

公務人員訓練進修法

Civil Service Training and Continuing Education Act

中華民國 91 年 1 月 30 日總統華總一義字第 09100015050 號令制定公布

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第 一 條 公務人員之訓練及進修，依本法行之。但其他法律另有規定者，從其規定。

Article 1 Training and continuing education of civil service shall be governed by this Act, unless otherwise provided for in other laws.

第 二 條 公務人員訓練進修法制之研擬，事關全國一致之性質者，由公保障暨培訓委員會辦理之。

公務人員考試錄取人員訓練、升任官等訓練及行政中立訓練，由公務人員保障暨培訓委員會辦理或委託相關機關（構）、學校辦理之。

公務人員專業訓練、一般管理訓練、進用初任公務人員訓練及前項所定以外之公務人員訓練及進修事項，由各中央二級以上機關、直轄市政府或縣（市）政府（以下簡稱各主管機關）辦理或授權所屬機關辦理之。

各主管機關為執行本法規定事項，有另定辦法之必要者，由各該機關以命令定之。

Article 2 When drafting the civil service training and continuing education legal system and institutions, matters which relate to the country as a whole shall be undertaken by the Civil Service Protection and Training Commission (hereinafter referred to as Protection and Training Commission).

Training for personnel newly qualified through civil service exams, training for rank promotion, and training for administrative neutrality shall be undertaken by the Protection and Training Commission or the

authorized agencies (organizations) or schools.

Professional training, general managerial training, training for newly appointed civil servants, and other training and continuing education matters pertaining to civil service not referred to in the pervious paragraph shall either be undertaken by central government agencies of grade two or higher; the municipal, county or city government (hereinafter referred to as the competent authorities at all levels) or the delegated subordinate agencies.

When carrying out the provisions of this Act, if there arises a need for the establishment of new regulations, said regulations shall be determined by order of the various competent authorities.

第 三 條 為加強公務人員訓練進修計畫之規劃、協調與執行成效，應由行政院人事行政局與公務人員保障暨培訓委員會會同有關機關成立協調會報，建立訓練資訊通報、資源共享系統；其辦法由協調會報各相關機關協商定之。

Article 3 In order to improve upon the planning, coordination and execution efficiency of training and continuing education for civil service, the Central Personnel Administration and the Protection and Training Commission, along with related agencies, shall establish a Coordination Board, training information bulletin, and resource sharing system. The regulations governing the above shall be determined following the consultation of the Coordination Board with the various related agencies.

第 四 條 公務人員考試錄取人員、初任公務人員、升任官等人員、初任各官等主管人員，應依本法或其他相關法令規定，接受必要之職前或在職訓練。

各機關學校進用初任公務人員訓練，應由各主管機關於進用前或到職後四個月內實施之。

前項訓練以充實初任公務人員應具備之基本觀念、品德操守、服務態度、行政程序及技術暨有關工作所需知能為重點。

Article 4 In accordance with this Act or other related laws and regulations, civil

servants newly qualified through civil service exams, newly appointed civil servant, personnel promoted to a higher rank, newly appointed managers of all ranks, shall all be subject to the required on-job or pre-job training.

The training of a newly appointed civil servant in the employing agency or school shall be carried out by the competent authority either before said person is appointed to the position, or within four months of his/her start at the new position.

The training referred to in the previous paragraph shall have as its focus on the enrichment of basic concepts, moral integrity, service attitude, administrative procedures, technical knowledge, and other skills or knowledge that have been deemed required learning for newly appointed personnel.

第五條 為確保公務人員嚴守行政中立，貫徹依法行政、執法公正、不介入黨派紛爭，由公務人員保障暨培訓委員會辦理行政中立訓練及有關訓練，或於各機關學校辦理各項訓練時，列入公務人員行政中立相關課程；其訓練辦法，由考試院定之。

Article 5 In order to ensure that civil service observe political neutrality; carry out their duties according to the law; impartially enforce the law; and do not get involved in political party disputes, the Protection and Training Commission shall implement political-neutrality related training. When training is implemented by various agencies or schools, classes on political neutrality in civil service shall be included. Regulations concerning the organization of said training shall be determined by the Examination Yuan.

