


Content

Title :	Nuclear Emergency Response Act 
Date :	2003.12.24
Legislative :	1.中華民國九十二年十二月二十四日總統華總一義字第 09200240981 號令制定公布全文 45 條；本法施行日期，由行政院定之 中華民國九十四年四月二十日行政院院臺科字第 0940011847 號令發布定自九十四年七月一日施行
Content :	<p>Nuclear Emergency Response Act Promulgated on December 24, 2003 by Presidential Decree No. Hua-Tsong-Yi-Yi-Tsu 09200240981 Note: In case of any discrepancy between the English version and the Chinese text of these Provisions, the Chinese shall govern.</p> <p>Chapter I General Principles page</p> <p>1. Purpose 1 2. Definitions 1 3. Competent Authority 3 4. Research Nuclear Reactors 3 5. Classification 4</p> <p>Chapter II Organizations and Responsibilities</p> <p>6. Response Centers 4 7. Responsibility of National Nuclear Emergency Response Center 4 8. Responsibility of Regional Nuclear Emergency Response Center 5 9. Responsibility of Nuclear Emergency Radiation Monitoring and Dose Assessment Center 6 10. Responsibility of Nuclear Emergency Support Center 6 11. Responsibility of Nuclear Emergency Response Unit 7 12. Responsibility of Nuclear Emergency Response Organization within the Facility 7</p> <p>Chapter III Preparedness Measures</p> <p>13. Emergency Planning Zone (EPZ) 8 14. Emergency Response Plans 8 15. Exercise 9 16. Duties of the central Competent Authority 10 17. Designated Agency(ies) 10 18. Duties of regional Competent Authority 10 19. Facility Licensee 11 20. Inspection and Testing 11 21. Correction and Improvement 12 22. Public Education 12</p> <p>Chapter IV Response Measures</p> <p>23. Quick Response 12 24. Activation of National Nuclear Emergency Response Center and Nuclear Emergency Radiation Monitoring and Dose Assessment Center 13 25. Outside Help 13 26. Activation of Regional Response Center 13 27. Activation of Nuclear Emergency Support Center 14 28. Daily Necessity 14 29. Working Report 14</p> <p>Chapter V Recovery Measures</p> <p>30. Nuclear Emergency Recovery Committee 14 31. Responsibilities of Nuclear Emergency Recovery Committee 15</p> <p>Chapter VI Penal Provisions</p> <p>32. Being Irresponsive 15 33. Failure to Provide Assistance 15</p>

- 34. Failure to Revise EPZ 16
- 35. Failure to Provide Public Protection Measures 17
- 36. Refusal of Inspection and Testing 18
- 37. Failure to Carry out Maintenance, Management, and Testing 18
- 38. Failure to Correct and Improve 19
- 39. Inaction of Research Reactor Licensee 19
- 40. Necessary Assistance 19
- 41. Executing Authority 20
- 42. Payment Deadline 20

Chapter VII Supplementary Provisions

- 43. Fund 20
- 44. Implementation 21
- 45. Effective Date 21

Chapter I General Principles

Article 1 Purpose

Paragraph 1.1

The purpose of this Act is to establish an emergency response system in the event of a nuclear accident, and to strengthen the emergency response functions so as to ensure the safety and health of the public and to protect their properties.

Paragraph 1.2

The emergency response for nuclear accidents is stipulated in accordance with this Act; situations not covered by this Act are to be dealt with according to the Disaster Prevention and Relief Act and the provisions of other relevant codes.

