

名 稱：徵兵規則 (民國 89 年 12 月 27 日 修正)

Title: Conscription Regulations (as amended on Dec. 27, 2000)

第一章 總則

Chapter 1 General Articles

第 1 條 本規則依兵役法 (以下簡稱本法) 第三十四條第三項規定訂定之。

Article 1 These Regulations have been incorporated pursuant to Paragraph 3 of Article 34 of Conscription Law (the Law).

第 2 條 本規則用詞定義如下：

- 一 年次：以每年一月一日起至十二月三十一日止，為一個年次。
- 二 檢查醫院：指經內政部會商行政院衛生署指定，得受直轄市、縣 (市) 政府委託辦理體格檢查之醫院。
- 三 複檢醫院：指經內政部會商行政院衛生署指定，辦理複檢之醫院。

Article 2 Terminology:

1. Year Sequence: One year sequence relates to the term commencing from January 1 each year through December 31 of the same year.
2. Examination Hospital: relates to a hospital appointed by Ministry of Interior (MOI) jointly with National Health Department of Executive Yuan that may be contracted by the local government to perform physical examination.
3. Review Hospital: relates to a hospital appointed by MOI jointly with Executive Yuan to perform the review of physical examination.

第 3 條 役齡男子 (以下簡稱役男) 應補行徵兵處理者，其徵兵處理應與當年徵兵及齡男子同時辦理。但必要時得另定時間舉行之。
前項補行徵兵處理役男之體位，應依補行徵兵檢查時之體位區分標準辦理。

Article 3 Any male has already reached the conscription age (hereinafter to be referred to as a Draftee) and is prescribed with a later conscription shall be included in those males who just reach the conscription age and to be drafted in that same year; or separately drafted at different time if and when required.

The determination of the grade of physical condition for the draftee

prescribed with a later conscription as described in the preceding paragraph herein shall be made according to the grading standard of physical condition prevailing at the time the physical examination is provided during the later conscription.

第 4 條 役男經兵籍調查、徵兵檢查後，其登記資料有變更、錯誤、脫漏或申報不實者，戶籍地直轄市、縣（市）政府應依職權或役男申請，重行調查、檢查。

Article 4 Any change, error, omission or false declaration of the information registered for a draftee upon completing the military register and the conscription examination, the local government at where the household registration of the draftee is maintained shall by operating its functional authorities or as requested by the draftee to reopen the case of investigation and/or examination.

第 5 條 每年之徵集順序，各徵兵機關應依年度應徵兵額，按未徵役男出生年次之先後，與其役別、軍種主要兵科及抽籤號次徵集之。

Article 5 Each conscription agency shall depend on the authorized size to be drafted for the annual conscription, the sequence of the sequence of the year of birth of the draftees-to-be, the type of service, the primary branches of the armed forces and the lot number carry out the conscription according to the conscription sequence of each year.

第二章 兵籍調查

Chapter 2 Military Register Investigation

第 6 條 鄉（鎮、市、區）公所應以資訊系統，就戶政資料執行轉錄，編立徵兵及齡男子名冊。

前項執行轉錄之基準日及相關配合事項，由內政部定之。

Article 6 Each Public Office (including that of a Hsiang, City or District) shall take advantage of the information system to execute the reproduction of household administration data for the development of a conscription list and a list of Draftees-to-be.

MOI shall specify the reference day for the reproduction as referred in the first paragraph herein and any things and matters of coordination.

第 7 條 兵源之列額，以轉錄基準日之役男戶籍地資料為準，轉錄基準日以後戶籍

異動者，遷出地及遷入地鄉（鎮、市、區）公所應連繫確定，由遷入地列額後，報請各該管直轄市、縣（市）政府備查。

前項轉錄基準日前辦理戶籍遷出登記，未辦理遷入登記者，由遷出地列額，經填發徵集令或通知為預備員之役男戶籍有異動者，仍以戶籍異動前之戶籍地為列額地。

Article 7 Household data kept for the draftee on the date of reproduction shall govern the assignment and listing of the quota for the conscription source. In case of any relocation of the household registration has taken place on a date after the reference day of the reproduction, there shall be a clear communication between Public Offices of the move-in and the move-out for the Public Office of move-in to include the draftee in the local source of conscription and report the inclusion to the superior local government.

