

Appendix 1

The Weighting (B) of Points for the Degree of Violation

Penal Provisions in this Act Article No.	Upper Limit and Lower Limit of Fine (Unit: NT\$)	Pollution Characteristics and the Circumstances of the Violation		Weighting (B) Points for the Degree of Violation
Paragraph 1, Article 47	NT\$300,000 to NT\$100,000,000	The violation of the provisions of Paragraph 1, Article 15 of this Act by engaging in oil conveyance, maritime projects, or other activities for which there is a concern of pollution without permission	The threat of pollution of the sea	1-2
		The violation of the provisions of Paragraph 1, Article 15 of this Act by engaging in marine dumping without permission	The event of pollution of the sea	1-5
		The violation of the provisions of Paragraph 1, Article 15 of this Act by engaging in oil conveyance, maritime projects, or other activities for which there is a concern of pollution without permission	The event of pollution of the sea	3-5
		The violation of the provisions of Paragraph 1, Article 15 of this Act by engaging in oil conveyance, maritime projects, marine dumping, or other activities for which there	The event of serious pollution of the sea	6-10

		is a concern of pollution without permission		
Paragraph 2, Article 47	NT\$500,000 to NT\$50,000,000	For the failure to assist with handling an emergency pollution incident, it shall be judged according to the degree of cooperation in assisting in the handling of such incident.		1-10
Article 48	1. Ships with a gross tonnage of over 400 tons and oil tankers or chemical tankers with a gross tonnage of over 150 tons: NT\$1,000,000 to NT\$30,000,000 2. Ships that do not reach the scale of the preceding subparagraph: NT\$300,000 to NT\$3,000,000	The violation of the provisions of Paragraph 2, Article 31 of this Act by not adopting appropriate discharge prevention measures for ships loading, unloading or transporting oil, chemical goods or other cargo that might cause pollution of the sea	The event of pollution of the sea or the threat of pollution of the sea	1-5
		The violation of the provisions of Article 32 of this Act by not adopting any measure for the construction, repair, demolition, salvage, or tank or cargo hold cleaning and washing of a ship and not cleaning up polluting substances	The threat of pollution of the sea or the event of pollution of the sea	1-5
		The violation of the provisions of Paragraph 2, Article 31 of this Act by not adopting appropriate discharge prevention measures for ships loading, unloading or transporting oil, chemical goods or other cargo that might cause pollution of the sea	The event of serious pollution of the sea	6-10

		The violation of the provisions of Article 32 of this Act by not adopting any measure for the construction, repair, demolition, salvage, or tank or cargo hold cleaning and washing of a ship and not cleaning up polluting substances	The event of serious pollution of the sea	6-10
Article 49	NT\$600,000 to NT\$30,000,000	The amount of collateral for those who violate the provisions of Paragraph 3, Article 38 of this Act and fail to supplement the collateral within the time limit notified by the competent authorities	Less than NT\$1,000,000	1-2
			NT\$1,000,000 to NT\$9,999,999	3-4
			No less than NT\$10,000,000	5-10
Article 50	NT\$300,000 to NT\$30,000,000	The violation of the provisions of Paragraph 1 of Article 19, Paragraph 1 of Article 22, Paragraph 1 of Article 26, Paragraph 1 of Article 27 applied to Paragraph 1 of Article 26, or Paragraph 1 of Article 33 of this Act by failing to adopt measures to prevent, eliminate or mitigate pollution	The threat of serious pollution of the sea	1-5
		The violation of the provisions of Paragraph 2 of Article 19, Paragraph 2 of Article 22, Paragraph 2 of Article 26 or Paragraph 1 of Article 27 applied to Paragraph 2 of Article 26 of this Act	The threat of serious pollution of the sea	1-5

