



2012

Chapter 3

Fuchien Lienchiang District Prosecutors Office



Section 1 Historical Overview

Located in a deserted corner, Lienchiang County is isolated from the inland. There was no such thing as a judicial system established under county governance. In 1949, China fell into the hands of the Chinese Communist Party and the then Republic of China government retreated to Taiwan and Penghu. Therefore, the islands of the Lienchiang County became a major military area of garrison.

In July, 1956, the Government Affairs Committee was established. However, there was no judicial or military law authority, and civil litigation cases were still tried by the Military Law Team of the Army's Malay Guarding Area Command on a commission basis. Later, in order for cases to be handled in a timely manner for timely closure, so as to ensure the rights and interests of the people and stabilize society, the Military Law Office was set up in the Lienchiang County Government to handle civil and criminal cases on a trial basis by means of military law and judicial law.

Initially, there was no judicial authority in the Matsu area. In 1969, the Lienchiang Civil Court in Matsu was established by Fuchien Kinmen District Court to dedicatedly handle civil litigation cases. Criminal cases were investigated and tried by the Military Law Office of the Lienchiang County Government. On October 10, 1987, the Lienchiang Prosecutors office was established in conjunction with the lifting of the martial law in Taiwan and Penghu regions. On December 31, 2003, the Fuchien Lienchiang District Court Prosecutors Office was officially established. On May 25, 2018, this Lienchiang Prosecutors establishment was renamed the Fuchien Lienchiang District Prosecutors Office, where the wording of "Court" from its organizational name was taken away, in conjunction with the amendment of the Court Organization Act.

Section 2 Territorial Jurisdiction

The jurisdiction of the Lienchiang Prosecutors establishment covers Nangan Township, Beigan Township, Juguang Township (including East Juguang and West Juguang), and Dongyin Township in Lienchiang County, Fuchien Province.

Section 3 Office Buildings

When the Lienchiang Prosecutors office was established on October 10, 1987, it temporarily used the office on the second floor of the Lienchiang Court of the Fuchien Kinmen District Court. Later, funds were appropriated by the Judicial Yuan and the Ministry of Justice for constructing a joint judicial office building through the assistance of ordinance officers. The building took three years to complete, and in 1991, the Lienchiang Prosecutors moved into the new office.

On December 31, 2003, the Fuchien Lienchiang District Court Prosecutors Office was officially established, and the office was renovated using the first reserve funds of the Ministry of Justice.

Section 4 List of Former Chief Prosecutors

Precedence in office	Title	Name	Period in office	Notes
1	Chief Prosecutor	Cheng,Wen-Kuei	2004/01/01~2005/03/16	
2	Chief Prosecutor	Lai,Che-Hsiung	2005/03/16~2007/04/12	
3	Chief Prosecutor	Chu,Kun-Mao	2007/04/12~2008/08/01	
4	Chief Prosecutor	Lin,Ching-Tsung	2008/08/01~2010/07/28	
5	Chief Prosecutor	Hung,Pei-Ken	2010/07/28~2013/03/11	
6	Chief Prosecutor	Huang,Yu-Yuan	2013/03/11~2014/05/27	
7	Chief Prosecutor	Wang,Chun-Li	2014/05/27~2015/05/7	
8	Chief Prosecutor	Cheng,Hsin-Hung	2015/05/07~2016/07/18	
9	Chief Prosecutor	Chuang,Jung-Sung	2016/07/18~2018/07/09	
10	Chief Prosecutor	Kuo,Yung-Fa	2018/07/09~2019/01/31	
11	Chief Prosecutor	Yu,Hsiu-Tuan	2019/01/31~2020/03/13	
12	Chief Prosecutor	Chang,Chieh-Chin	2020/03/13~2021/05/05	
13	Chief Prosecutor	Huang,Chih-Yung	2021/05/05 to present	

Section 5 List of Former Chief Secretaries

Precedence in office	Title	Name	Period in office	Notes
1	Chief Secretary	Chen,Te-Ching	2015/10/15~2019/08/28	
2	Chief Secretary	Li,Ying-Fang	2019/08/28~2021/07/15	

Section 6 Excerpts of Major Cases

I. Violation of the Banking Act of the Republic of China by Deputy Speaker Tsao, *-Piao of the Lienchiang County Council, et al. I.