In the event that any relocation of household completed with the move-out registration before the reference day of reproduction but not yet complete the move-in registration, the jurisdiction of the household registration before the relocation shall prevail for the purpose of the assignment and listing of the quota of the conscription source.

If case of any relocation of the household registration of the draftee after the draftee has been notified or as specified in the conscription order to become a reservist, the jurisdiction of the household registration before the relocation shall prevail for the purpose of the assignment and listing of the quota of the conscription source.

第 8 條 依前條規定列額之役男，因免役、禁役、喪失我國國籍、死亡或經死亡宣告者，戶籍地鄉（鎮、市、區）公所應註銷列額，並報直轄市、縣（市）政府備查。

Article 8 In the event of any draftee already included in the quota of conscription source as provided in the preceding Article 7 is found qualified for exemption of military service, restricted from military service, deprived of the nationality of the Republic of China, dead or announced as deceased, the Public Office at where the household registration of the draftee is maintained shall remove his quota in the conscription source while reporting the same to the superior local government for reference.

第 9 條 役男經兵籍調查編立名冊後，其姓名、國民身分證統一編號、出生別變更或因其他戶籍登記事項異動時，戶政單位應隨時以資訊系統通報役政單位

登記。

Article 9 Once the list of the investigation of military register is established, the household administration unit shall immediately communicate via information system to the conscription administration unit to register any changed name, citizen's ID number, gender or any other particulars in the household registration of any listed draftee.

第三章 徵兵檢查

Chapter 3 Conscription Examination

第 10 條 直轄市、縣 (市) 政府應擬定徵兵檢查計畫，並籌組徵兵檢查委員會，辦理徵兵檢查。

Article 10 The local government shall prepare the conscription examination plan and organize a conscription examination committee to carry out the conscription examination.

第 11 條 鄉 (鎮、市、區) 公所應於徵兵檢查開始十日前，將徵兵檢查時間、地點及注意事項通知應受徵兵檢查之役男。
役男具緩徵原因者，得俟緩徵原因消滅後，始通知其接受徵兵檢查。

Article 11 No later than ten (10) day upon commencing the conscription examination, the Public Office shall notify each draftee subject to the conscription examination the time and date, place and requirements of the conscription examination.
Any draftee justified with a deferred conscription may be notified to take the conscription examination upon the annulment of the cause justifying the deferred conscription.

第 12 條 體格檢查，依據體位區分標準施檢。

Article 12 The physical examination shall be provided according to the standard of the grading of physical condition.

第 13 條 役男經體格檢查後，由徵兵檢查委員會判定體位。
役男須施以精密專門檢查時，由徵兵檢查委員會送指定醫院檢查後，依檢查結果判定體位，並通知役男。
徵兵檢查委員會應依體檢結果及體檢狀況，分別製成役男身高、體重、疾病及徵兵檢查人數統計表，送直轄市、縣 (市) 政府彙報內政部、國防部。

Article 13 Upon the completion of the physical examination, the draftee shall be determined with a grade of his physical condition by the Conscription Examination Committee.

If special examination involving precision equipment is required for any draftee, the draftee shall be sent by the Conscription Examination Committee to an appointed hospital for examination, the grade of the physical condition as determined according to the results of the examination will be notified to the draftee.

The Conscription Examination Committee shall depending on the results and the status of the physical examination of the draftees respectively produce and submit statistical charts by height, weight, disease if any, and the draftees completed with the examination to the local government for compilation before reporting the same to MOI and MOD.