Article 2 Definitions

The terms used in this Act are defined as follows:

- (1) Nuclear Accident refers to an emergency occurring in a nuclear reactor facility whose response organization fails to eliminate the causes of the accident promptly and to prevent enlargement of the hazard, thereby leading to the release of radioactive material or concern of possible release, which is sufficient to give rise to an accident of radiation detriment.
- (2) Nuclear Reactor Facility refers to an installation with nuclear fuel in appropriate array where the self-sustained chain reaction of controllable nuclear fission can take place together with its associated buildings and equipment; several nuclear reactor facilities installed at the same site by the same licensee are regarded as one reactor facility.
- (3) Research Nuclear Reactor Facility refers to a nuclear reactor facility mainly for the purpose of teaching, research, or experimentation.
- (4) Nuclear Reactor Facility Licensee refers to a licensee that has been designated or approved by the government to operate the nuclear reactor facility.
- (5) Emergency Planning Zone (EPZ) refers to a zone where the emergency response plan

1

must be carried out and the public protective measures must be taken immediately upon the occurrence of a nuclear accident.

- (6) Preparedness Measures refer to various actions of planning, organizing, training, and exercising that are taken in advance at ordinary times and can be adopted promptly upon the occurrence or possible occurrence of a nuclear accident.

- (7) Response Measures refer to measures to be taken upon the occurrence or possible occurrence of a nuclear accident with various actions of preventing continual deterioration of the accident and protecting the safety, health and properties of the public.

- (8) Recovery Measures refer to relevant protective measures needed to complete temporary relocation, area control of access and egress, and control of food and drinking water after the nuclear accident has been controlled and deterioration no longer continues but before the accident affected area may be recovered to its normal living conditions.

- (9) Designated Agency refers to a governmental agency designated by the Executive Yuan to carry out emergency response affairs for nuclear accidents.

- (10) Public Protection refers to measures taken upon the occurrence or possible occurrence of a nuclear accident to reduce radiation exposure and protect the safety, health of the public. Such measures include sheltering,

iodine tablet administration, evacuation and accommodation, control of food and drinking water, temporary relocation, area control of access and egress, decontamination and cleanup, and medical aid.

(11) Sheltering refers to an action taken by the public to stay indoors with windows, doors, and ventilation systems promptly closed, so as to reduce the possibility of inhaling radionuclides and receiving radiation exposure.

(12) Iodine Tablet refers to the drug potassium iodide (KI); as a certain dosage is taken timely upon the occurrence or possible occurrence of a nuclear accident, it can prevent the released radionuclide from depositing in the thyroid glands, so as to avoid or reduce

2

the thyroid cancer morbidity.

(13) Emergency Response Plan refers to the emergency response basic plan, the public protection plan within the EPZ, or the emergency response plan of a nuclear reactor facility.

(14) Emergency Response Basic Plan refers to a general emergency response plan for nuclear accidents laid down by the central Competent Authority in consultation with the designated agencies.

(15) Public Protection Plan within the EPZ refers to a regional public protective response plan for nuclear accidents laid down by the local governments governing the EPZ in order to ensure public safety in the region.

(16) Emergency Response Plans for the Nuclear Reactor Facility refer to on-site and offsite emergency response plans for nuclear accidents laid down by the licensee of a nuclear reactor facility for taking the rescue of the facility and in coordination with public protective operations in the region.

Article 3 Competent Authority

The Competent Authority in this Act is the Atomic Energy Council (AEC) of the Executive Yuan at the central government level; at the local government level are the municipal government and the county (city) government governing the EPZ.

Article 4 Research Nuclear Reactors

Paragraph 4.1

For research nuclear reactors with thermal power under a certain limit, the central Competent Authority shall lay down other regulations to control the emergency response organization including organizing, preparedness, response, and recovery measures as well as inspection and testing. The provisions of Chapters II to V and Article 43 of Chapter VII shall not apply. 3

Paragraph 4.2

The limit in Paragraph 4.1 shall be laid down and announced by the central Competent Authority.

Article 5 Classification

The central Competent Authority shall properly classify degrees of possible impact of the nuclear accident, and lay down response and notification provisions accordingly.

