Content

Title：	Waste Disposal Act Ch
Date：	2026.07.15

Legislative：	1. Original 28 articles promulgated by presidential order on July 26, 1974. 2. Revisions to Articles 5, 6, 11, 15, 18 and 21 and addition of Article 24-1 promulgated by presidential order on April 9, 1980. 3. Revisions to all 36 articles of this Act promulgated by presidential order on November 20, 1985. 4. Revisions to Articles 4, 11 and 20 and addition of Articles 10-1 and 23-1 promulgated by presidential order on November 11, 1988. 5. Revisions to Articles 10-1, 23-1 and 31 promulgated by presidential order on March 28, 1997. 6. Revisions to Articles 5, 13, 17, 22 and 34 and addition of Article 34-1 promulgated by presidential order on July 14, 1999. 7. Revisions to Articles 4 and 35 promulgated by presidential order on January 19, 2000. 8. Revisions to all 77 articles of this Act promulgated by presidential order on October 24, 2001. 9. Revisions to Article 51 promulgated by presidential order on June 2, 2004. 10. Revisions to Articles 46 and 77 promulgated by presidential order on July 1, 2006. 11. Revisions to Articles 71 and 77 promulgated by presidential order on November 28, 2012. 12. Revisions of Articles 50-1 promulgated by presidential order on May 29,2013. 13. Revisions to Articles 2, 14, 28, 30, 31, 39, 41, 45, 46, 48, 52, 53, 55, 56 and 58 and addition of Article 2-1, 39-1, 63-1 promulgated by presidential order on January 18, 2017. 14. Revisions of Articles 38 and 53 promulgated by presidential order on June 14,2017. The transactions described in Subparagraph of 5 Paragraph 1, Paragraph 3, 5 of Article 2; Subparagraph 1 of Article 2-1; Article 4; Paragraph 6 of Article 5; Article 6 ; Article 7 ; Article 8 ; Paragraph 1, Preface of Paragraph 2, Paragraph 3 of Article 9; Paragraph 1 of Article 12; Paragraph 2 of Article 14; Paragraph 2 of Article 15; Paragraph 1, 2, 4, 5 of Article 16; Subparagraph 4, 5 of Article 17; Paragraph 1, 2, 3, 4, 6 of Article 18; Article 19 ; Article 20 ; Article 21; Paragraph 1 of Article 22; Paragraph 2, 5 of Article 24; Subparagraph 11 of Article 27; Item 1, 4 of Subparagraph 3 of Paragraph 1, Subparagraph 4 of Paragraph 1, Paragraph 2, 3, 5, Subparagraph 3 of Paragraph 6, Paragraph 8, 9 of Article 28; Paragraph 2 of Article 29; Paragraph 2 of Article 30; Paragraph 1, 2, 3 of Article 31; Article 34 ; Article 35 ; Article 36 ; Paragraph 2 of Article 37; Paragraph 1, 2, 3, Preface of Paragraph 4 of Article 38; Article 39; Preface of Paragraph 1, Subparagraph 3 of Paragraph 1, Paragraph 2 of Article 39-1; Article 40; Preface of Paragraph 1, Subparagraph 3, 7, 8 of Paragraph 1, Paragraph 2 of Article 41; Article 42; Article 43; Article 44 ; Subparagraph 3 of Article 46; Subparagraph 1 of Article 49; Paragraph 2 of Article 50-1; Subparagraph 4 of Paragraph 2, Paragraph 3 of Article 51; Article 54; Subparagraph 5 of Article 60; Article 61 ; Article 63; Paragraph 1, 3 of Article 63-1 ; Paragraph 1, 2, 4 of Article 67; Paragraph 2 of Article 68; Paragraph 2 of Article 69 ; Paragraph 1 ,3 of Article 72; Article 73; Article 74; Article 75; Article 76,were conducted by the Environmental Protection Administration of the Executive Yuan, and transferred to the Ministry of Environment from August 22, 2023 in accordance with the Order NO. Yuan-Tai-Gui-Kui-Zi NO.1121028221 issued by the Executive Yuan on August 18, 2023. 15. Revisions to Articles 4, 15 to 18, 20, 28, 39, 39-1, 41, 43, 44, 46, 50, 51 to 53, 55, 58, 63, 63-1, 71 and 77 and the title of Chapter II; addition of Articles 10-1, 16-1, 39-2 to 39-5, 46-1, 58-1, 71-1 and 71-2; and deletion of Articles 21, 61 and 64 promulgated by presidential order on July 15, 2026. Pursuant to Article 77, Articles 39 to 39-5 and the penalty provisions in Chapter V relating to the aforementioned Articles shall enter into force two years after promulgation.

Content：

Chapter 1 General Principles

Article 1

This Act is formulated for the effective clearance and disposal of waste, improvement of environmental sanitation and maintenance of public health. The regulations of other laws shall apply to those matters not regulated by this Act.

Article 2

For the purpose of this Act, “waste” means any movable solid or liquid substance or object:

I.Which is discarded;

II.Whose original purpose is weakened, given up, no longer existing, or unclear;

III.Which is resulted from construction, manufacturing, processing, repairing, selling, or other activities, and is not deliberately created;

IV.Which is resulted from production process, with no feasible technology existing, and is of no economic or market value;

V.Which is announced as “waste” by central competent authority.

The waste referred to in the preceding paragraph is divided into “general waste” and “industrial waste.”

I.General waste refers to waste that is not industrial waste.

II.Industrial waste refers to waste that is produced from industry activities (but excluding waste generated by the employees themselves), including “hazardous industrial waste” and “general industrial waste.”

A.Hazardous industrial waste: waste produced by industry that is toxic or dangerous with the concentration or volume sufficient to influence human health or pollute the environment.

B.General industrial waste: waste produced by industry that is not hazardous industrial waste.

The central competent authority in consultation with the central industry competent authority shall enact determination standards for the hazardous industrial waste referred to in the foregoing paragraph.

The disposal of ionizing radioactive waste shall be performed in accordance with the relevant atomic energy regulations.
The industry referred to in Paragraph 2 means agricultural, industrial and mining plants and sites, construction enterprises, medical organizations, public and private waste clearance and disposal organizations, joint industrial waste clearance and disposal organizations, laboratories of schools or agency groups and other enterprises designated by the central competent authority.

Article 2- 1

Any product coming from industry activities shall be determined as waste when it is under any of the following circumstances:

I.The product is determined as of no economic or market value by the central competent authority, and is intended to be disposed of illegally or harmful to the environment and human health.

II.The product is not lawfully stored or used, and is intended to be disposed of illegally or causing pollution.

III.The reuse product is not used in accordance with this Act, and is intended to be disposed of illegally or causing pollution.

Article 3

“Designated clearance area” as referred to in this Act means a clearance area officially announced and designated by the enforcement authority based on environmental sanitation needs.

Article 4

The term “competent authority” in this Act refers to the Ministry of Environment at the central government level; the municipal government in special municipalities; and the county or city government in counties or cities.

Article 5

“Enforcement authority” as referred to in this Act means the environmental protection bureau of a special municipality government, the environmental protection bureau of a county or city government and the public office of a rural township, urban township or city.

The enforcement authority shall establish dedicated units for the performance of recycling, clearance, disposal and waste investigation work for general waste.

The enforcement authority shall be responsible for the planning of land to be used for the recycling, clearance and disposal of general waste, and shall coordinate with and grant preference to the relevant agencies for the acquisition of the land.

The recycling, clearance and disposal of general waste shall be performed by the environmental protection bureau of the special municipality government in special municipalities and by the environmental protection bureau of the provincial city in provincial cities. In counties, the recycling and clearance of general waste shall be performed by the public office of a rural township, urban township or city and the disposal of general waste shall be performed by the environmental protection bureau of the county; when necessary, the county may commission the public office of a rural township, urban township or city to perform disposal work.

The environmental protection bureaus of counties shall complete the adjustment of general waste work pursuant to the foregoing regulations prior to July 14, 2004 and shall be in centralized management of said work.

The central competent authority shall determine the general waste recycling items in Paragraph 2. However, special municipality, county and city competent authorities may add other general waste recycling items based on special requirements within their jurisdiction areas, and the added items shall be submitted to the central competent authority for future reference.

Article 6

When the competent authority or industry competent authority plans the establishment of waste disposal facilities pursuant to the regulations of this Act, for those circumstances in which the land to be used involves modifications to urban planning, the competent authority or industry competent authority shall coordinate with the urban planning competent authority and perform the modifications pursuant to Article 27 of the Urban Planning Law; for those circumstances in which the land involves modifications to the use of non-urban land, modifications and rezoning shall be carried out in accordance with the law after approval of the acquisition of the land through appropriation or allocation. Land for which rezoning as a waste disposal zone has been completed and that is public land may be allocated, or leased or sold to the founder, and shall not be subject to the restrictions of Article 25 of the Land Act.

Article 7

For the joint establishment of waste disposal sites and performance of waste clearance and disposal work, special municipality, county or city competent authorities may draft establishment management regulations, and, after receiving central competent authority approval, may establish a regional joint clearance and disposal unit.

Article 8

When existing waste storage, recycling, clearance or disposal facilities are caused to have insufficient power due to natural disaster, major accident or other urgent matters and there is concern of polluting the environment or influencing human health, the central competent authority shall cooperate with the central industry competent authority and relevant agencies and, after receiving Executive Yuan approval, may designate emergency waste disposal methods, facilities, sites and deadlines and shall not be subject to Article 28, Article 31, Paragraph 1, Subparagraph 1, Article 36, Article 39, Article 41 of this Act, Article 13 of the Water Pollution Control Act, Article 24 of the Air Pollution Control Act, Article 16 of the Environmental Impact Assessment Act, Article 15 of the Company Act, Article 8 of the Business Registration Act or restrictions related to land use controls of the Urban Planning Law, Regional Plan Act or Statute for Upgrading Industries.