第 14 條 役男經徵兵檢查後，對判定之體位認為有疑義者，應依下列方式之一，申請改判體位：

一 填具申請書，並檢具醫療機構診斷證明書，報請戶籍地鄉（鎮、市、區）公所轉報直轄市、縣（市）政府審核，准予複檢者，即送複檢醫院複檢，並由徵兵檢查委員會依複檢結果判定體位。

二 填具申請書，並檢具複檢醫院兵役用診斷證明書，由戶籍地鄉（鎮、市、區）公所報請直轄市、縣（市）政府轉送徵兵檢查委員會判定體位。前項申請改判體位案件，徵兵檢查委員會於判定體位前，應送役男體位審查委員會審議。

依第一項規定判定結果與原判定體位相同者，不得再以同一原因申請改判體位。

Article 14 In case of any doubt to the grade of physical condition as determined in the conscription examination by any draftee, he may apply for clarification and review of the grade in either of the following options:

1. He may complete an application form submitted together with a certificate of diagnosis executed by a medical institute to the local government in care of the Public Office for review; if a review examination is approved, the draftee shall be examined by a review hospital and the Conscription Examination Committee will determine the grade of physical condition of the draftee depending on the results of the review examination; or

2. He may complete an application form submitted together with a certificate of diagnosis exclusively for the purpose of conscription as

executed by a review hospital to the Conscription Examination Committee for the determination of his grade of physical condition in care of the Public Office and the local government.

Before making the determination of the grade of physical condition for the application draftee as described herein, the Conscription Examination Committee shall refer the case to the Grades of Physical Condition of Draftees Review Committee.

If the grade of physical condition determined pursuant to Paragraph 1 herein is the same as that of the original determination, the draftee shall never use the same excuse to apply for changed determination of his grade of physical condition.

- 第 15 條 應受徵兵檢查役男，有下列各款情形之一不能如期受檢時，應由役男或有行為能力之家屬於徵兵檢查前，向戶籍地鄉（鎮、市、區）公所申請延期檢查：
- 一 患病不堪行動者。
 - 二 家庭發生重大事故，必須本人處理者。
 - 三 航行國外之船員，正在航行中者。
 - 四 有犯罪嫌疑在羈押中，或犯罪處徒刑在執行中者。
 - 五 已依役男出境處理辦法出境，期限尚未屆滿者。
 - 六 其他因不可抗力事由，而無法受檢者。

Article 15 In for cause of any of the following events, the draftee notified to take the conscription examination is prevented from taking the examination, an application for extension of the examination shall be filed by the draftee in question or any member of his family who is capable of acting for the draftee with the public office at where the household registration of the draftee is maintained before the date specified for taking the conscription examination:

1. The draftee is sick in bed to such extent that taking the conscription is not possible;
2. Any major incident to his family that the draftee has to take care personally;
3. The draftee is one of the crew in an overseas sea vessel in navigation;
4. The draftee is under retention for alleged criminal act, or is serving the term of imprisonment;
5. The draftee has departed from the country as approved pursuant to Regulations for the Departure of Draftees for a term not yet expired; or

6. Any other cause of force de majeure that prevents the conscription examination.

第 16 條 依前條核准延期徵兵檢查役男，於延期原因消滅後，應補行徵兵檢查。
Article 16 Any draftee granted with the extended conscription examination pursuant to Article 15 shall complete the later conscription examination upon the cause justified for the extension is ceased to be.

第 17 條 應受徵兵檢查之役男，因身心障礙或痼疾不能到場受檢者，得由徵兵檢查委員會派醫事人員至其住所檢查，判定體位。
領有身心障礙手冊之役男，符合身心障礙等級與體位區分標準免役體位判等對照表規定者，得檢具身心障礙手冊，送由徵兵檢查委員會判定其體位；有疑義者，送請指定醫院辦理檢查。
前項身心障礙等級與體位區分標準免役體位判等對照表，由國防部會同內政部定之。

Article 17 Any draftee notified to take the conscription examination when prevented from presenting in the conscription examination at the time and place specified due to the draftee is handicapped mentally or physically or suffering a certain incurable chronic disease, the Conscription Examination Committee may assign medical personnel to perform the examination at where the Draftee resides for the determination of the grade of his physical condition.
Any draftee issued a mentally or physically handicapped manual and meeting the requirements set forth in the reference list of classification standards of handicapped grade and physical condition grade vs. determination of grade of physical condition exempted from military service, may submit the manual to the Conscription Examination Committee to determine his grade of physical condition; and any doubt shall be clarified by having the draftee sent to an appointed hospital for taking the examination.
The reference list of classification standards of handicapped grade and physical condition grade vs. determination of grade of physical condition exempted from military service referred in the first paragraph herein shall be jointly produced by MOD and MOI.

