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Reviewing Anti-Bribery Law on Combating Bribery of Foreign Public Officials

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Abstract

In recent years, anti-bribery of foreign public officials has received high attention by the international community. While the U.S. government expands the enforcement region of the Foreign Corrupt Practices Act (FCPA) from Europe and America to Asia, the enterprises and technology industries in Taiwan should pay more attention to the prohibition against bribing foreign officials in order to decrease legal risk. In the past, the main regulate focus of the corruption prohibition laws in Taiwan were mainly on the public sector. Although the bribery of foreign officials became criminalized in Taiwan in 2003, from the perspective of implementing the anti-bribery policy and enhancing the competitiveness edge of the enterprises, the laws currently in force leave many problems to be solved, and the enterprises was left no clear rules to comply. For the first part of this article, it will introduce the issues currently existed in the anti-bribery laws in Taiwan. In the sec-

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ond part, this article will clarify the recent issues regarding the corporate compliance program of the FCPA. Finally, it will consider and provide legislative suggestions that may improve Taiwan's anti-bribery policy from the perspective of U.S. law and on the basis of qualitative research conducted.

Keywords: Bribery, Foreign Officials, FCPA, Enterprises, Compliance Program