

**Developments in the Administrative Law in 2020:
Comments on Practice with Perspectives of Separation of
Powers**

Ming-Hsin Lin*

Abstract

Although the Covid-19 pandemic has continued to rage around the world since 2020, Taiwan's legislative activities and judicial decisions in the field of administrative laws were vibrant and productive in such a standstill year. As usual, those legislative activities and judicial decisions involved diverse issues; some of them gave satisfactory solutions for the existing questions, yet some spawned even more disputes. However, in order to narrow down the annual review scope to a pragmatic topic, the main objects to be discussed in this article are the legislative activities and judicial decisions about the doctrine of separation of powers in the year 2020. Thus, the relationship between the legislative and executive authorities, the division of powers between the central and local governments, and the division of the power of jurisdiction are the three essential aspects of this article that reviews the development of Taiwan's administrative law in practice in 2020. Most of the disputes happen in the aforesaid three aspects because the current legislators and legal practitioners in Taiwan prefer to apply the traditional approach to address the issues involved in these parts. As a result, in order to deal with the disputes, this article proposes several new paths to replace the traditional approach. This research results are expected to provide some insightful perspectives which contribute towards the future of administrative law in Taiwan.

* Professor, College of Law, National Taiwan University.
E-mail: mhlin12@ntu.edu.tw

Keywords: separation of powers, statutory reservation, clarity and definiteness of statutory authorization, local self-government, jurisdiction