

# Soil and Groundwater Pollution Remediation Act

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## Chapter 1 General Principles

### Article 1

This Act is formulated to prevent and remediate soil and groundwater pollution, ensure the sustainable use of soil and groundwater, enhance the living environment, and protect public health.

### Article 2

Terms used in this Act are defined as follows.

- I. "Soil" means the natural loose medium on the surface of the earth's crust in which terrestrial biological organisms grow or live.
- II. "Groundwater" means the water that flows or stays under the surface of the land.
- III. "Sedimentation" means substances that settle to the bottom of a surface water body due to the force of gravity.
- IV. "Soil Pollution" means the introduction into soil of substances, biological organisms or forms of energy that alters soil quality, impacts the normal use of the soil or endangers public health and the living environment.
- V. "Groundwater Pollution" means the introduction into groundwater of substances, biological organisms or forms of energy that alters soil quality, impacts the normal use of the soil or endangers public health and the living environment.
- VI. "Sedimentation Pollution" means the introduction into sedimentation of substances, biological organisms or forms of energy that impacts the normal use of the sedimentation or endangers public health and the living environment.
- VII. "Pollutant" means a substance, biological organism or form of energy capable of causing soil or groundwater pollution.
- VIII. "Soil Pollution Monitoring Standards" means the determined pollutant concentrations at which soil pollution monitoring is required for the purpose of preventing soil pollution.
- IX. "Groundwater Pollution Monitoring Standards" means the determined pollutant concentrations at which groundwater pollution monitoring is required for the purpose of preventing groundwater pollution.
- X. "Soil Pollution Control Standards" means determined soil pollution control limits to prevent and control the worsening of soil pollution.
- XI. "Groundwater Pollution Control Standards" means determined groundwater pollutant limits to prevent and control the worsening of groundwater pollution.
- XII. "Sedimentation Quality Indicators" means categorized management or limits on use that have been determined in consideration of the special characteristics of pollution movement or biological availability and accumulation for the purpose of managing sedimentation quality.
- XIII. "Soil Pollution Remediation Goals" means the limit on pollutants set according to the purpose of the soil pollution remediation.
- XIV. "Groundwater Pollution Remediation Goals" means the limit on pollutants set according to the purpose of the groundwater pollution remediation.

- XV. "Polluter" means a person causing soil pollution or groundwater pollution through any of the following acts:
- A. leaking or discarding of pollutants;
  - B. illegally discharging or injecting pollutants;
  - C. brokering or allowing the leaking, discarding, illegal discharge or injection of pollutants;
  - D. failing to dispose of pollutants pursuant to applicable laws or regulations.
- XVI. "Person Potentially Responsible for Pollution" means a person who causes pollution to accumulate in the soil or groundwater resulting in soil or water pollution due to the following actions:
- A. discharging, injecting, spreading of pollutants;
  - B. permitting or agreeing to the discharge of waste water into irrigation and drainage systems or irrigation and water catchment areas.
- XVII. "Pollution Control Site" means a place where the source of soil or groundwater pollution has been clearly identified and the pollutants therein do not naturally exist in the environment but have occurred through scouring by rainwater, dispersal, deposition, or irrigation resulting in soil or groundwater pollution that meets the standards for control.
- XVIII. "Pollution Remediation Site" means a pollution control site which has been reviewed and declared by the central competent authority as a Pollution Remediation Site based on its preliminary assessment that the site is likely to seriously endanger public health and the living environment.
- XIX. "Interested Party of the Polluted Land" means a person who is not a polluter of the land but is a user, administrator, or owner of the land when the land is declared a pollution remediation site.
- XX. "Pollution Control Area" means an area which has been delineated according to the scope of soil or groundwater pollution of a pollution control site or pollution remediation site.

### **Article 3**

The competent authority referred to in this Act means the Environmental Protection Administration, Executive Yuan, at the central government level, the municipal government in special municipalities and the county or city government in counties or cities.

### **Article 4**

The matters designated in this Act as the responsibility of the central competent authority are as follows.

- I. Planning, drafting, supervision and implementation of national soil, sediment and groundwater pollution prevention and remediation policies, programs and plans
- II. National soil and groundwater pollution monitoring and testing
- III. Drafting, deliberation and interpretation of soil, sedimentation and groundwater pollution remediation laws and regulations
- IV. Supervision, assistance and approval of soil, sedimentation and groundwater pollution prevention, monitoring and remediation work by special municipality, county or city competent authorities
- V. Coordination of soil, sedimentation and groundwater pollution remediation work involving two or more special municipalities, counties or cities
- VI. Management of the Soil and Groundwater Pollution Remediation Fund
- VII. Certification and management of soil, sedimentation and groundwater testing organization
- VIII. Soil and groundwater pollution prevention and remediation research, development and public awareness
- IX. International cooperation, technology exchanges and personnel training related to soil and

groundwater pollution remediation

X. Other national soil, sedimentation and groundwater pollution prevention and remediation matters

## **Article 5**

The matters designated in this Act as the responsibility of special municipality, county and city competent authorities are as follows.

- I. Planning, drafting and implementation of soil, sedimentation and groundwater pollution prevention and remediation action programs and plans within a jurisdiction
- II. Drafting and interpretation of the autonomous soil, sedimentation and groundwater pollution remediation laws and regulations within a jurisdiction
- III. Implementation of soil and groundwater pollution prevention, monitoring and remediation work within a jurisdiction
- IV. Soil and groundwater pollution prevention and remediation research, development and public awareness within a jurisdiction
- V. Special municipality, county or city soil and groundwater pollution prevention and remediation personnel training work within a jurisdiction
- VI. Other soil, sedimentation and groundwater pollution management, prevention and remediation matters within the jurisdiction

## **Chapter 2 Prevention Measures**

### **Article 6**

Competent authorities at all levels shall regularly monitor the quality of the soil and groundwater within their jurisdictions. When pollutant concentrations exceed the soil pollution or groundwater pollution control standards, the special municipality, county and city competent authorities shall take necessary measures, investigate the party responsible for the pollution and report to the central competent authority. When pollutant concentrations are lower than the soil or groundwater pollution control limits and meet soil or groundwater pollution monitoring standards, the special municipality, county and city competent authorities shall conduct regular monitoring, publicly announce the monitoring results and report such results to the central competent authority for reference.

