

Act of Commission for Officers and Noncommissioned Officers of the Armed Forces Commission Act for Officers and Noncommissioned Officers of the Armed Forces (Amended)

Article 1 The rules of rank appointment of the Arm Forces Officers is based on these regulations.

Article 2 The Official Level and Ranking of the Arm Forces Officers are as follows:

I - Generals:

- (1) Full General; (Full Admiral in the Navy)
- (2) General; (Admiral in the Navy)
- (3) Lieutenant General.(Vice-Admiral in the Navy)
- (4) Major General. (Rear-Admiral in the Navy)

II - Colonels :

- (1) Colonel; (Captain in the Navy)
- (2) Lieutenant Colonel; (Commander in the Navy)
- (3) Major;(Lieutenant Commander in the Navy)

III - Captains

- (1) Captain; (Lieutenant in the Navy)
- (2) Lieutenant (Junior Grade)
- (3) Second Lieutenant (Ensign in the Navy)

IV - Sergeants

- (1) First Class Master Sergeant
- (2) Second Class Master Sergeant
- (3) Third Class Master Sergeant
- (4) Sergeant
- (5) Staff Sergeant
- (6) Corporal

Please refer to the "Attachment - 1" for the Comparison Table of the Arm Forces Officers Level/Rank and the Position Level of the Civil Servants; and "Attachment - 2" for the Salary Table.

The Officer's Rank of Arm Forces Officers is determined by the Ministry of National Defense.

(Remark : Attachment 1 & 2, please refer to Pages 4517 ~ 4519 (Volume-8) , Dated May 1994 of the Existing Regulations Summary of the Republic of China)

Article 3 The difference of Rank Appointment of the Arm Forces Officers is as follows:

- 1 - Appointment : Refers to the confirmation of the identification of first appointment of a Military Officer.
- 2 - Promotion : Refers to the Promotion of an Officer to the Next Rank.
- 3 - Transfer : Refers to Transferring from one Military Branch or Officer's Rank to

another

Military Branch or Officer's Rank.

4 - Evaluate : Refers to an Appointment to a certain Rank basing on the position, educational attainment and experience as recommended.

Article 4 The Initial Appointment of a Ranking Officer, Starting from the Second Lieutenant, should at least have one of the following qualifications:

1- One who Graduates of a Military Academy on Basic Education.

2- A Military Service man who graduated from a Military Officer Basic Education from abroad that was approved by the Ministry of National Defense.

3 -One who has completed and passed a Reserve Military Officer Education.

Article 5 The Initial Appointment of a Sergeant, starting from the rank of Corporal, should at least have one of the following qualifications::

1 -One who graduates from a Basic Education of a Military Academy or it's equivalent schools or class level in the country or abroad.

2 -One who has completed and passed a Reserve Military Officer Education.

3- An outstanding soldier recently in the military service that had been selected and passed a training.

Article 6 The Promotion of a Military Officer should went through the number of years of the existing actual position (known as the 停年), except for the 停年 of promoting a General Rank which is separately determined by the Ministry of National Defense according to its actual needs, the rest of the ranks should have the following 停年:

I - Ranking Officers:

(1) Second Lieutenant : 1 ~ 2 years.

(2) Lieutenant : 3 years.

(3) Captain : 4 years.

(4) Major : 4 years.

(5) Lieutenant Colonel : 4 years

II - Sergeants :

(1) Corporal : 1 ~ 2 years.

(2) Sergeant : 2 years.

(3) First Sergeant : 3 years.

(4) Third Class Sergeant : 3 years

(5) Second Class Sergeant : 3 years

The 停年 of the above Ranks can be shorten according to its need when a war occurs.

Article 7 Promotion of a Military Officer must one rant at a time and should comply with the following rules:

II - Promoting a Captain to a Major, Colonel to a General, aside from conforming to

Subparagraph-1, should also have completed the required experience and education during their terms as a Captain and/or a Major.

III- A Lieutenant General should have a special Medallion prior to promoting to a General; and earn another special Medallion prior to promoting to a Full General.

Article 8 If a Military Officer earned a special Medallion in performing a military affairs, a special order for a promotion can be imposed without the restrictions of the above two articles.

Article 9 Due to the needs of a war, a War Field direct promotion of a Sergeant to a Second Lieutenant can be processed during the time when the Sergeant is performing his war mission, and will not be restricted by the rules stipulated on Article-4.

Article 10 When a Military Officer has contributed to his country and society or has an outstanding performance when accepting each recruitment, during the period as a Reserve Officer, a Reserve Officer Promotion can be processed.

Article 11 If a Military Officer had achieved a merit or died with honor for his country, a make up for his promotion or make up for awarding his rank will not be restricted from the regulations stipulated on Articles 4, 6 or 7.

Article 12 Transferring of a Military Officer's Rank lower than a Colonel, to a rank equivalent to his former rank, is permitted after attending and passed a special educational course of other Military Branch or Officer's Rank. However, after the transfer, the Officer is not allowed to return to his former Military Branch /Officer's Rank without approval.

Article 13 Evaluation of a Ranking Officer is by conforming to one of the Subparagraphs of Article-4 or a college graduates holding a Military Position. And the evaluation of An Officer (Sergeant) is by conforming to one of the Subparagraphs of Article-5, and approve to a certain Officer's Rank base on the number of Officers required.

Article 14 Any female conforming to the rules stipulated on this Regulation can be appointed as an Officer.

Article 15 A Military Officer who encounters the following situation will be stripped off from his rank:

I - Has been sentenced due to crime or has been deprived from his civil rights.

II - Loss his citizenship of the Republic of China.

The Officer's Rank can be restored when the reason for stripping a rank stated on the Item-1 is eliminated.

Article 16 Appointment of a Commissioned Officer shall be approved by the Ministry of National Defense and submitted to the Executive Yuan for turning over to the President for appointment.

Appointment of Non-commissioned Officer shall be approved by the organizations, troops and academies with Commanding Officer with a rank of not lower than a Major General and submitted to the Ministry of National Defense or to each Headquarter through its belonging organization for appointment.

Article 17 The Enforcement Rule of this Regulation is determined by the Executive Yuan.

Article 18 These Regulation shall take effect on the date of its announcement.