

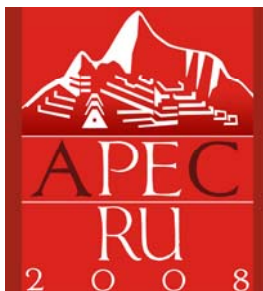


**Asia-Pacific
Economic Cooperation**

2008/TEL38/LSG/SEC/003

Consulting Stakeholders During Proceedings Practices in Chinese Taipei

Purpose: Consideration
Submitted by: Chinese Taipei



Stakeholder Engagement and Consultations

Lima, Peru

14 October 2008



Consulting Stakeholders During Proceedings

Practices in Chinese Taipei

LIN, Yung-Yu
National Communications Commission
Chinese Taipei
14 October 2008



Outline

- ◆ Legal Framework
- ◆ Forms of Stakeholder Consulting
- ◆ Case Study
- ◆ Lessons Learned
- ◆ Further Discussion

Legal Framework (1/2)

◆ Administrative Procedure Act

⇒ Promulgated – Feb. 1999

⇒ Administrative procedure followed in most administrative acts:

- Establish legal orders and administrative rules
- Determine administrative plans
- Employ administrative guidance
- Deal with petitions

⇒ Principles

- Fair - Open - Democratic - Transparent
- Natural justice
- Due process of law

Legal Framework (2/2)

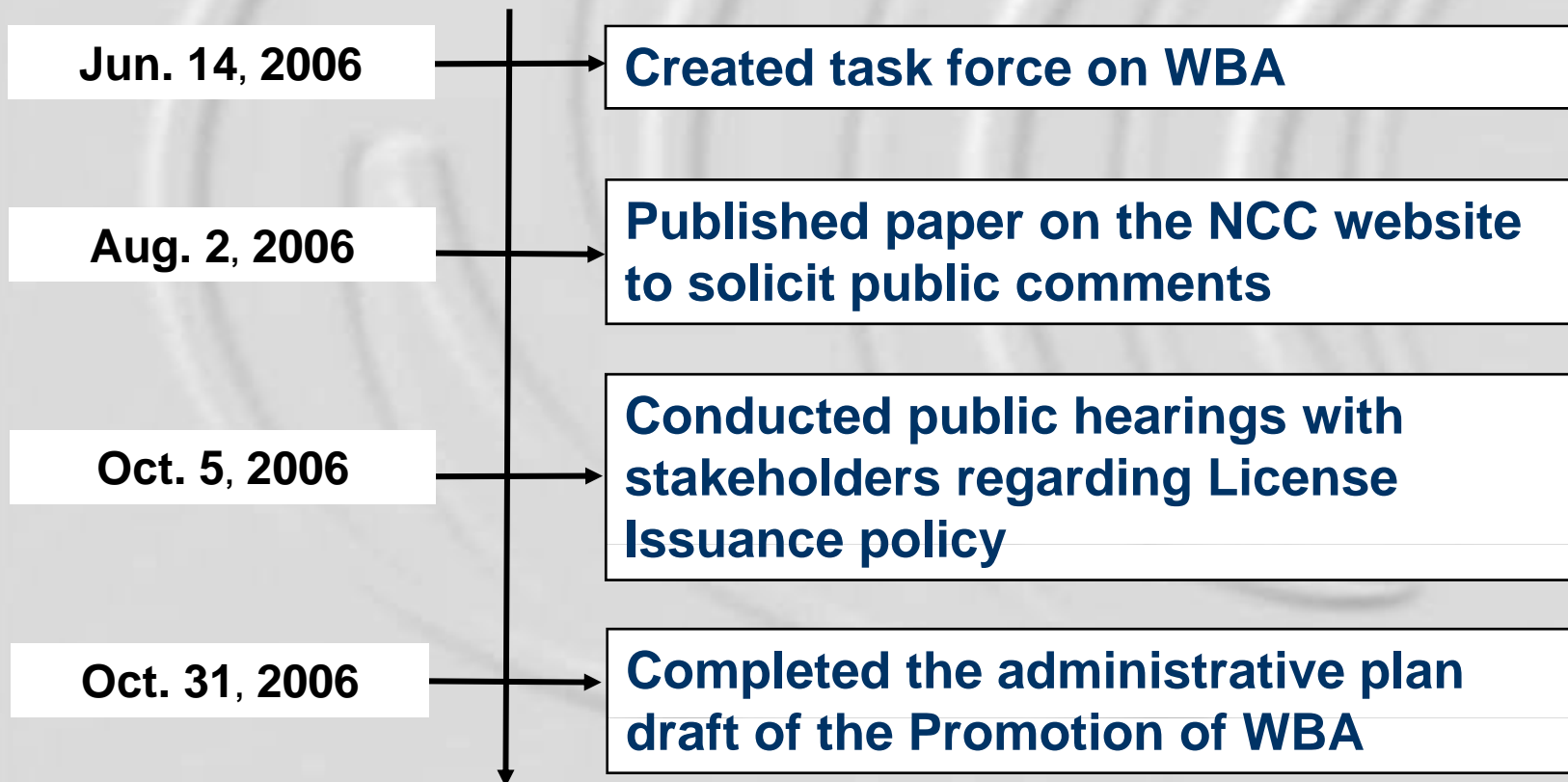
- ◆ **Consultation related rules are included in the Administrative Procedure Act**
 - ⇒ **Articles 54~66 Hearing Proceedings**
 - ⇒ **Articles 102~109 Statement of Opinions; Hearing**
 - ⇒ **Articles 154~156 Prior Announcement, ex officio hearings for the establishment of a legal order**