The applicable scope, pollutants, pollutant standard values and compliance standards for soil or groundwater pollution monitoring and control set forth in the foregoing paragraph shall be separately determined by the central competent authority.

The following local industry competent authorities shall regularly test soil and groundwater quality in accordance with pollution trends in the area, and submit the resulting data to the special municipality, county or city competent authority for future reference:

- I. Industrial parks.
- II. Export processing zones.
- III. Science-based industrial parks.
- IV. Environmental technology parks.
- V. Agricultural technology parks.
- VI. Other specially designated zones officially announced by the central competent authority

In the foregoing paragraph, the central competent authority shall determine regulations governing the content of data concerning soil and groundwater quality, times of reporting, documents that must be submitted, times of testing, and other binding matters.

The industry competent authorities in charge of the following water bodies shall regularly test

bottom sediment quality, and submit the resulting data to the central competent authority for future reference after performing a comparative assessment of bottom sediment quality indicators, and publicly announce the state of bottom sediment quality:

- I. Rivers.
- II. Irrigation canals.
- III. Lakes.
- IV. Reservoirs.
- V. Other specially designated surface water bodies officially announced by the central competent authority

The central competent authority shall determine classified management of and use restrictions on the bottom sediment quality indicators in the foregoing paragraph.

In Paragraph 5, the central competent authority shall determine regulations governing the content of bottom sediment quality, times of reporting, documents that must be submitted, times of testing, and other binding matters.

## **Article 7**

Competent authorities at all levels may dispatch personnel bearing identification documents to enter public or private premises for the following verification work and may order site users, managers or owners to provide related data.

- I. Investigation of the state of soil, bottom sediment, or groundwater pollution, and sources of soil, bottom sediment, and groundwater pollutants.
- II. Establishment of soil, groundwater, or relevant pollutant sampling and groundwater monitoring wells.
- III. Collection of sample agricultural or aquacultural products in conjunction with the agriculture and health competent authority.

Verification work in the foregoing paragraph that involves military affairs shall be jointly conducted with local military authorities.

The verification work in the two foregoing paragraphs may not be evaded, obstructed or refused.

Inspection agencies and personnel shall maintain confidentiality concerning inspected industrial, commercial or military secrets.

If a competent authority at any level discovers during the course of verification work that pollution of soil, bottom sediment, or groundwater may affect human health, agricultural or aquacultural production, or drinking water sources, it may adopt necessary response measures in accordance with Article 15, Paragraph 1; and in order to mitigate the effect of pollution or prevent the expansion of pollution, may order a polluter, person potentially responsible for pollution, or site user, manager, or owner to implement the necessary response measures in Article 15, Paragraph 1, Subparagraphs 3, 4, 7, and 8.

The implementation of necessary response measures in the foregoing paragraph shall be completed within 12 months; when necessary, this deadline may be extended once, but the extension may not exceed six months.

When the necessary response measures adopted pursuant to Paragraph 5 achieve the mitigation of soil and groundwater pollution, and the local competent authority has verified that the concentrations of soil and groundwater pollutants do not exceed those in the soil and groundwater pollution control standards, the area may not be officially announced as a control site.

## **Article 8**

If land used by an enterprise officially announced by the central competent authority is

transferred, the assignor shall provide soil pollution assessment investigation and test data, which shall be reported to the special municipality, county, or city competent authority for future reference.

If a land assignor fails to provide relevant data as prescribed in the foregoing paragraph, when the land is officially announced as a control site or remediation site, the assignor will have the same responsibility as that prescribed in Article 31, Paragraph 1 of this Law.

## **Article 9**

When any one of the following situations applies, an enterprise officially announced by the central competent authority shall submit site soil pollution assessment investigation and test data prior to the action in question, and shall request the special municipality, county, or city competent authority, or an agency commissioned by the central competent authority, to perform review:

- I. Acquisition of an enterprise establishment license or registration, or application for a business license, in accordance with law.
- II. Change of business operator.
- III. Change of industry category. However, enterprises whose industry category before and after the change is one which has been officially announced by the central competent authority shall be exempt from this requirement.
- IV. Change of scope of operating site.
- V. Implementation, in accordance with law, of termination of business, cancellation of operating permit or business license, termination of operation (shipping), plant (facility) closure, or discontinuation of production, manufacturing, or processing.

In the foregoing paragraph and Paragraph 1 of the foregoing article, the central competent authority shall determine regulations governing the content of soil pollution assessment investigation and test data, times of reporting, documents that must be submitted, assessment investigation methods, times of testing, the qualifications, training, and commissioning of assessment investigation personnel, review operating procedures, and other binding matters.

## **Article 10**

When, in accordance with this Act, soil, bottom sediment, and groundwater pollution investigation or remediation work is performed, or soil and groundwater pollution test data is provided or submitted, except when approved by the central competent authority, the soil, bottom sediment, and groundwater pollutant testing shall be commissioned to an analysis organization approved by the central competent authority.

With regard to the analysis organization in the foregoing paragraph, the central competent authority shall determine regulations governing the organization's criteria, facilities, permit application, review, issuance (replacement), revocation, and cancellation, suspension and resumption of business, audit and evaluation procedures, instruments and equipment, test personnel, in-service training, technical evaluation, blind testing, test methods, quality control matters, basic quality system guidelines, test report signing and data submission, implementation of operations, and other binding matters.

The central competent authority shall determine methods and quality control guidelines when soil, bottom sediment, and groundwater pollutant testing is performed as prescribed in Paragraph 1.

## **Article 11**

All documents provided or submitted in accordance with this Act, including pollution control plans, pollution remediation plans, assessment investigation data, and pollution investigation and assessment plans, must be certified by a legally registered and practicing environmental engineer, applied geological engineer, or other relevant professional engineer.

# **Chapter 3 Investigation and Assessment Measures**

## Article 12

Competent authorities at all levels shall perform verification of sites suspected of having soil and groundwater pollution, and shall control pollution sources and investigate the state of environmental pollution in accordance with relevant environmental protection laws and regulations.

If the site in the foregoing paragraph has a clear source of soil or groundwater pollution, and the concentrations of pollutants exceed those in soil or groundwater pollution control standards, the special municipality, county, or city competent authority shall publicly declare it a soil and groundwater pollution control site (hereafter termed control site).