Article 9

The competent authority may, on its own or through a commissioned enforcement authority, dispatch personnel bearing identification documents to enter a public or private premises or intercept waste or surplus earth and gravel clearance equipment to perform inspection or sampling of waste storage, clearance, disposal or reuse circumstances and order the provision of relevant information; waste or surplus earth and gravel clearance equipment shall carry in the vehicle verification documents recording the production source and disposal site of the waste or surplus earth and gravel to be provided for inspection.

The competent authority or the commissioned enforcement authority, when performing an administrative inspection pursuant to the foregoing paragraph and there is one of the following circumstances, may detain the clearance equipment or disposal facilities or equipment and may order the owner or user of the clearance equipment or disposal facilities or equipment at issue to perform clearance or disposal within a limited time period. When necessary, the property or real estate of the owner may be used or have its use restricted or the necessary tap water, electricity or other power source of the place of business may cut off as punishment.

I.There is concern of serious pollution from the waste, surplus earth and gravel, clearance equipment or disposal facilities or equipment of the public or private premises.

II.There is concern of serious pollution from the waste or surplus earth and gravel carried by clearance equipment.

The central competent authority shall determine relevant regulations for the procedures for the detention of clearance equipment or disposal facilities or equipment in the foregoing paragraph.

Article 10

The clearance equipment or disposal facilities or equipment detained pursuant to Paragraph 2 of the foregoing article shall be returned if there is already no concern of serious pollution from the waste or surplus earth and gravel its has stored, cleared, disposed of or reused, or after the owner or user of the clearance equipment or disposal facilities or equipment at issue properly performs clearance or disposal of the waste or surplus earth and gravel and pays such related fees as fees for the towing and safekeeping of the clearance equipment or disposal facilities or equipment.

The period for the detention of the clearance equipment or disposal facilities or equipment shall be limited to one year. However, under special circumstances, this period may be extended once after receiving higher competent authority approval.

The special municipality, county or city competent authority shall determine fee collection methods and standards for such related fees as fees for the towing and safekeeping of the clearance equipment or disposal facilities or equipment in the first paragraph.

Article 10-1

To monitor the flow of waste and prevent cases involving environmental pollution or hazards, the competent authority may, independently or in coordination with relevant agencies (entities), install or utilize surveillance and recording systems and other technological tools to collect, process, and utilize data with respect to roads or other public places where illegal clearance, backfilling, piling, reuse, or disposal of waste frequently occurs or is reasonably determined as likely to occur.

For inspections, checks, sampling, and verification conducted pursuant to this Act by the competent authority, the enforcement authority or the industry competent authority, such authorities may request relevant agencies (entities), legal persons, or organizations to provide assistance or furnish necessary information.

Chapter 2 Clearance and Disposal of General Waste and Regulated Recyclable Waste

Article 11

With the exception of general waste that shall be cleared pursuant to the following regulations, general waste in designated clearance areas shall be cleared by the enforcement authority.

I.For land or buildings related to public sanitation, the owner, manager or user shall perform clearance.

II.For covered walkways or sidewalks connected to land or buildings, the owner, manager or user of the land or building at issue shall perform clearance.

III.For roadways or public spaces that are used for special purposes, the user shall perform clearance.

IV.For general waste abandoned and left on site by the owner after the occurrence of a fire or disaster, the building owner or manager shall perform clearance; for those lacking the capacity to perform clearance, the enforcement authority shall perform clearance.

V.For general waste left after the demolition of a building, the original owner, manager or user shall perform clearance.

VI.For the excrement and urine of livestock or poultry on roadways or other public premises, the owner or manager shall perform clearance.

VII.For the sludge matter of septic tanks, the owner, manager or user shall perform clearance.

VIII.For the road surfaces and drainage gutters of public lanes or alleys with widths of four meters or less, the households on opposite sides or adjacent sides shall each perform clearance of half.

IX.For roadway traffic islands, greenbelts, parks and other public premises, the management organization shall perform clearance.

Article 12

The transport, sorting, storage, discharge, methods, equipment and reuse of general waste recycling, clearance and disposal shall comply with the regulations of the central competent authority; the central competent authority shall determine regulations for these matters.

The enforcement authority may, based on the special characteristics of designated clearance areas, add general waste sorting, storage and discharge regulations in the foregoing paragraph, and shall report these to the higher competent authority for future reference.

Article 13

Enforcement authorities at all levels shall, based on actual needs, install general waste recycling and storage equipment at appropriate locations and public premises.

Article 14

The enforcement authority shall be responsible for the clearance of general waste and shall perform appropriate sanitary disposal. However, for general waste produced outside of households, the enforcement authority may designate clearance methods and disposal premises.

For the clearance and disposal of general waste referred to in the foregoing paragraph, the enforcement authority may, after receiving approval from a higher competent authority, commission a public or private waste clearance and disposal organization or perform the clearance and disposal in accordance with the methods announced or approved by the central competent authority.

Article 15

For the purposes of this Chapter, “regulated recyclable waste” refers to waste designated by the central competent authority as waste for the purpose of promoting the circular utilization of resources, thereby reducing the footprints of material life cycles on the environment and ecology. Such waste may be categorized as:

I. Waste generated after the consumption or use of products, or their packaging or containers that possess any of the following characteristics:

1. Being difficult to clear or dispose of;

2. Containing components that are not readily biodegradable over the long term;

3. Containing hazardous substances; or

4. Possessing value for recycling and reuse.

II. As designated by the central competent authority, waste generated from the use of renewable energy power generation equipment.

For the recyclable waste referred to in Subparagraph 1 of the preceding paragraph, the manufacturers, importers or sellers of the products, or the manufacturers, importers, or sellers of raw materials for the products or their packaging or containers, shall be responsible for collection, clearance, and disposal. For the recyclable waste referred to in Subparagraph 2 of the preceding paragraph, the manufacturers, importers, or installers of renewable energy power generation equipment shall be responsible for collection, clearance, and disposal.

The designation of the products or their packaging or containers referred to in Subparagraph 1 of Paragraph 1, and the designation of the renewable energy power generation equipment referred to in Subparagraph 2 of the preceding paragraph, and the scope of enterprises responsible for collection, clearance, and disposal referred to in the same paragraph (hereinafter referred to as the “responsible enterprises”) shall be publicly announced by the central competent authority.

Article 16

Responsible enterprises for the regulated recyclable waste referred to in Subparagraph 1 of Paragraph 1 of the preceding Article shall register with the central competent authority. Manufacturers, based on their business volume for the current period, importers, based on their import volume reported to customs, and sellers, based on their sales volume for the current period, shall pay recycling, clearance, and disposal fees in accordance with the fee rates approved by the central competent authority within fifteen days after the declaration and payment of business taxes for each period.

When an importer referred to in the preceding paragraph reports its import volume to customs, it shall simultaneously report data such as the container materials and other specifications for products or containers designated by the central competent authority.

Responsible enterprises whose manufactured, imported, or sold products or their packaging or containers are not discarded domestically or do not generate waste after use, may submit relevant supporting documents to apply for deductions from business volume, import volume, or sales volume, or for fee refunds.

Article 16-1

Responsible enterprises for regulated recyclable waste referred to in Subparagraph 2 of Paragraph 1 of Article 15 shall register with the central competent authority. Equipment installers, based on the purchase volume for the current period, manufacturers, based on the business volume for the current period after deducting the purchase volume of equipment installers, and importers, based on the import volume reported to customs after deducting the purchase volume of equipment installers for the current period, shall pay recycling, clearance, and disposal fees in accordance with the fee rates approved by the central competent authority.

Where the registration approval or equipment registration documents for installers of renewable energy power generation equipment have been wholly or partially revoked by the industry competent authority, the equipment installers shall submit a recycling plan to the central competent authority, specifying whether they will adopt a self-established recycling chain or apply for subsidies pursuant to Paragraph 4 of Article 18, and shall implement such plan upon approval by the central competent authority. After appropriately clearing and disposing of the regulated recyclable waste, such equipment installers may submit relevant records and supporting documents to the central competent authority to apply for fee refunds or subsidies.

The recycling, clearance, and disposal fees referred to in Paragraph 1 of this Article and Paragraph 1 of the preceding Article shall be incorporated into the Resource Recycling Management Fund, entrusted to financial institutions for collection, safekeeping, and disbursement, and allocated at a certain proportion into the trust fund and the nonprofit special funds respectively. Regulations governing the aforementioned certain proportion and the collection, safekeeping, disbursement, and utilization of the trust fund shall be prescribed by the central competent authority.

Regulations governing the: registration; reporting; deductions; payment methods for recycling, clearance, and disposal fees; procedures; deadlines; particular items required to be included in recycling plans; refunds; management, and; other compliance matters for responsible enterprises pursuant to Paragraphs 1 and 2 and the preceding Article, shall be prescribed by the central competent authority.

The fee rates referred to in Paragraph 1 of this Article and Paragraph 1 of the preceding Article shall be reviewed by the Resource Recycling Fee Rate Review Board established by the central competent authority and consider materials, volume, weight, environmental impacts, reuse value, recycling, clearance and disposal costs, recycling, clearance and disposal rates, auditing and collection costs, financial status of the fund, recycling incentive amounts, and other relevant factors, then be submitted to the central competent authority for final approval and public announcement. The central competent authority shall establish fee rate formulas and review fee rates based on market prices, consumer price indices, and other relevant factors, and after review and approval by the Resource Recycling Fee Rate Review Board, publicly announce fee rates in a timely manner.

Article 17

The trust fund of the Resource Recycling Management Fund shall be used for recycling, clearance, and disposal subsidy purposes.

