

Press Release

Taiwan Yunlin District Prosecutors Office

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Summary of an indictment of the Yunlin District Prosecutor's Office, Taiwan

113th Annual Investigation No. 429, etc.

Defendent1: Ruan Shi○○, female, 44-years-old

Defendent2: Wang○Hong, male, 50-years-old

Defendent3: Wei○Hua, male, 61-years-old

Defendent4: Ruan○Jun, male,Vietnamese, 43-years-old

The above-mentioned defendants have been investigated for fraud,etc, and should be prosecuted. The criminal facts and evidence are summarized as follows:

1.Ruan Shi ○○ is the business manager, Vietnamese interpreter and Vietnamese labor management cadre of Shang○Manpower Agency Co. Ltd. Ruan○Jun is a live-in friend of Ruan Shi○○ and is responsible for assisting Ruan Shi○○ in handling foreign labor management. Wang○Hong and Wei○Hua are both joint operators of Shang○Manpower Agency Co., Ltd. and Shang◎Manpower Agency Co., Ltd. Chen○Heng (subject to deferred prosecution) is the person in charge of Yong○Xin Enterprise Co., Ltd. (hereinafter referred to as Yong○Xin Company) and Chang○Engineering Co., Ltd. (hereinafter referred to as Chang○Engineering), Wang○Lun (also subject to deferred prosecution) is the person in charge of "Bao ○Engineering Co., Ltd." (hereinafter referred to as Bao○Company), Liu○Yuan (also subject to deferred prosecution) is the person in charge of "Yuan○Metal Co., Ltd." (hereinafter referred to as Yuan○Company). Xu○Di (also subject to deferred prosecution) is the person in charge of

"Feng○Enterprise Co., Ltd." (hereinafter referred to as "Feng○Enterprise"), and Jiang○Hao (also subject to deferred prosecution) is the director of "Kai○Bed Industry Co., Ltd." (hereinafter referred to as "Kai○Company"). Jiang○Hong (also subject to deferred prosecution) is the person in charge of "Chang○Engineering Co., Ltd." (hereinafter referred to as Chang○Company), and Wu○Bao (non-prosecuted) was the nominal person in charge of Bao○Engineering Company (hereinafter referred to as Bao○ Engineering), while Zhan○Yan (also subject to deferred prosecution) is the actual person in charge. And Zhang○Fu (also subject to deferred prosecution) is the person in charge of Yong○cheng Engineering. Liu○Sheng (also subject to deferred prosecution) is the person in charge of "Jia○Insulation Engineering Co., Ltd." (hereinafter referred to as Jia○Insulation Company), and Zhong○Shan (also subject to deferred prosecution) is the person in charge "Tai○ Engineering Company". Though Wei○Hua, Wang○Hong, and Ruan Shi○○ all knew that the companies listed in Appendix 4 did not meet the requirements for the numbers of foreign migrant workers applying for employment, but they committed illegal acts for their profits, based on intentions of defrauding, by filling out false accounting vouchers to make civil servants publish false documents, in order to enable companies in Appendix 4 to get sufficient quotas and employment permits for foreign migrant workers, and to obtain illegal intermediary fees. So Wang○Hong and Wei○Hua instructed Ruan Shi○○ to contact the actual persons in charge of the firms shown in Appendix 4. since some time before September 15, 2020, and jointly rented some places in Appendix 1 for a short period of time. Then they attached the addresses to the "Factory Registration Application Forms" with cadastral transcripts and maps, industry categories and product information, plant rooms and building area, etc. to apply for factory registration permit of the company shown in Appendix 1 by Taichung City Government. The false applications caused innocent civil servants to publish false permits such as the factory registration on the official documents relevant to their duties after superficial reviews, and based on this, issuing false certificates and licenses. The false approval undermined the accuracy of the factory registration of the Taichung City Government; Then Ruan Shi○○ jointly filled out the "Application Form for the Introduction of Migrant Workers by Industrial Entrepreneurs with Specific Processes in the Manufacturing Industry" and attached it to the Appendix 4 to display the operating information of each company, and in order to obtain the trust of the authorities, they

attached false invoices, property catalogs and production flow charts, factory photos and other equipment lists, factory floor plans shown in Appendix 2, to apply for the foreign migrant worker quota level censored by the Industrial Bureau of the Ministry of Economic Affairs, causing innocent civil servants to publish the untrue facts on the official documents relevant to their duties after superficial reviews. Thus the foreign worker allocation ratio grade letters were issued. Nguyen Shi○○, Wang○Hong, Wei○hua and the actual persons in charge of firms shown in Appendix 4 all knew that according to Article 46, Paragraph 1, subparagraphs 8 to 11 of the Foreigners Engaged in Employment Services Act, and the following provisions of Article 13 of the Work Qualifications and Review Standards, if the employer does not hire domestic workers meeting the legal proportion, it will not be able to apply for permission to obtain the required foreign worker quota. Since the company factories listed in Appendix 4 wanted to exchange more quotas for hiring foreign workers, they hired a large number of untrue domestic workers, so as to achieve the purpose of increasing the number of foreign workers that can be recruited or hired. Carrying forward the previous offense, Ruan Shi○○, Wang○Hong, and Wei○hua used unknown methods to obtain the domestic workers names listed in Appendix 3 to serve as workers for the companies listed in Appendix 4. Then they surrendered insurance in cross and repeated ways, and asked Ruan○○ or others to fill in false insurance application and declaration forms submitting to the Labor Insurance Bureau of the Ministry of Labor (hereinafter referred to as the Labor Insurance Bureau) in order to apply for labor insurance. The civil servants responsible for the relevant business made mistakes too after superficial reviews. So the false surrender matter was published on the official documents. After the labor insurance took effect, false calculation sheet and application form to apply for foreign workers were submitted to the Workforce Development Agency of the Ministry of Labor (hereinafter referred to as the Labor Ministry). The relevant personnel of the Labor Ministry who were unaware of the above tricks thereafter believed that the domestic workers listed in Appendix 2 were indeed in those factories. Thus foreign labor quotas were approved for the company and factory listed in Appendix 4 in exchange, and a recruitment (introduction) permission letter were given. Then Li○Feng (also subject to deferred prosecution) provided his employment service professional certificate, and Lin○Fen (also subject to deferred prosecution) filled out the employer's