After declaring a control site, the special municipality, county, or city competent authority shall request the land registration agency with local jurisdiction to enter the site in the land register, and shall report registration to the central competent authority for future reference. After preliminary assessment of the control site, if the site severely endangers public health and the living environment, the central competent authority shall first be requested to give approval, and shall publicly declare it a soil and groundwater pollution remediation site (hereafter termed remediation site). The special municipality, county, or city competent authority shall add the site to its list of remediation sites within seven days of the announcement, send the list to all township (town, city, district) public offices and the land registration agency with local jurisdiction for reading, and request the land registration agency to enter the site in the land register.

If the agriculture or health competent authority discovers that the concentrations of pollutants in living organisms in a surface water body is high, it shall promptly notify the special municipality, county, or city competent authority.

Upon receiving the notification in the foregoing paragraph, the special municipality, county, or city competent authority shall test the bottom sediment, and may order the manager of the surface water body to perform an assessment on the basis of environment impact, health risk, technology, and economic effectiveness. When, after reviewing the assessment results, the central competent authority feels that remediation is necessary and feasible, a remediation plan must be drafted and submitted to the central competent authority for approval before remediation may be implemented. When necessary, the regulations of Article 15, Paragraph 1 may be applied.

If the manager of the surface water body does not comply with the regulations in the foregoing paragraph, the special municipality, county, or city competent authority may handle the case in accordance with the Administrative Execution Laws regulations concerning acting performance.

When a site is declared a control site or remediation site as prescribed in Paragraph 2 or Paragraph 3, if bottom sediment within the scope of the control area is suspected of being polluted, the special municipality, county, or city competent authority may order the polluter or person potentially responsible for pollution to act in accordance with the regulations of Paragraph 5, and shall implement the plan as part of the control plan or remediation plan.

If the polluter or person potentially responsible for pollution does not comply with the regulations in the foregoing paragraph, the special municipality, county, or city competent authority may handle the case as prescribed in Article 13, Paragraph 2 and Article 22, Paragraph 2.

If the processes of scouring, dispersion, deposition, or irrigation cause the on-site concentrations of pollutants existing in the natural environment to reach the situations prescribed in Paragraph 2, the special municipality, county, or city competent authority shall notify the relevant industry competent authority of the test results, and shall hold a consultation conference and perform relevant matters. When necessary, the regulations of Article 15, Paragraph 1 may be applied.

With regard to a site in the foregoing paragraph, the special municipality, county, or city competent authority may perform an assessment on the basis of environment impact, health risk, technology, and economic effectiveness. When it is felt that remediation is necessary and feasible, a remediation plan shall be implemented after submission to the central competent authority for approval.

The central competent authority shall determine regulations governing criteria, calculation methods, and other binding matters concerning the preliminary assessment in Paragraph 3.

If land declared a control site or remediation site in Paragraph 2 or Paragraph 3 undergoes readjustment after the announcement, the land registration agency with local jurisdiction shall notify the special municipality, county, or city competent authority of cadastral information following readjustment.

After declaring a control site or remediation site, the special municipality, county, or city competent authority, or central competent authority, shall invite together experts, scholars, and relevant agencies to help review and supervise the related investigation plan, control plan, remediation plan, and health risk assessment and verification tasks.

### **Article 13**

When a control site has not yet been declared a remediation site, the special municipality, county, or city competent authority shall order the polluter or person potentially responsible for pollution to complete investigation work within six months and draft a pollution control plan, which shall be implemented after being submitted to and receiving the approval of the special municipality, county, or city competent authority. The applicant may apply to extend the pollution control plan; only one extension may be granted.

If the polluter or person potentially responsible for pollution is not clearly known or has failed to draft a pollution control plan, the special municipality, county, or city competent authority may take appropriate measures to effect improvement in view of its financial status and actual site conditions. An interested party of the polluted land may draft a pollution control plan before the special municipality, county, or city competent authority takes appropriate improvement measures, and the plan may be implemented applying the regulations of the foregoing paragraph.

### **Article 14**

A remediation site polluter or person potentially responsible for pollution must submit a soil and groundwater pollution investigation and assessment plan within three months of notification by the special municipality, county, or city competent authority, and must implement the plan after approval by the special municipality, county, or city competent authority. The applicant may apply to extend the investigation and assessment plan implementation deadline; only one extension may be granted.

If the remediation site polluter or person potentially responsible for pollution is not clearly known or has failed to comply with the actions prescribed in the foregoing paragraph, the special municipality, county, or city competent authority may notify the interested party of the polluted land to comply with the actions prescribed in the foregoing paragraph.

If the remediation site polluter, person potentially responsible for pollution, or interested party of the polluted land fail to comply with the actions prescribed in the two foregoing paragraphs, the special municipality, county, or city competent authority shall investigate the scope of soil and groundwater pollution at the remediation site, assess the environmental impact, and report the investigation and assessment results to the central competent authority for determination of the cleanup priority ranking grade.

If the expenses entailed by the regulations of Article 12, Paragraphs 5 through 10, Article 13, Paragraph 2, and Article 15, Paragraph 1, Subparagraphs 7 and 8 must be disbursed from the Soil and Groundwater Pollution Remediation Fund, the regulations of the foregoing paragraph should be applied, and the central competent authority shall be requested to determine the cleanup priority ranking grade.

The central competent authority shall determine regulations governing the pollution scope investigation, environmental impact assessment, cleanup priority ranking grade determination processes, items, and other binding matters in the two foregoing paragraphs.

## **Chapter 4 Regulatory Measures**

### **Article 15**

The competent authorities with local jurisdiction shall, according to actual circumstances at control or remediation sites, adopt the following emergency response measures to mitigate pollution harm or prevent pollution expansion.

- I. order polluters to cease activities, suspend business or partially or completely suspend work;
- II. investigate groundwater pollution circumstances pursuant to the Water Pollution Control Act and search out persons liable for such pollution; if necessary, inform residents to stop using the groundwater or other polluted water sources, and restrict the digging of wells to obtain groundwater;
- III. provide necessary alternative drinking water or notifying tap water authorities to provide access to tap water supply as a priority;
- IV. Erect notification signs or fences;
- V. In conjunction with the agriculture and health competent authority, perform testing of agricultural or aquacultural products contaminated by or suspected of being contaminated by soil pollution; and, when necessary, control or destroy such products in conjunction with the agriculture and health competent authority, and provide appropriate compensation for the destroyed products, or restrict the use of agricultural land to the cultivation of specific crops.
- VI. evacuate residents or control people's activities;
- VII. remove or dispose of pollutants; and
- VIII. other response measures as necessary.