The nonprofit special funds of the Resource Recycling Management Fund shall be used for the following purposes:

I. Providing subsidies and incentives for recycling systems.

II. Covering expenses incurred by enforcement authorities in performing waste clearance and disposal on behalf of others.

III. Covering auditing and certification expenses incurred pursuant to Paragraph 5 of Article 18.

IV. Other purposes related to waste resource recycling approved by the central competent authority.

Article 18

The methods and facility standards for the collection, storage, clearance, and disposal of regulated recyclable waste shall be prescribed by the central competent authority according to the categories thereof.

Collection and disposal enterprises handling regulated recyclable waste that reach a certain scale shall register with the special municipality, county or city competent authority and report their recycling and disposal volumes and related operational circumstances.

Regulations governing the certain scale, registration, deregistration, reporting, administration, and other compliance matters for the collection and disposal enterprises referred to in the preceding paragraph shall be prescribed by the central competent authority.

Responsible enterprises and the collection and disposal enterprises referred to in Paragraph 2 that comply with the standards prescribed in Paragraph 1, and whose recycling and disposal volumes of regulated recyclable waste have been audited and certified by the central competent authority, may apply to the Resource Recycling Management Fund for recycling, clearance, and disposal subsidies under Paragraph 1 of the preceding Article.

The central competent authority may commission legal persons (hereinafter referred to as “auditing and certification bodies”) to conduct the auditing and certification operations referred to in the preceding paragraph, and shall periodically conduct evaluations and assessments of their operational performance. Regulations governing the implementation methods for auditing and certification operations, evaluations, assessments, and other related matters shall be prescribed by the central competent authority.

Regulations governing the application, review, revocation, recovery, administration, and other compliance matters for the recycling, clearance, and disposal subsidies referred to in Paragraph 4 shall be prescribed by the central competent authority.

Article 19

A responsible enterprise designated and officially announced by the central competent authority shall mark articles or the packaging and containers thereof with relevant recycling labels; the central competent authority shall determine the scope of enterprises, the size of label designs, location and other binding matters for recycling labels.

A vendor of articles or the packaging and containers thereof designated and officially announced by the central competent authority shall, in accordance with the regulations of the central competent authority, install resource recycling facilities and perform recycling work; the central competent authority shall determine the scope of enterprises, the installation of facilities, specifications and other binding matters for resource recycling facilities and the performance of recycling work.

Article 20

The competent authority may dispatch personnel or entrust professional personnel carrying identification documents to enter the premises of responsible enterprises, and the premises of enterprises using waste-generating products or their packaging or containers, or using renewable energy power generation equipment, as well as the collection, storage, clearance, and disposal premises of the collection and disposal enterprises referred to in Paragraph 2 of Article 18, in order to inspect their business volumes or import volumes, sales recipients, sales volumes, purchase volumes, or usage volumes of waste-generating products or their packaging or containers and renewable energy power generation equipment, sources of raw material supply, recycling-related labels, and collection and disposal volumes of regulated recyclable waste, and may request receiving, production, sales, and inventory receipts, account books, relevant statements, and other relevant information regarding production, sales, operations, or export and import volumes.

Article 22

The central competent authority may designate and officially announce categories of regulated recyclable waste to be recycled through recycling incentive methods and the monetary amounts of recycling incentives.

A vendor shall pay consumers in accordance with the officially announced monetary amounts of recycling incentives, and may not refuse.

Article 23

Prior to March 28, 1997, surplus fees related to recycling and clearance of a joint recycling, clearance and disposal organization established by responsible enterprises or a fund established in accordance with relevant regulations shall be allocated to the Resource Recycling Management Fund and utilized in accordance with regulations.

Article 24

For the implementation of the clearance and disposal of general waste, a special municipality, county or city competent authority shall, based on clearance and disposal costs, collect fees from households and other non-industrial sources within designated clearance areas.

The central competent authority shall determine collection regulations for the collection methods, calculation methods, payment procedures, payment deadlines and other binding matters for the fees in the foregoing paragraph.

The special municipality, county or city competent authority may, in consideration of actual operational requirements, add fee collection regulations other than those in the foregoing paragraph and fee collection verification labels.

The special municipality, county or city competent authority shall determine and officially announce the amount for fee collection in Paragraph 1.

The addition of fee collection regulations pursuant to Paragraph 3 shall be reported to the central competent authority for future reference.

Article 25

The general waste clearance and disposal costs in Paragraph 1 of the foregoing article include, as relates to general waste clearance and disposal operations, management costs, labor costs, land use costs for disposal sites and plants, compensation expenses, operational and maintenance costs and average annual procurement costs based on usage limits for all clearance and disposal machinery, equipment and facilities, and restoration costs, and shall deduct income from general industrial waste clearance and disposal work performed on behalf of others and other income.

Article 26

Fees for the general waste clearance and disposal costs in the foregoing article shall be collected based on actual costs. However, fees for machinery, equipment, facilities and restoration costs shall be collected annually from 2001.

The special municipality, county or city competent authority shall collect fees annually from 2001 for the per-kiloton construction costs and restoration costs of privately-owned or operated general waste incinerators.

The special municipality, county or city competent authority shall have a savings account dedicated to deposits for the machinery, equipment, facilities and restoration costs in Paragraph 1 by 2001 and the construction costs in the foregoing paragraph and shall establish a General Waste Clearance and Disposal Fund by 2002. Funds deposited for clearance and disposal fees as of 2001 shall be transferred to the General Waste Clearance and Disposal Fund after its establishment.

The special municipality, county or city competent authority shall determine regulations for the establishment, utilization and management of the fund in the foregoing paragraph.

The fund established pursuant to Paragraph 3 shall be utilized exclusively for the reinstallation of general waste clearance and disposal machinery, equipment and facilities and the restoration of general waste disposal sites and plants.

Article 27

The following acts are strictly prohibited within designated clearance areas.

I.The spitting of phlegm or betelnut juice or fiber or discarding of waste paper, cigarette butts, chewing gum, fruit or the skin, pit or juice thereof, or other general waste

II.The polluting of the ground, pools of water, drainage gutters, walls, beams or pillars, utility poles, trees, roadways, bridges or other fixed structures

III.The sunning or piling of articles that hinder sanitation and orderliness on roadsides, outside of houses or on roofs

IV.The collection from waste clearance, disposal or storage tools, equipment or sites of articles that have been discarded;however, the collection of general waste recycling items designated pursuant to Article 5, Paragraph 6 shall not be subject to this restriction.

V.The discarding of hot ashes or embers, dangerous chemical substances or products, or explosive substances or products within waste storage equipment

VI.The discarding of animal corpses in places other than waste storage equipment

VII.Urinating or defecating in non-designated locations

VIII.The discarding of articles in drainage gutters

IX.The raising of poultry or livestock that hinders nearby environmental sanitation

X.The posting or painting of advertisements that pollutes fixed structures

XI.Other acts that pollute the environment officially announced by the competent authority

Chapter 3 Disposal of Industrial Waste

Article 28

The clearance and disposal of industrial waste, except where reuse methods are adopted, shall be conducted in accordance with one of the following methods:

I. Self-clearance and disposal.

II. Joint clearance and disposal: enterprises shall apply to the industry competent authority for permission to establish a joint waste clearance and disposal entity for the clearance and disposal of the relevant category of waste.

III. Entrusted clearance and disposal:

1. Entrusting a public or private waste clearance and disposal entity, which is permitted by the competent authority to clear and dispose of the relevant category of waste, to clear and dispose of such waste.

2. Entrusting the enforcement authority to perform clearance and disposal with its consent.

3. Entrusting waste clearance and disposal facilities established by the industry competent authority itself or through its guidance to perform

clearance and disposal.

4. Entrusting waste clearance and disposal facilities established by state-owned enterprises designated by the competent authority to perform clearance and disposal.

5. Entrusting waste clearance and disposal activities to facilities established by private entities that have entered into investment contracts with a sponsoring authority, pursuant to the Act for Promotion of Private Participation in Infrastructure Projects.

6. Entrusting disposal activities to waste disposal facilities of enterprises, that have been permitted to do so pursuant to the administrative regulations prescribed under Paragraph 2 of Article 29.

IV. Other methods approved by the central competent authority.

Enterprises designated and publicly announced by the central competent authority shall employ professional technical personnel. For enterprises conducting self-clearance and disposal of industrial waste, the management regulations governing the conditions to be met by clearance machinery and disposal facilities or equipment, permits, permit validity periods, revocation, and other compliance matters shall be prescribed by the central competent authority jointly with the central industry competent authority.

Regulations governing the conditions, classifications, permits, permit validity periods, revocation, employment of professional technical personnel, operations, operational records, and other compliance matters for the joint waste clearance and disposal entities referred to in Subparagraph 2 of Paragraph 1 shall be prescribed by the central industry competent authority jointly with the central competent authority.

Regulations governing the employment of professional technical personnel, operations, operational records, and other compliance matters for waste clearance and disposal facilities established under the guidance referred to in Item 3 of Subparagraph 3 of Paragraph 1 shall be prescribed by the central industry competent authority in consultation with relevant authorities.

Regulations governing the employment of professional technical personnel, operations, operational records, and other compliance matters for waste clearance and disposal facilities referred to in Items 4 and 5 of Subparagraph 3 of Paragraph 1 shall be prescribed by the central competent authority in consultation with relevant authorities.

Where the enforcement authority is entrusted pursuant to Item 2 of Subparagraph 3 of Paragraph 1 to clear and dispose of general industrial waste, it may do so only where surplus disposal capacity remains after disposing of the following categories of general waste, and shall charge fees in accordance with the industrial waste clearance and disposal fee standards prescribed by the special municipality, county or city competent authority, and shall process the declaration jointly with the enterprise pursuant to Subparagraph 2 of Paragraph 1 of Article 31:

I. Waste within designated clearance areas.

II. Waste subject to regional joint disposal or cross-regional cooperative disposal pursuant to Article 7 of this Act and Article 24-1 of the Local Government Act.