第六條 公務人員專業訓練及一般管理訓練得按官職等、業務需要或工作性質分階段實施。

各機關學校業務變動或組織調整時，為使現職人員取得新任工作之專長，得由各主管機關辦理專業訓練。

Article 6 Professional training and general managerial training for civil service may be implemented in different stages in accordance with personnel rank, organizational needs, or the nature of work.

When organizational restructuring or changes in the organization occur in various agencies or schools, the various competent authorities may implement professional training in order to help on-staff personnel to acquire the specialized skills necessary for their new job responsibilities.

第七條 公務人員各種訓練之訓練期間、實施方式及受訓人員之生活輔導、請假、獎懲、成績考核、退訓、停訓、重訓、註銷受訓資格、津貼支給標準、請領證書費用等有關事項，應依各該訓練辦法或計畫規定辦理。

公務人員各種訓練之訓練計畫，由各主管機關定之。

Article 7 During the period of training for civil service, implementation methods and issues concerning civil service training such as life counseling, requesting leave, reward and punishment, performance appraisal, withdrawal from training, stopping of training, re-training, annulment of qualification for those receiving training, scale of subsidies, certificate fees, and other related matters, shall be carried out in accordance with the necessary training regulations or training plans.

Plans for the various types of training given to civil service shall be designated by the various competent authorities.

第八條 公務人員進修分為入學進修、選修學分及專題研究，其方式如下：

- 一、國內外專科以上學校入學進修或選修學分。
- 二、國內外機關學校專題研究。
- 三、國內外其他機關（構）進修。

前項進修得以公餘、部分辦公時間或全時進修行之。

Article 8 Continuing education for civil service is divided into degree conferring, credit-only or research projects. The methods are as follows:

1.Enrolling in or taking classes in a domestic or international educational institution of the level of a junior college or above.

2.Conducting a research project in a domestic or international agency or educational institution.

3.Attending continuing education programs in any other domestic or international agencies (organizations).

Continuing education as referred to in the previous paragraph may be in the form of off-duty learning, part-time learning, or full-time learning.

第九條 各機關學校選送進修之公務人員，應具有下列基本條件：

一、服務成績優良，具有發展潛力者。

二、具有外語能力者。但國內進修及經各主管機關核准之團體專題研究者，不在此限。

前項選送進修須經服務機關甄審委員會審議通過，並經機關首長核定。

Article 9 Civil servants chosen by the employing agency or school to attend continuing education programs shall meet the following basic requirements:

1. 1.Have an excellent work record and considered to have developmental potential.

2.Have foreign language ability. However, if a research project is undertaken domestically or a research project which has received the approval of the competent authorities is undertaken, this restriction shall not apply.

Civil servants chosen for continuing education programs as referred to in the previous paragraph shall be required to pass through a screening committee of the employing agency, in addition to receiving the approval of the agency's director.

第十條 各機關學校選送國外進修之公務人員，其進修期間如下：
一、入學進修或選修學分期間為一年以內。但經各主管機關核准延長者，延長期間最長為一年。
二、專題研究期間為六個月以內。必要時，得依規定申請延長，延長期間最長為三個月。
經中央一級機關專案核定國外進修人員，其進修期間最長為四年，不受前項第一款之限制。

Article 10 The duration of participation in overseas continuing education programs by civil servants chosen by the employing agency or school is as follows:

1. 1. One year for degree conferring or credit-only continuing education programs. However following the approval of the competent authority, the duration may be extended for a maximum of one year.
2. 2. Six months for research projects. However, if there arises a need, a maximum of three months can be sought as an extension in accordance with relevant regulations.

Civil servants whose cases have been approved by the central government, grade one agencies shall have a maximum of four years to pursue a continuing education program. Furthermore, the restrictions of the pervious paragraph, subparagraph 1, shall not apply.