A special municipality, county, or city competent authority may order the polluter, person potentially responsible for pollution, or interested party of the polluted land, or commission a third party, to implement the necessary response measures in Subparagraphs 3, 4, 7, and 8 of the foregoing paragraph.

#### **Article 16**

A special municipality, county, or city competent authority shall delineate and publicly announce soil and groundwater pollution control zones based on the situation or scope of the soil and groundwater pollution of the control or remediation sites, and shall report the soil and groundwater pollution control zones to the central competent authority for future reference; likewise in the case of changes in the situation or scope of the soil and groundwater pollution.

#### **Article 17**

The following actions are prohibited within a soil and groundwater pollution control zones. If, however, such actions shall be subject to this restriction when comprising tasks in a legally-approved pollution control plan, pollution remediation plan, or other pollution improvement plan:

- I. Putting pollutants into soil.
- II. Injecting wastewater and sewage into a groundwater body.
- III. Discharging wastewater and sewage into soil.
- IV. Other control activities officially announced by the competent authority

The following land use activities are prohibited within a soil and groundwater pollution control zone, and the entry of personnel may be restricted. This restriction shall not apply, however, when the central competent authority has granted its consent:

- I. Development actions prescribed in the Environmental Impact Assessment Act.
- II. Construction of new or additional, alteration, renovation, or demolition of buildings or facilities until required in a pollution control plan, pollution remediation plan, or other pollution improvement plan.
- III. Other land use activities that have been designated by the central competent authority as affecting



the health and living environment of residents.

A special municipality, county, or city competent authority may prohibit the drinking or use of groundwater, or utilization as a drinking water source, within a groundwater pollution control zone.

#### **Article 18**

Special municipality, county, and city competent authorities shall jointly survey agricultural actions within pollution control zones in conjunction with agricultural and health agencies. When necessary, the special municipality, county, or city competent authority may prohibit the growing of edible crops, the raising of poultry or livestock, or the cultivating or harvesting of marine animals and plants within the pollution control zone.

#### **Article 19**

Those persons engaging in the excavation, backfill, temporary storage, and transport of soil or groundwater extraction within a pollution control zone shall submit a cleanup or pollution prevention plan to the special municipality, county, or city competent authority, and may implement work only after approval.

If the work in the foregoing paragraph is to be performed by the special municipality, county, or city competent authority, the work may be implemented only after reporting to the central competent authority and receiving approval.

The special municipality, county, or city competent authority, or central competent authority, shall complete review within three months after submission of the cleanup or pollution control plan in the two foregoing paragraphs.

The cleanup or pollution control plan in Paragraph 1 may be submitted as part of a pollution control plan, pollution remediation plan, or other pollution improvement plan.

#### **Article 20**

The interested party of the polluted land, land user, manager, or owner may request compensation from the polluter for damages incurred due to controls from Article 17 to the foregoing article.

#### **Article 21**

Special municipality, county, or city competent authorities shall entrust registration competent authorities with local jurisdiction with registration of the prohibition of transactions regarding remediation site land. When compulsory auction procedures have been implemented for land, such procedures may be cancelled.

## **Chapter 5 Remediation and Restoration Measures**

#### **Article 22**

A remediation site polluter or person potentially responsible for pollution shall submit a soil and groundwater pollution remediation plan pursuant to the investigation and assessment results in Article 14 within six months after notification by the special municipality, county, or city competent authority, and shall implement this plan after approval by the special municipality, county, or city competent authority. If the polluter or person potentially responsible for pollution believes that an extension will be necessary, it shall clearly state the reason, and submit an extension application to the special municipality, county, or city competent authority from 30 to 60 days before deadline. If another extension is necessary, the applicant shall clearly state the reason, and submit an extension application to the central competent authority from 30 to 60 days before the end of the extension period. Special municipality, county, or city competent authorities shall submit approved soil and groundwater pollution remediation plans to the central competent authority for future reference, and publicly announce a summary of the plan and review conclusions.

If the remediation site polluter or person potentially responsible for pollution in the foregoing paragraph is not clearly known or has failed to comply with the actions prescribed in the foregoing paragraph, the special municipality, county, or city competent authority may, when necessary, draft a soil and groundwater pollution remediation plan intended to reduce pollution and prevent threats to citizens health and living environment on the basis of its financial status, technical feasibility of remediation, the actual state of the site, the investigation and assessment results in Article 14, and the determined cleanup priority ranking grade; the special municipality, county, or city competent authority shall implement this plan after approval by the central competent authority, and publicly announce a summary of the plan and review conclusions.

An interested party of the polluted land may submit a remediation plan before the special municipality, county, or city competent authority performs soil and groundwater pollution remediation work, and the regulations of Paragraph 1 shall be applied.

The implementer of a soil and groundwater pollution remediation plan may apply for a remediation plan change in accordance with the procedures prescribed in Paragraphs 1 and 2; the special municipality, county, or city competent authority may also change the remediation plan on its own, or order the remediation plan implementer to do so, in view of the facts.

If there are multiple polluters, persons potentially responsible for pollution, or interested parties of the polluted land, they may jointly submit a soil and groundwater pollution remediation plan.

### **Article 23**

Before granting the approval of a soil and groundwater pollution remediation plan described in the previous article, competent authorities at all levels shall display or post the soil and groundwater pollution remediation plan at a proper place for at least fifteen (15) days.

Anyone who has comments on the plans set forth in the foregoing paragraph shall submit such comments in writing to the competent authorities at all levels within twenty (20) days after the display or posting of the plan as prescribed in the foregoing paragraph.

### **Article 24**

The soil and groundwater pollution remediation plans in Article 22, Paragraphs 1 and 3 shall indicate soil and groundwater pollution remediation goals wherein pollutant concentrations are less than soil and groundwater pollution control standards.

With regard to the soil and groundwater pollution remediation plan in the foregoing paragraph, if factors such as the geological conditions, pollutant characteristics, or pollution remediation technologies preclude remediation until pollutant concentrations are less than soil and groundwater pollution control standards, soil and groundwater pollution remediation goals based on environmental impact and health risk assessment results may be submitted after requesting and obtaining the central competent authoritys approval.