III. Waste uniformly allocated by the central competent authority.

Facilities for the clearance and disposal of general waste or general industrial waste shall not conduct combined clearance or disposal of hazardous industrial waste.

Provided that the disposal of general waste referred to in Subparagraphs 1 and 2 of Paragraph 6 by the enforcement authority is not affected, the central competent authority may, where necessary, uniformly allocate and dispatch existing waste clearance and disposal facilities, and the entities subject to such allocation and dispatch must comply.

Where waste disposal facilities constructed or operated by special municipality, county or city competent authorities or enforcement authorities with subsidies from the central competent authority, or pursuant to the Act for Promotion of Private Participation in Infrastructure Projects, are designated by the central competent authority, the subsidy recipients, sponsoring authorities, and private entities shall reserve a certain proportion of surplus disposal capacity for unified allocation and dispatch by the central competent authority, and such requirement shall be expressly stipulated in the relevant operation entrustment and investment contracts.

Regulations governing the conditions, methods, fees, designated waste disposal facilities, a certain proportion of surplus disposal capacity, and other related matters regarding the unified allocation and dispatch referred to in the preceding two paragraphs shall be prescribed by the central competent authority.

Article 29

When there is surplus disposal capacity in an industrial waste disposal facility, it may be used by other enterprises with the permission of the competent authority with local jurisdiction, and it shall not be subject to the restrictions of Article 31, Paragraph 1, Subparagraph 1 or Article 41.

The competent authority in consultation with the central industry competent authority shall determine management regulations for conditions, permission procedures, permission deadlines and other binding matters for the surplus disposal capacity in the foregoing paragraph.

Article 30

When an enterprise commissions clearance and disposal of its waste, it shall take up joint liability with the commissioned agency for the clearance of the waste. If the commissioned agency fails to properly clear the waste and the commissioning enterprise does not exercise its due care, the commissioning enterprise and commissioned agency shall be liable for joint environmental clearance and improvement in terms of the waste.

The determined elements of the exercise of the due care of the commissioning enterprise referred to in the foregoing paragraph, precautions, management measures and other related matters shall be enacted by the central competent authority.

Article 31

Enterprises of a certain scale that are designated and officially announced by the central competent authority shall perform the following matters within a certain time period demanded by the official announcement:

I.Operations may begin only after the review and approval of an industrial waste disposal plan submitted to the special municipality, county or city competent authority or the organization commissioned by the central competent authority; this regulation shall also apply to the modification of matters related to the production and disposal of industrial waste.

II.In accordance with the format, items, content and frequency stipulated by the central competent authority, report to the special municipality, county or city competent authority via the Internet the circumstances regarding the production, storage, clearance, disposal, reuse, export, import, transit and transshipment of the waste at issue. However, those circumstances in which the central competent authority allows the submission of written reports shall not be subject to this restriction.

III.Industrial waste clearance and transport machinery designated and officially announced by the central competent authority shall be installed with real-time tracking systems in accordance with the specifications designated by the central competent authority, and shall maintain normal operation.

The format of the industrial waste disposal plan referred to in subparagraph 1 of the foregoing paragraph and the items required to be stated in the plan shall be enacted by the central competent authority in consultation with the central industry competent authority.

The regulations governing the review operation, change, withdrawal and revocation of the industrial waste disposal plan referred to in subparagraph 1 of the foregoing paragraph and other matters required to be complied with shall be enacted by the central competent authority.

An enterprise referred to in Paragraph 1 that is required to follow the regulations to conduct an environmental impact assessment shall attach the industrial waste disposal plan to its submission of the documents related to the environmental impact assessment to the special municipality, county or city competent authority for review. After passing the environmental impact assessment review, the special municipality, county or city competent authority may grant approval directly.

Those that perform the clearance and disposal of industrial waste produced by an enterprise designated and officially announced per Paragraph 1 shall file their declaration according to Paragraph 1, Subparagraph 2.

Article 32

The industry competent authority, development unit or management unit of a newly-established industrial park or science park shall plan and install industrial waste disposal facilities within or outside of the park; the industrial park or science park at issue may start operations only after the completion of the installation of industrial waste disposal facilities.

The industry competent authority, development unit or management unit of an existing industrial park or science park shall complete the installation of industrial waste disposal facilities within six months after the promulgation of revisions to this Act; after receiving central industry competent authority approval, the installation shall be completed no later than December 31, 2004.

Article 33

When an enterprise is unable to perform the disposal of industrial waste it has produced and there is no industrial waste disposal organization to be commissioned for disposal, the enterprise shall properly store the industrial waste it has produced.When necessary, the industry competent authority may collect fees from an enterprise in order to itself or through guidance install industrial waste disposal facilities or perform temporary storage.

Article 34

When an enterprise is unable to manage self-generated industrial waste and when there is no industrial waste management organization to be commissioned for management, the industry competent authority may in consultation with the central competent authority officially announce enterprises in designated area shall to send their industrial waste to industrial waste management facilities that are established by or through the guidance of the industry competent authority.

Article 35

For hazardous industrial waste that requires special treatment technology, the competent authority may in consultation with the central industry competent authority install appropriate facilities, and store, clear or dispose for them and collect essential fee.

Hazardous waste in the foregoing paragraph shall be officially announced by the competent authority in consultation with the central industry competent authority.

Article 36

Methods and facilities for storage, clearance and disposal of industrial waste shall meet regulations designated by the central competent authority.

Standards for methods and facilities for storage, clearance and disposal of industrial waste in the foregoing paragraph shall be determined by the central competent authority.

Article 37

The operation and monitoring for methods and facilities for storage, clearance and disposal of industrial waste shall be recorded in details and kept for at least three years for future reference.

The management regulations for categories, methods, frequency and other binding matters for the testing in the foregoing paragraph shall be determined by the central competent authority.

Article 38

The import, export, transit and transshipment of industrial waste may commence only after receipt of permission granted by the special municipality, county or city competent authority; for hazardous industrial waste, additional approval from the central competent authority is necessary. However, wastes that are officially categorized as industrial raw material by the central competent authority after consultation with the industry competent authority are not subject to this provision.

Hazardous industrial waste shall give priority to domestic treatment and recycling and can only be exported to member countries of the Organization for Economic Co-operation and Development, or countries which signed bilateral agreement with the Republic of China for transboundary movement of hazardous industrial waste in accordance with international convention, or other states/regions that are announced by central competent authority. The waste disposal organizations of the state of import shall be capable of performing follow-up treatment and recycling in environmentally sound manner.

The management regulations for the qualifications of the applicant, documents, review, permission, permission deadlines, revocation and other binding matters for import, export, transit and transshipment of the industrial waste in the foregoing 2 paragraphs shall be determined by the central competent authority.

Industrial waste shall be banned from importation if one of the following circumstances applies; the category shall be determined by the central competent authority after consultation with the central industry competent authority.

I.Evidence exists that the waste will severely endanger human health or the living environment.

II.No appropriate treatment technology and equipment is domestically available for the waste.

III.The waste is to be directly solidified, landfilled, incinerated or disposed of at sea.

IV.The waste cannot be properly disposed of domestically.

V.The waste is an obstruction to domestic waste management.

The import, export, transit or transshipment of general waste that is subject to the international conventions, such as the Basel Convention, may be performed pursuant to the foregoing four paragraphs.

Paragraph 2 goes into force one year after the revised provision is promulgated on May 26th 2017. Permits that are acquired prior to the promulgation are due by the original expiry date.

Article 39

The reuse of industrial waste shall be conducted in accordance with one of the following methods:

I. Self-reuse by an enterprise in accordance with applicable regulations:

1. Returning the waste to the original production process for use as raw materials.

2. Reuse within the original factory (plant).

3. Transfer to and reuse at another branch factory (plant) of the same

enterprise.

II. For the methods set forth in the items of the preceding subparagraph, where the categories and management methods of reuse are designated by the central competent authority, the enterprise shall, in accordance with Paragraph 1 of Article 31, submit an Industrial Waste Clearance and Disposal Plan to the special municipality, county or city competent authority for review and approval prior to conducting reuse. However, where the waste referred to in Item 1 of the preceding subparagraph conforms to the characteristics and properties of the raw materials used in the original production process, direct reuse may be conducted.

III. For circumstances under Item 1 of Subparagraph 1 that do not fall within the proviso of the preceding subparagraph, the enterprise shall submit an Industrial Waste Clearance and Disposal Plan to the special municipality, county or city competent authority for review and approval prior to conducting reuse.

IV. Reuse conducted by factories (plants) receiving industrial waste for reuse (hereinafter referred to as “reuse entities”) in accordance with applicable regulations; the application of Article 41 shall be excluded:

1. For industrial waste whose reuse categories and administration methods have been designated by the central competent authority, the reuse entity shall apply to the special municipality, county or city competent authority for inspection, verification and approval prior to conducting reuse.

2. For industrial waste other than that referred to in the preceding item, the reuse entity shall apply to the central competent authority for a reuse permit and shall additionally apply to the special municipality, county or city competent authority for inspection and verification approval, and shall conduct reuse in accordance with the permission document and inspection and verification contents.

Enterprises and reuse entities conducting reuse pursuant to the preceding paragraph (hereinafter collectively referred to as “reuse enterprises”) that fall within the scope of enterprises prescribed in Paragraph 1 of Article 31 shall comply with Paragraphs 1 through 3 of that Article in reporting the generation, storage, clearance, disposal, reuse, export, import, transit, or transshipment of waste.

Reuse enterprises shall maintain records and submit reports regarding reuse operations, the flow and quantity of reused products, and shall additionally maintain records and submit reports regarding the usage status of reused products designated by the central competent authority.