application for hiring foreigners and signed Li○Feng's signature, jointly introduced or undertook the employment of foreign workers listed in Appendix 3, which caused harm to the Department of Insurance and Welfare of Labor Ministry and misled the migrant workers listed in Appendix 5 into believing that they were working legally at the workplace specified in the contracts, but in fact they were working illegally in Taiwan. Ruan○Jun knew about Ruan Shi ○○'s tricks, and helped to contact migrant workers in Appendix 5, so that they could look legal. In fact, they were working in Taiwan illegally, and he helped others to fraudulently obtain money, to make civil servants publish false documents and to fill out false accounting vouchers for criminal purposes, by assisting Ruan Shi○○ as translator in managing migrant workers and transporting Ruan Shi○○ or migrant workers in the Appendix 5, and thus made migrant workers in Appendix 5 regularly pay agency fees to Ruan Shi○○, Wang○ Hong, Wei○Hua, and Ruan○Jun, causing harm to the migrant workers listed in Appendix 5.

2. Case history : The prosecutor of this agency directed the Keelung City Special

Task Force of the Northern District Affairs Brigade of the Immigration Service of the Ministry of Interior, and the Yunlin County Special Task Force of the Southern District Affairs Brigade of the Immigration Service of the Ministry of Interior, and the Yunlin County Investigation Station of the Investigation Bureau of the Ministry of Justice, and the Investigation and Prevention Branch of the Coast Guard of the Yunlin Investigation Team, and Douliu Branch of the Yunlin County Police Department, that transferred and reported the case for investigation.

3. Defendant Wei○Hua, Wang○Hong, and Ruan Shi○○ all violated Article 64,

Paragraph 2, of the Employment Service Law, intending to make profit as a medium for foreigners to illegally work for others, and violated Articles 214 and 216 of the Criminal Code when the exercise causes a public servant to publish false official documents, and Articles 216 and 215 of the same act to publish false business documents, and Article 339-4, Paragraph 1, subparagraph 2, i.e. three or more people jointly commit the crime of obtaining profits by fraud; What defendant Ruan○Jun did was to commit the Article 30, Paragraph 1, of the Criminal Code, i.e. helping others commit crimes to violate Article 64, Paragraph 2 of the

Employment Service Law, and Articles 214 and 216 of the Criminal Code, and Articles 216, and 215 of the Criminal Code. Defendant Wei○Hua, Wang○Hong and Ruan Shi○○ had contact with each other with criminal intent and shared their actions, and thus were joint principal offenders. Though Defendant Wei○Hua, Wang○Hong, and Ruan Shi○○ forged several documents, their acts of publishing false information were either done at the same time and at the same place, or were carried out in close proximity. Their purpose of bringing intermediary foreigners to Taiwan to work is the same, and the independence of their act is weak. According to the general concept of social viewpoints, it is difficult to forcibly separate them due to the time gap. In terms of criminal law evaluation, their consecutive execution of several acts is regarded as one and included. So it is more reasonable to evaluate their behavior as one. Since they violated different social, national, and personal legal interests with one act, they should be punished severely in accordance with the provisions of Article 55 of the Criminal Code. The defendants illegally introduced migrant workers for different companies listed in Appendix 4. Please refer to the companies listed in Appendix 4 for the number of their crimes. Since their criminal intentions and behaviors are different, please separate them and punish them. The defendant Ruan○Jun only helped others to commit the crimes mentioned above. As an accomplice, according to the provisions of Article 30, Paragraph 2 of the Criminal Code, the sentence of the defendant Ruan○Jun shall be reduced. If the criminal proceeds that have not been detained are calculated according to Appendix 5, please declare that they are criminal proceeds that have not been detained are confiscated in accordance with the provisions of Article 38-1, Paragraph 1, and Paragraph 3 of the Criminal Code, and inform all or part of the criminal proceeds, even though not seized, should be confiscated or if it is inappropriate to carry out the confiscation, the value shall be levied.

4. Thus Initiate a public prosecution in accordance with Article 251, Paragraph 1 of the Criminal Procedure Law.

Sincerely to

Taiwan Yunlin District Court

January 15, 113th year of the Republic of China

Prosecutor Duan Kefang