Chapter II Organizations and Responsibilities

Article 6 Response Centers

Paragraph 6.1

In order to carry out emergency response action effectively upon the occurrence or possible occurrence of a nuclear accident, and according to the degree of possible impact of the nuclear accident, the central Competent Authority shall activate the National Nuclear Emergency Response Center and the Radiation Monitoring and Dose Assessment Center, the Ministry of National Defense shall activate Nuclear Emergency Support Center, and the local Competent Authority shall activate the Regional Nuclear Emergency Response Center.

Paragraph 6.2

The activation timing, operational procedures, and grouping of the preceding National Nuclear Emergency Response Center and the Radiation Monitoring and Dose Assessment Center are to be laid down by the central Competent Authority. The grouping and operational procedures of the Nuclear Emergency Support Center are to be laid down by the Ministry of National Defense. The grouping and operational procedures for the Regional Nuclear

Emergency Response Center are to be laid down by the local Competent Authority.

Paragraph 6.3

The nuclear reactor facility licensee shall set up a dedicated Nuclear Emergency

4

Response Unit, and activate the Nuclear Emergency Response Organization within the facility upon the occurrence or possible occurrence of a nuclear accident. The establishment of the Nuclear Emergency Response Unit and the activation timing, operational procedures and grouping of the Nuclear Emergency Response Organization within the facility are to be drawn up by the facility licensee and submitted to the central Competent Authority for approval.

Paragraph 6.4

The central Competent Authority may call upon the Total Defense Mobilization Preparation System to carry out relevant emergency response actions when necessary.

Article 7 Responsibility of National Nuclear Emergency Response Center

The National Nuclear Emergency Response Center shall:

- (1) plan and supervise the implementation of response measures,
- (2) analyze, assess, and manage the nuclear accident,
- (3) notify the local Competent Authority to activate the Regional Nuclear Emergency Response Center,
- (4) notify the Ministry of National Defense to activate Nuclear Emergency Support Center,
- (5) issue press release and activate public notification systems,
- (6) announce orders for public protection actions,
- (7) dispatch manpower and resources of the designated agencies, and
- (8) implement any other measure to prevent enlargement of the hazard.

Article 8 Responsibility of Regional Nuclear Emergency Response Center

The Regional Nuclear Emergency Response Center shall:

- (1) carry out the protective actions of sheltering, iodine tablet distribution, and public evacuation/transportation in accordance with the command given by the National Nuclear Emergency Response Center,
- (2) assist in issuing press release and activating public notification systems,

5

- (3) arrange accommodations, temporary relocation, and emergency medical aid for the evacuees,
- (4) carry out traffic control, security, and order maintenance of the accident affected area, and
- (5) implement any other measure to prevent enlargement of regional hazard.

Article 9 Responsibility of Nuclear Emergency Radiation Monitoring and Dose Assessment Center

Paragraph 9.1

The Nuclear Emergency Radiation Monitoring and Dose Assessment Center shall:

- (1) carry out radiation measurements for personnel, vehicles, and the environment,
- (2) assess the degree and affected area of the accident, evaluate public radiation dose, and propose protective actions,
- (3) provide sufficient information and technology to the various levels of emergency response centers, and
- (4) implement any other measure as assigned by the National Nuclear Emergency Response Center.

Paragraph 9.2

When the Nuclear Emergency Radiation Monitoring and Dose Assessment Center carries out the preceding items, the designated agencies and the nuclear reactor facility licensee shall dispatch staff to assist.

Paragraph 9.3

The nuclear reactor facility licensee shall provide a workplace and necessary equipment at an appropriate location for the Nuclear Emergency Radiation Monitoring and Dose Assessment Center. The licensee is responsible for the maintenance, management, and testing of the workplace and various equipment at ordinary times.

Article 10 Responsibility of Nuclear Emergency Support Center

Paragraph 10.1

The Nuclear Emergency Support Center shall:

- (1) carry out the decontamination of contaminated personnel, vehicles, and major roads,
- (2) assist the Regional Nuclear Emergency Response Center in carrying out public sheltering, evacuation/transportation, accommodation of evacuees, temporary relocation, emergency medical aid, iodine tablet distribution, traffic control, security, and order maintenance,
- (3) assist the Nuclear Emergency Radiation Monitoring and Dose Assessment Center in radiation measurement, and
- (4) implement any other measure as assigned by the National Nuclear Emergency Response Center.

