

# Proposals for Reforming Legislative Oversight in Taiwan

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# General Oversight

- All tools are compromised in some way
  - Oral and written interpellation
  - Investigation power
  - Power to read documents
  - Budget
  - Vote of no-confidence

# General Oversight

- Two big questions
  - How much power should the Legislative Yuan (LY) have?
  - Incremental reform or fundamental reform?

# Cross Straits Agreements Oversight Framework

- Focus on Executive Yuan bill (EY bill), social movement bill (Lai bill), and forthcoming DPP bill
- Bills have very different visions of the proper division of power
  - EY bill: empowers EY, constrains LY
  - Lai bill: empowers LY as equal or dominant power
  - DPP bill: closer to EY vision

# Executive's responsibility to report to legislature

- EY bill
  - EY reports at specified times
  - LY can listen and question
- Lai bill
  - LY can require EY to report at specified times
  - LY can reject EY report and/or demand changes

# Dealing with associated legal revisions

- Current:
  - If legal revision is necessary, a bill must be presented to the LY “for consideration”
  - If only executive order is necessary, the change can be sent to the LY “for record”
- EY bill
  - Maintains current system, but
  - Adds a time limit for LY to process changes “for consideration”

# Dealing with associated legal revisions

- Lai bill
  - LY can change any item from “for record” to “for consideration” by 1/3 vote
  - After three months, “for record” automatically becomes “for consideration”
  - No time limit to process items
- DPP
  - Wants all important items to be “for consideration”

# Oversight by other bodies

- EY bill: more power to National Security Council and expert bodies than to LY
  - Stress on national security
  - Executive controls process
  - Executive branch controls composition of both these bodies
- Lai bill
  - Stress on impact assessments
  - Sets up fire alarms
  - LY controls the public hearings process



# Amendments to agreements

- EY bill:
  - LY has power to accept or reject, not amend
- Lai bill:
  - LY has power to determine goals, demand revisions, and start the process over at every stage
- DPP position:
  - LY should have right to demand revisions
  - EY should communicate with LY and incorporate LY goals into its negotiations

# Political Agreements

- EY bill: no distinction between economic and political agreements
- Lai bill
  - Much higher threshold for political agreements
  - $\frac{3}{4}$  of legislature, public referendum