

## 英譯法規內容

法規名稱 Enforcement Rules of Fire Services Act

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法規沿革： (Legislative)

1.27 Articles published under Ministry of the Interior(MOI)Order (76)-Tai-Nei- Ching-Tzu No. 505687, June 26, 1987

2.30 Articles, as amended, published under Ministry of the Interior(MOI) Order Tai-(85)-Nei-Hsiao-Tzu No. 8577234, June 26, 1996

3.Articles 2, 4 and 5 amended, published under Ministry of the Interior(MOI) Order Tai-(88)-Nei-Hsiao-Tzu No. 876290, Dec. 8, 1999

4.Articles 6 and 19 amended, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 0910088784, June 12,2002

5.Articles 6 amended, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 0940091516, March 1,2005

6.Articles 25, 26 amended, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 0970824055, October 16,2008

7.Articles 13 amended, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 0980822585, June 18,2009

8.Articles 4, 5 amended and 19 amended, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 0990825520, June 30,2010

9.Addition of Article 19-1, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 1000822908, June 7,2011

10.Articles 18 amended, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 1000826386, Dec. 19,2011

11.Articles 5-1,14 amended, published under Ministry of the Interior(MOI) Order Tai-Nei-Hsiao-Tzu No. 1040820826, Jun. 29,2015

法規內文(Content) :

Article 1 These Enforcement Rules have been incorporated pursuant to Article 46 of Fire Services Act (the Act).

Article 2 The fire regulating authorities referred in Article 3 of the Act shall refer to National Fire Administration if the transactions fall within the scope of MOI; or FireDepartment, within municipal, or county/city government.  
County/city police department shall undertake the transactions before the establishment of a fire department by the county/city government.

Article 3 Municipal, county/city government shall develop an annual plan to undertake fire education and propaganda from time to time.

Article 4 (deletion)

Article 5 (deletion)

Article 5-1 The content of design, construction supervision, installation and service of fire safety equipment that referred in the first paragraph of Article 7 of the Act as follows:

- 1.Design: It refers to the planning of which type to use and the quantity of fire safety equipment and the producing of fire safety drawings.
- 2.Construction Supervision: It refers to the verification of what shall be tested or examined during fire safety equipment construction.
- 3.Installation: It refers to the function test after fire safety equipment construction and the producing of fire safety equipment testing report.
- 4.Service: It refers to being contracted to examine fire safety equipment and producing fire safety equipment examination report of a variety of places according to the first paragraph of Article 9 of the Act.

Article 6 As provided in Article 9 of the Act, the administrator shall conduct periodical inspection and service of fire safety equipment as follows:

1. Appearance inspection: to check for damage, and proper allocation through visual inspection of the appearance.
2. Performance inspection: to check for normal performance through operation
3. General inspection: to check for the mechanical capability through the use or operation of the fire safety equipment as a whole.

For the Class A places regulated in Standard for Installation of Fire Safety Equipments Based on Use and Occupancy, the inspections mentioned in the previous sub-article should be done once every six months, and for the places other than Class A, the inspections should be done once every year.

Service item, service criteria and term for declaration of service results shall be specified by the central fire regulating authorities.

Article 7 Any application for flameproof certificate pursuant to Para.3, Article 11 of the Act shall be submitted in writing together with test sample or related documents and examination fee to file with the central regulating authorities and the label of flameproof can be used by the applicant upon the approval of the examination.

The central regulating authorities may contract appropriate institutes, laboratories, and groups for their assistance in carry out the technical works of the examination specified in the preceding paragraph. Receipt and payment of the examination referred in the first paragraph herein shall be carried out pursuant to then existing budget procedure and the rates of the examination fee shall be determined by the central regulating authorities.

The central regulating authorities shall separately set forth the operation procedure for the certification of flameproof performance, approval and release of flameproof label and flameproof performance test criteria.

Article 8 (deletion)

Article 9 (deletion)

Article 10 (deletion)

Article 11 (deletion)

Article 12 (deletion)

Article 13 The scope of the building for public use with a certain scale as referred in Article 13.1 of the Act includes:

1. Any place a movie is played (theater, cinema house), show place, dancing hall, night club, club, bowling house, and Sauna house;
2. Any barbershop (tourism barbershop and AV barbershop), massage place, MTV and other place that plays video taped programs, AV place (KTV), bar and pub with or without waitress;
3. Any tourism hotel, hotel, motel;
4. Any department store, supermarket, mall and entertainment place having a total floorage not less than 500 sq.mt.;
5. Any restaurant having a total floorage not less than 300 sq.mt.;
6. Any hospital, sanitarium, and the aged nursing

home;

7. Any academic institute, and any training school, cram school having a total floorage not less than 200 sq.mt.;
8. Any industrial facilities or institute employing not less 30 people and having a total floorage not less than 500 sq.mt.; and
9. Any other public place designated by the central regulating authorities.

**Article 14** The fire prevent manager in Article 13 of the Act shall be a staff from the management or the supervision level and who has been trained and issued a qualification certificate issued by municipal, county/city fire department or a professional training institute approved by the central regulating authorities.

The training referred in the first paragraph are first-training and continual-training respectively. Fire prevent managers shall take continual-training at least once every three years after qualification of first-training.

In the training referred in the first paragraph, the length of first-training shall not be less than twelve hours and the length of continual-training shall not be less than six hours.