Article 11 Responsibility of Nuclear Emergency Response Unit

The Nuclear Emergency Response Unit shall:

- (1) provide relevant support, coordination, and suggestion for the emergency response operations within the nuclear reactor facility upon the occurrence or possible occurrence of a nuclear accident,
- (2) collect and analyze accident information, and assess radiation dose and its degree of impact,
- (3) coordinate with emergency response centers of various levels to carry out relevant response measures,
- (4) notify, communicate, and coordinate with competent authorities of various levels and seek outside support, and
- (5) supervise and evaluate emergency response affairs within the nuclear reactor facility, and conduct exercise planning.

Article 12 Responsibility of Nuclear Emergency Response Organization within the Facility

7

The Nuclear Emergency Response Organization within the Facility shall:

- (1) control, analyze, and assess accident conditions and take proper response,
- (2) conduct environmental radiation measurement and dose assessment,
- (3) direct and implement the emergency response actions within the facility,
- (4) make accident notification and communication and provide relevant information, and
- (5) implement protective actions for workers and control measures within the facility.

Chapter III Preparedness Measures

Article 13 Emergency Planning Zone (EPZ)

Paragraph 13.1

The nuclear reactor facility licensee shall follow the provisions laid down by the central Competent Authority to define the Emergency Planning Zone (EPZ) in the surrounding area of a nuclear reactor facility, and review and revise periodically; its definition or revision shall be submitted to the central Competent Authority for approval and announcement.

Paragraph 13.2

The nuclear reactor facility licensee shall periodically submit the analysis and planning of the public protective measures within the EPZ to the central Competent Authority for approval, and set up necessary places and equipment according to the approved analysis and planning.

Paragraph 13.3

For the preceding necessary places and equipment to be set up, the competent authorities of various levels and the designated agencies shall provide necessary assistance.

Article 14 Emergency Response Plans

Paragraph 14.1

The central Competent Authority shall consult each designated agency to lay down the

8

Emergency Response Basic Plan and the Nuclear Emergency Public Protective Action Guides, submit them to the Executive Yuan and make public announcement upon approval.

Paragraph 14.2

The regional Competent Authority shall lay down the Public Protection Plan

within the EPZ according to the Emergency Response Basic Plan and the Nuclear Emergency Public Protective Action Guides.

Paragraph 14.3

The nuclear reactor facility licensee shall draw up the Emergency Response Plan for the Nuclear Reactor Facility.

Paragraph 14.4

The Public Protection Plan within the EPZ in Paragraph 14.2 and the Emergency Response Plan for Nuclear Reactor Facility in Paragraph 14.3 shall be submitted to the central Competent Authority for approval and announcement.

Article 15 Exercise

Paragraph 15.1

The central Competent Authority shall periodically select an EPZ and conduct exercise according to the approved Emergency Response Basic Plan.

Paragraph 15.2

The designated agencies, the regional Competent Authority, the nuclear reactor facility licensee, and the public and private schools, local government agencies, organizations, companies, factories, and the public shall cooperate in carrying out the preceding exercise.

Paragraph 15.3

The preceding schools, local government agencies, organizations, companies and factories shall grant an official leave of absence to those personnel who participate in the exercise.

9

Paragraph 15.4

For each nuclear reactor facility, the licensee shall periodically carry out the exercise according to the Emergency Response Plans for the Nuclear Reactor Facility.