第 18 條 役男得向居住地之直轄市、縣（市）政府申請代辦徵兵檢查後，代檢地之直轄市、縣（市）政府於役男受檢後，應將檢查結果函送其戶籍地直轄市、

縣 (市) 政府。

Article 18 The draftee may apply for consigned conscription examination with the local government at where the present address of the draftee is located. Upon completing the consigned conscription examination for the draftee, the local government shall mail the report of the examination results to the local government where the household registration of the draftee is maintained.

第四章 抽籤

Chapter 4 Lot Drawing

第 19 條 經徵兵檢查後，適服現役之役男，應以抽籤決定軍種、主要兵科及徵集順序。

Article 19 All draftees found ready and qualified to immediately become in-service after the conscription examination shall be determined for their respective primary branches in the armed forces and the draft sequence by lot drawing.

第 20 條 直轄市、縣 (市) 政府應統籌辦理抽籤，並以鄉 (鎮、市、區) 為單位，在各鄉 (鎮、市、區) 公所指定地點舉行，並擬定抽籤計畫，編造抽籤名冊及編成各鄉 (鎮、市、區) 抽籤組。
前項抽籤名冊，應按役男體位等級、教育程度編造之。

Article 20 The lot drawing shall be provided only by the local government and held separately by the unit of Hsiang (including Town, City, and District) at the place specified by the respective Public Office. To achieve the purpose, the local government shall prepare lot drawing program, list of lot drawing, and list of subdivision of lot drawing by the unit of Hsiang (including Town, City, and District).

The list of lot drawing referred in the preceding paragraph shall be made pursuant to grade of physical condition and educational background of the draftees.

第 21 條 鄉 (鎮、市、區) 公所應於抽籤十日前，以抽籤通知書，將抽籤時間、地點及注意事項，通知應參加抽籤之役男。

Article 21 The sponsoring Public Office shall notify in writing each and all draftees who should be present in the lot drawing the time and date, place and requirements no later than ten (10) days before the date scheduled for

the lot drawing.

第 22 條 實施抽籤時，直轄市、縣（市）政府應派員監督，由鄉（鎮、市、區）長主持，指揮所屬人員辦理，並得邀請當地民意機關代表或公正人士到場監證。

Article 22 The director of the Public Office shall hold the lot drawing with the assistance from his/her staff, under the supervision by officials from the local government and witness by representatives from the local people's representative body or impartial citizens.

第 23 條 抽籤由役男或有行為能力之家屬到場行之；未到場者，由鄉（鎮、市、區）長或其指派之代表代抽，代抽結果應通知役男。

Article 23 The lot may be drawn by the draftee in person or by any of his family members who are capable of acting for him; in the absence of the presence of the draftee or his family member, the director of the Public Office or a proxy appointed by him will draw the lot and the results of the lot drawing shall be notified to the draftee absent from the lot drawing.

第五章 徵集

Chapter 5 Conscription

第 24 條 國防部應按行政院核定之年度應徵兵額，會同內政部訂定該年度之兵員徵集計畫。

Article 24 MOD shall prepare jointly with MOI the conscription plan for the year according to the authorized size of conscription approved by Executive Yuan.

第 25 條 內政部應依前條兵員徵集計畫，按月訂定各梯次徵集計畫，送達各直轄市、縣（市）政府，並副知國防部。

Article 25 MOI shall follow the conscription plan referred in Article 24 hereof to prepare the conscription plan for each phase by month, and deliver the plan to each local government while keeping MOD notified of the plan in writing.

第 26 條 直轄市、縣（市）政府收受前條各梯次徵集計畫後，應按各鄉（鎮、市、區）應徵之役男人數比例及分配梯次，訂定徵集實施計畫，並決定應徵入

警役男及其預備員名冊。

Article 26 Upon receiving the conscription plan by phase as referred in Article 25 hereof, the local government shall prepare the conscription action plan pro rata depending on the number of the draftees under conscription and the phase distributed for each Hsiang (including Town, City, or District) within the jurisdiction, and decide on the list of the draftees to be enlisted and the reservists.