When determining a soil and groundwater pollution remediation plan pursuant to Article 22, Paragraph 2, a special municipality, county, or city competent authority may submit soil and groundwater pollution remediation goals wherein pollutant concentrations are less than soil and groundwater pollution control standards; or may submit a environmental impact and health risk assessment on the basis of financial and environmental circumstances, submit soil and groundwater pollution remediation goals in accordance with assessment results, and additionally draft a soil and groundwater pollution control plan, which shall be implemented following the regulations of Article 22 Paragraphs 2 and 4.

When remediation site land is to be used in conjunction with land development, the central competent authority may approve the soil and groundwater pollution remediation goals in consultation with relevant agencies. The development use method of the remediation site land may not be changed after approval of the remediation goals. Any changes in development use may be implemented only after requesting and obtaining the approval of the central competent authority in consultation with relevant agencies, and changing the development use plan in accordance with other laws and

regulations. If changes are made to the development use when the remediation sites pollutant concentrations are less than those in the approved remediation goals, and control or regulatory listing has been cancelled, the special municipality, county, or city competent authority shall perform a preliminary assessment of the site, and the case shall be handled as prescribed in Article 12.

Competent authorities must hold public hearings before approving remediation plans containing goals that are not less than control standards.

In the foregoing paragraph, the central competent authority shall determine hearing holding procedures and relevant binding matters.

When approving a soil and groundwater pollution remediation plan in accordance with Paragraphs 2 and 4, competent authority may, in accordance with the state of the environment, order the remediation plan implementer to submit risk management methods and a soil and groundwater pollution control plan; following the procedures prescribed in Article 22, the plan shall be implemented after approval by the competent authority.

In the environmental impact and health risk assessment in Paragraphs 2 and 3, central competent authority shall determine regulations governing hazard evaluation, dose-response assessment, description of risk characteristics, and other binding matters.

## **Article 25**

The polluters, interested parties of the polluted land or the user, administrator, or owner of the land within the soil pollution or groundwater pollution control area shall cooperate with the implementation of soil pollution and groundwater pollution remediation or control plans. Competent authorities at all levels may dispatch personnel bearing identification documents to the site to investigate or order the production of any necessary materials; evasion, obstruction, or refusal is prohibited.

## **Article 26**

If the concentrations of soil and groundwater pollutants at a control site or remediation site are less than the control standards due to adoption of appropriate measures or implementation of a control plan or remediation plan, the adopter of appropriate measures or plan implementer shall request the special municipality, county, or city competent authority, or central competent authority, to grant approval.

The following matters shall be performed after the special municipality, county, or city competent authority, or central competent authority, grants its approval:

- I. Publicly announce the cancellation of the control or regulatory listing of the control site or remediation site implemented pursuant to Article 12, Paragraphs 2 and 3, and cancellation of reading.
- II. Officially announce the removal or modification of the delineation of the soil pollution or groundwater pollution control area as set forth in Article 16; and
- III. Request the land registration agency with local jurisdiction to revoke the control site or remediation site registration implemented pursuant to Article 12, Paragraph 3 and registration of prohibition of transactions regarding the land implemented pursuant to Article 21.

When publicly announcing the cancellation of control over a control site, remediation site, or soil and groundwater pollution control zone in the foregoing paragraph, the special municipality, county, or city competent authority shall report to the central competent authority for future reference.

For land that has been remediated, land use industry competent authorities shall according to actual land use needs carry out land use restoration matters.

## **Article 27**

When competent authorities at all levels perform site verification pursuant to Article 12, Paragraph 1, if the sites groundwater pollutant concentrations meet groundwater pollution control standards, but the pollution source is unclear, the competent authorities shall publicly declare a delineated

groundwater pollution use restriction zone and the restricted items, and shall adopt necessary response measures pursuant to Article 15, and perform implementation following the regulations in Article 25.

If, following preliminary assessment by the special municipality, county, or city competent authority, a site in the foregoing paragraph is suspected of posing a severe threat to citizens health and living environment, the competent authority shall proceed following regulations in Article 14, Article 15, and Articles 22 through 26 governing remediation sites.

## **Chapter 6 Financing and Responsibility**

### **Article 28**

The central competent authority may, for the purpose of remediating soil and groundwater pollution, levy soil and groundwater pollution remediation fees on manufacturers and importers in accordance with the amounts of officially announced chemical substances manufactured and imported by such enterprises, and shall establish a Soil and Groundwater Pollution Remediation Fund.

In the foregoing paragraph, the central competent authority shall determine regulations governing categories of substances for which soil and groundwater pollution remediation fees may be levied, calculation methods, payment procedures, payment deadlines, the commissioning of professional organizations to perform audits, and other binding matters.

The fund in the first paragraph shall be used for the following purposes:

- I. Expenditures made by competent authorities at all levels for verification, adoption of necessary response measures, supervision, and plan determination, review, investigation, assessment, implementation, and change pursuant to Article 7, Paragraphs 1 and 5; Article 12, Paragraph 1, Paragraphs 5, 6, 8 through 10, and 13; Article 13, Paragraphs 1 and 2; Article 14, Paragraphs 1 and 3; Article 15; Article 22, Paragraphs 1, 2, and 4; Article 24, Paragraphs 3 through 5; and Article 27, Paragraphs 1 and 2.
- II. The funds claims for compensation and legal expenses.
- III. The funds personnel and administrative management expenses, personnel expenses incurred by soil and groundwater pollution prevention and remediation work.
- IV. Expense of soil and groundwater pollution control work performed by competent authorities at all levels.
- V. Expense of audit of soil and groundwater pollution verification and implementation effectiveness.
- VI. Expense of international environmental protection work involving soil and groundwater pollution.
- VII. Expense of audits of soil and groundwater quality monitoring and implementation effectiveness.
- VIII. Expense of levying soil and groundwater pollution remediation fees.
- IX. Expense of soil and groundwater pollution health risk assessment and management.
- X. Expense of researching, promoting, developing, and creating incentives for soil and groundwater pollution remediation technology.
- XI. Matters concerning subsidies for soil and groundwater pollution prevention work.
- XII. To cover other costs in connection with soil pollution or groundwater pollution remediation approved by the central competent authority.

In the foregoing paragraph, the central competent authority shall determine regulations governing recipients of the Funds incentives and subsidies, application qualifications, review procedures, revocation of incentives and subsidies, cancellation, demand for payment, and other binding matters.