Regulations governing the designation of industrial waste reuse categories and management methods referred to in Paragraph 1, submission, review, and approval of Industrial Waste Clearance and Disposal Plans, applications for reuse inspection and verification, applications for reuse permits, review, permit matters, revocation, designation of reused products referred to in the preceding paragraph, record-keeping and reporting items, reporting frequency, administration, and other compliance matters shall be prescribed by the central competent authority.

Article 39-1

Users of reused products designated by the central competent authority shall maintain records and submit reports regarding the flow, quantity, and actual places of use of such reused products. Where any of the following circumstances applies, environmental monitoring shall, where necessary, be implemented, and proof of use shall be retained for inspection:

I. The reused products are used for sea or land reclamation.

II. The reused products are likely to be inappropriately used, pollute the environment, or endanger human health.

III. Other circumstances deemed by the central competent authority as requiring strengthened control.

Users of reused products subject to environmental monitoring under the preceding paragraph shall prepare and submit an environmental monitoring plan to the special municipality, county or city competent authority for approval, and shall maintain records of sampling activities and monitoring results. After submitting an environmental monitoring results report to the special municipality, county or city competent authority for recordation, such users shall disclose the flow of reused products and monitoring results on a website designated by the central competent authority.

The regulations governing the designation of reused products referred to in Paragraph 1, record-keeping and reporting items and frequency, retention of proof of use, required particulars to be included in environmental monitoring plans referred to in the preceding paragraph, applications, review, approval, records of sampling and monitoring results, recordation of environmental monitoring results reports, public disclosure of product flow and monitoring results, and other compliance matters shall be prescribed by the central competent authority.

Article 39-2

The central competent authority may, in consideration of the use, composition, characteristics, quantity, disposal risk, and other relevant factors of industrial waste or reused products, designate waste-generating enterprises, reuse enterprises, and users of reused products to adopt all or part of the following administration measures:

I. Execution of reuse entrustment agreements or sales contracts for reused products, and inclusion therein of matters designated by the central competent authority.

II. Verification of reused products or reuse processes.

III. Testing of reused products.

IV. Restriction on purchasers or recipients of reused products.

V. Restriction on the uses or methods of use of reused products.

VI. Installation of equipment designated by the central competent authority.

VII. Employment of professional technical personnel.

VIII. Installation of closed-circuit television surveillance systems and browsing servers for inspection by the competent authority.

IX. Other administration measures designated by the central competent authority.

The regulations governing the designation of waste-generating enterprises, reuse enterprises, and users of reused products referred to in the preceding paragraph; required particulars to be included in agreements and contracts; verification matters; product testing matters; required contents of testing reports; purchasers or recipients; uses or methods of use; installation of equipment; employment of professional technical personnel; specifications for surveillance systems and browsing servers; designation of other administration measures; and other related compliance matters shall be prescribed by the central competent authority.

Article 39-3

Reuse enterprises producing reused products designated by the central competent authority shall ensure that such products conform to product quality specifications, and shall prominently label on the products, or on the packaging, containers, or sales-related documents thereof, restrictions on use, warning notices, and information for tracing feedstocks.

Where a reuse enterprise is required, pursuant to Subparagraph 2 of Paragraph 1 of the preceding Article, to conduct verification of reused products or reuse processes, the reused products produced thereby shall not be released from the factory (plant) unless such products have been verified by a verification entity recognized by the central competent authority or by a verification entity accredited by an accreditation body.

Regulations governing the designation of reused products referred to in Paragraph 1; product quality specifications for reused products; labeling; restrictions on use; warning notices; feedstock tracing information; qualifications of verification entities and accreditation bodies referred to in the preceding paragraph; verification and accreditation procedures; verification and accreditation matters; revocation; administration; and other matters required to be complied with shall be prescribed by the central competent authority.

The central industry competent authority shall provide guidance to reuse enterprises in improving production practices and promoting reused products, and may entrust or commission other agencies (entities), legal persons, or organizations to undertake such matters.

Article 39-4

Where a reuse enterprise falls under any of the following circumstances, the competent authority may order it to cease accepting industrial waste into its factory (plant):

I. Failure to complete industrial waste reuse operations within a specified period.

II. Failure to complete repair of malfunctioning or abnormal reuse equipment within a specified period.

III. Storage volume of reused products exceeding the cumulative production volume or sales volume for a specified period.

IV. Evading, obstructing, or refusing inspections conducted by the competent authority pursuant to Paragraph 1 of Article 9, or refusing to provide information related to reuse operations.

V. Other violations related to reuse activities as determined by the competent authority.

Where a reuse enterprise falls under any of the following circumstances, the competent authority may order it to suspend reuse operations:

I. Failure to conduct reuse in accordance with the methods prescribed in Paragraph 1 of Article 39.

II. Failure to conduct verification of reused products or reuse processes in accordance with Subparagraph 2 of Paragraph 1 of Article 39-2.

III. Failure to conduct testing of reused products in accordance with Subparagraph 3 of Paragraph 1 of Article 39-2.

IV. Failure to install equipment designated by the central competent authority in accordance with Subparagraph 6 of Paragraph 1 of Article 39-

2.

V. Occurrence of any circumstance prescribed in Subparagraph 4 or 5 of the preceding paragraph.

Where a reuse enterprise falls under any of the following circumstances, the competent authority may order it to cease the sale of reused products or the transport of reused products out of the factory (plant):

I. Failure to sell reused products in accordance with Subparagraph 4 of Paragraph 1 of Article 39-2; or production of reused products prescribed in Paragraph 1 of Article 39-3 that fail to conform to product quality specifications.

II. Provision of false testing reports or verification certification documents for reused products.

III. Continued sale or transport of reused products despite knowledge that the user of the reused products has failed to use such products in accordance with Subparagraph 5 of Paragraph 1 of Article 39-2.

IV. Occurrence of any circumstance prescribed in Subparagraph 4 or 5 of Paragraph 1.

Where the competent authority has rendered a disposition pursuant to any of the preceding three paragraphs, the reuse enterprise shall submit documentary proof of improvement to the competent authority for approval before resuming relevant reuse activities.

The regulations governing the specified periods and durations referred to in Paragraph 1; the circumstances under which acceptance of waste into factories (plants), reuse operations, or the sale or transport of reused products out of factories (plants) shall be suspended pursuant to the preceding four paragraphs; the required particulars to be included in documentary proof of improvement; applications for approval; and other matters required to be complied with shall be prescribed by the central competent authority.

Article 39-5

An enterprise engaging in the processing and remanufacturing of reused products designated by the central competent authority (hereinafter referred to as a “processing and remanufacturing enterprise”) shall, in accordance with Paragraphs 1 through 3 of Article 31, specify the processing and remanufacturing procedures in its Industrial Waste Clearance and Disposal Plan and obtain approval upon review by the special municipality, county or city competent authority, or by an agency entrusted by the central competent authority, before commencing such activities.

With respect to the recordkeeping and reporting obligations of processing and remanufacturing enterprises regarding processed and remanufactured reused products, product quality specifications, labeling matters, verification, establishment of professional technical personnel, suspension of processing and remanufacturing operations, suspension of sales or transport, and resumption of processing and remanufacturing-related activities, as well as the administration measures that may be adopted by the central competent authority, the provisions of Paragraphs 3 and 4 of Article 39 and Articles 39-2 through the preceding Article shall apply mutatis mutandis.

For users of the processed and remanufactured reused products designated by the central competent authority, the provisions of Article 39-1 shall apply mutatis mutandis with respect to recordation, reporting, preservation of proof of use, submission of environmental monitoring reports for approval, submission of environmental monitoring results reports for recordation, and disclosure of product flow and monitoring results.

Article 40

When an enterprise endangers human health or agricultural or fishery operations while storing, clearing or disposing of industrial waste, the competent authority shall promptly order it to make improvements and adopt emergency measures.When necessary, orders may be issued for the suspension of work or suspension of business.

Chapter 4 The Management of Public and Private Waste Clearance and Disposal Organizations and Waste Testing and Analysis Organizations

Article 41

Enterprises that engage in waste clearance or disposal operations shall apply to the special municipality, county or city competent authority, or an agency entrusted by the central competent authority, for the issuance of a permission document for a public or private waste clearance and disposal entity before undertaking entrusted waste clearance or disposal operations. However, this restriction shall not apply under any of the following circumstances:

I. The collection, clearance, disposal, or reuse of general waste conducted by the enforcement authority pursuant to Paragraphs 2 and 6 of Article 5 and Paragraph 1 of Article 12.

II. Facilities or equipment designated for emergency waste clearance and disposal pursuant to Article 8.

III. The clearance or disposal of general waste in accordance with methods publicly announced or approved by the central competent authority pursuant to Paragraph 2 of Article 14.

IV. The collection, storage, clearance, or disposal of waste in accordance with the standards prescribed in Paragraph 1 of Article 18.

V. Clearance machinery, disposal facilities, or equipment referred to in Subparagraph 2, Items 2 through 5 of Subparagraph 3, and Subparagraph 4 of Paragraph 1 of Article 28.

VI. Disposal facilities established by the industry competent authority itself or through its guidance pursuant to Articles 33 and 34.

VII. Facilities established by the central competent authority jointly with the central industry competent authority pursuant to Paragraph 1 of Article 35.

VIII. Other circumstances publicly announced by the central competent authority.

A copy of the permission document issued to the public or private waste clearance and disposal entity referred to in the preceding paragraph shall also be forwarded to the central competent authority.

Article 42

The management regulations for conditions, self-owned facilities, classification, hiring of professional technical personnel, permission, permission deadlines, cancellation of permission, suspension of work, suspension of business, termination of business, resumption of business and other binding matters for public or private waste clearance and disposal organizations in Paragraph 1 of the foregoing article shall be determined by the central competent authority.

