

Schedule of Penalties Applicable under the Tourism Development Act

Chapter 1: General Provisions

Article 1:

This Schedule is stipulated pursuant to Article 17 of the Tourism Development Act (hereafter referred to as “the Act”).

Article 2:

Actions that constitute a violation of the Act or of any executive order announced in accordance with the provisions of the Act shall be subject to the penalties as stipulated in this Schedule.

Article 3:

Such actions as referred to in the preceding Article shall be determined on the basis of the findings from an examination of the facts and evidence.

Article 4:

Actions that constitute two or more violations of the Act or of any executive order announced in accordance with the provisions of the Act shall be subject to separate penalties as stipulated in this Schedule.

Chapter 2: Itemized Provisions

Article 5:

Violations by tourist hotel enterprises and persons employed thereby of the provisions of the Act and of the Regulations Governing Tourist Hotel Enterprises shall, in the case of any ordinary tourist hotel enterprise that is located within the jurisdiction of a municipality, be subject to the imposition, by the municipal government with appropriate jurisdiction, of the penalties as prescribed in [Appendix 1](http://202.39.225.136/english/law/File/200412/1.doc) hereto, and in the case of any other international tourist hotel enterprise or ordinary tourist hotel enterprise, be subject to the imposition, by the Tourism Bureau under the authority of the Ministry of Transportation and Communications, of the penalties as prescribed in

[Appendix 1](http://202.39.225.136/english/law/File/200412/1.doc) hereto.

Article 6:

Violations by hotel enterprises and persons employed thereby of the provisions of the Act and of the Regulations Governing Hotel Enterprises shall be subject to the imposition, by the municipal or county (city) government with appropriate jurisdiction, of the penalties as prescribed in

[Appendix 2](http://202.39.225.136/english/law/File/200412/2.doc) hereto.

Article 7:

Violations by travel enterprises, the managers thereof or persons employed thereby of the provisions of the Act and of the Regulations Governing Travel Enterprises shall be subject to the imposition, by the Tourism Bureau under the authority of the Ministry of Transportation and Communications, of the penalties as prescribed in

[Appendix 3](http://202.39.225.136/english/law/File/200412/3.doc) hereto.

Article 8:

Violations by tourist amusement enterprises of Article 35 Paragraph 1 of the Act and of Articles 15 to 17, Article 18 Paragraphs 3 and 4, Article 21, Article 23, Article 24, Article 26, and Article 39 Paragraph 1 of the Regulations Governing Tourist Amusement Enterprises shall, in the case of those that constitute major investment projects as referred to in Article 35 of the Act, be subject to the imposition, by the Tourism Bureau under the authority of the Ministry of Transportation and Communications, of the penalties as prescribed in

[Appendix 4](http://202.39.225.136/english/law/File/200412/4.doc) hereto; and in the case of those that do not constitute major investment

projects, be subject to the imposition, by the municipal or county (city) government with appropriate jurisdiction, of the penalties as prescribed in

<http://202.39.225.136/english/law/File/200412/4.doc>>Appendix 4 hereto.

Violations by tourist amusement enterprises of Article 37 Paragraph 2 and Article 53 Paragraph 1 of the Act and of Article 33, Article 34, and Article 37 of the Regulations Governing Tourist Amusement Enterprises shall be subject to the imposition, by the competent authorities conducting the investigation thereof, of the penalties as prescribed in [_blank](#)

<http://202.39.225.136/english/law/File/200412/4.doc>>Appendix 4 hereto.

Violations by tourist amusement enterprises of Article 18 Paragraph 1, Article 19, Article 20, Article 22, Article 25, Article 27, Article 28, Article 35, and Article 36 of the Regulations Governing Tourist Amusement Enterprises shall be subject to the imposition, by the municipal or county (city) government with appropriate jurisdiction, of the penalties as prescribed in [_blank](#)

<http://202.39.225.136/english/law/File/200412/4.doc>>Appendix 4

hereto. Violations by persons employed by tourist amusement enterprises of Article 53 Paragraph 3 of the Act shall be subject to the imposition, by the competent authorities conducting the investigation thereof, of the penalties as prescribed in [_blank](#)

<http://202.39.225.136/english/law/File/200412/4.doc>>Appendix 4

hereto. Paragraph 2 and Paragraph 4 investigations conducted by the Tourism Bureau under the authority of the Ministry of Transportation and Communications shall be subject to the imposition of penalties by the Tourism Bureau under the authority of the Ministry of Transportation and Communications.