		by failing to comply with an order of the competent authorities		
		The violation of the provisions of Paragraph 1 of Article 33 of this Act by not adopting any measure to prevent, eliminate or mitigate pollution when a ship suffers a shipwreck or another accident	The threat of serious pollution of the sea	1-5
		The violation of the provisions of Paragraph 2 of Article 33 of this Act by the polluter for failing to comply with an order of the competent authorities when a ship suffers a shipwreck or another accident	The threat of pollution of the sea or The event of pollution of the sea	1-5
		The violation of the provisions of Paragraph 1 of Article 19, Paragraph 1 of Article 22, Paragraph 1 of Article 26, Paragraph 1 of Article 27 applied to Paragraph 1 of Article 26, or Paragraph 1 of Article 33 of this Act by failing to adopt measures to prevent, eliminate or mitigate pollution	The event of serious pollution of the sea	6-10
		The violation of the provisions of Paragraph 2 of Article 19, Paragraph 2 of Article 22, Paragraph 2 of Article 26	The event of serious pollution of the sea	6-10

		or Paragraph 1 of Article 27 applied to Paragraph 2 of Article 26 of this Act by failing to comply with an order of the competent authorities		
		The violation of the provisions of Paragraph 1 of Article 33 of this Act by not adopting any measure to prevent, eliminate or mitigate pollution when a ship suffers a shipwreck or another accident	The event of serious pollution of the sea	6-10
		The violation of the provisions of Paragraph 2 of Article 33 of this Act by the polluter for failing to comply with an order of the competent authorities when a ship suffers a shipwreck or another accident	The event of serious pollution of the sea	6-10
Article 51	NT\$300,000 to NT\$30,000,000	The violation of the provisions in the Regulations of Marine Dumping Permit Management regarding marine dumping working procedures or the contents of the marine dumping permit	The threat of pollution of the sea or the event of pollution of the sea	1-5
		The violation of the provisions of Paragraph 1 of Article 23 or Paragraph 1 of Article 27 applied to Paragraph 1 of Article 23 of this Act,	The event of pollution of the sea	1-5

		dumping Category B or C substances announced in accordance with Paragraph 1 of Article 24 and Paragraph 1 of Article 27 applied to Paragraph 1 of Article 24, into the sea without permission		
		The violation of the provisions of Paragraph 1 of Article 25 or Paragraph 1 of Article 27 applied to Paragraph 1 of Article 25 of this Act by implementing marine dumping in nondesignated zones	The event of pollution of the sea	1-5
		The violation of the provisions of Paragraph 1 of Article 23 or Paragraph 1 of Article 27 applied to Paragraph 1 of Article 23 of this Act, dumping Category B or C substances announced in accordance with Paragraph 1 of Article 24 and Paragraph 1 of Article 27 applied to Paragraph 1 of Article 24, into the sea without permission	The event of serious pollution of the sea	6-10
		The violation of the provisions in the Regulations of Marine Dumping Permit Management regarding marine dumping working	The event of serious pollution of the sea	6-10

		procedures or the contents of the marine dumping permit		
		The violation of the provisions of Paragraph 1 of Article 25 or Paragraph 1 of Article 27 applied to Paragraph 1 of Article 25 of this Act by implementing marine dumping in nondesignated zones	The event of serious pollution of the sea	6-10
Article 52	1. Ships with a gross tonnage of over 400 tons and oil tankers or chemical tankers with a gross tonnage of over 150 tons: NT\$300,000 to NT\$30,000,000. 2. Ships that do not reach the scale of the preceding subparagraph: NT\$30,000 to NT\$3,000,000.	The violation of the provisions of Paragraph 1 of Article 30 by discharging wastewater or sewage, oil, waste and other polluting substances into the sea	The event of pollution of the sea	1-5
		The violation of the provisions of Paragraph 1 of Article 30 by discharging wastewater or sewage, oil, waste and other polluting substances into the sea	The event of serious pollution of the sea	6-10
Article 53	NT\$200,000 to NT\$20,000,000	The violation of the pollution control measures that have been officially announced pursuant to Paragraph 2 of Article 8 of this Act	The threat of pollution of the sea or The event of pollution of the sea	1-5
		The violation of the provisions of Paragraph 1 of Article 21 of this Act by engaging in maritime	The event of pollution of the sea	1-5