Article 16 Duties of the central Competent Authority

The central Competent Authority shall conduct the following according to the approved Emergency Response Basic Plan:

- (1) operations of the National Nuclear Emergency Response Center,
- (2) planning, supervision, and coordination of preparedness, training, and exercise,
- (3) personnel grouping and training, and equipment testing and maintenance,
- (4) inspection and testing of preparedness measures of nuclear emergency response,
- (5) compilation and revision of operational procedures,
- (6) planning and implementation through empowerment of research and development items and
- (7) other relevant items.

Article 17 Designated Agency(ies)

Paragraph 17.1

The designated agency(ies) shall follow the Emergency Response Basic Plan to carry out personnel grouping and training, and equipment testing and maintenance.

Paragraph 17.2

When the designated agency follows the preceding provisions to carry out personnel grouping and training, competent authorities of various levels and the nuclear reactor licensee shall provide necessary assistance.

Article 18 Duties of regional Competent Authority

Paragraph 18.1

In order to effectively carry out public protective actions, the regional Competent

10

Authority shall follow the approved Public Protection Plan within the EPZ to:

- (1) conduct personnel grouping, training, and exercise,
- (2) install, test, and maintain equipment and facility,
- (3) store, inspect, and dispatch public protective materials and equipment, and
- (4) plan and implement items of other emergency response and preparedness measures.

Paragraph 18.2

When the regional Competent Authority carries out the preceding items, the central Competent Authority, the designated agency(ies), and the nuclear

reactor facility licensee shall provide necessary assistance.

Paragraph 18.3

In order to carry out the items in Paragraph 18.1, the regional Competent Authority may set up a dedicated unit.

Article 19 Facility Licensee

The nuclear reactor facility licensee shall follow the approved Emergency Response Plan for the Nuclear Reactor Facility to:

- (1) conduct personnel grouping and exercise,
- (2) install, test, and maintain equipment and facility,
- (3) establish and revise operational procedures,
- (4) record and safekeep documents and data, and
- (5) carry out other relevant items.

Article 20 Inspection and Testing

The central Competent Authority shall inspect and test, at anytime, relevant measures regarding nuclear emergency response and preparedness according to the provisions of this Act as implemented by the designated agency(ies), the regional Competent Authority and the nuclear facility licensee. The organizations being inspected shall not evade, interfere, or refuse.

Article 21 Correction and Improvement

Upon completion of the preceding inspection and testing or deemed necessary, the central Competent Authority may require the designated agency(ies), the regional Competent Authority, and the nuclear reactor facility licensee to correct or improve the emergency response and preparedness measures, and equipment as well, within a limited period of time.

Article 22 Public Education

Paragraph 22.1

Competent authorities of various levels shall educate the public in the EPZ and its nearby regions in the emergency response plan.

Paragraph 22.2

The nuclear facility licensee shall provide necessary assistance to the preceding public education.

Chapter IV Response Measures

Article 23 Quick Response

Paragraph 23.1

Upon occurrence or possible occurrence of a nuclear accident, the nuclear reactor facility licensee shall promptly carry out response measures according to the Emergency Response Plans for the Nuclear Reactor Facility and notify competent authorities of various levels.

Paragraph 23.2

Upon completion of the preceding notification, the nuclear reactor facility licensee shall send the relevant information on the accident to competent authorities of various levels or their associated emergency response organizations at a given time interval according to the provisions laid down by the central Competent Authority.

12

Article 24 Activation of National Nuclear Emergency Response Center and Nuclear Emergency Radiation Monitoring and Dose Assessment Center

Paragraph 24.1

Upon receipt of the notification in Paragraph 23.1, the central Competent Authority shall follow the Emergency Response Basic Plan to take the response measures promptly. When necessary it shall call the designated agency(ies) and the nuclear reactor facility licensee to activate the Nuclear Emergency Radiation Monitoring and Dose Assessment Center to carry out response operations.

Paragraph 24.2

The central Competent Authority shall report to the Executive Yuan at appropriate time based on the development of the nuclear accident and set up the National Nuclear Emergency Response Center to proceed with response measures.