Article 9:

Violations by operators of home stay facilities of the Act and the Regulations for the Management of Home Stay Facilities shall be subject to the imposition, by the municipal or county (city) government with appropriate jurisdiction, of the penalties as prescribed in [_blank](#)

<http://202.39.225.136/english/law/File/200412/5.doc>>Appendix 5 hereto.

Article 10:

Violations by tour guides of the Act and the Regulations Governing Tour Guides shall be subject to the imposition, by the Tourism Bureau under the authority of the Ministry of Transportation and Communications, of the penalties as prescribed in [in](http://202.39.225.136/english/law/File/200412/6.doc) Appendix 6 [here](http://202.39.225.136/english/law/File/200412/6.doc).

Article 11:

Violations by tour group leaders of the Act and the Regulations Governing Tour Group Leaders shall be subject to the imposition, by the Tourism Bureau under the authority of the Ministry of Transportation and Communications, of the penalties as prescribed in [in](http://202.39.225.136/english/law/File/200412/7.doc) Appendix 7 [here](http://202.39.225.136/english/law/File/200412/7.doc).

Article 12:

Violations by persons engaging in water recreation activities of the Act and the Regulations Governing Water Recreation Activities shall be subject to the imposition, by the water management authorities, of the penalties as prescribed in [in](http://202.39.225.136/english/law/File/200412/8.doc) Appendix 8 [here](http://202.39.225.136/english/law/File/200412/8.doc).

Article 13:

Violations of the provisions of the Act and the Regulations Governing Designated Scenic Areas as having regard to the management of national-grade designated scenic areas or of local-grade designated scenic areas under the jurisdiction of a municipal or county (city) government shall be subject to the imposition, by the Tourism Bureau under the authority of the Ministry of Transportation and Communications or by the municipal or county (city) government with appropriate jurisdiction, of the penalties as prescribed in [in](http://202.39.225.136/english/law/File/200412/9.doc) Appendix 9 [here](http://202.39.225.136/english/law/File/200412/9.doc).

Violations of Articles 62 to 64 of the Act as having regard to the management of tourist areas shall be subject to the imposition, by the authority in charge of the target enterprise, of the penalties as prescribed in [in](#)

<http://202.39.225.136/english/law/File/200412/9.doc>>Appendix 9 hereto.

Article 14:

Tourists entering a natural and human ecoscape area without applying to be accompanied by a professional guide in accordance with the regulations shall be subject to the imposition, by the authority in charge of the target enterprise, of the penalties as prescribed inAppendix 10 hereto.

Chapter 3: Supplementary Provisions

Article 15:

Matters mandated under Article 5, Article 7, Article 8 Paragraphs 1 and 5, Article 10, Article 11, and Article 13 Paragraph 1, and the basis for their being so mandated, shall be publicly announced and published in the government gazette or news journals.

Article 16:

When a penalty is imposed in accordance with the provisions of this Schedule, a written record of the penalty shall be made; its form and the matters recorded in it shall be decided by the Tourism Bureau of the Ministry of Transportation and Communications. But when a penalty is imposed by the authority in charge of the target enterprise in accordance with the provisions of Articles 62 to 64 of the Act, the form of its written record and the matters recorded in it shall be decided by the authority in charge of the target enterprise.

Article 17:

When penalties are imposed and facts and evidence are examined in accordance with the provisions of this Schedule, the service of related written documents shall be conducted in accordance with the provisions of administrative procedural law.

Article 18:

This Schedule shall come into force from the date of promulgation.