Article 43

Except as otherwise approved by the central competent authority, waste testing and analysis under this Act shall be conducted by testing and analysis entities holding permits issued by the central competent authority.

Regulations governing the conditions and facilities required for the testing and analysis entities referred to in the preceding paragraph, the qualification restrictions applicable to testing and analysis personnel, permit application and review procedures, permit matters, revocation, issuance and renewal of permits, suspension and resumption of operations, inspection and evaluation procedures, administration, and other matters required to be complied with shall be prescribed by the central competent authority.

Article 44

Regulations governing the qualifications of professional technical personnel referred to in Paragraphs 2 through 5 of Article 28, Subparagraph 7 of Paragraph 1 of Article 39-2, Paragraph 2 of Article 39-5, and Article 42, as well as the acquisition and revocation of qualification certificates, training, practice of professional duties, administration, and other compliance matters shall be determined by the central competent authority.

Chapter 5 Incentives and Penalties

Article 45

For those that violate Article 12, Article 18, Paragraph 1, Article 28, Paragraphs 1 and 7, Article 36, Paragraph 1, Article 38, Paragraph 1, Article 39, Paragraph 1, or Article 41, Paragraph 1, thereby causing human death, life imprisonment or at least seven years' imprisonment shall be imposed and may be combined with a fine of no more than thirty million New Taiwan Dollars; thereby causing main harm, three to ten years' imprisonment shall be imposed and may be combined with a fine of no more than twenty five million New Taiwan Dollars; thereby endangering human health and causing illness, one to seven-year imprisonment shall be imposed and may be combined with a fine of no more than twenty million New Taiwan Dollars.

Two to seven years' imprisonment shall be imposed to those who forging or altering the fee collection verification labels referred to in Article 24, Paragraph 3, which may be combined with a fine of no more than ten million New Taiwan Dollars.

One to seven years' imprisonment shall be imposed to those who sell the fee collection verification labels referred to in the foregoing paragraph, which may be combined with a fine of no more than ten million New Taiwan Dollars.

Article 46

Any person falling under any of the following circumstances shall be sentenced to imprisonment for a term of not less than one year and not more than seven years, and may additionally be fined not more than NT$15 million:

I. Arbitrary disposal of hazardous industrial waste.

II. Failure by the responsible person of an enterprise or relevant personnel to store, clear, dispose of, or reuse waste in accordance with the methods prescribed by this Act, thereby likely to cause environmental pollution.

III. Provision of land for the backfilling or piling of waste without permission from the competent authority.

IV. Clearance, disposal, or reuse of waste without obtaining a permission document pursuant to Item 2 of Subparagraph 4 of Paragraph 1 of Article 39 or Paragraph 1 of Article 41.

V. Storage, clearance, disposal, or reuse of waste in a manner inconsistent with the reuse methods prescribed in Paragraph 1 of Article 39, or inconsistent with the contents of a waste clearance or disposal permission document obtained pursuant to Paragraph 1 of Article 41, thereby likely to cause environmental pollution.

Where an offense referred to in the preceding paragraph is committed within ecologically sensitive areas or environmentally sensitive areas for resource utilization publicly announced by the central competent authority, the punishment shall be increased by up to one-half.

Article 46-1

Any person falling under any of the following circumstances shall be sentenced to imprisonment for a term of not less than six months and not more than five years, and may additionally be fined not more than NT$10 million:

I. Personnel of an enforcement authority who entrusts an illegal waste clearance, disposal, or reuse enterprise to clear, dispose of, or reuse waste; or who entrusts an entrusted party to do so despite being aware that the entrusted party is illegally clearing, disposing of, or reusing waste.

II. The responsible person or relevant personnel of a public or private waste disposal entity, joint disposal entity, reuse entity, or disposal facility referred to in Items 3 through 6 of Subparagraph 3 of Paragraph 1 of Article 28, or personnel of an enforcement authority, who issues false certificates for waste that has not been disposed of or reused.

Article 47

In the case of the responsible person of the juridical person, representative of the juridical person or natural person, employees or other operational personnel who violate the foregoing two articles; the punishment shall be imposed not only on the offender, but the juridical person or natural person shall also be fined pursuant to the said articles.

Article 48

Those that have reporting obligations pursuant to this Act that knowingly report false information or keep false records of their operations shall be sentenced an imprisonment of no more than three years, criminal detention or imposed or concurrently imposed a fine of no more than ten million New Taiwan Dollars.

Article 49

In any of the following circumstances, a fine between sixty thousand and three hundred thousand New Taiwan Dollars shall be imposed and clearance machinery, disposal facilities or equipment may be confiscated.

I.The owner or user of the clearance machinery, disposal facilities or equipment fails to clear and dispose of its waste and remaining soil pursuant to the time period designated by the competent authority pursuant to Article 9, Paragraph 2.

II.The operator clearing and disposing of waste and remaining soils fails to carry certificates listing production source and disposal site of general waste, general industrial waste and remaining soils along with the vehicle.

III.The operator clearing and disposing of hazardous industrial waste fails to carry certificates listing production source and disposal site of hazardous industrial waste along with the vehicle.

Article 50

Any person falling under any of the following circumstances shall be subject to a fine of not less than NT$1,200 and not more than NT$100,000, and may be notified to make improvements within a specified period. Failure to complete such improvements within the prescribed period shall result in penalties being imposed consecutively for each violation:

I. Failure to clear general waste in accordance with Subparagraphs 1 through 7 of Article 11.

II. Violation of the regulations prescribed pursuant to Paragraph 1 of Article 12 regarding the transportation, classification, storage, discharge, methods, equipment, or reuse during the collection, clearance, or disposal of general waste; or violating the classification, storage, or discharge requirements under Paragraph 2 of the same Article.

III. Commission of any of the acts prescribed in the subparagraphs of Article 27.

Where a driver or passenger of a motor vehicle falls under any of the circumstances referred to in Subparagraph 2 or 3 of the preceding paragraph, the penalty shall be imposed on the offender or the owner of the vehicle. However, where the vehicle owner submits relevant evidence and supporting documents identifying the person liable within the period specified in the notice issued by the enforcement authority or the special municipality, county or city competent authority, the vehicle owner shall be exempt from punishment. The same shall apply where a motor transportation enterprise has fulfilled its obligation to provide notice to passengers, but the passenger nevertheless violates the relevant provisions.

Article 50- 1

Violation of provisions designated in Article 27, Paragraph 1 regarding the spitting of betelnut juice or fiber shall be required to attend a four-hour class to help them break their habit of chewing betelnut.

Regulations governing the holding of the class referred to in the foregoing paragraph, and other binding matters shall be determined by the central competent authority.

Article 51

Any person who fails to pay recycling, clearance, and disposal fees within the prescribed period pursuant to the regulations prescribed pursuant to Paragraph 4 of Article 16-1 shall pay a delinquent fee, assessed at a rate of 0.5% of the overdue amount for each day overdue, together with the payable fees. Any person who continues to fail to make payment thirty days after the deadline shall be referred for compulsory enforcement. Interest shall accrue daily on the recycling, clearance, and disposal fees payable from the day following the expiration of the overdue payment period to the date of payment, based on the fixed annual interest rate for a one-year time deposit with the Postal Savings System on the date of payment.

For recycling, clearance, and disposal fees payable pursuant to Paragraph 1 of Article 16 and Paragraph 1 of Article 16-1, where any person underreports or fails to report information related to the calculation of such fees by falsification, alteration, or other improper means, the central competent authority may directly calculate the amount payable at twice the applicable recycling, clearance, and disposal fee rate based on the inspection results. In addition to calculating and collecting the evaded recycling, clearance, and disposal fees in accordance with the preceding paragraph, the central competent authority shall also recover the payable amount for the preceding five years. Where the fees have been levied for less than five years, the recoverable payable amount shall be calculated from the initial levy date. Interest shall accrue daily on the recoverable payable amount from the day following the payment deadline notified by the central competent authority or from the date on which the evasion of recycling, clearance, and disposal fees occurred to the date of payment, based on the fixed annual interest rate for a one-year time deposit with the Postal Savings System on the date of payment.

Any person falling under any of the following circumstances shall be subject to a fine of not less than NT$60,000 and not more than NT$300,000, and may be notified to make improvements within a specified period. Failure to complete such improvements within the prescribed period shall result in penalties being imposed consecutively for each violation. Where the circumstances are serious, an order for suspension of business for a period of not less than one month and not more than one year may also be imposed, or an order may be issued for partial or complete suspension of work:

I. Violation of the regulations prescribed pursuant to Paragraph 4 of Article 16-1 or Paragraph 3 of Article 18 regarding registration, reporting, or administration.

II. Violation of the standards prescribed pursuant to Paragraph 1 of Article 18 regarding methods or facilities.

III. Violation of the regulations prescribed pursuant to Paragraph 5 of Article 18 regarding auditing and certification.

IV. Violation of the public announcement prescribed pursuant to Paragraph 1 of Article 19 regarding recycling labels or labeling.

V. Violation of the public announcement prescribed pursuant to Paragraph 2 of Article 19 regarding the installation of resource recycling facilities or the performance of collection work.

VI. Evading, obstructing, or refusing checks, or refusing to provide information under Article 20.

VII. Violation of the provisions concerning payment of recycling incentives prescribed in the public announcement under Paragraph 1 of Article 22.

Article 52

Any person falling under any of the following circumstances shall be subject to a fine of not less than NT$6,000 and not more than NT$3,000,000, and may be notified to make improvements within a specified period. Failure to complete such improvements within the prescribed period shall result in penalties being imposed consecutively for each violation:

I. Failure to clear and dispose of industrial waste in accordance with the methods prescribed in Paragraph 1 of Article 28.

