

國立陽明交通大學反貪腐宣言

National Yang Ming Chiao Tung University Anti-Corruption Statement

前言

INTRODUCTION

- I. 為促使國立陽明交通大學（以下簡稱本校）之教職員以誠實、合乎倫理以及合法之方式執行業務，並宣示本校對於貪腐行為之零容忍態度，特制定本宣言。

The purpose of this statement is to facilitate employees of National Yang Ming Chiao Tung University's (hereafter "the University") to conduct its business in an honest, ethical and legal manner, and to make clear that the University takes a zero-tolerance approach to corruption.

- II. 本校教職員將遵守所有與反貪腐相關之中華民國法律，包括但不限於中華民國刑法、貪污治罪條例、政府採購法、公職人員財產申報法、公職人員利益衝突迴避法，以及公務員廉政倫理規範。

The employees of the University will be in compliance with all laws relevant to countering corruption including, but not limited to the Criminal Code of the Republic of China, Anti-Corruption Act, Government Procurement Act, Act on Property-Declaration by Public Servants, Act on Recusal of Public Servants Due to Conflicts of Interest, Ethics Guidelines for Civil Servants.

- III. 本宣言適用於所有層級之本校教職員，無論是教職或是行政職，只要是行使與本校相關之職務上之行為，均應遵守此宣言。

This statement applies to all individuals working at all levels and grades of the University community, including both academic and administrative staff, as long as they are acting on behalf of the University in their official capacity.

賄賂之定義

DEFINITION OF BRIBERY

- I. 賄賂行為係指要求、期約、收受、給予金錢或其他利益，以影響他人行動或決策之行為。

Bribery refers to the act of asking, promising, receiving or giving money or other benefits to influence an action or decision.

- II. 疏通費用以及回扣視為賄賂行為。

Facilitation payments and kickbacks are to be treated as bribery.

禮物或是招待

GIFTS AND HOSPITALITY

- I. 在以下條件符合的情況下，本宣言不禁止一般或適當之禮物或招待：

This policy does not prohibit normal and appropriate exchange of gifts or hospitality, if the following requirements are met:

- (a) 給予或收受之目的不是為了獲得好處或是利益；

it is not given or received in exchange for favors or benefits;

- (b) 以學校而非個人的名義給予或收受；

it is received or given in the name of the University, not in an individual's name;

- (c) 非現金或與現金相等之物；

it does not include cash or a cash equivalent;

- (d) 在公開場合給予或接受；

it is received or given openly, not secretly;

- (e) 符合法律規範；以及

it is in compliance with the law; and

- (f) 該禮物或是招待的種類及價值以及給予或收受之時間點是合宜的。

it is of an appropriate type and value and received or given at an appropriate time.

- II. 本校理解不同國家或是區域對於禮物或是招待的合適性可能會有不同之標準。前述之規範之運作必須考慮到一切情事以決定禮物或招待是否合理及妥適。其中，在判斷時尤應考慮到給予或收受禮物及招待之目的。

The University appreciate that the practice of giving and receiving of gifts and/or hospitality varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift and/or hospitality is reasonable and justifiable. The intention behind the gift and/or hospitality should always be considered.

責任

RESPONSIBILITIES

- I. 本校教職員應閱讀、理解並遵守此宣言之規範。

Employees must ensure that they read, understand and comply with this policy.

- II. 本校全體教職員有責任避免、偵測或舉發賄賂行為及其他形式之貪腐行為。

It is the responsibility of all employees to prevent, detect and report bribery and other forms of corruption.

如何舉發

HOW TO RAISE A CONCERN

- I. 本校教職員如果懷疑與有與本校相關之賄賂或貪腐行為發生，應儘速進行舉發。如果教職員不確定一個特定行為是否構成賄賂或貪腐行為，應與其主管或是主任秘書進行討論。

If an employee suspects that there is an instance of bribery or corrupt activities occurring in relation to the University, they are encouraged to raise their concerns at as soon as possible. If an employee is uncertain about whether a certain action or behavior can be considered bribery or corruption, they should speak to their supervisor or Chief Secretary.

- II. 本校會定期對全體教職員進行教育，使教職員得以明瞭本宣言之內容以及吹哨規定，並得以明快有自信地進行舉發。

The University will familiarize all staff with this policy and its whistleblowing procedures periodically so all staff can use that process to vocalize their concerns swiftly and confidentially.

保護

PROTECTION

- I. 本校會支持任何善意提出舉發行為之人，不論該行為最後是否成立賄賂或貪腐行為。

The University aims to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

- II. 本校會確保不願接受或參與賄賂之人，以及善意舉發賄賂或貪腐行為之人，不受到任何報復或負面之影響。

The University is committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion of bribery or other corruption offence.

觀察修正

MONITORING AND REVIEWING

本校將觀察本宣言之有效性並進行必要修正，定期檢視宣言之合適性、充足性以及有效性。任何被指出之必要修正將會在最短時間內完成。

The University will monitor the effectiveness and make necessary amendments to this statement, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible.

違反之效果

CONSEQUENCES OF VIOLATION

本校教職員違反本宣言將面臨懲戒，最重可達解聘之程度。第三人如果違反本宣言之內容。本校將與其結束任何合作關係。

Any member of the University who violates this policy may be subject to disciplinary action, up to and including dismissal, as applicable. Third Parties who violate this policy are subject to termination of all relationships with the University.