

Anti-infiltration Act takes effect today

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Mainland Affairs Council Minister Chen Ming-tong explains the Anti-infiltration Act at a news conference in Taipei on Jan. 2.

Photo: Wang Yi-sung, Taipei Times

The Anti-infiltration Act (反滲透法) is to take effect today, the Presidential Office said yesterday on its Web site.

The 12-article law, passed by the Legislative Yuan on Dec. 31, prohibits people acting on the instructions of or with the funding of “infiltration sources” from illegal campaigning or lobbying, or receiving illegal political donations, as well as disrupting social order, peaceful assemblies, elections or referendums.

While the activities are already defined as illegal in the Criminal Code, the Assembly and Parade Act (集會遊行法), the Presidential and Vice Presidential Election and Recall Act (總統、副總統選舉及罷免法) and the Civil Servants Election and Recall Act (公務員選舉及罷免法), the Anti-infiltration Act stipulates the punishments are applicable to people who break those laws on the instructions or with the financial support of infiltration sources, the Mainland Affairs Council (MAC) said.

The Anti-infiltration Act applies only to people “who intentionally break the law, and not to those who are unaware of the situation,” the council added.

It stipulates that people who are influenced by infiltration sources and conduct illegal lobbying would be fined between NT\$500,000 and NT\$5 million (US\$16,699 and US\$166,990).

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If the lobbying concerns national security issues, such as national defense, diplomacy and cross-strait affairs, the punishment would be a maximum of three years in prison or a fine of up to NT\$5 million.

The Anti-infiltration Act states that for people who are influenced by infiltration sources and contravene articles 149 to 153 of the Criminal Code by disrupting social order, or Article 31 of the Assembly and Parade Act by disrupting peaceful assemblies and parades, the sentence would be increased by half of what is stipulated in the Criminal Code and the Assembly and Parade Act.

People who are influenced by infiltration sources to participate in illegal campaign activities, thus contravening the Presidential and Vice Presidential Election and Recall Act or the Civil Servants Election and Recall Act, would be sentenced to a maximum of five years in prison, or fined up to NT\$10 million.

The Anti-infiltration Act states that people under the influence of infiltration sources who disrupt elections, recalls or referendums and contravene either of the two election and recall acts, would face a sentence increased by half of what is stipulated in the two acts.

A life sentence or a minimum of 15 years in prison would be given to those under the influence of infiltration sources who disrupt public gatherings such as an election or petition rally.

The Anti-infiltration Act aims to fend off infiltration, rather than curb all cross-border exchanges, the council said, adding that it would not restrict regular exchanges across the Taiwan Strait.

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