第 27 條 徵集令及預備員之通知，由鄉（鎮、市、區）公所於入營十日前送達役男。
。前項預備員應按徵集員額百分之五至十預為通知，於應徵役男缺員時遞徵入營，其徵集令得隨時送達。

Article 27 The Public Office shall respectively serve conscription orders and reservist notices to each draftee no later than ten (10) days before the date scheduled for reporting to the camp.
A size of reservist to be notified as provided in the preceding paragraph shall be at a range between 5% ~ 10% of that of the draftees served with conscription orders. The reservist shall fill in any vacancy from the conscription draftees and the conscription order for the alternative reservist shall be promptly served at any time.

第 28 條 應徵役男在收受徵集令後，徵集入營前，合於延期徵集入營事故表（如附件）所列原因者，得由本人或其有行為能力之家屬填具申請書，檢附有關證明，向鄉（鎮、市、區）公所申請轉直轄市、縣（市）政府核准延期徵集入營。
（備註：附件請參閱行政院公報第 6 卷 52 期 9 10 頁）

Article 28 Upon receiving the conscription order and before being transported to the camp, the draftee when qualified with any of those incidents justifying an extended report (See attachment.), the draftee in person or any of his family members who are capable of acting for him may complete an application form submitted together with related certificates to seek the approval of extended reporting to the camp by the local government in care of the Public Office.
(Note: Please refer to Gazette of Executive Yuan, Vol. 6, Issue # 52, pp. 9-10.)

第 29 條 經核准延期徵集入營在五日以內者，仍於當梯次入營；逾五日者，於原因消滅或延期徵集入營時限屆滿後，列入適當梯次儘先徵集。

Article 29 If the length of the extended reporting to the camp is not longer than five (5) days, the draftee shall report to the camp during that same phase; if longer than five (5) days, the draftee shall be included on top priority in the subsequent phase to report to the camp upon the cause justifying the extension is ceased to be or the extension expires.

第 30 條 直轄市、縣 (市) 政府按應徵役男分佈狀況、入營距離、時間及地點，指定適宜集合處所，由應徵役男依照徵集令規定時間、地點，前往集合，以輸送入營。集合後，直轄市、縣 (市) 政府及鄉 (鎮、市、區) 公所應予目視檢查，如發現役男體位有顯著不合格或傷病不堪軍事訓練者，應即停止輸送其入營，並主動辦理延期徵集或改判體位。

役男之輸送入營，遇有天然災害或其他影響交通運輸之情事時，內政部得公告延後當梯次之一部或全部役男徵集入營。

Article 30 The local government shall specify a proper place for the assembly of the draftees depending on the geological layout, the distance to the camp, time to report to the camp and the location of the camp for the draftees to be assembled at the time and place specified in the conscription order and transported to the camp. The local government and the Public Office shall perform visual inspection of the draftees when assembled and stop the transportation of any draftee whose grade of physical condition is significantly noncompliant or any draftee is injured or sick that prevents from exposing to military training while taking the initiative to grant the draftee an extended reporting to camp or change his grade of physical condition.

MOI may have a public announcement of extend the transportation of all or any part of the draftees of the same phase to the camp if any act of God or other incident that substantially affect the traffic and transportation.

第 31 條 入營部隊於役男入營時，應設新兵入營報到處，與直轄市、縣 (市) 政府辦理應徵役男交接。報到之入營役男體格，不合常備役體位者，於報到三十日內予以驗退。

Article 31 The receiving camp shall make available a place for completing the take-over formalities of the arriving draftees from the local government. Any draftee having reported to the camp when found not qualified with

the grade of physical condition for taking the regular service shall be examined and rejected from the camp within thirty (30) days upon the report-in.

