Consulting Firms (hereinafter referred to as the Act).
2		本條例第五條第一項第三款所稱最近五年內承攬國內外工程技術顧問業務累計金額，指該外國公司於申請工程技術顧問公司設立許可之日前五年內，於國內外地區從事工程技術服務事項，累計之實際完成金額。	The term “has undertaken domestic and overseas engineering technological consultation services in the amount in accumulation over the past five years” as set forth in Article 5, Paragraph 1, Subparagraph 3 of the Act denotes the amount of engineering technological consultation services actually rendered by the foreign firm in domestic or overseas areas in five years in accumulation prior to the date on which the foreign firm applies for the permission of establishment for a professional engineering consulting firm.	The term “has undertaken domestic, overseas engineering technological consultation services in the amount in accumulation over the past five years” as set forth in Article 5, Paragraph 1, Subparagraph 3 of the Act denotes the amount of engineering technological consultation services actually rendered by the foreign firm in domestic or overseas areas in five years in accumulation prior to the date on which the foreign firm applies for the permission of establishment for a professional engineering consulting firm.
3		工程技術顧問公司依本條例第五條第三項規定登記營業範圍各類科別時，其所聘執業技師持有二以上符合本條例第四條所定科別之執業執照者，得同時登記該不同科別之營業範圍。	When a professional engineering consulting firm registers various <u>branches</u> of the business scope in accordance with Article 5, Paragraph 3 of the Act, if a <u>practicing</u> professional engineer hired by the firm holds a license available to two or more <u>branches</u> defined under Article 4 of the Act, the firm may register the business scope of such different <u>branches</u> simultaneously.	When a professional engineering consulting firm registers various categories of the business scope in accordance with Article 5, Paragraph 3 of the Act, if a licensed professional engineer hired by the firm holds a license available to two or more categories defined under Article 4 of the Act, the firm may register the business scope of such different categories simultaneously.
4		工程技術顧問公司依本條例第八條第一項規定取得工程技術顧問公司許可後，於申請核發工程技術顧問公司登記證前，其許可事項如有變動時，應申請變更許可。	In case of a change in the particulars of the permission after a professional engineering consulting firm obtains the permission of establishment for professional engineering consulting firm in accordance with Article 8, Paragraph 1 of the Act before it applies for issuance of the registration certificate for	In case of a change in the particulars of the permission after a professional engineering consulting firm obtains the permission of establishment for professional engineering consulting firm in accordance with Article 8, Paragraph 1 of the Act before it applies for issuance of the registration certificate for

			professional engineering consulting firm, it shall apply for permission of the change.	professional engineering consulting firm, it shall apply for permission of the change.
5		工程技術顧問公司依本條例第八條第一項、第十四條第一項、第十五條第一項及前條規定申請設立或變更許可、工程技術顧問公司登記證及申報董事、監察人、執行業務或代表公司股東、或執業技師之異動事項，得以電子方式辦理；其傳輸格式及電腦資料庫，由主管機關指定之。	When a professional engineering consulting firm applies for incorporation, or permission for a change, or registration certificate <u>and</u> declares for a change in director(s), supervisor(s), shareholder(s) in charge of business operation or representing the firm, or a change in the <u>practicing</u> professional engineer(s) in accordance with Article 8, Paragraph 1; Article 14, Paragraph 1; Article 15, Paragraph 1 of the Act and the preceding <u>Article</u> , the firm may handle through electronic systems. The transmission <u>format</u> and <u>computer</u> databases shall be designated by the competent authority.	When a professional engineering consulting firm applies for incorporation, or permission for a change, or registration certificate, declares for a change in director(s), supervisor(s), shareholder(s) in charge of business operation or representing the firm, or a change in the licensed professional engineer(s) in accordance with Article 8, Paragraph 1; Article 14, Paragraph 1; Article 15, Paragraph 1 of the Act and the preceding paragraph, the firm may handle through electronic systems. The transmission formula and computerized databases shall be designated by the competent authority.
6		工程技術顧問公司登記證，應記載下列事項： 一、公司名稱及所在地。 二、公司統一編號。 三、董事長或代表人姓名。 四、董事長或代表人之國民身分證統一編號或居留證統一證號。 五、營業範圍。 六、核發年、月、日及登記證字號。	The registration certificate for professional engineering consulting firm shall bear the following particulars: 1. Name and location of the firm. 2. The firm's <u>Unified Business Number</u> . 3. The name of the chairperson or the statutory representative. 4. The chairperson or the statutory representative's <u>National ID Card numbers</u> or resident permit Numbers. 5. Business scope. 6. Date of issue and <u>the file number of the registration certificate</u> .	The registration certificate for professional engineering consulting firm shall bear the following particulars: 1. Name and location of the firm. 2. The firm's Corporate Identity Code. 3. The name of the chairperson or the statutory representative. 4. The chairperson or the statutory representative's ID Card codes or resident permit codes. 5. Business scope 6. Date of issue and registration certificate <u>code</u> .