Article 25 Outside Help

Upon occurrence of a nuclear accident, the government shall inform the neighboring countries and the associated international organizations at appropriate time, and shall ask their assistance when necessary.

Article 26 Activation of Regional Response Center

Paragraph 26.1

Upon receipt of the notification from the National Nuclear Emergency Response Center, the regional Competent Authority shall promptly activate the Regional Nuclear Emergency Response Center to carry out the response measures according to the Public Protection Plan within the EPZ.

Paragraph 26.2

The central Competent Authority and the nuclear reactor facility licensee shall dispatch their staff to provide nuclear technical advice to the Regional Nuclear Emergency Response

13

Center.

Article 27 Activation of Nuclear Emergency Support Center

Upon receipt of the the notification from the National Nuclear Emergency Response Center, the Ministry of National Defense shall promptly activate the Nuclear Emergency Support Center to assist in disaster relief.

Article 28 Daily Necessity

Upon occurrence of a nuclear accident, the turnover of daily necessities and personnel activities within the EPZ shall follow the guidance and control of personnel from emergency response centers of various levels.

Article 29 Working Report

Paragraph 29.1

The designated agency(ies), the regional Competent Authority, and the nuclear reactor facility licensee shall submit an emergency response working report within a limited period of time specified by the central Competent Authority.

Paragraph 29.2

The central Competent Authority shall compile the preceding reports into a summary report for the nuclear emergency response, submit it to the Executive Yuan and make public announcement afterwards.

Chapter V Recovery Measures

Article 30 Nuclear Emergency Recovery Committee

Paragraph 30.1

Upon elimination of the causes for the nuclear accident, and the confirmation of completion of every emergency response measure, the National Nuclear Emergency Response Center shall relieve the responsibilities of various emergency response organizations. When

14

necessary, the central Competent Authority shall call upon relevant government agencies of various levels and the nuclear reactor facility licensee to activate the Nuclear Emergency Recovery Committee to take recovery measures, and make the affected regions recovered promptly to normal conditions.

Paragraph 30.2

Provisions for the activation, organization, and operation of the preceding Nuclear Emergency Recovery Committee shall be laid down by the central Competent Authority.

Article 31 Responsibilities of Nuclear Emergency Recovery Committee

The responsibilities of the Nuclear Emergency Recovery Committee in the preceding Article are:

- (1) to determine recovery measures and supervise the implementation of these measures,
- (2) to notify relevant government agencies of various levels and the nuclear reactor facility licensee to implement relevant recovery measures,
- (3) to coordinate the dispatch of manpower and resources for recovery,
- (4) to announce orders for public protective actions during the recovery period,
- (5) to issue press release for recovery, and
- (6) to carry out any other recovery measure.

Chapter VI Penal Provisions

Article 32 Being Irresponsive

Violation of the provision in Paragraph 23.1 by the nuclear reactor facility licensee, namely, failure to proceed with response measures or notification promptly, shall result in a fine of over one million New Taiwan Dollars (NT\$1,000,000) and up to five million New Taiwan Dollars (NT\$5,000,000).

Article 33 Failure to Provide Assistance

15

Paragraph 33.1

Violation of the provision in Paragraph 9.2 by the nuclear reactor facility licensee, namely, failure to dispatch staff to assist the Nuclear Emergency Radiation Monitoring and Dose Assessment Center, shall result in a fine of over five hundred thousand New Taiwan Dollars (NT\$500,000) and up to two million five hundred thousand New Taiwan Dollars (2,500,000).

Paragraph 33.2

Violation of the provision in Paragraph 9.3 by the nuclear reactor facility licensee, namely, failure to provide a workplace and necessary equipment at an appropriate location for the Nuclear Emergency Radiation Monitoring and Dose Assessment Center, shall result in a fine of over five hundred thousand New Taiwan Dollars (NT\$ 500,000) and up to two million five hundred thousand New Taiwan Dollars (NT\$ 2,500,000), as well as an order to rectify the situation before a deadline. Failure to rectify by the deadline will result in repeated fines for each deadline extended.