The central competent authority may dispatch personnel bearing identification documents into a factory (site) or business premise belonging to a payer of soil and groundwater pollution remediation fees to perform relevant audit tasks or order the payer to provide necessary data, and the payer may not

evade, obstruct, or refuse such orders.

### **Article 29**

Funds for the Soil and Groundwater Pollution Remediation Fund shall be derived from the following:

- I. revenue from fees collected for soil and groundwater pollution remediation fees;
- II. The amounts paid by polluters, persons potentially responsible for pollution, and interested parties of the polluted land pursuant to Article 43 and Article 44.
- III. Payments from land developers pursuant to Paragraph 3 of Article 51;
- IV. Accrued interest income generated by the Fund;
- V. Funds appropriated through the budget process as determined by the central competent authority;
- VI. Funds from the partial appropriation of relevant environmental protection funds;
- VII. Funds from the partial appropriation of criminal and administrative fines for environmental pollution; and
- VIII. Other related income.

### **Article 30**

In the foregoing article, a fund management committee shall be established for the Soil and Groundwater Pollution Remediation Fund (hereafter termed management committee) to bear responsibility for fund management and use. The management committee may establish work and technical subcommittees to meet the following needs:

- I. Remediation site review pursuant to Paragraph 3 of Article 12;
- II. Assessment and cleanup grading work pursuant to Article 14 or Article 27;
- III. Review of expenses and costs for essential response measures;
- IV. Review and approval of pollution remediation plan or remediation goals pursuant to Article 22, Article 24, or Article 27.
- V. Other relevant matters regarding the review of appropriations from the Fund.

The management committee in the foregoing paragraph shall have members, who shall be appointed for periods of two years. Experts and scholars shall account for no less than two-thirds of the total number of committee members. During their period of appointment and for three years after the end of their period of appointment, committee members must avoid undertaking work related to the soil and groundwater pollution remediation matters they reviewed during their period of appointment. Committee members spouses, direct blood relatives, and collateral blood relatives within the third degree of kinship shall avoid undertaking work related to the soil and groundwater pollution remediation matters the committee members reviewed during their period of appointment.

### **Article 31**

If an interested party of the polluted land fails to demonstrate due diligence as a good manager, that party shall bear responsibility for expenditures made by competent authorities at all levels pursuant to Article 13, Paragraph 2; Article 14, Paragraph 3; Article 15; Article 22, Paragraphs 2 and 4; and Article 24, Paragraph 3, and the polluter and person potentially responsible for pollution shall bear joint payment responsibility.

If an interested party of the polluted land fails to demonstrate due diligence as a good manager, that party shall bear responsibility for expenditures made by competent authorities at all levels pursuant to Article 13, Paragraph 2; Article 14, Paragraph 3; Article 15; Article 22, Paragraphs 2 and 4; and Article 24, Paragraph 3, and the polluter and person potentially responsible for pollution shall bear joint payment responsibility.

The person potentially responsible for pollution may seek compensation for the expenditures in the foregoing paragraph from the polluter.

In Paragraph 1, the central competent authority shall determine guidelines concerning criteria and guidelines for judging whether the interested party of the polluted land has demonstrated due diligence as a good manager, management measures, and other relevant matters.

## **Chapter 7 Penal Provisions**

### **Article 32**

Those that violate Article 7, Paragraph 5 by not adopting necessary response measures, or who fail to comply with orders given by a special municipality, county, or city competent authority pursuant to Article 15, Paragraph 1, Subparagraph 1 and Paragraph 2, thereby causing human death, shall be punished by life imprisonment or a minimum of seven years imprisonment, and may be fined a maximum of NT\$5 million; those that cause severe injury shall be punished by three to ten years imprisonment and may be fined a maximum of NT\$3 million.

### **Article 33**

Those that pollute the soil deliberately with the intention to change the classification of land use shall be punished by one to ten years imprisonment and may be fined a maximum of NT\$1 million.

Those who pollute the soil or groundwater deliberately, causing the land to become a pollution control site or remediation site, shall be punished by one to five years imprisonment.

Those who commit the violations in the foregoing two paragraphs, thereby causing human death, shall be punished by shall be punished by life imprisonment or a minimum of seven years imprisonment, and may be fined a maximum of NT\$5 million; those that cause severe injury shall be punished by three to ten years imprisonment and may be fined a maximum of NT\$3 million.

### **Article 34**

Those polluters, persons potentially responsible for pollution, interested parties of the polluted land, employees of analysis organizations, and assessment and investigation personnel specified in Articles 8 and 9 who have reporting obligations pursuant to this Act and who keep false records shall be punished by a maximum of three years imprisonment, detention and/or a maximum fine of NT\$1 million.

Those representatives of enterprises officially announced by the central competent authority who provide or submit false soil pollution assessment and investigation data pursuant to Articles 8 and 9 shall be fined a maximum of NT\$1 million.

### **Article 35**

Those who fail to comply with the orders of a special municipality, county, or city competent authority given pursuant to Article 15, Paragraph 1, Subparagraph 1 shall be punished by a maximum of one year of imprisonment and detention, and/or may be fined a maximum of NT\$30,000.

### **Article 36**

For those circumstances in which a representative of a juridical person, or an agent, employee or other working personnel of a juridical person or natural person, violates, due to the performance of business activities, Article 32 and preceding articles, in addition to the perpetrator being punished pursuant to the regulations of each article violated, said juridical person or natural person shall also be fined pursuant to the regulations of each article violated.

### **Article 37**

Those polluters or persons potentially responsible for pollution who violate the requirements of Article 12, Paragraph 7, Article 13, Paragraph 1, Article 22, Paragraphs 1 or 4, or Article 24, Paragraph

7 by failing to submit a control plan or remediation plan shall be fined NT\$1 million to NT\$5 million and shall be notified to make corrections or improvements within a limited period; those that have still failed to make corrections or improvements by the deadline shall be fined per violation.

### **Article 38**

Those in one of the following circumstances shall be fined NT\$120,000 to NT\$1,000,000 and may be fined per violation.

- I. The evasion, obstruction, or refusal of verification, audit, order, or matters in which they must cooperate implemented pursuant to Article 7, Paragraph 1, Article 25, or Article 28, Paragraph 5.
- II. Failure to comply with orders given by a competent authority at any level pursuant to Article 7, Paragraph 5 or Article 15, Paragraph 2.

Those in one of the following circumstances shall be fined NT\$200,000 to NT\$1,000,000 and may be fined per violation.