II. Violation of the regulations prescribed pursuant to Paragraph 2 of Article 29 regarding conditions, permit matters, validity periods, or management.

III. Failure to obtain approval for, or approval of modifications to, an Industrial Waste Clearance and Disposal Plan pursuant to Subparagraph 1 of Paragraph 1 of Article 31, Subparagraph 3 of Paragraph 1 of Article 39, Paragraph 2 of the same Article, or Paragraph 1 of Article 39-5; or violation of the regulations prescribed pursuant to Paragraph 3 of Article 31 regarding approved matters or modifications.

IV. Violation of the reporting requirements prescribed in Subparagraph 2 of Paragraph 1 or Paragraph 5 of Article 31.

V. Failure to install a real-time tracking system or maintain the normal operation thereof pursuant to Subparagraph 3 of Paragraph 1 of Article 31.

VI. Failure to dispose of industrial waste in accordance with Article 34.

VII. Violation of the standards prescribed pursuant to Paragraph 2 of Article 36 regarding the methods or facilities for the storage, clearance, or disposal.

VIII. Violation of the regulations prescribed pursuant to Paragraph 4 of Article 39, or applied mutatis mutandis pursuant to Paragraph 2 of Article 39-5, regarding management methods, inspection and verification, permit matters, recordkeeping, reporting, or management.

IX. Violation of the regulations prescribed pursuant to Paragraph 3 of Article 39-1, or applied mutatis mutandis pursuant to Paragraph 3 of Article 39-5, regarding the items and frequency of recordkeeping and reporting for reused products, retention of proof of use, approval matters for environmental monitoring plans, records of sampling and monitoring results, or recordation of environmental monitoring results reports.

X. Violation of the regulations prescribed pursuant to Paragraph 2 of Article 39-2, or applied mutatis mutandis pursuant to Paragraph 2 of Article 39-5, regarding required contractual matters, verification matters, testing matters, required contents of testing reports, sales recipients, permitted uses or methods of use, installation of equipment and personnel, specifications for surveillance systems and browsing servers, or other management measures.

XI. Violation of the regulations prescribed pursuant to Paragraph 3 of Article 39-3, or applied mutatis mutandis pursuant to Paragraph 2 of Article 39-5, regarding product quality specifications, labeling, restrictions on use, warning notices, feedstock traceability information, verification, accreditation matters, or management.

XII. Violation of the regulations prescribed pursuant to Paragraph 5 of Article 39-4, or applied mutatis mutandis pursuant to Paragraph 2 of Article 39-5, regarding suspension of acceptance, suspension of reuse operations, suspension of sales or transportation, or approved matters.

Article 53

Any person falling under any of the following circumstances shall be subject to a fine of not less than NT$60,000 and not more than NT$10,000,000, and may be notified to make improvements within a specified period. Failure to complete such improvements within the prescribed period shall result in penalties being imposed consecutively for each violation. Where the circumstances are serious, an order for suspension of work or business may also be imposed:

I. Occurrence of any of the circumstances specified in the subparagraphs of the preceding Article in connection with the storage, clearance, disposal, or reuse of hazardous industrial waste, or the use, processing, or remanufacturing of reused products derived therefrom.

II. Clearance or disposal of hazardous industrial waste in violation of Paragraph 7 of Article 28.

III. Importing, exporting, transiting, or transshipping industrial waste without obtaining a permit pursuant to Paragraph 1 of Article 38; violating the regulations prescribed pursuant to Paragraph 2 of the same Article regarding the export of hazardous industrial waste; violating the regulations prescribed pursuant to Paragraph 3 of the same Article regarding permits, permit validity periods, or management; violating the prohibition on importation under Paragraph 4 of the same Article; or, with respect to general waste regulated under international conventions, violating Paragraphs 1 through 4 of the same Article applied mutatis mutandis pursuant to Paragraph 5 of the same Article.

Article 54

If an enterprise fails to comply with an order to suspend work or suspend business made in accordance with this Act, the local competent authority may make a report to the central competent authority, which shall request the industry competent authority to order the enterprise to terminate business.

Article 55

Any person falling under any of the following circumstances shall be subject to a fine of not less than NT$6,000 and not more than NT$3,000,000, and may be notified to make improvements within a specified period. Failure to complete such improvements within the prescribed period shall result in penalties being imposed consecutively for each violation:

I. A public or private waste clearance and disposal entity that violates the regulations prescribed pursuant to Paragraph 1 of Article 12 regarding the transportation, classification, storage, methods, equipment, or reuse during the collection, clearance, or disposal of general waste, or the classification and storage requirements under Paragraph 2 of the same Article; or violates the regulations prescribed pursuant to Article 42 regarding self-owned facilities, employment of professional technical personnel, permits, permit validity periods, or management.

II. A designated and publicly announced enterprise that fails to employ professional technical personnel pursuant to Paragraph 2 of Article 28; or that, in conducting self-clearance and disposal of industrial waste, violates the regulations prescribed pursuant to Paragraph 2 of Article 28 regarding the required conditions for clearance machinery, disposal facilities or equipment, permits, permit validity periods, or management.

III. A joint waste clearance and disposal entity, or a state-owned enterprise or private entity operating clearance and disposal facilities, that violates the regulations prescribed pursuant to Paragraphs 3 through 5 of Article 28 regarding permits, permit validity periods, employment of professional technical personnel, operations, operational records, or management.

IV. Violating the provisions concerning testing items, methods, frequency, or management prescribed in the regulations promulgated pursuant to Paragraph 2 of Article 37 in the operation and testing relating to the storage, clearance, or disposal of hazardous industrial waste.

Article 56

Those that violate Article 37, Paragraph 1 or evade, impede or refuse, without due reason, the spot check, inspection, sampling or order for providing relevant information prescribed by Article 37, Paragraph 1 shall be imposed a fine between thirty thousand and five million New Taiwan Dollars.

Article 57

Enterprises that conduct industrial waste storage, clearance or disposal that violate provisions designated in Paragraph 1 of Article 41, shall be imposed a fine between sixty thousand and three hundred thousand New Taiwan Dollars and be ordered to suspend business.

Article 58

Any person falling under any of the following circumstances shall be subject to a fine of not less than NT$60,000 and not more than NT$1,000,000 imposed by the central competent authority, and may be notified to make improvements within a specified period. Failure to complete such improvements within the prescribed period shall result in penalties being imposed consecutively for each violation:

I. Conducting testing and analysis without obtaining a permit pursuant to Paragraph 1 of Article 43.

II. Violation of the regulations prescribed pursuant to Paragraph 2 of Article 43 regarding the conditions and facilities required for testing and analysis entities, qualification restrictions for testing and analysis personnel, permit matters, or management.

Waste professional technical personnel who violates the regulations prescribed pursuant to Article 44 regarding qualifications, qualification certificates, training, practice of professional duties, or management shall be subject to a fine of not less than NT$10,000 and not more than NT$100,000.

Article 58-1

Any person falling under any of the following circumstances shall be subject to a fine of not less than NT$60,000 and not more than NT$300,000, and may be notified to make improvements within a specified period. Failure to complete such improvements within the prescribed period shall result in penalties being imposed consecutively for each violation:

I. Violation of an order issued by the special municipality, county or city competent authority or enforcement authority pursuant to Paragraph 1 of Article 71, by failing, upon expiration of the prescribed period, to conduct clearance, disposal, and environmental improvement of waste, submit a remediation plan, or make required supplements or corrections; failing to comply with applicable requirements after supplements or corrections have been made; or failing to implement the remediation plan in accordance with the approved schedule or contents.

II. Evading, obstructing, or refusing, without justifiable reason, to comply with the matters required under Paragraph 1 of Article 71-2.

Article 59

Without adequate reason, offenders that refuse to show identification upon request by an inspector shall be imposed a fine between six hundred and three thousand New Taiwan Dollars.

Article 60

Under any of the following circumstances, severe circumstances addressed in Paragraph 3 of Article 51 and Article 53 under this Act applies.

I.Any person who violates the same provision under this Act and receive notice for improvement within a designated time period twice in a year, and continue to violate provisions under this Act.

II.Any person that illegally disposes of hazardous industrial waste.

III.Any person who causes serious environmental pollution when recycling, storing, clearing, disposing and reusing waste.

IV.Any person that provides documents listing false information during application and reporting.

V.Other circumstances recognized by the competent authority.

Article 62

The time limit given for making improvements or reporting under this Act shall not exceed a period of ninety days. However, under special circumstances, the offender may apply for extension from the special municipality, county or city competent authority.

Article 63

Unless otherwise provided in this Act, the penalties prescribed herein shall be imposed by the enforcement authority; where the enforcement authority fails to act when it is required to do so, the higher competent authority may act on its behalf.

The competent authority or enforcement authority may disclose, on a website designated by the central competent authority, individual and statistical information concerning inspections and dispositions involving enterprises, public or private waste clearance and disposal entities or facilities, professional technical personnel, and testing and analysis entities.

Article 63-1

The amount of administrative fines imposed pursuant to this Act shall be determined according to the degree, characteristics, and severity of pollution; regulations governing the criteria for the imposition of such administrative fines shall be prescribed by the central competent authority.

Where a person obtains benefits from an act in violation of obligations under this Act, in addition to the imposition of a prescribed fine pursuant to this Act, such benefits may be recovered within the scope of the benefits obtained.

Where a person commits an act for the benefit of another, thereby causing such other person to become subject to punishment for violating obligations under this Act, and the actor has obtained pecuniary benefits from such act without being punished, such pecuniary benefits may be recovered within the scope of the value of the benefits obtained.

Where a person becomes subject to punishment for violating obligations under this Act, and another person obtains pecuniary benefits from such act without being punished, such pecuniary benefits may be recovered within the scope of the value of the benefits obtained.

