Content

Title：	Resource Recycling and Reuse Act Enforcement Rules Ch	
Date：	2003.08.27	
Legislative：	Promulgated by Environmental Protection Administration order on August 27, 2003	
Content：	Article 1	These Rules are determined pursuant to Article 30 of the Resource Recycling Act (herein referred to as "this Act").
	Article 2	The central competent authority in consultation with the central industry competent authority shall make determinations when there exists doubts concerning reuse or recycling classification as designated in Article 2, Subparagraph 3 and Subparagraph 4 of this Act.
	Article 3	The matters designated in this Act as the responsibility of the central competent authority are as follows. 1.Planning, determination, supervision and implementation of national renewable resource recycling policies, programs and plans 2.Matters related to national renewable resource reuse auditing/checking, public awareness, training, guidance, assessment and research 3.Regular review of renewable resource reuse results and performance 4.Collection and compiling of data for annual reports on national renewable resource recycling 5.Coordination or implementation of renewable resource reuse work involving two or more special municipalities, counties, or cities 6.Planning and establishment of special use areas for national environmental protection technology or renewable resource recycling 7.Other national resource recycling matters
	Article 4	The central industry competent authority designated in this Act shall be determined according to the industry type or attributes of the renewable resource producing industry. In the event that the determination of central industry competent authority in the foregoing paragraph is disputed, the central competent authority shall request the Executive Yuan to make such determination.

Article 5	The matters designated in this Act as the responsibility of the central industry competent authority are as follows. 1.Planning, determination, supervision, and implementation of renewable resource recycling programs and plans in the industries under their jurisdiction 2.Matters related to renewable resource recycling auditing, public awareness, training, assistance, evaluation, and research in the industries under their jurisdiction 3.Regular review of renewable resource recycling results and performance 4.Coordination or implementation of renewable resource recycling work involving two or more special municipalities, counties, or cities 5.Planning and establishment of special use areas for national environmental protection technology or renewable resource recycling 6.Other national resource recycling matters
Article 6	The matters designated in this Act as the responsibility of the local competent authorities are as follows. 1.Planning, determination, and implementation of special municipality, county, or city renewable resource reuse programs and plans 2.Determination and interpretation of autonomous special municipality, county, or city renewable resource reuse laws and regulations 3.Matters related to renewable resource reuse auditing, public awareness, training, assistance, evaluation, and research in special municipality, county, or city under their jurisdiction 4.Supervision and management of special municipality, county, or city renewable resource reuse enterprises 5.Production of special municipality, county, or city renewable resource reuse surveys and statistical compilations 6.Local competent authorities shall submit to the central competent authority a report of renewable resource reuse results, investigations, and disciplinary actions during the previous year prior to March 31 every year, and shall likewise submit a renewable resource reuse implementation plan prior to October 31 every year 7.Planning and establishment of special use areas for special municipality, county, or city environmental protection technology or renewable resource recycling 8.Other special municipality, county, or city resource recycling matters
Article 7	The central competent authority or central industry competent authority may arrange renewable resource items in an order of precedence officially announced pursuant to Article 15, paragraphs 1 and 3 of this Act.