- I. A polluter or person potentially responsible for pollution fails to submit or implement a soil and groundwater pollution investigation and assessment plan pursuant to Article 14, Paragraph 1.
- II. After a polluter or person potentially responsible for pollution sends a control plan or remediation plan to a special municipality, county, or city competent authority for review pursuant to Article 13, Paragraph 1 or Article 22, Paragraph 1, the applicant fails to complete correction by the deadline after being notified in writing by the special municipality, county, or city competent authority three times to make corrections.
- III. The implementer of a control plan or remediation plan fails to implement the content of the control plan or remediation plan approved by the competent authority pursuant to Article 13, Article 22, Paragraphs 1 and 3, or Article 24, Paragraph 5.

### **Article 39**

Those who fail to pay fees by the deadline pursuant to the fee collection regulations of Article 28, Paragraph 2 shall pay, in addition to said fees, interest that shall accrue daily based on the fixed annual interest rate for a one-year time deposit with the Directorate General of the Postal Remittances and Savings Bank on the day of the payment deadline; those who have still failed to make payments 90 days after the payment deadline shall be fined NT\$200,000 to NT\$1 million.

### **Article 40**

An assignor who violates the regulations of Article 9, Paragraph 1 by failing to report for future reference or for public announcement by the central competent authority pursuant to Article 8, Paragraph 1 shall be fined NT\$150,000 to NT\$750,000, and shall be notified to make corrections within a limited period; those that have still failed to make corrections by the deadline shall be fined per violation.

A polluter, person potentially responsible for pollution, or interested party of the polluted land who violates the regulations of Article 17 or Article 18 shall be fined NT\$150,000 to NT\$750,000, and shall be notified to make corrections within a limited period; those that have still failed to make corrections by the deadline shall be fined per violation; in severe circumstances, orders may be issued for the suspension of activities, the suspension of work, or the suspension of business. When necessary, orders may also be issued for the termination of business.

A polluter whose actions cause land to be publicly declared a pollution remediation site shall be fined NT\$150,000 to NT\$750,000, the polluters personal name or name shall be publicly announced, and the polluter shall receive four hours of lessons concerning relevant regulations of this Act and environmental education.

### **Article 41**

Those in one of the following circumstances shall be fined NT\$100,000 to NT\$500,000 and shall

be notified to make corrections within a limited period; those that have still failed to make corrections by the deadline shall be fined per violation; those that have still failed to make corrections by the deadline shall be fined per violation; in severe circumstances, orders may be issued for the suspension of activities, the suspension of work, or the suspension of business, and when necessary, the competent authority may issue orders for the termination of business:

- I. A person who is not a polluter, person potentially responsible for pollution, or interested party of the polluted land violates the regulations of Article 17 or Article 18.
- II. Those who violate restricted matters concerning a groundwater pollution use restriction zone officially declared pursuant to Article 27, Paragraph 1.

Failure to submit a cleanup or pollution control plan to the special municipality, county, or city competent authority for approval pursuant to Article 19, Paragraph 1 shall be fined NT\$100,000 to NT\$500,000 and shall be notified to make corrections within a limited period; those that have still failed to make corrections by the deadline shall be fined per violation.

Those in one of the following circumstances shall be fined NT\$100,000 to NT\$500,000:

- I. A polluter's actions cause land not publicly declared a remediation site to be publicly declared a pollution control site.
- II. The failure to demonstrate due diligence as a good manager of an interested party of the polluted land causes land to be publicly declared a remediation control site.

The special municipality, county, or city competent authority shall publicly announce the personal name or name of the polluter in the first subparagraph of the foregoing paragraph, and shall order the polluter to receive four hours of lessons concerning relevant regulations of this Act and environmental education.

#### **Article 42**

Those in one of the following circumstances shall be fined NT\$50,000 to NT\$250,000.

- I. Violation of regulations determined pursuant to Article 10, Paragraph 2 concerning instruments and equipment, test personnel, in-service training, technical evaluation, blind testing, test methods, quality control matters, basic quality system guidelines, test report signing and data submission, and implementation of operations, and other binding matters.
- II. Failure to act in accordance with a cleanup or pollution control plan approved pursuant to Article 19, Paragraph 1.
- III. An interested party a control site not publicly declared a remediation site fails to demonstrate due diligence as a good manager, causing the land to be publicly declared a control site.

When an analysis organization violates the regulations of the first subparagraph of the foregoing paragraph, the central competent authority may order the organization to make rectification within a limited time period, those that have still failed to make corrections by the deadline shall be fined per violation; in severe circumstances, the organizations permit may cancelled or revoked.

A polluter who violates the regulations of Article 40, Paragraph 3 or Article 41, Paragraph 4 by failing to receive lessons shall be fined NT\$50,000 to NT\$250,000; a polluter who still fails to receive lessons after further notification may be fined per violation until participation in the lessons.

#### **Article 43**

A polluter who violates the regulations of Article 40, Paragraph 3 or Article 41, Paragraph 4 by failing to receive lessons shall be fined NT\$50,000 to NT\$250,000; a polluter who still fails to receive lessons after further notification may be fined per violation until participation in the lessons.

With regard to the expenditures made by a person potentially responsible for pollution when implementing the regulations of Article 12, Paragraph 7; Article 13, Paragraph 1; Article 14, Paragraph 1; Article 15; and Article 22, Paragraph 1, an application with attached receipts for expenditures may



be made to the central competent authority for payment of one-half of expenditures after completion of implementation.

If a polluter or person potentially responsible for pollution is a corporate organization, the special municipality, county, or city competent authority may order the statutory responsible person or company or shareholder holding a majority of the organizations total capital or total outstanding shares with voting rights, or directly or indirectly controlling the organizations personnel affairs, finances, or operations to pay the expenses in the two foregoing paragraph within a limited time period; likewise in circumstances where the polluter or person potentially responsible for pollution has ceased to exist due to merger, partition, or other reasons.

In the foregoing paragraph, if the statutory responsible person of the polluter or person potentially responsible for pollution, or company or shareholder holding a majority of the organizations total capital or total outstanding shares with voting rights, or directly or indirectly controlling the organizations personnel affairs, finances, or operations was actually responsible for decisions concerning polluting acts, the polluter or person potentially responsible for pollution may seek compensation from the statutory responsible person, company, or shareholder for the expenditures in Paragraph 1.