Forms of Stakeholder Consulting

- ◆ Solicit comments on websites
- ◆ Surveys
- ◆ Public Hearings
- ◆ One on one meetings

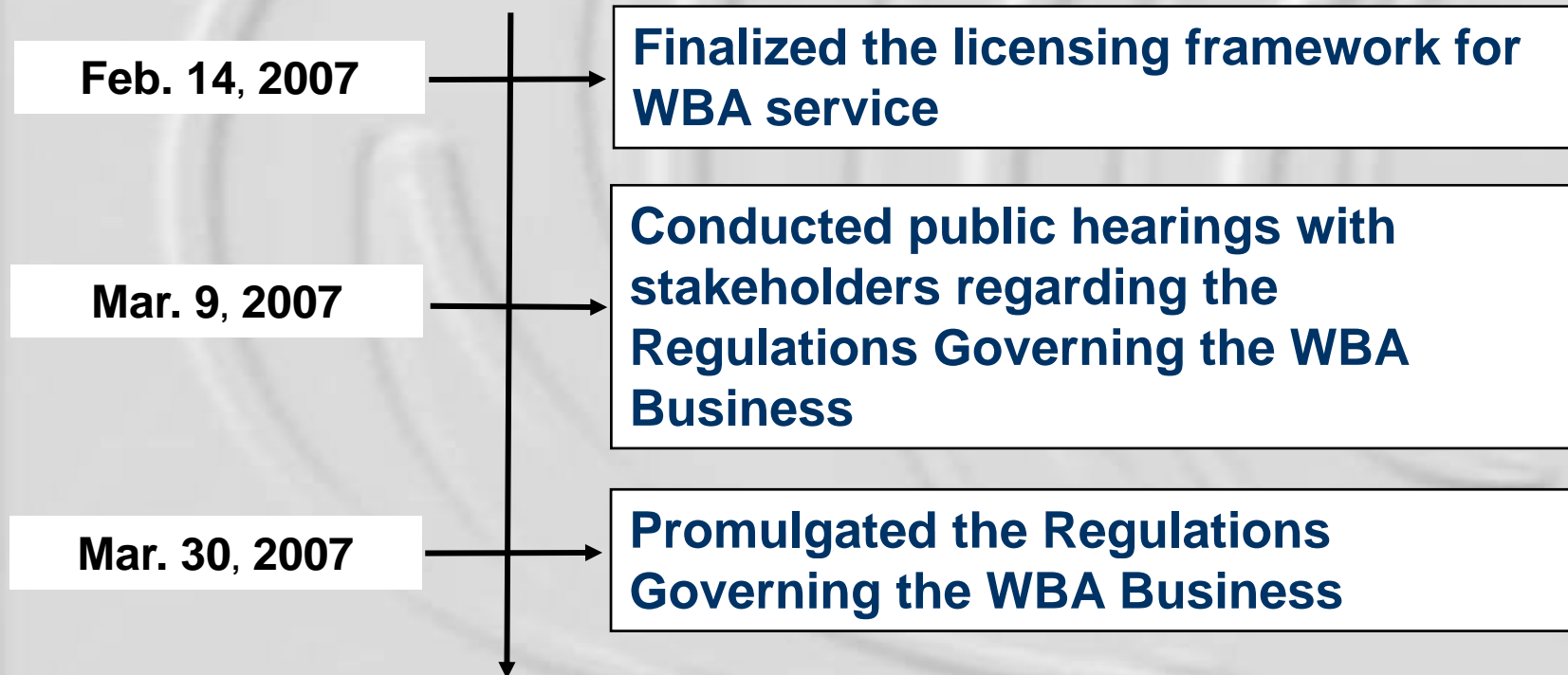
Case Study (1/3)

◆ The Process of Promulgating Wireless Broadband Access Services Regulations



Case Study (2/3)

◆ The Process of Promulgating Wireless Broadband Access Services Regulations



Case Study (3/3)

◆ The Process of Promulgating Wireless Broadband Access Services Regulations

During the consulting process

⇒ **14 opinion papers received from the website**

⇒ **10 issues raised and 51 enterprises involved in the hearings**

Lessons Learned

◆ Pros

- ⇒ Utilizes greater expertise
- ⇒ Creates synergy and trust between players
- ⇒ Reduces opposition
- ⇒ Creates greater stakeholder satisfaction
- ⇒ Creates a feeling of commitment to a plan

Lessons Learned

◆ Cons

- ⇒ Stakeholders may be passive
- ⇒ Overly assertive stakeholders can create imbalance
- ⇒ High administrative cost
- ⇒ Lower efficiency

Further Discussion

◆ Issues for Further Discussion

- ⇒ Encouraging greater participation of stakeholders
- ⇒ The use of ICT in consulting



Thank you for Your Attention!