Paragraph 33.3

Violation of the provision in Paragraph 23.2 by the nuclear reactor facility licensee, namely, failure to make notification at the given time, shall result in a fine of over five hundred thousand New Taiwan Dollars (NT\$ 500,000) and up to two million five hundred thousand New Taiwan Dollars (NT\$ 2,500,000).

Article 34 Failure to Revise EPZ

Paragraph 34.1

Violation of the provision in Paragraph 13.1 by the nuclear reactor facility licensee, namely, failure to periodically review and revise the EPZ or failure to submit it to the central Competent Authority for approval, shall result in a fine of over five hundred thousand New Taiwan Dollars (NT\$ 500,000) and up to two million five hundred thousand New Taiwan

16

Dollars (NT\$ 2,500,000), as well as an order to rectify the situation before a deadline. Failure to rectify by the deadline will result in repeated fines for each deadline extended.

Paragraph 34.2

Violation of the provision in Paragraph 15.2 by the nuclear reactor facility licensee, namely, failure to cooperate in carrying out the exercise, shall result in a fine of over five hundred thousand New Taiwan Dollars (NT\$ 500,000) and up to two million five hundred thousand New Taiwan Dollars (NT\$ 2,500,000).

Paragraph 34.3

Violation of the provision in Paragraph 26.2 by the nuclear reactor facility licensee, namely, failure to dispatch staff to provide nuclear technical advices to the Regional Nuclear Emergency Response Center, shall result in a fine of over five hundred thousand New Taiwan Dollars (NT\$ 500,000) and up to two million five hundred thousand New Taiwan Dollars (NT\$ 2,500,000).

Article 35 Failure to Provide Public Protection Measures

Paragraph 35.1

Violation of the provision in Paragraph 13.2 by the nuclear reactor facility licensee, namely, failure to periodically submit the analysis and planning of the public protective measures or failure to set up necessary places and equipment, shall result in a fine of over three hundred thousand New Taiwan Dollars (NT\$ 300,000) and up to one million five hundred thousand New Taiwan Dollars (NT\$ 1,500,000), as well as an order to rectify the situation before a deadline. Failure to rectify by the deadline will result in repeated fines for each deadline extended.

Paragraph 35.2

Violation of the provision in Paragraph 14.3 by the nuclear reactor facility licensee, namely, failure to draw up an emergency response plan, or violation of the provision of 17

Paragraph 14.4, namely, failure to submit the emergency response plan to the central Competent Authority for approval, shall result in a fine of over three hundred thousand New Taiwan Dollars (NT\$ 300,000) and up to one million five hundred thousand New Taiwan Dollars (NT\$ 1,500,000), as well

as an order to rectify the situation before a deadline. Failure to rectify by the deadline will result in repeated fines for each deadline extended.

Paragraph 35.3

Violation of the provision in Paragraph 15.4 by the nuclear reactor facility licensee, namely, failure to periodically carry out exercise, shall result in a fine of over three hundred thousand New Taiwan Dollars (NT\$ 300,000) and up to one million five hundred thousand New Taiwan Dollars (NT\$ 1,500,000), as well as an order to rectify the situation before a deadline. Failure to rectify by the deadline will result in repeated fines for each deadline extended.

Article 36 Refusal of Inspection and Testing

Paragraph 36.1

Violation of the provision in Article 20 by the nuclear reactor facility licensee, namely, to evade, interfere, or refuse the inspection and testing by the central Competent Authority, shall result in a fine of over two hundred thousand New Taiwan Dollars (NT\$ 200,000) and up to one million New Taiwan Dollars (NT\$ 1,000,000). Repeated fines are possible and an inspection and testing shall be carried out forcibly.

Paragraph 36.2

Violation of the provision in Paragraph 29.1 by the nuclear reactor facility licensee, namely, failure to submit an emergency response working report within a limited period of time, shall result in a fine of over two hundred thousand New Taiwan Dollars (NT\$ 200,000) and up to one million New Taiwan Dollars (NT\$ 1,000,000).

