

電信管理法第三十六條、第九十五條修正條文

Telecommunications Management Act amendment of Articles 36 and 95

Article 36

A PSTN shall be classified according to whether any telecommunications resource is used.

The telecommunications resources as described in the preceding paragraph refer to one of the following circumstances:

1. The radio frequencies allocated by the competent authority, except for the scenarios applicable to Subparagraphs 1, 3 and 4 of Paragraph 1 of Article 56.
2. The identification codes, signal point codes or other telecommunications numbers used for interconnection of telecommunications networks allocated by the competent authority.

Before establishing a PSTN, one shall file an application with the competent authority for its approval in accordance with Articles 37 and 38.

Only a company limited by shares is eligible to establish a PSTN that uses telecommunications resources; and the chairman thereof shall be a national of the Republic of China, unless specified otherwise by laws.

With respect to enterprises that have established a PSTN that uses telecommunications resources, the total of shares directly held by foreigners shall not exceed 49% of the total; and the total of directly and indirectly held shares shall not exceed 60% of the total, unless specified otherwise by law.

The shares indirectly held by foreigners as described in the preceding paragraph shall be calculated by multiplying the shareholding ratio of domestic legal persons who have established a PSTN using telecommunications resources by foreigners' percentage in domestic legal persons' percentage in shareholdings or capital.

Before the promulgation of this Act, the 3 preceding paragraphs are not applicable to PSTNs that are established using resources as described in Subparagraph 2 of Paragraph 2 and are announced by the competent authority.

Rules governing the procedures of establishing a PSTN, requisite documents, review standards and other related matters shall be promulgated by the

competent authority.

Applicants that apply for the establishment of a PSTN that utilizes telecommunications resources via satellite communications technology may, upon the review and approval of the competent authority based on the following factors, be exempt from the restrictions specified in Paragraphs 4 and 5:

1. National security.
2. The security of the PSTN.
3. The usage status of telecommunications resources.
4. The overall planning and promotion of the telecommunications network.
5. The development of the telecommunications industry.
6. The development of the telecommunications service market.
7. Other public interest needs.

Regulations governing the application procedures, conditions, required documents, review standards, and other relevant matters in the preceding paragraph shall be prescribed by the competent authority.

Article 95

The effective date of the Act shall be set by the Executive Yuan.

The amendment of the Act shall come into force on the date of promulgation, with the exception of Paragraphs 9 and 10 of Article 36 amended on July 21, 2026, the effective date of which shall be determined by the Executive Yuan.