

Regulations Governing Application to Use the Official Hot Spring Logo

1. Promulgated on July 15, 2005
2. Amended on December 30, 2008
3. Amended on May 20, 2010

Article 1

These Regulations are stipulated pursuant to the provisions of Article 18 , Paragraph 3 of the Hot Spring Act (hereafter referred to as“the Act”).

Article 2

To utilize a hot spring for tourism, leisure and recreation purposes, a hot spring enterprise shall submit the hot spring for testing by an authority (institution) or organization approved by the Ministry of Transportation and Communications, and, provided that the hot spring meets the pertinent requirements, apply to use an official hot spring logo in accordance with the provisions of these Regulations.

The Tourism Bureau of the Ministry of Transportation and Communications is mandated by the Ministry of Transportation and Communications to undertake the approval of hot spring testing authorities (institutions) and organizations as referred to in the preceding paragraph, the approval follow-up procedure as stipulated in Articles 3 to 5 of these Regulations, the application to register and certify the official logo, and the stipulation of the format of all documents and forms required under these Regulations. The matters thus mandated and the legal and regulatory basis thereof shall be publicly announced and published in an official gazette or in newspapers.

Article 3

A government authority (institution), publicly (privately) run institution, public or accredited academic research institution or school at or above the level of college or university, or other entity possessing juridical person status may, during the period publicly announced by the Ministry of Transportation and Communications for the handling of applications for approval, present an application form and implementation plan to apply for approval as a hot spring testing authority (institution) or organization.

The content of the aforementioned implementation plan shall include the following items:

- (1) An explanation and related certification of the applicant unit’s qualifications.
- (2) A description of its laboratory and testing equipment.

- (3) A description of its testing personnel and their relevant qualifications.
- (4) Its operational procedures and control methods for handling testing applications.
- (5) Its method of keeping testing records and its Internet facilities.
- (6) Its schedule of charges.

Article 4

For the purpose of carrying out the approval of a hot spring testing authority (institution) or organization, the Ministry of Transportation and Communications may call together the related authorities in charge and scholars and experts to review the content of the implementation plan, and when necessary may conduct on-site inspection; the same applies to the cancellation of approval.

The review or cancellation of approval in the preceding paragraph shall be publicly announced and open to the public on the Internet.

Article 5

An authority (institution) or organization that has been approved for hot spring testing under the preceding articles shall carry out testing operations strictly in accordance with the content of its implementation plan and in accordance with the following provisions:

- (1) It shall itself attend at the site of the hot spring enterprise to take samples of the hot spring water from the storage tank at the mouth of the hot spring source and from the outlet of the hot spring water at its point of usage.
- (2) It shall complete testing within 20 days of accepting the application, issue a hot spring testing certificate, and submit a record thereof to the Tourism Bureau of the Ministry of Transportation and Communications.
- (3) Where there is a need to amend its implementation plan, such amendment shall be referred to the Ministry of Transportation and Communications for checking and approval.

For the purpose of supervising hot spring testing operations as aforementioned, the Ministry of Transportation and Communications may at any time dispatch personnel to conduct on-site inspection, and a hot spring testing authority (institution) or organization may not without cause or reason evade, obstruct or refuse such inspection.

Where a hot spring testing authority (institution) or organization acts in breach of the preceding provision, the Ministry of Transportation and Communications may order it to rectify the breach within a specified time limit, and if the breach has not been rectified at the expiration of the time limit, terminate its approval.

The hot spring testing certificate as referred to in paragraph 1, sub-paragraph 2 of this

Article shall include the following particulars:

- (1) The applicant's name.
- (2) The applicant's place of business.
- (3) The testing entity.
- (4) The name of the hot spring.
- (5) The place of outflow of the hot spring.
- (6) The testing date.
- (7) The result of an on-site inspection of the hot spring, which shall at least include the water quality traits, temperature, acidity or alkalinity, outflow volume, and mode of provision of the hot spring.
- (8) Test results of the hot spring composition.
- (9) Classification of the spring properties.

Article 6

The form of the official hot spring logo is as shown in Appendix 1.