7	1	<p>依本條例第九條規定申請工程技術顧問公司許可時，所檢具之預定執業技師名冊，應附同該技師執業執照影本。預定執業技師尚未領有執業執照者，應符合請領執業執照之條件，並檢附技師證書影本及該科服務年資二年以上經歷證明文件正本，但經技師檢覈考試者，免附經歷證明文件。</p>	<p>When an applicant applies for the permission of establishment for professional engineering consulting firm in accordance with Article 9 of the Act, the roster of the <u>perspective practicing</u> professional engineers to be hired shall be accompanied with photocopies of their professional engineer licenses. A <u>perspective practicing</u> professional engineer who has not yet obtained the professional engineer license shall live up to the qualifications for the professional engineer license and shall submit a photocopy of <u>their</u> professional engineer certificate and originals of the documents affordable to identify <u>service years of their engineering experiences related branches</u> for at least two years. One who has satisfactorily passed the professional engineer screening examination is, nevertheless, exempted from the submission of the documents for the engineering experiences.</p>	<p>When an applicant applies for the permission of establishment for professional engineering consulting firm in accordance with Article 9 of the Act, the roster of the will-be licensed professional engineers to be hired shall be accompanied with photocopies of their professional engineer licenses . A will-be licensed professional engineer who has not yet obtained the professional engineer license shall live up to the qualifications for the professional engineer license and shall submit a photocopy of his/her professional engineer certificate and originals of the documents affordable to identify his/her engineering experiences for at least two years . One who has satisfactorily passed the professional engineer screening examination is, nevertheless, exempted from the submission of the documents for the engineering experiences.</p>
7	2	<p>前項執業技師須符合本條例第五條第二項規定之條件者，應檢附相關經歷證明文件正本。</p>	<p>The <u>practicing</u> professional engineer mentioned in the preceding <u>Paragraph</u> who is satisfactory to the qualification requirements set forth in Article 5, Paragraph 2 of the Act shall submit originals of the documents affordable to identify <u>their</u> corresponding engineering experiences.</p>	<p>The licensed professional engineer mentioned in the preceding paragraph who is satisfactory to the qualification requirements set forth in Article 5, Paragraph 2 of the Act shall submit originals of the documents affordable to identify his/her corresponding engineering experiences.</p>
8		<p>本條例第九條第五款所定其他經主管機關規定之文件，於本條例第五條第一項第三款規定之情形，應檢具設立登記滿五年之法人證明文件及最近五年內承攬國內外工程技術顧問業務累計金額達新臺幣二十億元以</p>	<p>In the term “other documents as required by the competent authority” as set forth in Article 9, Subparagraph 5 of the Act, if in a situation set forth in Article 5, Paragraph 1, Subparagraph 3 of the Act, the supporting certificates to verify that the judicial person has been in business for five years minimum since it was incorporated and has undertaken domestic, overseas engineering</p>	<p>In the term “other documents as required by the competent authority” as set forth in Article 9, Subparagraph 5 of the Act, if in a situation set forth in Article 5, Paragraph 1, Subparagraph 3 of the Act, the supporting certificates to verify that the judicial person has been in business for five years minimum since it was incorporated and has undertaken domestic, overseas engineering</p>

		上證明文件影本各一份。	consultation services amounting to NT\$ <u>2,000,000,000</u> minimum in accumulation over the past five years, with a photocopy of each.	consultation services amounting to NT\$2 billion minimum in accumulation over the past five years, with a photocopy of each.
9	1	工程技術顧問公司登記證遺失者，應填具申請書，敘明遺失原因，向主管機關申請補發；其失而復得者，應即向主管機關繳銷原登記證。	Where the registration certificate for professional engineering consulting firm is missing, the firm shall apply for reissue of the certificate by filling out the application form, stating the causes of missing and submitting it to the competent authority. If the missing certificate is found, the firm shall <u>surrender promptly the found certificate to the competent authority for nullification.</u>	Where the registration certificate for professional engineering consulting firm is missing, the firm shall apply for reissue of the certificate by filling out the application form, stating the causes of missing and submitting it to the competent authority. If the missing certificate is found, the firm shall apply to the competent authority for revoking the found certificate.
