

Legislature passes Anti-infiltration Act

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Chinese Nationalist Party (KMT) legislators at the Legislative Yuan in Taipei yesterday protest against the Anti-infiltration Act, while Democratic Progressive Party legislators hold signs instructing their colleagues to vote in favor of the bill.

Photo: Peter Lo, Taipei Times

The Democratic Progressive Party (DPP) caucus, which has a majority in the Legislative Yuan, yesterday passed a third reading of the Anti-infiltration Act (反滲透法) to outlaw interference in elections on the instructions or with the funding of an "infiltration source."

The legislation aims to prevent meddling by external hostile forces, ensure national security and social stability, and uphold the sovereignty of the Republic of China, and its democratic and constitutional institutions.

The act defines external hostile forces, or infiltration sources, as nations and political entities or groups that are at war or in a military standoff with Taiwan, or advocates endangering the nation's sovereignty through non-peaceful means.

The legislation prohibits people from making political donations or funding a referendum drive at the behest or with the funding of infiltration sources, their governments or intermediaries, or any other organization that they exert control over.

It stipulates a prison term of up to five years and a potential fine of up to NT\$10 million (US\$332,160) for perpetrators.

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The penalties would also apply to people who campaign for any candidate running for public office, including the presidency and vice presidency, at the behest or with the funding of an infiltration source, the act says.

It stipulates a fine of between NT\$500,000 and NT\$5 million for those who lobby government officials on behalf of infiltration sources, while those who lobby government officials in the areas of foreign relations, cross-strait affairs, national defense and national security, or to access state secrets, would face a jail term of up to three years and a fine of up to NT\$5 million.

People who disrupt a peaceful assembly or gather in public places to perform or attempt to perform acts of violence or coercion at the behest or with the funding of an infiltration source would face 1.5 times the penalties stipulated by the Criminal Code and the Assembly and Parade Act (集會遊行法), the Anti-infiltration Act says.

Those who disrupt an election for any government post, including president or vice president, or obstruct a referendum on behalf of an infiltration source, would see their prison terms increased by half, it says.

The new legislation also includes provisions targeting “red” media outlets, which stipulate that should a company, group or any other organization be found to have committed any of the aforementioned infractions, the person responsible would be punished.

Infiltration sources that commit the infractions or instruct, ask or fund others to commit the infractions would face a corresponding prison term and fine, as would those who are approached by an infiltration source, then relay its instructions, requests or funding to others to do its bidding.

People who have committed infractions, but surrender or confess to their crime during the judicial process may have their prison terms reduced or waived, while those whose surrender averts a serious compromise of the nation’s interests or security would see their prison terms waived, it says.

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It adds that government agencies that have learned of any infractions should hand the suspects over to police or prosecutors, or inform them of their existence.

Chinese Nationalist Party (KMT) Legislator Jason Hsu (許添榮) said after the legislation was passed that it would “cast the nation in a mold,” adding that the act does not define its governing agency, which would make it difficult to enforce.

DPP Legislator Wang Ting-yu (王廷瑜) said that the legislation would prevent China from tarnishing the nation’s democratic activities with its “sharp power” or funds, but added that it would not affect fair competition between political parties or normal exchanges between students and religious groups across the Taiwan Strait.

Source: [Taipei Times - 2020/01/01](#)