The recovery referred to in the preceding three paragraphs shall be imposed by the sanctioning authority by means of an administrative disposition. The term “benefits” referred to herein includes both positive benefits and passive benefits consisting of expenditures that should have been incurred but were not incurred, or expenditures that were reduced. Regulations governing the calculation and estimation thereof shall be prescribed by the central competent authority.

Article 65

Those who fail to pay fines issued pursuant to this Act by the deadline shall be referred for compulsory enforcement in accordance with the law.

Article 66

Continued failure to pay clearance and disposal fees pursuant to Article 24, after expiration of the time period designated for payment shall be referred to the courts for compulsory enforcement.

Article 67

For acts that violate this Act, the public may address detailed facts or submit proof to inform the local enforcement authority or competent authority.

For the informing action in the foregoing paragraph, if the competent authority or enforcement authority verifies that it is true and impose fines; as the fines reach specific amounts, may allot specific percentage of the actual collected fines as reward for the informants.

The informing action and rewarding regulations in the foregoing paragraph shall be determined by the special municipality, county or city competent authority.

When the competent authority or enforcement authority conducts verification of the foregoing case, identification of the informants shall be kept confidential.

Article 68

Enterprise expense incurred from waste clearance shall be tax deductible.

Enterprises that are in compliance with relevant regulations of this Act and with excellent performance in the area of waste clearance, reduction, recycling and reuse shall be rewarded; reward regulations shall be determined by the central competent authority in consultation with the central industry competent authority.

Article 69

Funds gained from selling recycled waste by the enforcement authority from waste recycling work shall be spent in specific purpose that is relevant to waste recycling and a specific percentage may be allotted as reward for waste recycling operators.

Allocation percentage and exercising regulations of the fund in the foregoing paragraph gained from selling recycled waste shall be determined by the central competent authority.

For the funds gained from conducting general waste recycling at the government agencies or public schools, a special government agency account at government treasury shall be established and managed properly.

Chapter 6 Supplementary Provisions

Article 70

An enforcement authority, public or private waste clearance and disposal organization, joint clearance and disposal organization or enterprises providing management facilities pursuant to Article 29, Paragraph 1 may clear waste outside of its jurisdiction area. The special municipality, county or city competent authority shall not impose restriction.

Article 71

Where the special municipality, county or city competent authority or enforcement authority discovers waste that has been cleared or disposed of in violation of applicable regulations, it may issue a written order requiring any of the following obligated persons to complete waste clearance, disposal, and environmental improvement within a specified period:

I. Enterprises.

II. Persons entrusted to clear or dispose of waste.

III. Agents for the illegal clearance or disposal of waste.

IV. Landowners, administrators, or users who permit, or through gross negligence cause waste to be illegally backfilled or piled on their land. Such written order shall specify therein that substituted performance for such clearance, disposal, and environmental improvement (hereinafter referred to as “substituted performance”) will be undertaken in the event of noncompliance within the prescribed period, together with the estimated amount of substituted performance costs. Where necessary, the competent authority or enforcement authority may additionally order, in writing and within a specified period, the obligated person to submit a remediation plan and implement such plan in accordance with the schedule and contents approved by the special municipality, county or city competent authority or enforcement authority, and shall specify therein the relevant matters concerning failure to comply within the prescribed period.

To avoid the occurrence of pollution hazards or prevent the expansion of

pollution, the special municipality, county or city competent authority or enforcement authority may, prior to issuing the administrative disposition referred to in the preceding paragraph, directly adopt emergency response measures. The necessary expenses arising from sampling, testing, clearance, disposal, and other related actions may be imposed on the obligated person by written order.

After service of the written administrative dispositions referred to in the preceding two paragraphs, the special municipality, county or city competent authority or enforcement authority may apply to the administrative court for provisional attachment without providing collateral. After provisional attachment has been implemented, the special municipality, county or city competent authority or enforcement authority shall lift such preservative measures under any of the following circumstances:

I. The obligated person has independently provided, or caused a third party to provide, adequate security.

II. The obligated person has completed waste clearance, disposal, and environmental improvement, or has implemented the approved remediation plan to a certain extent.

Under any of the following circumstances, the special municipality, county or city competent authority or enforcement authority may directly undertake substituted performance:

I. The obligated person lacks the willingness or capability to undertake such actions.

II. The obligated person fails to complete waste clearance, disposal, and environmental improvement within the period prescribed pursuant to Paragraph 1, or fails to submit a remediation plan within the prescribed period.

III. The submitted remediation plan fails to comply with applicable requirements or contains deficiencies, and the obligated person fails to make supplements or corrections within the prescribed period after being notified to do so by the special municipality, county or city competent authority or enforcement authority, or the supplemented or corrected submission still fails to comply with applicable requirements.

IV. The obligated person fails to implement the remediation plan in accordance with the schedule and contents approved by the special municipality, county or city competent authority or enforcement authority.

The regulations governing the estimation of substituted performance costs referred to in Paragraphs 1, 2, and the preceding paragraph; the scope of necessary expenses for emergency response measures; the format, required particulars, supporting documents, supplements or corrections, review, approval, revocation, and administration of remediation plans; the standards governing the exercise of discretion for applications for provisional attachment under Paragraph 3; the methods and amount of security; the determination of completion of waste clearance, disposal, and environmental improvement or implementation of an approved remediation plan to a certain extent; and other compliance matters shall be prescribed by the central competent authority.

Article 71-1

Where there are multiple obligated persons with respect to land on which waste has been illegally backfilled or piled, such persons shall, with respect to such waste, bear joint and several liability for clearance, disposal, and environmental improvement, and shall also bear joint and several liability for payment of substituted performance costs and necessary expenses for emergency response measures.

Where an obligated person is organized as a company, the special municipality, county or city competent authority or enforcement authority may order, within a specified period, its responsible person, or any company or shareholder holding more than one-half of its total issued voting shares or total capital, or directly or indirectly controlling its personnel affairs, financial affairs, or business operations, to pay the substituted performance costs and necessary expenses for emergency response measures referred to in the preceding Article. The same shall apply where the obligated person ceases to exist due to a merger, spin-off, or any other cause.

Except for persons who permit waste to be illegally backfilled or piled on their land, landowners, administrators, or users who have paid substituted performance costs or necessary expenses for emergency response measures referred to in the preceding Article may seek compensation from other obligated persons.

Creditor rights for substituted performance costs and necessary expenses for emergency response measures shall take priority over all creditor rights and mortgage rights, and shall not be subject to the effect of prohibitions on disposition arising from attachment. The right to claim such creditor rights shall be extinguished if not exercised within ten years.

Article 71-2

Landowners, administrators, or users shall cooperate with substituted performance, emergency response measures, sampling, testing, and other related measures conducted by the special municipality, county or city competent authority or enforcement authority, as well as acts performed by obligated persons in accordance with an approved remediation plan, and shall not evade, obstruct, or refuse such actions.

Where the special municipality, county or city competent authority or enforcement authority conducts substituted performance or adopts emergency response measures, it may entrust an appropriate waste clearance, disposal, or reuse entity, or a waste clearance and disposal facility, to carry out such actions. Upon approval by the authority originally issuing the permit or consent, such waste clearance, disposal, or reuse entity or waste clearance and disposal facility may be exempt from restrictions concerning the categories, quantities, or other matters specified in its permit, consent, or designation documents. Where the relevant facility or entity has been approved pursuant to the Environmental Impact Assessment Act, it shall likewise not be subject to restrictions set forth in the environmental impact statement, environmental impact assessment report, or review conclusions.

The special municipality, county or city competent authority or enforcement authority may disclose the location of land on which waste has been illegally backfilled or piled, the categories and quantities of waste involved, and other pollution conditions, and may request the land registration authority to annotate the relevant cadastral registration records accordingly. After the waste has been properly cleared and disposed of, the annotation shall be removed upon request.

Article 72

When a public and private premises violates this Act or related orders determined pursuant to the authorization of this Act and the competent authority is negligent in enforcement, victims or public interest groups may notify the competent authority in writing of the details of the negligent enforcement. For those competent authorities that have still failed to carry out enforcement in accordance with the law within sixty days after receipt of the written notification, the victims or public interest groups may name the competent authority at issue as a defendant and directly file a lawsuit with a high administrative court based on the negligent behavior of the competent authority in the execution of its duties in order to seek a ruling ordering the competent authority to execute its duties.

When issuing a verdict on the lawsuit in the foregoing paragraph, the high administrative court pursuant to its authority may order the defendant agency to pay the appropriate lawyer fees, detection and appraisal fees and other litigation costs to plaintiffs that have made specific contributions to the effective clearance and disposal of waste.

The central competent authority in consultation with the relevant agencies shall determine the format of the written notification in Paragraph 1.

Article 73

Competent authorities at all government levels shall collect permission, certification, review or inspection fees when performing issuance and replacement of permission, certifications, managing application for review or testing pursuant to this Act.

The central competent authority in consultation with the relevant agencies shall determine fee collection standards for the foregoing paragraph.

Article 74

The competent authority and industry competent authority may designate or authorize professional organizations or relevant organizations to conduct research, training and management for waste management.

Article 75

The central competent authority shall determine waste testing methods and quality control items.

Article 76

The central competent authority shall determine the enforcement rules of this Act.

Article 77

This Act shall enter into force on the date of promulgation.

This Act was amended on May 5, 2006, and the amended provisions shall enter into force on July 1, 2006.

This Act was amended on November 13, 2012, and the amended provisions shall enter into force on September 6, 2012.

Articles 39 through 39-5 and the related penalty provisions in Chapter V of this Act, as amended on June 16, 2026, shall enter into force two years after the date of promulgation.

Data Source：Ministry of Environment Laws and Regulations Retrieving System