9	2	工程技術顧問公司登記證毀損者，得填具申請書，檢具原登記證，向主管機關申請換發。	Where the registration certificate for professional engineering consulting firm is damaged, the firm shall fill out the application form and submit it along with the damaged certificate to the competent authority for replacement.	Where the registration certificate for professional engineering consulting firm is damaged, the firm shall fill out the application form and submit it along with the damaged certificate to the competent authority for replacement.
10	1	本條例第十三條所稱專任，指在任職之工程技術顧問公司或受該公司之支配於公司外執行業務，並支領公司營業全部時間報酬之工作；所稱繼續性從業人員，指持續在工程技術顧問公司工作，不包括臨時性、短期性、季節性或特定性之工作者。	The term “on an exclusive (full-time) basis” as set forth in Article 13 of the Act denotes that the <u>practicing</u> professional engineer shall practice in the professional engineering consulting firm or outside the firm under the domination of the firm and is paid on a full-time basis throughout the business hours of the firm. The term “on a continual basis” denotes that the <u>practicing</u> professional engineer shall serve in the professional consulting firm on a continual basis and shall not be a temporary, short-term, seasonal or specific worker.	The term “on an exclusive (full-time) basis” as set forth in Article 13 of the Act denotes that the licensed professional engineer shall practice in the professional engineering consulting firm or outside the firm under the domination of the firm and is paid on a full-time basis throughout the business hours of the firm. The term “on a continual basis” denotes that the licensed professional engineer shall serve in the professional consulting firm on a continual basis and shall not be a temporary, short-term, seasonal or specific worker.
10	2	本條例第十三條所定之執業技師，執行本條例第三條及第四條所定工程技術服務業務，僅得以任職公司名義為之。	The <u>practicing</u> professional engineer set forth in Article 13 of the Act shall only practice the technological services set forth in Article 3 and Article 4 of the Act in the name of the firm <u>they serve.</u>	The licensed professional engineer set forth in Article 13 of the Act shall only practice the technological services set forth in Article 3 and Article 4 of the Act in the name of the firm he/she serves.

10	3	工程技術顧問公司執業技師兼任公司以外之非技師業務或職務，不得與所任職之工程技術顧問公司業務衝突；於公司營業時間內兼任者，並應經公司同意，但兼任技師公會之業務或職務者，免經公司同意。	A <u>part-time non-engineer-related</u> business or duty outside the professional engineering consulting firm served by the <u>practicing</u> professional engineer shall not conflict with the business of the firm. The business or duty served during the firm business hours should be approved by the firm, except for the <u>part-time</u> business or duty of professional engineer associations.	The part-time business or duty outside the professional engineering consulting firm served by the licensed professional engineer shall not conflict with the business of the firm. The part-time business or duty served during the firm business hours should be approved by the firm, except for the business or duty of professional engineer associations.
10	4	工程技術顧問公司為前項同意時，不得違反本條例第十三條規定。	Where the professional engineering consulting firm approves the business or duty according to the preceding <u>Paragraph</u> , it shall not violate Article 13 of the Act.	Where the professional engineering consulting firm approves the <u>part-time</u> business or duty according to the preceding paragraph, it shall not violate Article 13 of the Act.
10	5	第二項之執業技師就辦理之業務，應由本人或在本人監督下完成；涉及現場作業者，並應親自赴現場實地查核，始得於相關圖樣及書表簽署並加蓋技師執業圖記。	The business practiced by the <u>practicing</u> professional engineer in Paragraph 2 shall be completed by <u>themselves</u> or under <u>their</u> supervision. When work involves site operations, the <u>practicing</u> professional engineer shall conduct inspections at the work site in person. The relevant drawings and documents shall be signed personally and be further affixed with <u>their</u> practice <u>seals</u> after inspections.	The business practiced by the licensed professional engineer in Paragraph 2 shall be completed by himself/herself or under his/her supervision. When work involves site operations, the licensed professional engineer shall conduct inspections at the work site in person. The relevant drawings and documents shall be signed personally and be further affixed with the practice seal after inspections.
11		依本條例第十四條第二項規定承接業務之工程技術顧問公司已設立事務所之執業技師，其承接之業務，應與登記營業科別相符。	The business services undertaken by a professional engineering consulting firm or a <u>practicing</u> professional engineer who has established <u>their</u> office in accordance with Article 14, Paragraph 2 of the Act shall conform to the <u>branches</u> of the registered business lines.	The business services undertaken by a professional engineering consulting firm or a licensed professional engineer who has established his/her office in accordance with Article 14, Paragraph 2 of the Act shall conform to the categories of the registered business lines.
