

Attachment 2: Comparison Table of Compensation Payment Levels for Sexual Assault

The Violated Articles in Article 3, Sub-paragraph 1, Item 2 of the Act		Statutory punishment	Compensation payment levels for sexual assault
Article 221 of the Criminal Code	Paragraph 1	A sentence to fixed-term imprisonment for not less than three years but not more than ten years.	Level 1
	Paragraph 1	(attempted)	Level 3
Article 222 of the Criminal Code	Paragraph 1	A sentence to fixed-term imprisonment for not less than seven years.	Level 1
	Paragraph 2	(attempted)	Level 3
Article 223 of the Criminal Code		delete	/
Article 224 of the Criminal Code		A sentence to fixed-term imprisonment for not less than six months but not more than five years.	Level 2
Article 224-1 of the Criminal Code		A sentence to fixed-term imprisonment for not less than three years but not more than ten years.	Level 1
Article 225 of the Criminal Code	Paragraph 1	A sentence to fixed-term imprisonment for not less than three years but not more than ten years.	Level 1
	Paragraph 2	A sentence to fixed-term imprisonment for not less than six months but not more than five years..	Level 2
	Paragraph 3	(attempted)	Level 3
Article 226 of the Criminal Code	Paragraph 1	Those who caused death to the crime victim shall be sentenced to life imprisonment or fixed-term imprisonment for not less than ten years; those who caused serious injuries to the victim shall be sentenced to fixed-term imprisonment for not less than ten years.	/
	Paragraph 2	A sentence to a fixed-term imprisonment for not less than ten years.	Level 1
Article 226-1 of the Criminal Code		Those who intentionally killed the victim shall be sentenced to death or life imprisonment; those who seriously injured the victim shall be sentenced to life imprisonment or fixed-term imprisonment for not less than ten years.	/
Article 228 of the	Paragraph 1	A sentence to fixed-term imprisonment for not less	Level 2

Criminal Code		than six months but not more than five years.	
	Paragraph 2	A sentence to fixed-term imprisonment for not more than three years.	Level 3
	Paragraph 3	(attempted)	Level 3
Article 229 of the Criminal Code	Paragraph 1	A sentence to fixed-term imprisonment for not less than three years but not more than ten years.	Level 1
	Paragraph 2	(attempted)	Level 3
Article 332 of the Criminal Code	Paragraph 2, Subparagraph 2	A sentence to death penalty, life imprisonment or fixed-term imprisonment for not less than ten years.	Level 1
Article 334 of the Criminal Code	Paragraph 2, Subparagraph 2	A sentence to death penalty, life imprisonment or fixed-term imprisonment for not less than twelve years.	Level 1
Article 348 of the Criminal Code	Paragraph 2, Subparagraph 1	A sentence to death penalty, life imprisonment or fixed-term imprisonment for not less than twelve years.	Level 1
Article 33 of the Child and Youth Sexual Exploitation Prevention Act	Paragraph 1	A sentence to fixed-term imprisonment for not less than seven years, or in addition thereto, a fine of up to NT\$7 million.	Level 1
	Paragraph 2	A sentence to fixed-term imprisonment for not less than ten years, and in addition thereto, a fine of up to NT\$10 million.	Level 1
	Paragraph 3	A sentence to fixed-term imprisonment for not less than three years and not more than ten years, or in addition thereto, a fine of up to NT\$5 million.	Level 1
	Paragraph 4	A sentence to fixed-term imprisonment for not less than three years and not more than ten years, or in addition thereto, a fine of up to NT\$5 million.	Level 1
	Paragraph 5	(attempted)	Level 3
Article 34 of the Child and Youth Sexual Exploitation Prevention Act	Paragraph 1	A sentence to fixed-term imprisonment for not less than seven years, and in addition thereto, a fine of up to NT\$7 million.	Level 1
	Paragraph 2	Increase the penalty by one-half.	Level 1
	Paragraph 3	A sentence to fixed-term imprisonment for not less than three years and not more than ten years, and in addition thereto, a fine of up to NT\$5 million.	Level 1
	Paragraph 4	A sentence to fixed-term imprisonment for not less	Level 1

		than three years and not more than ten years, and in addition thereto, a fine of up to NT\$5 million.	
	Paragraph 5	(attempted)	Level 3
Article 35, Paragraph 2 of the Child and Youth Sexual Exploitation Prevention Act or attempted offenses	Paragraph 2	A sentence to fixed-term imprisonment for not less than seven years, or in addition thereto, a fine of up to NT\$5 million.	Level 1
	Paragraph 4	Attempted offenses in Paragraph 2.	Level 3
Article 36, Paragraph 3 of the Child and Youth Sexual Exploitation Prevention Act or attempted offenses	Paragraph 3	A sentence to fixed-term imprisonment for not less than seven years, or in addition thereto, a fine of up to NT\$5 million.	Level 1
	Paragraph 5	Attempted offenses in Paragraph 3.	Level 3
Article 37 of the Child and Youth Sexual Exploitation Prevention Act	Paragraph 1	Those who intentionally killed the crime victim shall be sentenced to death penalty or life imprisonment; those who seriously injured the crime victim shall be sentenced to life imprisonment or fixed-term imprisonment for not less than twelve years.	/
	Paragraph 2	Those who caused death to the crime victim shall be sentenced to life imprisonment or fixed-term imprisonment for not less than twelve years; those who caused serious injuries to the crime victim shall be sentenced to fixed-term imprisonment for not less than twelve years.	
Crimes under Article 227 of the Criminal Code –where victims are mentally or physically disabled, mentally defective, or with any other similar condition, or where offenders use illegitimate means such as promises of	Paragraph 1	A sentence to fixed-term imprisonment for not less than three years but not more than ten years.	Level 1
	Paragraph 2	A sentence to fixed-term imprisonment for not less than six months but not more than five years.	Level 2
	Paragraph 3	A sentence to fixed-term imprisonment for not more than seven years.	Level 1
	Paragraph 4	A sentence to fixed-term imprisonment for not more than three years.	Level 3
	Paragraph 5	Attempted offenses in Paragraphs 1 and 3.	Level 3

gain and deception or the use of power and influence, or where the victims are offended by family members as defined in Article 3 of the Domestic Violence Prevention Act.			
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Remarks:

- I. This table shall only apply to the crime victims of the "act of sexual assault crimes" as defined in Article 3, Subparagraph 1, Item 2 of the Act.
- II. Considering the different circumstances or reasons of individual cases, if the defendant in a sexual assault case is subject to deferred prosecution or non-prosecution by the prosecutor in accordance with the Code of Criminal Procedure, but the relevant criminal facts are clear or with reference to the information obtained from the investigation of the judicial authority, the criminal facts deemed to exist, the Review Committee may still make a decision on compensation in accordance with this attachment and the range of payment standard stipulated in Article 28, Paragraph 2.
- III. In cases of sexual assault crimes where the Juvenile Justice Act is applicable, Review Committee shall make a decision on compensation based on the investigation results of the juvenile court (tribunal) and refer to this attachment and the range of payment standard stipulated in Article 28, Paragraph 2.
- IV. If a person is killed or seriously injured due to a criminal act of sexual assault, an application for compensation for crime victims may be filed directly in accordance with the provisions of Survivor Compensation or Serious injury Compensation.