If the expenses that must be paid by the statutory responsible person, company, or shareholder pursuant to Paragraphs 1 and 3, and for which the polluter or person potentially responsible for pollution must bear responsibility pursuant to Paragraph 3, have not been paid by the deadline, an overdue fine, which shall be assessed at a rate of 0.5% of the overdue amount for each day the expenses are overdue, shall be paid together with the overdue expenses; those that have still failed to pay the expenses 30 days after the deadline shall be fined NT\$200,000 to NT\$1 million, which shall be paid into the Soil and Groundwater Pollution Remediation Fund within a limited time period.

With regard to the disbursement of necessary response measures expenditures in Article 7, Paragraph 5, a special municipality, county, or city competent authority may, following the regulations of Paragraphs 1 and 5, order a polluter or person potentially responsible for pollution to bear responsibility within a limited time period for the payments to be made by the statutory responsible person, company or shareholder, site user, manager, or owner pursuant to Paragraph 3.

A site user, manager, or owner may jointly seek compensation from the polluter or person potentially responsible for pollution for the expenditures in the foregoing paragraph.

A person potentially responsible for pollution may seek compensation from the polluter for the expenditures in Paragraphs 1, 6, and 7.

When multiple persons are responsible for payment of the expenditures in Paragraphs 1, 3, and 6, such persons shall bear joint payment responsibility for the expenses owed.

#### **Article 44**

When an interested party of the polluted land fails to pay expenses pursuant to Article 31, Paragraph 1, and does not pay before the deadline after being notified by the special municipality, county, or city competent authority to make payment within a limited time period, an overdue fine, which shall be assessed at a rate of 0.5% of the overdue amount for each day the expenses are overdue, shall be paid together with the overdue expenses; those that have still failed to pay the expenses 30 days after the deadline shall be fined NT\$200,000 to NT\$1 million, which shall be paid into the Soil and Groundwater Pollution Remediation Fund within a limited time period.

#### **Article 45**

In order to secure the compulsory enforcement of the payment of necessary expenses in the two foregoing paragraphs, the special municipality, county, or city competent authority may, after a disciplinary citation has been delivered to the polluter, person potentially responsible for pollution, interested party of the polluted land, manager, or owner, notify the relevant agency not to transfer or establish other rights over the land within the scope of the property for which expenses must be paid. When that party is a profit seeking enterprise, the special municipality, county, or city competent authority may notify the industry competent authority to restrict the enterprises divestment or

cancellation registration.

#### **Article 46**

Unless other regulations apply, the penalties determined pursuant to this Act shall be assessed by the Environmental Protection Administration, Executive Yuan, at the central government level, the municipal government in special municipalities and the county or city government in counties and cities.

#### **Article 47**

The competent authority shall enforce the suspension of work, suspension of business, suspension of activities and revocation or cancellation of permits in this Act; the industry competent authority, following notification by the competent authority, shall enforce orders for the termination of business.

Those enterprises that have been ordered by the competent authority to suspend business or partially or completely suspend work pursuant to this Act shall, prior to the resumption of business or work, apply to the competent authority by submitting improvement completion verification documents or documents designated by the competent authority to the competent authority; work or operations may be resumed only after review and approval by the competent authority.

## **Chapter 8 Supplementary Provisions**

#### **Article 48**

Each industry competent authority shall provide guidance to enterprises on the prevention and remediation of soil and groundwater pollution.

#### **Article 49**

The payment of fees pursuant to Paragraphs 43 and 44 shall take precedence over all creditor rights and collateral rights.

#### **Article 50**

Before a polluter or person potentially responsible for pollution, interested party of the polluted land, site user, manager, or owner is declared bankrupt or undergoes a court-ordered corporate reorganization, expenses that must be paid pursuant to Articles 43 and 44 shall be deemed bankruptcy creditors rights or reorganization creditors rights at the time of bankruptcy declaration or corporate reorganization decision.

#### **Article 51**

The zoning or type of land belonging to the polluter, person potentially responsible for pollution, or interested party of the polluted land within the pollution control zone of a remediation site may not be changed, and the land may not be used for any purpose violating control items of the soil and groundwater pollution control zone.

When the land development plan to be implemented by a land developer in accordance with other laws and regulations involves polluted land on a soil and groundwater pollution remediation site, the land development plan may be submitted concurrently with the soil and groundwater pollution remediation plan in Article 22, and shall reviewed in accordance with relevant laws and regulations; implementation of the land development plan begin only after the cancellation of regulatory listing of the soil and groundwater pollution remediation site has been publicly announced.

In the foregoing paragraph, before cancellation of regulatory listing of the soil and groundwater pollution remediation site has been publicly announced and the land development plan implemented, the land developer shall pay 30% of the present value of the original polluted area of the remediation site into the Soil and Groundwater Pollution Remediation Fund, where the present value is calculated by adding 40% to the publicly announced present value of the land for the current year after the

change. However, if the land developer had already submitted and completed a remediation plan prior to the day the special municipality, county, or city competent authority submitted a remediation plan, the case shall not be subject to this restriction.

#### **Article 52**

When soil and groundwater pollution causes a third party to suffer damage, and there are multiple polluters or persons potentially responsible for pollution, the polluter or persons potentially responsible for pollution shall have joint liability for compensation for damages. Likewise in the case of an interested party of the polluted land who has committed major negligence.

An interested party of the polluted land who pays compensation for damage pursuant to foregoing paragraph shall have the right to seek compensation from the polluter or person potentially responsible for pollution.

#### **Article 53**

Articles 7, 12, 13, 16, 17, 18, 32, 36, 38 and 41 of the Act shall apply to the liability of polluters causing soil or groundwater pollution that has occurred prior to the effective date of this Act.

#### **Article 54**

When a public and private premises violates this Act or a legal order 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 concerning the details of the negligent enforcement. When a competent authority has 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 file a lawsuit directly with an 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 implement its duties.

When issuing a verdict on the lawsuit in the foregoing paragraph, the 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 soil or groundwater pollution remediation.

The central competent authority shall determine the format of the written notification in Paragraph 1.

#### **Article 55**

The central competent authority shall determine the standards of fees collected by competent authorities at all levels pursuant to this Act.

#### **Article 56**

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

#### **Article 57**

Apart from Article 11, which shall take effect one year after the publicly announce of this Act, the remainder of this Act shall take effect on the date of public announcement.