Content

Title：	Regulations Regarding the Establishment of and Special Recognition for Private Social Education Institutes Ch
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Content：

General Principles

Article 1	These regulations are adopted in accordance with Article 8 of the Social Education Act.
Article 2	The establishment of a private social education institute, and any change in, suspension, special recognition, or guidance of the institute, except where otherwise provided by law, shall proceed in accordance with these regulations.
Article 3	Types of private social education institutes are as follows: 1) Libraries or reading rooms. 2) Museums or exhibition rooms. 3) Science centers. 4) Arts centers. 5) Music halls. 6) Theatres. 7) Memorial halls. 8) Athletic venues. 9) Entertainment facilities for children and adolescents. 10) Zoos. 11) Other social education institutes.
Article 4	The names and descriptions of private social education institutes, may include the word "private."
Article 5	The organization of a private social education institute may be modeled after county or city social education institutes.
Article 6	The supervisor of a private social education institute shall in principle be a professional. The supervisor's qualifications may be similar to those required of county or city social education institutes, and information on the supervisor must be reported to the special municipality's educational authority, or the county or city government, for future reference.
Article 7	One of the following evidentiary documents is required for the facility sites and for office buildings of the social education institute: 1) A certificate of ownership. 2) A right of use certificate. 3)A court-notarized contract for the lease or loan of the property for 3 years or more.

Chapter II. Establishment

Article 8	A private social education institute may be established by a private person or a group, or as a subsidiary by a foundation after the approval of the designated educational authority at the appropriate level.
Article 9	To establish a private social education institute, the founder or the foundation of which the founder is a member shall file an application that includes the information listed below, in addition to the necessary supporting documents and the foundation's articles of association or a copy of the relevant will, to apply the approve from the educational authority of the special municipality or with the county or city government. 1) The name of the institute (including its foreign-language name, if the institute has one) and its location. 2) The purpose of the institute and its organization and scope. 3) Layout plans and descriptions of the facility sites and office buildings specified in Article 7. 4) The institute's organizational charter and its complete rules and bylaws. 5) The total value of the institute's assets, its funding sources, and an annual expenditure budget. 6) A financial inventory and a compilation of books and instruments, by category, to be used by the institution. 7) A business plan. 8) The name, domicile address, and curriculum vitae of the founder; for a founder that is a juridical person or a group needs the name, the location of offices, and the curriculum vitae of the representative(s). 9) The curriculum vitae and relative identification documents of the chief of board. 10) The curricula vitae of employees. 11) When the institute is a subsidiary of a foundation, the foundation's name, the location of its offices, the curriculum vitae of its representative, the foundation's registration documents, and other evidentiary documents showing its registration of assets.
Article 10	A private social education institute shall establish a Board of Directors. However, a juridical person private social education institute is not required to additionally establish a board of directors.
Article 11	The Board of Directors shall consist of seven to fifteen board directors. The board directors shall elect a director from the board to chair the board, and shall select two to four board members as managing directors. The number of foreign persons serving as board members shall not exceed one third of the total number of directors.
Article 12	In addition to the founder, the other members of the founding Board of Directors shall consist of appropriate persons chosen by the founder within 3 months after the establishment of the institute has been approved by the county or city government or the educational authority of the special municipality. The directors may be appointed within 30 days after registering their names and their letters of consent to serve as directors has been submitted to the county or city government or the special municipality's educational authority for approval and recordation. The founder shall convene a board meeting within thirty days after appointment of the board members has been finalized to nominate and elect a chairperson. After established the Board of Directors, the founder shall transfer all business concerned the private social education institute to the Board of Directors.