第 32 條 依前條規定驗退者，入營部隊應出具驗退證明書，於驗退離營時發給驗退役男，並通知直轄市、縣（市）政府轉送徵兵檢查委員會依驗退證明書判定體位；有疑義者，送複檢醫院辦理複檢，並依複檢結果判定體位後通知役男。

前項徵兵檢查委員會於判定體位前，應送役男體位審查委員會審議，判定體位結果仍為原體位者，直轄市、縣（市）政府應即補徵驗退役男入營，並在交接名冊註明；各入營部隊對該驗退役男，不得再以同一原因驗退。

Article 32 The receiving troop when rejecting any draftee as provided in the preceding Article 32 shall issue to the draftee a certificate of rejection while notifying the Conscription Examination Committee in care of the local government to determine the grade of physical condition of the draftee rejected according to the certificate of rejection; in case of any doubt by the Conscription Examination Committee, the draftee rejected shall be sent to the review hospital to receive the physical examination once again, and notified with the resultant grade of physical condition. Before the determination of the grade of the physical condition as provided in the preceding paragraph, the Conscription Examination Committee shall refer the case to the Grade of Physical Condition Review Committee and the draftee previously rejected shall be notified by the local government to immediately report to the camp if the original grade of his physical condition stays the same as judged by the Grades of Physical Condition of Draftees Review Committee while so marked on the list of take-over; any camp of the troop receiving the draftee once rejected shall never use the same cause to reject that draftee in future.

第 33 條 應徵役男不按徵集令規定入營期限報到者，經直轄市、縣（市）政府或鄉（鎮、市、區）公所查明，其故意逃避入營逾五日者，由直轄市、縣（市）政府檢具事證移送法辦。

Article 33 The local government shall by submitting the facts of the failure and evidence in writing refer to the judicial court any draftee failing to report as provided in the conscription order and the purported evading from reporting to the camp has expired five (5) days as verified by the local government or the Public Office.

第 34 條 內政部、國防部及行政院衛生署每年應於適當之時間，聯合訪問直轄市、縣（市）政府兵役業務專責機關、單位與訓練基地及特約醫院有關徵兵處理業務。

Article 34 MOI, MOD and National Health Department of Executive Yuan shall each year at a proper time jointly visit at the originator agency and unit of conscription operation at the local government, training bases, and contracted hospital for fact-finding about the handling of conscription activities.

第六章 附則

Chapter 6 Special Articles

第 35 條 內政部、國防部應協調行政院衛生署及醫療相關機關（構）共同組成役男體位審查委員會，對直轄市、縣（市）役男申請改判體位及驗退處理案件，定期審議。

前項役男體位審查委員會設置要點，由內政部會商國防部定之。

Article 35 MOI and MOD shall coordinate with National Health Department of Executive Yuan and medical agencies and institutes to organize among them the Grades of Physical Condition of the Draftees Review Committee charged with the functions to hold periodical review of cases involving rejected draftee and application for changed grade of physical condition as referred by the local government.

MOI shall jointly with MOD develop guidelines for the organization of the Grades of Physical Condition of Draftees Review Committee.

第 36 條 依本規則規定接受兵籍調查、徵兵檢查、複檢、抽籤之役男，其就業單位或就讀學校應給予公假。

Article 36 The employer or the academic institute shall grant an official leave to any of his employee or its student who is a draftee and required to accept the military register investigation, conscription examination, review examination, and/or lot drawing as provided in these Regulations.

第 37 條 大陸地區、香港、澳門來臺之役男，自初設戶籍登記之翌日起，於屆滿一年後，應辦理徵兵處理。

Article 37 For any draftee coming to Taiwan from the Mainland China, Hong Kong or Macao shall be subject to the conscription procedures one year later upon the next day immediately following the completion of the household registration for the first time in Taiwan.

第 38 條 依本規則所為之通知，應以書面行之，並依法定程序送達。

Article 38 Any notice to be given under these Regulations shall be given in writing and served according to the legal procedure.

第 39 條 本規則所需書表格式，由內政部定之。

Article 39 MOI shall determine the format respectively for the forms provided in these Regulations.

第 40 條 本規則自中華民國九十年一月一日施行。

Article 40 These Regulations shall become operative on and after the first day of January 2001.