Article 37 Failure to Carry Out Maintenance, Management, and Testing

18

Violation of the provision in Paragraph 9.3 by the nuclear reactor facility licensee, namely, failure to carry out maintenance, management, or testing of various equipment and workplaces of the Nuclear Emergency Radiation Monitoring and Dose Assessment Center at ordinary times, shall result in a fine of over one hundred thousand New Taiwan Dollars (NT\$ 100,000) and up to five hundred thousand New Taiwan Dollars (NT\$ 500,000), as well as an order to rectify the situation before a deadline. Failure to rectify by the deadline will result in repeated fines for each deadline extended.

Article 38 Failure to Correct and Improve

Violation of the provision in Article 21 by the nuclear reactor facility licensee, namely, failure to complete correction or improvement within a limited period of time required by the central Competent Authority, shall result in a fine of over one hundred thousand New Taiwan Dollars (NT\$ 100,000) and up to five hundred thousand New Taiwan Dollars (NT\$ 500,000). Repeated fines shall be levied for repeated violation.

Article 39 Inaction of Research Reactor Licensee

For violation by the nuclear research reactor facility licensee of the regulations laid down by the central Competent Authority according to Paragraph 4.1, namely, failure to follow the provisions about emergency response organization including grouping, preparedness, response, and recovery measures or inspection and testing, the central Competent Authority will notify the licensee to rectify the situation before a deadline. Failure to rectify by the deadline shall result in a fine of over fifty thousand New Taiwan Dollars (NT\$ 50,000) and up to two hundred fifty thousand New Taiwan Dollars (NT\$ 250,000). Repeated fines are possible for repeated violation.

Article 40 Necessary Assistance

Violation of the provision in Paragraph 17.2, 18.2, or 22.2 by the nuclear reactor facility licensee, namely, failure to provide necessary assistance, shall result in a fine of over fifty

19

thousand New Taiwan Dollars (NT\$ 50,000) and up to two hundred fifty thousand New Taiwan Dollars (NT\$ 250,000).

Article 41 Executing Authority

The fines specified by this Act will be levied by the central Competent Authority.

Article 42 Payment Deadline

The fine levied by this Act must be paid before the deadline. Failure to do so will result in legal action and compulsory enforcement.

Chapter VII Supplementary Provisions

Article 43 Fund

Paragraph 43.1

In order to implement the preparedness measures for nuclear emergency response, and to support response operations during the occurrence or possible occurrence of an accident, the central Competent Authority shall collect a certain amount of money from the nuclear reactor facility licensee each year for every nuclear reactor facility to set up a Nuclear Emergency Response Fund. The income and expenditure, the safekeeping, and the utilization of the fund are to be prescribed by the Executive Yuan.

Paragraph 43.2

The uses of the Fund mentioned in Paragraph 43.1 are as follows:

- (1) expenses incurred by the central Competent Authority when conducting exercises according to Paragraph 15.1,
- (2) expenses incurred by the central Competent Authority when implementing actions specified in Article 16,
- (3) expenses incurred by the regional Competent Authority when implementing actions specified in Paragraph 18.1,
- 20
- (4) expenses related to emergency response operations upon occurrence of a nuclear accident, and
- (5) expenses for management and general affairs.

Paragraph 43.3

The designated agency(ies) may allocate funds in the budget for the expenditure of planning, personnel training and relevant activities for implementing emergency plans specified in this Act.

Paragraph 43.4

The amount of money specified in Paragraph 43.1 is to be determined by the central Competent Authority according to annual uses of the Fund, appropriate reserve for response operations and other relevant factors.

Article 44 Implementation

Enforcement rules of this Act shall be laid down by the central Competent Authority.

Article 45 Effective Date

The date when this Act enters into force is to be determined by the Executive Yuan.

21