

Spy law proposal passes third reading

Written by Taipei Times

Saturday, 19 November 2016 08:17 -

A proposal to bolster laws against espionage passed its third reading in the legislature yesterday.

The amendment would see more severe punishments for military personnel convicted of espionage and breaches of national security, while Democratic Progressive Party (DPP) lawmakers called for tougher restrictions on retired high-ranking military officers visiting China for political events.

The “spy bill” intends to strip active-service personnel convicted of espionage, leaking state secrets, or other major crimes punishable by a minimum of seven years in prison, of their government pension and other retirement benefits.

DPP legislators Wang Ding-yu (王定宇), Liu Shih-fang (劉士邦) and Cheng Yun-peng (程雲鵬) led the initiative, which mainly focused on amendments to the Act of Military Service for Officers and Noncommissioned Officers of the Armed Forces (陸軍官校生服役法).

“This bill will remove loopholes in the law and bolster punishments for those convicted of spying for China or leaking military secrets,” Wang said. “In the past, such people could keep their retirement benefits, but we intend to close those loopholes.”

Liu said there has been an increase in military officials attending meetings and political programs in China in recent years.

“In some cases, military officers were recruited and enticed by money or other means to become spies for China,” Liu said. “This bill aims to protect our nation against enemy state espionage activities and to maintain a fair system for other retirees.”

To achieve this, “convicted offenders should be stripped of their government pension,” Liu said.

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“We had to address the absurd situation in which military officials were receiving pensions from the government while being paid by the Chinese government to spy and hand over classified information,” Cheng said. “The passage of the amendments on the third reading upholds the principle of fairness and justice.”

“All military personnel should be reminded of the law and serve the nation with honor and loyalty,” Cheng said.

The bill specifically addresses convictions of military personnel while in active service. For cases involving retired military personnel, a draft amendment of the National Security Act (國家安全法) went through a first reading on Monday.

The National Security Act amendments set out similar conditions to strip benefits from retired military personnel upon conviction for espionage or leaking state secrets with a minimum sentence of seven years.

For those sentenced to fewer than seven years in prison, benefits are to be reduced proportionally.

In related developments, a group of DPP lawmakers launched an effort to impose stricter scrutiny of the movement of former military officers.

They proposed that the Act Governing Relations Between the People of the Taiwan Area and the Mainland Area (兩岸人民關係條例) be changed to include lieutenant generals and generals under regulations barring them from visiting China to engage in political activities.

DPP Legislator Chiu Chih-wei (邱毅) said that 37 retired high-ranking military officials who attended a political address by Chinese President Xi Jinping (習近平) in Beijing had prompted the proposed rule changes.

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“The actions of these generals can be construed as selling out the nation because they have good knowledge of Taiwan’s military setup and deployment plans, but they have no understanding of loyalty to the nation or safeguarding national security. Their attendance at the political program in China has angered Taiwanese,” Chiu said.

He said that the proposed rules would require former military personnel with the ranks of major general or higher to have travel plans to China approved, with those found in breach of the law to be deprived of pensions.

The conditions are being considered for application to all high-ranking government officials, Chiu said.

Source: [Taipei Times - 2016/11/19](#)