The city or county (metropolitan) government with due jurisdiction shall make and issue an official hot spring logo identification sign, in accordance with the form of the official hot spring logo, as shown in Appendix 2, and thereon record the following particulars:

- (1) The name of the hot spring enterprise.
- (2) The operating location of the hot spring enterprise.
- (3) The composition, temperature, and classification of the properties of the hot spring.
- (4) The authority making and issuing the identification sign.
- (5) The serial number of the identification sign.
- (6) The period of validity.

Article 7

A hot spring enterprise shall submit an application form, together with the documents listed below, to the city or county (metropolitan) government with due jurisdiction, to apply for the issuance of an official hot spring logo identification sign. The accompanying documents required are as follows:

- (1) Documentary certification of the establishment or registration of related businesses operated by the applicant.
- (2) In the case of an enterprise operated as a sole proprietorship or partnership, documentation of the identity of its responsible person; in the case of a body corporate or unincorporate, documentation of the identity of its representative.
- (3) A hot spring water rights certificate or the water supply certificate of the enterprise

obtaining and providing the hot spring water.

(4) A hot spring test certificate, issued within three months of the application, certifying that the hot spring has been tested by an authority (institution) or organization authorized by the Ministry of Transportation and Communications and has been found to conform to hot spring standards.

(5) A report issued by a health agency within two months of the application confirming that the hot spring bathing pool water quality has passed a microbial test.

(6) Where the application is entrusted to another party, the letter of authorization and documentation of the identity of the agent.

(7) Other documents as stipulated by the city or county (metropolitan) government with due jurisdiction.

The documentary certification in sub-paragraph 1 of the preceding paragraph includes a travel agency business license, a hotel registration certificate, a guesthouse accommodation registration certificate, a tourist amusement enterprise license, a recreational farm registration certificate, and the company registration or business registration certification of a restaurant, bathhouse, or other related enterprise.

Where the applicant is a government authority, it need not attach the document referred to in Paragraph 1, Subparagraph (1).

A hot spring enterprise whose right to use the official hot spring logo identification sign has been revoked cannot resubmit an application within one year of revocation.

Article 8

The city or county (municipal) government with due jurisdiction should issue the official hot spring logo identification sign to a hot spring enterprise if the application form referred to in the preceding Article is fully completed, but if the application form is not fully completed or its content is deficient, it shall notify the applicant of a time limit within which to make the requisite correction; if no correction has been made or the correction has not been completed by the expiration of the time limit, the application shall not be processed.

Article 9

To utilize a hot spring for tourism, leisure and recreation purpose, a hot spring enterprise shall have the official hot spring logo identification sign displayed in a conspicuous place at the entrance of its premise, using suitable size and legible fonts to display the following hot spring prohibitions and warnings:

(1) Bathers should thoroughly wash their body before entering the hot spring bath.

(2) People suffering from chronic disease, such as heart disease, lung disease, high blood pressure, diabetes, and other obstructions of the circulatory system should enter

the bath in accordance with a doctor's instructions.

(3) Drink sufficient water before entering the bath.

(4) When entering the hot spring, first immerse your feet, then the lower half of your body before slowly immersing your full body above the heart.

(5) Anyone suffering any discomfort while bathing should immediately leave the bath and inform the service personnel.

(6) After a long-distance hike, excessive fatigue, or strenuous exercise, it is advisable to rest before entering the bath.

(7) People suffering from contagious diseases may not enter the bath.

(8) Women who are menstruating may not enter the bath.

(9) Do not take any pet into the bath.

(10) It is inadvisable for pregnant women, elderly persons who have difficulty moving, and children under the age of three to enter the bath alone.

(11) It is inadvisable to enter the bath when intoxicated, with an empty stomach, or after a filling meal.

(12) It is inadvisable to be immersed in the hot spring for more than 15 minutes at a time or for more than one hour during each visit.

(13) It is inadvisable to enter a sauna directly after taking a hot spring bath.

In addition, the governments of municipalities, counties and cities should stipulate restrictions and matters needing attention based on the special characteristics and needs of hot springs, outside the stipulations of each article. They should also advise hot springs business operators to display notices about such matters in a suitable area and of a suitable size, based on the situation at the hot spring facilities, so that the notices are easy for customers to see.