Article 8	The recycling industry competent authority designated in Article 15, paragraphs 2 and 4 of this Act shall be determined according to the industry type or attributes of the renewable resource recycling industry. In the event that the determination of central industry competent authority in the foregoing paragraph is disputed, the central competent authority shall request the Executive Yuan to make such determination.
Article 9	In the event that an item has not yet been officially announced as a renewable resource item, a renewable resource producing enterprise and reusing or recycling enterprise may jointly apply to the central competent authority or central industry competent authority in charge of the renewable resource producing enterprise for approval of the item as a renewable resource item. "Reusing enterprise" referred to in the foregoing paragraph means an enterprise engaged in renewable resource reuse activities. "Recycling enterprise" referred to in Paragraph 1 means an enterprise engaged in renewable resource recycling activities.
Article 10	"Environmentally friendly products" in Article 22 of this Act means the following products. 1.Products that have received an environmental safety mark use permit issued by the central competent authority or agency (organization) commissioned by the central competent authority, or products that have received a foreign environmental safety mark use permit recognized by the ROC under a mutual agreement. 2.The central competent authority determines that the manufacturing, use, and waste disposal of the product or its raw materials meet conditions for reusable materials, recyclability, low pollution, or energy conservation, and has issued verification documents, even though it is not an environmental safety mark product officially announced by the central competent authority. 3.The industry competent authority determines that the product meets the conditions of increasing social benefit or reducing social cost, and has issued verification documents.
Article 11	The central competent authority or industry competent authority (herein referred to as the "disciplinary agency") shall explicitly state disciplinary reasons on citations issued in accordance with the punishments designated in Article 26 of this Act. When corrections or improvements are to be made within a limited time period, the disciplinary agency shall explicitly state the content of corrections or improvements, verification documents to be submitted upon completion of corrections or improvements, and relevant regulations governing imposition of consecutive daily fines for those that fail to complete corrections or improvements within the limited time period.

Article 12	"Completion of corrections or improvements" referred to in the foregoing article means correction or improvement actions have been completed, verification documents have been submitted in full to the disciplinary agency for checking, and the disciplinary agency has performed checking that demonstrates compliance with regulations.
Article 13	Those that have been notified by the disciplinary agency to make corrections or improvements within a limited time, in accordance with Article 26 of this Act, and are unable to complete corrections or improvements by the deadline due to natural disaster or other force majeure shall continue to make corrections or improvements after the reason for noncompliance ends, and shall, within ten days, apply to the disciplinary agency for the approval of a new deadline by submitting a written explanation of cause and relevant supporting data.
Article 14	The starting day of consecutive daily fines shall be determined according to the following regulations. 1.Consecutive daily fines shall start on the day after the final day of the correction or improvement deadline for those that fail to submit in full verification documents for the completion of corrections or improvements by the correction or improvement deadline but have requested the disciplinary agency to perform checking. 2.Consecutive daily fines shall start on the day after the final day of the correction or improvement period for those that have submitted in full verification documents for the completion of corrections or improvements by the correction or improvement deadline, and have requested the disciplinary agency to perform checking, but, after checking, have been determined to have failed to complete corrections or improvements by the correction or improvement deadline by the disciplinary agency. However, consecutive daily fines shall start on the day of checking for those that the disciplinary agency determines after performing checking to have failed to complete corrections or improvements by the correction or improvement deadline.
Article 15	For those issued consecutive daily fines that complete corrections or improvements and submit verification documents in full to the disciplinary agency, the consecutive daily fines shall be temporarily suspended starting on the day after the delivery of the documents.
Article 16	Those whose consecutive daily fines have been temporarily suspended in accordance with the foregoing article shall continue to be issued consecutive daily fines starting from the day of temporary suspension if, after submitting in full verification documents for the completion of corrections or improvements to the disciplinary agency, the disciplinary agency determines upon checking that corrections or improvements have not been completed.

	Article 17	The ending day of consecutive daily fines shall be determined according to the following regulations. 1.Consecutive daily fines shall end from the day of temporary suspension for those that have submitted in full verification documents for the completion of corrections or improvements to the disciplinary agency and have been determine upon checking by the disciplinary agency to have completed the corrections or improvements. 2.For those that have been ordered by the disciplinary agency to suspend work, suspend business, or terminate business in accordance with a legal order, consecutive daily fines shall end from the day of work suspension, business suspension, or business termination.
	Article 18	Those that have been ordered by the disciplinary agency pursuant to this Act to suspend work or suspend business shall submit to the disciplinary agency verification documents demonstrating the completion of corrections or improvements, or other documents designated by the disciplinary agency, in order to apply for the resumption of work or business; only after review and approval by the disciplinary agency may work or operations be resumed.
	Article 19	These Rules shall take effect from the date of promulgation.
Attachments：	604497211e.pdf 604497211e.pdf	

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