As a local elected legislator in Lienchiang County, Tsao, *-Piao was fully aware that “non-banks are not allowed to handle domestic and foreign remittance business.” Nevertheless, between 2007 and 2010, taking advantage of his vast number of interpersonal relationships and the proximity of geographical relation, one body of water apart, between Matsu and Fuzhou of China, Tsao, *-Piao, together with his wife Lin, *-Wan, his younger brother Tsao, *-Pin, Accountant Ma, *-Chu of the B&B he operated, and his uncle Tsao, *-Tseng in China, jointly accepted commissions from unspecified customers across Taiwan Strait (including Taiwan, Matsu, and China), and illegally engaged in underground remittance business.

The way they operated the criminal activities was that Tsao, *-Piao or Tsao, *-Pin was responsible for collecting New Taiwan Dollars to be converted into Renminbi from companies or individuals traveling from Taiwan to China for tourism, property procurement, or cross-strait goods trading. Then, according to the agreed exchange rate, the New Taiwan Dollars amount collected was converted into the equivalent Renminbi, and Tsao, *-Tseng in the Fuzhou area of China would be notified to remit such amount of Renminbi to the designated account of the financial institution in China for customers’ withdrawal and use. When customers in China would like to exchange Renminbi for New Taiwan Dollars, Tsao, *-Tseng would then accept the Renminbi to be converted into New Taiwan Dollars, and the equivalent New Taiwan Dollars from an unknown source possessed by Tsao, *-Tseng would be used as payments to customers in exchange. Tsao, *-Tseng would immediately entrust his friends and relatives to carry the New Taiwan Dollars cash from Mawei, Fuzhou to Matsu area by the “Mini Three Links” method, and such cash would be handed over to Tsao, *-Piao or Tsao, *-Pin who would be informed of the amount and destination account of the remittance. Finally, Tsao, *-Piao, Tsao, *-Pin would, in person or instruct Lin, *-Wan and Ma, *-Chu to, apply for remittance at the counter, have such New Taiwan Dollars cash remitted from the financial institution in the Matsu area transferred to the destination account of the financial institution in Taiwan designated by the customer. Overall, remittance was handled by the method of receiving in one currency and paying in another

currency between two different places, which constituted the actual remittance business between Taiwan and China. The number of remittance exceeded thousands of transactions, and the remittance amount totaled over 80 million NTD, which seriously affected the financial order of Taiwan.

Due to the bank's widespread remittance information throughout Taiwan, it took a long time to complete the investigation. On December 17, 2010, the Fuchien Lienchiang District Court Prosecutors Office requested for a search warrant at the Lienchiang District Court according to the law. During the search, physical evidence such as passbooks, account information, etc. was seized on the spot. On March 6, 2012, the Kinmen District Prosecutors Office filed a public prosecution against Tsao, *-*, et al. five people in accordance with the Banking Act of the Republic of China and the Foreign Exchange Regulation Act. After the trial by the Kinmen District Court, Tsao, *-Piao, Tsao, *-Pin, and Tsao, *-Tseng were sentenced to imprisonment for a fixed term of one year and 10 months, along with suspension of punishment for five years; whereas Lin, *-Wan and Ma, *-Chu were sentenced to imprisonment for a fixed term of one year and seven months, along with suspension of punishment for four years.

II. The case of corruption, etc. committed by Liu, *-Chuan, the former Director of the Economic Development Department of Lienchiang County