第十一條 各機關學校選送國內全時進修之公務人員，其進修期間為二年以內。但經各主管機關核准延長者，延長期間最長為一年。
前項全時進修之公務人員於寒暑假期間，應返回機關上班。但因進修研究需要，經各主管機關核准者，不在此限。

Article 11 The duration of full-time domestic continuing education programs for those civil servants chosen by the employing agency or school shall be a maximum of two years. However, following the approval of the competent authority, it may be extended for a maximum of

one year.

Civil servants chosen by the employing agency or school to participate in full-time domestic continuing education programs as referred to in the preceding paragraph shall return to the employing agency to resume their duties during summer and winter vacations. However, if there exists a reason pertaining to program study needs, following the approval of the competent authority, this restriction shall not apply.

- 第十二條 各機關學校選送或自行申請進修之核定與補助規定如下：
- 一、選送全時進修之公務人員，於核定進修期間，准予帶職帶薪並得給予相關補助。
 - 二、選送公餘或部分辦公時間進修之公務人員，於核定進修期間得給予相關補助。
 - 三、自行申請全時進修之公務人員，其進修項目經服務機關學校認定與業務有關，並同意其前往進修者，得准予留職停薪，其期間為一年以內。但經各主管機關核准延長者，延長期間最長為一年；其進修成績優良者，並得給予部分費用補助。
 - 四、自行申請以公餘時間或部分辦公時間參加進修之公務人員，經服務機關學校認定與業務有關，並同意其前往進修且成績優良者，得給予部分費用補助。
- 前項第一款或第三款受補助之全時進修人員，應依規定向服務機關學校提出報告。

Article 12 Matters of approval and subsidies for civil servants chosen to, or themselves choosing, to apply for continuing education programs are stipulated as follows:

1. Civil servants chosen by the employing agency or school to participate in full-time continuing education programs shall receive a salary, the necessary subsidies, and shall be considered to be on-the-job during the approved period for continuing education.

2. Civil servants chosen to participate in off-duty or part-time continuing education programs may receive related subsidies during the approved period of continuing education.

3. Civil servants voluntarily choosing to apply for full-time continuing education programs may be offered leave without pay for a maximum of one year provided that the employing agency or school recognizes the content of the program as having workplace application and agrees to the participation; following approval from the various competent authorities, the period can be extended for a maximum of one year; if the civil servant has superior performance in the continuing education program, the competent authority may offer to subsidize part of the tuition.

4. Civil servants voluntarily choosing to apply for an off-duty or part-time continuing education program may be offered a partial tuition subsidy when the employing agency or school recognizes the content of the program as having workplace application and agrees to the participation and if the civil servant performs well in the continuing education program.

Civil servants participating in full-time continuing education programs as referred to in subparagraph 1 or 3 of the previous paragraph shall provide their employing agency with a study report in accordance with the relevant regulations.

第十三條 各機關學校應視業務需要擬定公務人員進修計畫，循預算程序辦理。

各機關學校選送進修之公務人員，應確實按核定之進修計畫執行，未報經各主管機關核准，不得變更。

Article 13 The various agencies or schools shall consider workplace needs when drafting civil servant continuing education plans and these shall be attended to during the budget process.

Civil servants chosen by the employing agency or school to participate in

continuing education programs shall not deviate from the approved continuing education plan; unless the competent authority has approved, there shall be no changes to said plan.

第十四條 各機關學校選送或自行申請全時進修之公務人員於進修期滿，或期滿前已依計畫完成進修，或因故無法完成者，應立即返回服務機關學校服務。

Article 14 Civil servants chosen by the employing agency or school or themselves choosing to participate in a full-time learning education plan shall, without delay, return to work at their employing agency or school when (1) the said programs are complete; (2) regardless of whether the program is finished or not, continuing education goals have been met; (3) personnel are unable to complete the program.