Article 13	A founder of a private social education institute will be a natural director. When there are more than three founders, they shall select one to three persons to serve as (a) natural director(s). In the event of the resignation or death of a founder, the founder thereby forfeits the status of ex-officio director, and a by-election shall be held by the board of directors to fill any vacated seats.
Article 14	Within 20 days after the establishment of the Board of Directors, the chairperson of the board shall submit the following documents to the county or city government or the educational authority of the special municipality for future reference. 1) The articles of the Board of Directors. 2) The minutes of the establishment meeting concerned the Board of Directors. 3) A list of the Board of Directors functions shall transfer by the founder.
Article 15	The articles of association of the Board of Directors shall included the followings: {C}1) The total number, qualifications, terms, nomination, appointment, dismissal, and re-election of board members. {C}2) The nomination, appointment, and dismissal of the chairperson of the board. {C}3) The organization of the Board of Directors, its powers, the number of meetings to be held, procedures for convening meetings, selection of the presiding chairperson, procedures for resolutions, and provisions for recusal when there is a conflict of interest on the part of a board member.
Article 16	The powers of the Board of Directors are as follows: 1) Hiring and dismissal of the supervisor of the institute. 2) Auditing of the institute's business plans. 3) Custody and to make use of funds. 4) Fundraising. 5) Auditing of budgets and final accounts. 6) Supervision of financial matters.
Article 17	After approval and recordation of the documents submitted by the Board of Directors, the institute's registration as a foundation shall take place within 30 days. If registration is not completed within that period, the approval granted pursuant to Article 9 shall be void. Given legitimate reasons, applications may be made with the city or county government or the educational authority of the special municipality for an extension of 30 days for the registration period of the preceding paragraph.
Article 18	Within 1 year after a private social education institute has completed its registration of incorporation as a foundation and received a Certificate of Registration as a Foundation, its Board of Directors shall prepare all the items and relevant documents required under Article 9 and submit them to the county or city government or the educational authority of the special municipality in order to apply for accreditation. All private social education institutes that receive accreditation shall be reported to the Ministry of Education for recordation by the county or city government or the educational authority of the special municipality.
Article 19	A private social education institute may begin operation only after receiving its accreditation from the county or city government or the educational authority of the special municipality.

Article 20	A private social education institute that is a subsidiary of a foundation may begin operation immediately after having drafted articles of association and all the necessary rules and bylaws and applying for and receiving accreditation from the county or city government or the educational authority of the special municipality.
Chapter III. Changes and Termination	
Article 21	After a private social education institute receives accreditation, if there are any changes in the matters required under subparagraphs 1 to 3 of Article 9, its Board of Directors shall report to the county or city government or the educational authority of the special municipality for approval, and a report of the changes shall be forwarded to the Ministry of Education for recordation.
Article 22	When a private social education institute cannot continue to operate, it may, through its Board of Directors, provide an explanation of the reasons and report to the county or city government or the educational authority of the special municipality for approval, and after notice of the approval has been forwarded to the Ministry of Education for recordation, the institute may terminate operations or duly undergo dissolution.
Article 23	After termination of a private social education institute has been approved, its remaining assets, other than those which must be disposed in accordance with the Cultural Assets Preservation Act, shall be disposed in accordance with its articles of association. When the articles of association contain no relevant provisions, ownership of the assets will be transferred to local self-autonomous groups for use in the development of educational enterprises.
Chapter IV. Supervision, Guidance, and Special Recognition	
Article 24	Any private social education institute is subject to the supervision and guidance of the educational authority of the special municipality or of the county or city government. All of the institute's educational measures and other matters shall be governed by applicable laws and regulations.
Article 25	When the Board of Directors of a private social education institute is unable to convene or the institute has violated educational laws or regulations, the relevant provisions of the Private School Act shall apply.
Article 26	A private social education institute that has been accredited for two years or more, and is professionally soundly organized, and possesses one of the following attributes it shall receive special recognition: 1) Outstanding performance in social education. 2) A special contribution to the areas of education and culture. 3) An expansion or addition to its equipment or facilities that results in a real contribution to social education.
Article 27	Special recognition of a private social education institute shall be performed by the designated educational authority. Special recognition may be awarded as follows: 1) Issuance of plaques, commendations, or certificates of merit. 2) Awards of books, cultural relics, or instruments. 3) Awards of grants for improvement of equipment or facilities.

Article 28	When a private social education institute is badly managed or in violation of law or regulation, the educational authority of the special municipality, or the county or city government, may take the following measures in view of the particular circumstances: 1) Issue a reprimand. 2) Order the institute's rectification and improvement within a specified time period. 3) Suspend the institute's activities in part or in full. 4) Void the institute's accreditation and order its dissolution.
Article 29	Items added or purchased by a private social education institute as a result of its receipt of a special recognition award shall be listed in its inventory of property, and shall be reported to the educational authority of the special municipality or the county or city government for recordation.
Article 30	When necessary, the educational authority of the special municipality, or the county or city government, may order the local public social education institutes under its authority to assist a private social education institute, within its administrative region, on matters concerning personnel, books, instruments, or other equipment or facilities.
Chapter V. Supplementary Provisions	
Article 31	The educational authority of the special municipality, or the county or city government, may add additional regulations for the purpose of adaptation to local conditions and report , those additional regulations to the Ministry of Education for recordation.
Article 32	Foreign persons may establish private social education institutes within the Republic of China in accordance with these Regulations.
Article 33	These Regulations shall be in force from the date of their issuance.

Data Source： Laws and Regulations Retrieving System