		projects or using marine facilities, discharging, leaking or dumping waste, hazardous substances or other polluting substances that have been designated and officially announced by the central competent authority		
		The violation of the provisions of Paragraph 1 of Article 21 of this Act by engaging in maritime projects or using marine facilities, and discharging, leaking or dumping oil, wastewater or sewage	The event of pollution of the sea	1-5
		The violation of the pollution control measures that have been officially announced pursuant to Paragraph 2 of Article 8 of this Act	The event of serious pollution of the sea	6-10
		The violation of the provisions of Paragraph 1 of Article 21 of this Act by engaging in maritime projects or using marine facilities, discharging, leaking or dumping waste, hazardous substances or other polluting substances that have been designated and officially announced by the central competent authority	The event of serious pollution of the sea	6-10

		The violation of the provisions of Paragraph 1 of Article 21 of this Act by engaging in maritime projects or using marine facilities, and discharging, leaking or dumping oil, wastewater or sewage	The event of serious pollution of the sea	6-10
Article 54	NT\$100,000 to NT\$10,000,000	The failure to clean up pollution pursuant to the preceding section of Paragraph 1, Article 16 of this Act	The event of pollution of the sea	1-5
		The failure to clean up pollution pursuant to the preceding section of Paragraph 1, Article 16 of this Act	The event of serious pollution of the sea	6-10
		The violation of engaging in marine incineration pursuant to Article 28 of this Act		1-10
Article 55	NT\$100,000 to NT\$10,000,000	The failure to perform the permitted emergency response plan pursuant to Paragraph 1 of Article 15 of this Act when engaging in oil conveyance, maritime projects, marine dumping, or other activities for which there is a concern of pollution	The threat of pollution of the sea or The event of pollution of the sea	1-5
		The violation of the provisions regarding the methods of marine pollution clean-up and disposal work in the Marine Environment	The event of pollution of the sea	1-5

		Pollution Cleanup and Disposal Regulations		
		The violation of discharging wastewater or sewage into areas adjacent to the sea without permission pursuant to Paragraph 1, Article 18	The event of pollution of the sea	1-5
		The violation of the provisions regarding discharge permits with regard to a change in contents, the suspension of facility use, and the maintenance or referencing of discharge records in the Regulations on the Permit for Onshore Pollution Source to Discharge Wastewater or Sewage into Specific Marine Areas	The threat of pollution of the sea or The event of pollution of the sea	1-5
		The failure to perform the permitted marine pollution prevention and control plans pursuant to Paragraph 1, Article 20 of this Act when engaging in the exploration or extraction of oil, the conveyance of oil or chemical substances, or the discharge of wastewater or sewage	The threat of pollution of the sea or The event of pollution of the sea	1-5

		The violation of the provisions regarding discharge permits with regard to a change in contents or a referencing of suspension of facility use in the Regulations on the Permit for Marine Projects to Discharge Wastewater or Sewage	The threat of pollution of the sea or The event of pollution of the sea	1-5
		The violation of the provisions regarding construction, facility checks, management or pollution controls in the Regulations on the Management of Permit for the Construction of Artificial Fishing Reefs or Other Fishery Facilities	The threat of serious pollution of the sea	1-5
		The failure to perform the permitted emergency response plan pursuant to Paragraph 1 of Article 15 of this Act when engaging in oil conveyance, maritime projects, marine dumping, or other activities for which there is a concern of pollution	The event of serious pollution of the sea	6-10
		The violation of the provisions regarding the methods of marine pollution clean-up and disposal work in the Marine Environment	The event of serious pollution of the sea	6-10

