

Article 10 Appendix 6

Appendix 6: Criteria of Penalties for Violations by Tour Guides of this Act and the Regulations Governing Tour Guides.

| Item | Cause of Sanction | Sanctioning Agency | Legal Basis of Sanction | Range of Penalty | Penalty Criteria | | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| 1. | Undertaking work as a tour manager without having obtained a tour manager's license in accordance with the provisions of Article 32 of this Act. | Tourism Bureau | Article 32 Paragraphs 1 and 2 and Article 59 of this Act. | A fine of between 10,000 and 50,000 NT dollars, and order to stop work. | The person concerned is a travel agency worker. | Having already passed qualifying tests and completed qualifying training, but not having obtained professional license. | A fine of 10,000 NT dollars, and order to stop work. |
| | | | | | | Having passed qualifying tests but not having received training. | A fine of 15,000 NT dollars, and order to stop work. |
| | | | | | | Having neither passed qualifying tests nor received training. | A fine of 30,000 NT dollars, and order to stop work. |
| | | | | | The person concerned is not a travel agency worker. | Having already passed qualifying tests and completed qualifying training, but not having obtained professional license. | A fine of 20,000 NT dollars, and order to stop work. |
| | | | | | | Having passed qualifying tests but not having received training. | A fine of 30,000 NT dollars, and order to stop work. |
| | | | | | | Having neither passed qualifying tests nor received training. | A fine of 50,000 NT dollars, and order to stop work. |

| | | | | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 2. | Except for the extension due to the announcement of the central competent authority, a tour guide, having obtained a certificate of completion of training or a professional license, subsequently not working as a tour guide for three consecutive years, and thereafter conducting tour guiding work without completing retraining and obtaining or renewing a professional license. | Tourism Bureau | Article 32 Paragraph 3 and Article 59 of this Act. | A fine of between 10,000 and 50,000 NT dollars, and order to stop work. | A fine of 10,000 NT dollars, and order to stop work. | |
| 3. | A tour guide that defrauds tourists, violates good morals, or tarnishes national dignity, or damages national inter. | Tourism Bureau | Article 53 Paragraph 3 of this Act. | A fine of between 10,000 and 50,000 NT dollars | Defraud tourists | A fine of 10,000 NT dollars |
| | | | | | Violate good morals | A fine of 30,000 NT dollars |
| | | | | | Tarnish national dignity or damage national interest | A fine of 50,000 NT dollars |
| 4. | A tour guide that defrauds tourists, violates good morals, or tarnishes national dignity, or damages national inter, with seriously exacerbating circumstances. | Tourism Bureau | Article 53 Paragraph 3 of this Act. | A fine of between 50,000 and 300,000 NT dollars | Defraud tourists | A fine of 50,000 NT dollars |
| | | | | | Violate good morals | A fine of 150,000 NT dollars |
| | | | | | Tarnish national dignity or damage national interest | A fine of 300,000 NT dollars |
| 5. | A tour guide, having qualified by testing and training prior to the amendment of the Regulations Governing Tour Guides promulgated on March 22, 2001, receiving or guiding tourists from the mainland area without completing attendance in training for receiving and guiding tourists from the mainland area as organized by the Tourism Bureau or its commissioned organization. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 5 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Receiving or guiding tourists from the mainland area without completing attendance in training for receiving and guiding tourists from the mainland area as organized by the Tourism Bureau or its commissioned organization. | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |

| | | | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 6. | Holders of Chinese-language tour guide licenses engaging in the business of receiving and guiding foreign tourists who do not use the Chinese language | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 6 Paragraph 5 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Engaging in the business of receiving and guiding foreign tourists who do not use the Chinese language | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 7. | A tour guide failing to return all licenses and certificates to the Tourism Bureau or its commissioned organization within 10 days of ceasing to work as a tour guide. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 17 Paragraph 2 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Failing to return all licenses and certificates to the Tourism Bureau or its commissioned organization within 10 days of ceasing to work as a tour guide. | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 8. | A tour guide failing to apply to the Tourism Bureau or its commissioned organization for the issuance of a replacement tour guide license when his license reaches the expiration of its three-year validity period, and continuing to work as a tour guide. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 16 Paragraph 1, Article 19 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Failing to apply to the Tourism Bureau or its commissioned organization for the issuance of a replacement tour guide license when his license reaches the expiration of its three-year validity period, and continuing to work as a tour guide. | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |

| | | | | | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 9. | A tour guide, while performing his work, not accepting the instruction and supervision of the travel agency employing him or the agency or organization utilizing his services. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 21 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Not accepting the instruction and supervision of the travel agency employing him or the agency or organization utilizing his services. | A fine of 9,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 10. | A tour guide, while performing his work, changing the tour itinerary without authorization and without cause of unforeseen special circumstances. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 22 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Changing tour itinerary without authorization. | A fine of 15,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 11. | A tour guide, while performing his work, failing to wear his tour guide license. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 23 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Failing to wear his tour guide license. | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |

| | | | | | | |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 12. | A tour guide, while performing his work and an unforeseen incident or accident occurring, failing to promptly deal with it in an appropriate way, and failing to report the situation to the Tourism Bureau and to the travel agency or entity employing him within 24 hours. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 24 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Promptly dealing with it in an appropriate way, but failing to report the situation within the stipulated deadline. | A fine of 3,000 NT dollars |
| | | | | | Failing to promptly deal with it in an appropriate way, but having reported the situation. | A fine of 6,000 NT dollars |
| | | | | | Failing to promptly deal with it in an appropriate way, and failing to report the situation within the stipulated deadline. | A fine of 15,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 13. | A tour guide speaking or acting improperly while undertaking tour guiding work. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 1 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Speaking or acting improperly while undertaking tour guiding work. | A fine of 6,000 NT dollars |
| | | | | | Affects travel and passenger rights | A fine of 10,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period or revoke professional license. |
| 14. | A tour guide failing to give proper care to an ill tourist. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 2 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Failing to give proper care to an ill tourist. | A fine of 6,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period or revoke professional license. |

| | | | | | | |
|-----|-----------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 15. | A tour guide arranging for tourists to purchase goods or other services without authorization | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 3 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Arranging for tourists to purchase goods or other services without authorization | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 16. | A tour guide making extra demands to tourists. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 4 of the Regulations Governing Tour Guides | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Making extra demands to tourists. | A fine of 6,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 17. | A tour guide hawking goods to or buying goods from tourists. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 5 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Hawking goods to or buying goods from tourists. | A fine of 6,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 18. | A tour guide using improper means to obtain property from tourists. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph | A fine of between 3,000 and | Using improper means to obtain property from tourists. | A fine of 9,000 NT dollars |

| | | | | | | |
|-----|-------------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------|
| | | | 2 of this Act and Article 27 Subparagraph 6 of the Regulations Governing Tour Guides. | 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 19. | A tour guide engaging in unauthorized currency exchange | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 7 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Engaging in unauthorized currency exchange | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 20. | A tour guide not abiding by the rules of professional training. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 8 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Not abiding by the rules of professional training. | A fine of 3,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 21. | A tour guide lending his professional license or service certificate for use by another person. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 | A fine of between 3,000 and 15,000 NT dollars; in serious | Lending professional license for use by a travel agency worker. | A fine of 6,000 NT dollars |
| | | | | | Lending professional license for use by a non-travel agency worker. | A fine of 15,000 NT dollars |

| | | | | | | |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| | | | Subparagraph 9 of the Regulations Governing Tour Guides. | cases, may also order to stop work for a specified period or revoke professional license. | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 22. | A tour guide for no proper reason delaying the performance of work or without authorization commissioning another to perform the work for him. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 10 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | For no proper reason delaying the performance of work | A fine of 6,000 NT dollars |
| | | | | | For no proper reason without authorization commissioning another to perform work for him. | A fine of 9,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 23. | A tour guide evading, obstructing, or refusing inspection by the administrative authorities or police authorities, or failure to provide necessary documents, information or goods. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 11 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Failure to provide necessary documents, information or goods | A fine of 5,000 NT dollars |
| | | | | | Evading, obstructing by the administrative or police authorities | A fine of 10,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |
| 24. | A tour guide continuing to engage in tour guiding work while subject to a penalty order to stop working. | Tourism Bureau | Article 58 Paragraph 2 of this Act and Article 27 Subparagraph 12 of the Regulations Governing Tour Guides. | Revocation of professional license. | Revocation of professional license. | |

| | | | | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 25. | A tour guide conducting tour guiding work for a non-travel agency. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 13 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Conducting tour guiding work for a non-travel agency. | A fine of 9,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period or revoke professional license. |
| 26. | A tour guide accepting employment by an overseas travel agency to conduct tour guiding. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 14 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Accepting employment by an overseas travel agency to conduct tour guiding. | A fine of 9,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period or revoke professional license. |
| 27. | Before a tour guide transports tourists, he/she discovers that the means of transport is not provided by lawful operator and fails to report the travel agency; while using a tour bus for transportation, fails to explain and demonstrate, emergency escape and safety procedures; or fails to complete the checklist form as prescribed by the Directorate General of Highways, MOTC. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 15 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Discovery that the means of transport is not provided by a lawful operators and failure to report to the travel agency, or failure to complete the checklist form as prescribed by the Directorate General of Highways, MOTC. | A fine of 6,000 NT dollars |

| | | | | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| | | | | | While using the tour bus for transportation, failure and safety guide is failure to explain and demonstrate emergency escape and safety procedures | A fine of 15,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period. |
| 28. | A tour guide, while conducting tour guiding work, discovering that a tourist he is receiving or guiding is giving cause for concern as to his actions damaging natural resources or tourist facilities, and failing to urge the tourist to desist from so doing. | Tourism Bureau | Article 58 Paragraph 1 Subparagraph 2 of this Act and Article 27 Subparagraph 16 of the Regulations Governing Tour Guides. | A fine of between 3,000 and 15,000 NT dollars; in serious cases, may also order to stop work for a specified period or revoke professional license. | Failing to urge to desist. | A fine of 6,000 NT dollars |
| | | | | | Serious case. | A fine of 15,000 NT dollars and may order to stop work for a specified period |