**Article 15** The fire protection plan referred in Article 13 of the Act shall include but not limited to the following details:

1. Self-defense fire organization: A fire fighting squad; a notification squad and an evacuation leading squad shall be organized in case of not less than ten (10) persons are employed; and an additional safety protection squad and a first aid squad shall be organized, not less than fifty (50) persons;
2. Voluntary inspection of fire escape facilities: shall be done at least once each month, and any flaw found during the inspection shall be reported to the Administrator to take action for immediate correction;
3. Administration and maintenance of fire safety equipment;
4. Fire fighting operation, report and notification,

and evacuation leading in case of fire and any other hazard;

5. Drill of fire fighting, communication and evacuation leading: shall be carried out at least once half a year, with each session not less than four (4) hours and a prior notice of the drill shall be served to the local fire department;
6. Education and training of fire prevention and emergent response;
7. Monitor and control of Fire and electricity consumption;
8. Arson prevention action;
9. Map of the place, escape route map and layout; and
10. Any other action required in fire prevention and emergent response action.

In case of improvement, retrofit, repair and interior decoration work to the building, a fire protection planshall be separately developed to monitor the works of the contractor involving consumption of power and/or fire.

**Article 16** If a joint fire prevention plan shall be produced as provided in Para.2 of Article 13 of the Act, a promoter shall be elected among the administrators to negotiate for the production of the joint fire prevention plan and the agreement shall be documented in the plan. Items to be included in the plan shall be separately set forth by the central regulating authorities.

In the failure to elect such a promoter among the administrators, the administrators may request the municipal, county/city fire department to appoint one.

**Article 17** Any fire ignition in the wild land and/or mountain shall be limited to the purpose of land development, land preparation and/or extermination of hazardous insects.

If the fire ignition referred in the preceding paragraph herein presents risk of fire extension or is made within a forest or a forest conservation area, a fire ignition shall be filed no later than five (5) days before the planned ignition with the local fire department. Upon the approval, a 3m wide fire security belt shall be erected in the peripheral of the ignition point, where proper fire control equipment

shall be made available; and the date, time and place of ignition shall be separately notified to all owners or managers of the properties abutted to the fire ignition point. The forestry regulating authorities shall be notified if the ignition point is located in a forest or a forest conservation area.

The ignition referred in the preceding paragraph shall be made at a time between six a.m. and six p.m. The ignition shall be attended and the attendant shall be permitted to leave the site only after having made sure that the fire has been extinguished.

Article 18 (deletion)

Article 19-1 The term "reporting to the district fire department regularly" referred to in Para.1 of Article 15-2 of the Act shall refer to reporting to the district fire department in each April and October.

Article 19-2 The safety technicians, as stated in Subparagraph 5, Paragraph 1, Article 15-2 of this Act, shall receive qualification through training seminars held by the special municipal or county/city fire departments or by professional institutions recognized by the Central Fire Administration before they are eligible.

The training time of the seminars mentioned in the previous paragraph shall not be less than 16 hours. Safety technicians shall receive a refresher training every other year, and each refresher training time shall not be less than 8 hours.

Article 19-3 The customer safety inspection documents, as stated in Subparagraph 6, Paragraph 1, Article 15-2 of this Act, include address of user, test items, and

Article 20 The fire hydrant established pursuant to Article 17 of the Act shall be of the ground dividing breeching type unless otherwise specified. The location of the hydrant shall be clearly marked and the specification of the hydrant shall be set forth by the central regulating authorities.

The local water supply company shall maintain and protect the fire hydrant pursuant to Article 17 of the Act. The municipal, county/city fire department shall join the local water supply company to periodically carry out a comprehensive test of the

performance of the hydrant to keep it in usable condition.

Article 21 A reservoir and other fire water sources shall be erected or repaired as applicable by the municipal, county/city government in the area within its jurisdiction where tap water is not supplied or in shortage of hydrant; and such reservoir or fire water sources shall be put under control by the local fire department.

Article 22 Civil utilities including power, gas and water supplies within the jurisdiction of a municipal, county/city government shall designate a unit authorized to promptly collect water supply or cut off the power supply and/or gas supply as applicable when notified by the commander of the fire department pursuant to Article 21 and 22 of the Act.

Article 23 Once the fire line is defined by the fire commander, municipal, county/city fire department under Articles 20 and 23 of the Act, local police station or precinct may be notified to coordinate in maintaining the fire line.

Article 24 Any claim for damages under Article 32 of the Act shall be made in writing and filed with the local regulating authorities.

The fire regulating authorities upon receiving the claim shall promptly negotiate with the claimant for settlement, which shall be made in a written agreement.

Article 25 The municipal, county/city fire department upon completing the investigation and determination of the cause of the fire pursuant to Para.1 of Article 26 of the Act shall immediately present a written report to the local police department to follow up as provided by the law.

To investigate and determine the cause of fires, the municipal, county/city government may request the coordination from the local police authorities.

The fire investigation report referred in the first paragraph herein shall be produced within fifteen (15) days upon the fire incident and may be extended for another fifteen (15) days if required.

Article 26 Prosecutors office, police or fire authorities may blockade the site of the fire and lift the blockade

upon completing the fire investigation and determination.

The site of fire shall be kept integral before the completion of the fire investigation and determination. No one is permitted to enter into the site or make any change of the site unless authorized by those who are in charge of the investigation and determination. In case of emergency or the entry is absolutely required, such entry shall be always accompanied by the investigation and determination personnel, and shall be documented in the fire investigation report.

**Article 27** Any victim or anyone having interest in or to the fire disaster may apply for the issuance of a fire certificate with the municipal, county/city fire department.

The certificate referred in the preceding paragraph herein shall be limited to the certification of the time and place of the fire has taken place.

**Article 28** Fire department of each level may sponsor training and drill for the fire control, rescue and first aid personnel, vehicles, sea vessels, aircrafts, and equipment from the government agencies, public sector and private sector to cope with the needs of rescue and first aid.

**Article 29** Formats of various forms specified by the Act and the Rules shall be defined by the central fire regulating authorities.

**Article 30** The Rules shall become effective on and after the date it is published.