12		工程技術顧問公司依本條例第十五條第一項規定申請變更許可者，應檢附載明變更內容之股東會議紀錄、董事會議紀錄或股東同意書。	A professional engineering consulting firm when applying for the <u>permission of a change</u> in accordance with Article 15 Paragraph 1 <u>of the Act</u> shall submit the minutes of the shareholders' meeting, board of directors' meeting or agreement of shareholders which bear the contents of the change.	A professional engineering consulting firm when applying for a change of the permission in accordance with Article 15 Paragraph 1 shall submit the minutes of the shareholders' meeting, board of directors' meeting or agreement of shareholders which bear the contents of the change.

13	1	<p>工程技術顧問公司依本條例第二十一條規定檢具之年度業務報告書，其內容如下：</p> <p>一、公司基本資料：包括公司名稱、所在地、統一編號、資本額、員工人數與名冊、工程技術顧問公司登記證字號、登記營業範圍之類別及董事長或代表人姓名。</p> <p>二、執業技師名冊。</p> <p>三、年度內相關異動情形。</p> <p>四、年度辦理服務案件統計表：包括服務案件名稱、委託者名稱資料、服務契約金額與本年度完成金額、主要參與執業技師、合作建築師事務所及其他協力廠商或分包情形、服務內容摘要。</p> <p>五、研究發展及人才培育經費編列、支出情形。</p> <p>六、其他主管機關規定事項。</p> <p>七、報告日期。</p>	<p>The annual business report submitted by a professional engineering consulting firm in accordance with Article 21 of the Act shall bear the contents as enumerated below:</p> <p>1. Fundamental particulars of the firm: including the name, location, <u>Unified Business Number</u>, capital of the firm, number and name list of employees, the file <u>number</u> of the registration certificate for professional engineering consulting firm, <u>branches</u> of the registered business scope, name of the chairperson or statutory representative.</p> <p>2. Roster of <u>practicing</u> professional engineers.</p> <p>3. Change(s) taking place during the year.</p> <p>4. Statistics of cases served during the year: including names of service cases, names and particulars of clients, amounts of the service contracts and amounts of services accomplished in the year, names of key <u>practicing</u> professional engineers participating in the services, the architect office in concert and other contractors or subcontractors, summary of contents of services.</p> <p>5. Budgeting <u>and expenditures</u> for research and development, and <u>talent cultivation</u>.</p> <p>6. Other particulars required by the competent authority.</p> <p>7. Date of issue of the report.</p>	<p>The annual business report submitted by a professional engineering consulting firm in accordance with Article 21 of the Act shall bear the contents as enumerated below:</p> <p>1. Fundamental particulars of the firm: including the name, location, Corporate Identity Code, capital of the firm, number and name list of employees, the file code of the registration certificate for professional engineering consulting firm, categories of the registered business scope, name of the chairperson or statutory representative.</p> <p>2. Roster of licensed professional engineers.</p> <p>3. Change(s) taking place during the year.</p> <p>4. Statistics of cases served during the year: Including names of service cases, names and particulars of clients, amounts of the service contracts and amounts of services accomplished in the year, names of key licensed professional engineers participating in the services, the architect office in concert and other contractors or subcontractors, summary of contents of services.</p> <p>5. Budgeting for research and development and human resources development as well as expenditures.</p> <p>6. Other particulars required by the competent authority.</p> <p>7. Date of issue of the report.</p>
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13	2	前項年度業務報告書得以電子方式辦理，其傳輸格式及電腦資料庫，由主管機關指定之。傳送資訊內容，由工程技術顧問公司自行檢核；如有錯誤，應辦理更正。	The annual business report mentioned in the preceding <u>Paragraph</u> may be conducted in electronic device; the transmission <u>format</u> and <u>computer</u> databases shall be designated by the competent authority. The contents of the transmitted data shall be reviewed by the professional engineering consulting firm itself which shall make correction of errors, if any.	The annual business report mentioned in the preceding paragraph may be conducted in electronic device; the transmission formula and computerized databases shall be designated by the competent authority. The contents of the transmitted data shall be reviewed by the professional engineering consulting firm itself which shall make correction of errors, if any.
14		本條例第二十三條所定研究發展及人才培育經費之編列基準，應按該公司前一年度工程技術服務業務營業收入計算。	The criteria of the budgeting for research and development and <u>talent cultivation</u> as required under Article 23 of the Act shall be calculated based on the turnover received by the firm in engineering technological services in the preceding year.	The criteria of the budgeting for research and development and human resources development as required under Article 23 of the Act shall be calculated based on the turnover received by the firm in engineering technological services in the preceding year.
15		本細則自發布日施行。	These Enforcement Rules come into enforcement upon the date of promulgation.	These Enforcement Rules come into enforcement upon the date of promulgation.