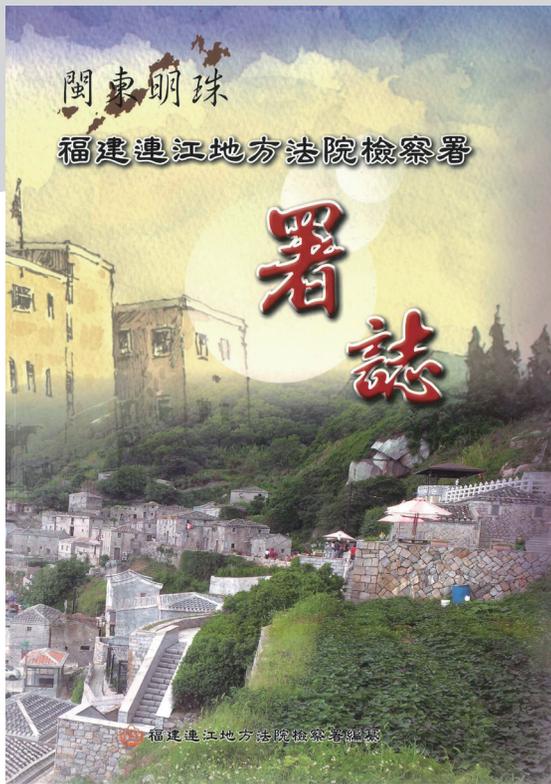
During his tenure as Director of the Construction Bureau and Director of the Economic Development Department of Lienchiang County Government, Liu, *-Chuan took advantage of the opportunity to handle procurement projects, and used his authority as a head of the government authority and as a member of the Tender Review Committee, to request and receive bribes equivalent to 10% of the tender price from tender winning vendors Yang, *-Lung, et al. through his son Liu, * (i.e. middle man, also called the "white glove"). These vendors were worried that they might face challenges during the performance of the tender if the bribes were not paid as per Liu, *-Chuan's instructions. Therefore, they had all paid the bribes to Liu, *-Chuan or Liu, * as per Liu, *-Chuan's instructions.

In 2018 and 2019, the Lienchiang County Government promoted the local industrial innovation R&D program (SBIR subsidy program) which stipulated that those small and medium-sized enterprises applying for the SBIR subsidy must have their business location registered in the Lienchiang area, and that in principle, the same enterprise could only apply for the SBIR subsidy once every year. Liu, *-Chuan fully aware of the fact that his sons, Liu, * and Liu, * set up pseudo companies to avoid conflict of interest involving relatives and applied for subsidies in the name of five companies at the same time. Liu, *-Chuan deliberately concealed the above fraudulent applications while still serving as a member of the Tender Review Committee for the SBIR subsidy program, and fully approving the subsidy cases applied for in the name of his sons. After the sons Liu, * and Liu, * were qualified for the subsidies, they made false personnel salary and working attendance information in the name of friends and relatives, and purchased false uniform invoices, and fraudulently collected subsidies from the Lienchiang County Government. Such subsidies fraudulently collected amounted to more than 3.15 million NTD.

As the responsible person of the B&B in Daqiu Island, Beigan Township, in 2019, Hu, *-Chiang was awarded the public tender for the "2019 (Labor Services) Procurement Project for the Management Plan for the Rational Utilization of Wild Animals and Plants, as promoted by the Lienchiang County Government" by the Lienchiang County Government. Liu, *-Chuan subjectively believed that there were too many sika deers on Daqiu Island. Therefore, he implemented a plan to reduce the number of sika deers on Daqiu Island, without the permission of the Lienchiang County Government, and without compliance with the content of the Procurement Project. Under private instruction by Liu, *-Chuan, Hu, *-Chiang killed 100 sika deers on Daqiu Island by taking the advantage of the opportunity to perform the tender. From April to June, 2020 during the period when fewer tourists visited Daqiu Island, Hu, *-Chiang set up traps on the back hill of Daqiu Island. Once any sika deer was trapped, the deer was stabbed with a knife and bled to death. Once the sika deer stopped breathing, it was buried in a pit manually dug on the spot. The number of sika deer slaughtered totaled 83, and the other 17 died naturally.

After the investigation by the Lienchiang District Prosecutors Office, on July 20, 2021, Liu, *-Chuan and his two sons, et al., 22 people altogether, were prosecuted according to the Anti-Corruption Act, Government Procurement Act and the Animal Protection Act. The court was requested to impose heavy sentencing.

Section 7 Cover page of the History of Prosecutors Office and the link of global website



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- ▲ The Chronicle of Fuchien Lienchiang District Prosecutors Office

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- Fuchien After-Care Association
- Kinmen Branch, FHPO
- Fuchien Lienchiang District Prosecutors Office

Publication date: April, 2015







The Sunset of Datun Mountain • Datun Mountain Meteorological Station (霞披大屯山)
/ Wen, Shao-Liang / Construction and Planning Agency, Ministry of the Interior /