第十五條 公務人員帶職帶薪全時進修期滿，其回原服務機關學校繼續服務之期間，應為進修期間之二倍；留職停薪全時進修期滿者，其應繼續服務期間與留職停薪期間相同。

前項進修人員經各主管機關依法同意商調他機關服務者，其應繼續服務期間得合併計算。

Article 15 Civil servants who continue to receive a salary during full-time continuing education programs, upon their return to the employing agency or school following the completion of said programs, shall carry out their work for a period of time that is equal to twice the length of time spent participating in said continuing education programs. For those who were considered to be on leave without pay during their participation in full-time continuing education programs, the period of time that shall be spent at the employing agency upon return shall be equal to the time spent in participation of the continuing education programs.

If the competent authority in accordance with other related law agrees to the transfer of civil servants referred to in the preceding

paragraph to another employing agency, the duration of time spent in the differing agencies shall be combined.

第十六條 各機關學校選送或自行申請全時進修之公務人員，有下列情形之一者，除由服務機關學校依有關規定懲處外，並依下列規定辦理：

一、違反第十二條第二項或第十三條第二項規定者，應賠償其進修所領補助。

二、違反第十四條規定者，應賠償進修期間所領俸（薪）給及補助。

三、違反第十五條規定者，應按未履行義務之期間比例，賠償進修期間所領俸（薪）給及補助。

前項違反之事由因不可歸責於進修人員者，免除其賠償責任。

進修人員依第一項所應負賠償責任，經通知限期繳納應賠償金額，逾期不繳納者，依法移送強制執行。

Article 16 For civil servants chosen by the employing agency or school or themselves choosing to participate in full-time continuing education programs, if there occurs the following circumstances, the employing agency or school shall take the necessary disciplinary measures in accordance with the relevant regulations, or they shall be dealt with in accordance with the following regulations:

1.If there occurs a violation of Article 12, paragraph 2 or Article 13, paragraph 2, civil servants shall return all subsidies received during participation in the continuing education programs.

2.If there occurs a violation of Article 14, civil servants shall return all salary and subsidies received during participation in the continuing education programs.

3.If there occurs a violation of Article 15, civil servants shall return all salary and subsidies received during participation in the continuing education program in accordance with the proportion of

non-compliance with the stated obligations.

If the violations in the preceding paragraph are not attributed to the civil servants in continuing education programs, they are exempt from liability.

Civil servants who are unable to fulfill the obligations as referred to in paragraph 1 shall be notified concerning the deadline for the payment of the penalties; if the amount has not been paid by the deadline, they shall be referred for compulsory enforcement in accordance with relevant laws.

第十七條 各主管機關得視業務實際需要協調國內外學術或其他機構，提供公務人員終身學習之機會。

Article 17 The various competent authorities may coordinate with academic or other institutions at home and abroad, to offer civil servants chances for life-long learning.

第十八條 各項訓練及進修所需經費除編列預算支應外，得向受訓人員或其服務機關學校收取費用。
前項收費標準，由各主管機關定之。

Article 18 In addition to being provided for in the budget, various training and continuing education fees may be collected from participating civil servants or the employing agency or school.

The amount of fees as referred to in the previous paragraph shall be determined by the various competent authorities.

第十九條 各機關學校應將公務人員接受各項訓練與進修之情形及其成績，列為考核及陞遷之評量要項，依專才、專業、適才、適所之任用本旨，適切核派職務及工作，發揮公務人員訓練及進修最大效能。

Article 19 In order to facilitate the appropriate approval and assignment of positions and organizational responsibilities and ensure that civil service training and continuing education attains a high level of effectiveness, the conditions and results of the various forms of

training and continuing education undertaken by civil servants shall be included in evaluation and promotion assessment reports by the various agencies or schools, where they shall be used to help determine personnel and location suitability and the naming of experts and professionals.

第 二十 條 本法施行細則，由考試院會同行政院定之。

Article 20 The Enforcement Rules of this Act shall be prescribed by the Examination Yuan along with the Executive Yuan.

第二十一條 本法自公布日施行。

Article 21 The Act shall become effective on the date of promulgation.