Article 10

The use of the official hot spring logo identification sign by a hot spring enterprise is effective for a period of three years, and in the event that the hot spring enterprise still needs to use the sign after the expiration of that period, it shall, two months prior to the expiration thereof, submit an application in accordance with Article 7, Paragraph 1 to the city or county (metropolitan) government with due jurisdiction, which shall reissue the sign if the applicant is found on review to be duly qualified therefor.

Article 11

Where an official hot spring logo identification sign is damaged or the name of the enterprise recorded on it is changed, the hot spring enterprise shall within 15 days of the damage or change submit an application for reissuance of the sign, together with the relevant supporting documentation, to the city or county (metropolitan)

government with due jurisdiction.

Article 12

Where an official hot spring logo identification sign is lost, the hot spring enterprise shall within 15 days of the loss submit an application for the issuance of a replacement, with an explanation of the cause of the loss, to the city or county (metropolitan) government with due jurisdiction, which shall publicly announce the cancellation of the lost official hot spring logo identification sign.

Article 13

Where one of the following situations applies to a hot spring enterprise, the city or county (metropolitan) government with due jurisdiction shall revoke the enterprise's right to use its official hot spring logo identification sign:

- (1) The application for the official hot spring logo identification sign contains a false representation or the submission of a false document.
- (2) The right to use the official hot spring logo identification sign has been obtained by deception, intimidation, or other improper means.

Article 14

Where a hot spring enterprise closes its business, ceases operation of its own accord, or goes into dissolution, or where there is concern as to its operation being to the serious detriment of the public interest, the city or county (municipal) government with due jurisdiction may terminate the enterprise's right to use its official hot spring logo identification sign. However, its right to use the official hot spring logo identification sign shall be terminated where one of the following situations applies:

- (1) The testing of sample of the hot spring water taken in accordance with the provisions of Article 5, Paragraph 1, Subparagraph (1) reveals that the hot spring or its water quality constituents do not conform to hot spring standards, and this has not been rectified within the time limit prescribed.
- (2) The water quality of the hot spring does not conform to the hot spring bathing pool water quality microbial standards stipulated by the Department of Health, Executive Yuan, and this has not been rectified within the time limit prescribed.
- (3) The official hot spring logo identification sign has been assigned to another or otherwise used in an unlawful manner.
- (4) Failure to apply for reissuance or replacement of the official hot spring logo identification sign in accordance with the provisions of Articles 10 to 12 herein.
- (5) The documentary certification submitted by the hot spring enterprise in accordance with Article 7, Paragraph 1, Subparagraph (1) has been revoked or

terminated by the competent authority or for other reason has become invalid.

(6) The water rights certificate submitted by the hot spring enterprise in accordance with Article 7, Paragraph 1, Subparagraph (3) has been revoked or terminated by the competent authority or has expired.

(7) The water supply certificate submitted by the hot spring enterprise in accordance with Article 7, Paragraph 1, Subparagraph (3) has become invalid.

Article 15

Where the period of validity of an official hot spring logo identification sign has expired without an application for its reissuance or where the right to use such a sign has been revoked or terminated by the city or county (metropolitan) government with due jurisdiction, the authority in charge shall give written notice to return the sign within 30 days, and if the sign is not returned within that time, shall publicly announce its cancellation.

Article 16

The city or county (metropolitan) government with due jurisdiction shall publicly announce, and inform the Tourism Bureau of the Ministry of Transportation and Communications of, the issuance, reissuance, replacement, cancellation, revocation, or termination of an official hot spring logo identification sign, and shall openly announce the same on the Internet.

Article 17

The format of the documents and forms required under these regulations shall be stipulated separately by the Ministry of Transportation and Communications.

Article 18

An operator that, prior to these Regulations taking effect, possesses the establishment or registration documentation stipulated in Article 7, Paragraph 2, and utilizes a hot spring for tourism, leisure and recreation, shall within one year of these Regulations taking effect apply to the city or county (metropolitan) government with due jurisdiction for the issuance of an official hot spring logo identification sign.

Article 19

These Regulations shall take effect on the date of promulgation.