		Pollution Cleanup and Disposal Regulations		
		The violation of discharging wastewater or sewage into areas adjacent to the sea without permission pursuant to Paragraph 1, Article 18	The event of serious pollution of the sea	6-10
		The violation of the provisions regarding discharge permits with regard to a change in contents, the suspension of facility use, and the maintenance or referencing of discharge records in the Regulations on the Permit for Onshore Pollution Source to Discharge Wastewater or Sewage into Specific Marine Areas	The event of serious pollution of the sea	6-10
		The failure to perform the permitted marine pollution prevention and control plans pursuant to Paragraph 1, Article 20 of this Act when engaging in the exploration or extraction of oil, the conveyance of oil or chemical substances, or the discharge of wastewater or sewage	The event of serious pollution of the sea	6-10
		The violation of the provisions regarding	The event of serious pollution of the sea	6-10

		discharge permits with regard to a change in contents or a referencing of suspension of facility use in the Regulations on the Permit for Marine Projects to Discharge Wastewater or Sewage		
		The violation of the provisions regarding construction, facility checks, management or pollution controls in the Regulations on the Management of Permit for the Construction of Artificial Fishing Reefs or Other Fishery Facilities	The event of serious pollution of the sea	6-10
Article 56	NT\$600,000 to NT\$3,000,000	The amount of insurance premium or a guarantee for those who violate the regulations pursuant to Paragraph 2, Article 36 of this Act in regard to failing to purchase liability insurance or provide a guarantee based on the gross tonnage of the ship, or suspending or terminating insurance or guarantee	Less than NT\$1,000,000	1
			NT\$1,000,000 to NT\$9,999,999	2-3
			No less than NT\$10,000,000	4-5
Article 57	NT\$300,000 to NT\$1,500,000	The failure to issue notifications pursuant to Paragraph 1 of Article 19, Paragraph 1 of Article 22, Paragraph 1 of Article 26, Paragraph 1 of Article 27 applied to Paragraph 1 Article 26 or Paragraph 1 of Article 33 of this Act		1-5

Article 58	NT\$300,000 to NT\$1,500,000	Evading, obstructing or refusing an inspection, appraisal, order, check or examination performed pursuant to Paragraph 1 of Article 6, Paragraph 3 of Article 25, Paragraph 1 of Article 27 applied to Paragraph 3 of Article 25 or Article 29 of this Act	1-5	
Article 59	NT\$200,000 to NT\$1,000,000	The violation of the official announcement of the restriction on the use of a marine area pursuant to the rear section of Paragraph 1, Article 9 of this Act	1-5	
		The violation of Paragraph 2, Article 9 of this Act by interfering with a monitoring station or facility	1-2	
		The violation of the Paragraph 2, Article 9 of this Act by damaging a monitoring station or facility	3-5	
Article 60	NT\$200,000 to NT\$1,000,000	The failure to monitor or report pursuant to the front section of Article 20, Paragraph 2 of this Act	1-5	
		The failure to maintain or report records pursuant to the rear section of Paragraph 2 of Article 20 or Paragraph 2 of Article 21 of this Act	1-5	
		The failure to maintain or report records pursuant to the front section of Paragraph 3 of Article 25 or Paragraph 1 of Article 27 applied to the front section of Paragraph 3 of Article 25 of this Act	1-5	
Article 61	NT\$6,000 to NT\$300,000	The failure to pay fees within a given deadline pursuant to the Marine Pollution Control Fee Imposition Regulations; Interest shall be accrued for an unpaid fee.	Less than NT\$1,000,000	1-2
			NT\$1,000,000 to NT\$9,999,999	3-4
			No less than NT\$10,000,000	5-10

Note:

1. The relevant penalties stipulated in from Article 47 to Article 61 of this Act shall be categorized according to their patterns, and the weighting of the degree of violation shall be set at one to ten respectively.
2. The number of points to be weighted according to the degree of responsibility, severity, type and quantity of substances discharged for those who violates the obligations under this Act and causes marine pollution.