

英譯法規內容

法規名稱 Coastal Zone Management Act

(Title) :

公發布日 2015.02.04

(Date) :

法規沿革： The entire text of 46 articles enacted and promulgated by President Order Hua-(Legislative) Tsung (1)-Yi-Tzu No.10400012591 on Feb.4,2015.

法規內文(Content) :

Chapter 1 General Provisions

Article 1 This Act is enacted to maintain natural systems, ensure zero loss of the natural coast, respond to climate change, prevent coastal disasters and damage to the environment, protect and restore coastal resources, implement integrated coastal zone management, and promote the sustainable development of coastal zones.

Article 2 The terms used in this act are defined as follows:

1. Coastal zone: A zone of land, water, seabed, and subsoil designated and announced by the Central Competent Authority based on environmental characteristics, ecological integrity, and management requirements in accordance with the following principles; boundaries for marine area may be drawn using the coordinates of points to link a straight line.

(1) Shore land area: The area from the average high tide line to the first provincial highway, coastal road, or mountain ridge.

(2) Offshore area: The area from the average high tide line to the 30-meter isobaths or 3 nautical miles towards sea whichever is longer in distance, but not exceeding territorial sea and its seabed and subsoil.

(3) Shore land area and offshore area of offshore islands: Designated based on environmental characteristics and actual management requirements within the scope of territorial sea.

2. Coastal disaster: Disasters at coastal zones caused by earthquake, tsunami, storm surge, waves, sea level rise, diastrophism, or other natural and artificial factors.

3. Coastal protection works: Embankment, groin, detached breakwater, revetment, parapet wall, retention pond, ground water recharge facilities, water pumping facilities, floodgate, and other facilities to prevent seawater intrusion and coastal erosion.

Article 3 The term “competent authority” referred to in this Act shall be the Ministry of the Interior at the central level, the municipal government at the municipal level, and the

county (city) government at the county (city) level.

Article 4 The coastal patrol agency shall be responsible for enforcing, collecting evidence and bringing violators of illegal conduct in offshore area specified by this Act. The competent authority shall utilize necessary facilities or measures to carry out related affairs.

The competent authority and coastal patrol agency may request assistance from the competent authority of military, customs, port, irrigation, environmental protection, ecological conservation, fishery or other industries to carry out matters in the preceding paragraph and in this Act.

Article 5 The Central Competent Authority shall consult the competent authorities at the municipal and county (city) level and related agencies, and shall designate and announce coastal zones within six months after this Act takes effect. The designated coastal zones shall be publicly displayed at the municipal or county (city) government and township (district) offices. The duration of display shall not be less than 30 days and information of the designated coastal zones shall be published on the government's gazette, newspapers, and internet or other appropriate methods. This shall also apply to the change or cancellation of coastal zones.

Article 6 The Central Competent Authority and related agencies shall jointly establish basic databases of coastal zones, periodically update the databases, and issue a coastal management white paper. The databases and white paper shall be released via the internet or other appropriate means for public access to serve coastal research, planning, education, conservation, and management purposes.

The Central Competent Authority may request related agencies set up necessary survey stations and related facilities to establish said databases, and shall carry out maintenance of the databases. Unless the data concerns national security, related agencies shall provide necessary data for the databases.

Chapter 2 Coastal Zone Planning

Article 7 Coastal zone planning and management principles are as follows:

1. Prioritize the conservation of natural coasts and maintain the coasts' natural dynamic balance.
2. Protect natural and cultural heritage in coastal zones, maintain coastal landscape and field of vision, and plan functionally harmonized land use.

3. Conserve coral reefs, algal reefs, sea grass beds, estuaries, lagoons, sand bars, sand dunes, sand beaches, mud beaches, cliffed coasts, capes, mangroves, coastal forests, and other sensitive areas to preserve the integrity of their habitat and environment, and regulate human activity to achieve ecological conservation and coastal landform preservation.
4. Disaster prone coastal zones shall adopt indented buildings or adjust its land use in response to climate change and the risk of coastal disaster.
5. Avoid building new waste landfills in coastal zones. Existing sites should be reviewed as part of integrated coastal zone management plan. When necessary, a budget should be prepared to sequentially remove existing sites or adopt other improvement measures, so as to maintain public security and the environmental quality of coastal zones.
6. Coastal zones shall preserve public access and public use rights, avoid exclusive use, and protect existing rights.
7. Development of coastal zones shall give consideration to the impact on and development of surrounding areas, so as to reduce the damage to coastal zones.
8. Preserve the traditional wisdom of indigenous peoples, protect traditional settlements, cultural heritage, and space used for celebrations and rituals in shore land area, so that resource use will be sustainable and cultural heritage may be preserved.
9. Establish a public participation system for decisions concerning coastal planning to improve coastal protection and management performance.

Article 8 The Central Competent Authority shall formulate a integrated coastal zone management plan for the conservation, protection, utilization, and management of land in coastal zones. The management plan shall include the following items:

1. Scope of the plan.
2. Objectives of the plan.
3. Natural and cultural resources.
4. Social and economic conditions.
5. Climate change adaptation strategies.
6. Coastal conservation, protection, and sustainability issues, principles, and measures.
7. Designated conservation zones and protection zones, agencies responsible for formulating related plans, and the time-limit for formulating said plans.
8. Specific zones that require special attention in coastal management.
9. The location, conservation, use, and restoration principles of natural, historical, cultural, social, research, educational, and landscape resources in coastal zones.
10. Development, restoration, and governance principles for areas with slow development or degradation of environment.

11. Other matters concerning integrated coastal zone management.

Article 9 Forums or other suitable means shall be organized to widely gather opinions from scholars, experts, related departments, central democratic bodies, and private organizations for the formulation of the integrated coastal zone management plan. The opinions shall be documented and representatives of scholars, experts, related departments, and private organizations shall be appointed to jointly deliberate on the integrated coastal zone management plan. The number of scholar, expert, and private organization representatives shall be no less than one half of all representatives. The integrated coastal zone management plan shall be submitted to the Executive Yuan for ratification and take effect after it is announced. This shall also apply to any changes to the integrated coastal zone management. After the integrated coastal zone management plan is formulated and before it is submitted for deliberation, it shall be publicly displayed for 30 days and public hearings shall be held for it. The date and location of the public display and public hearings shall be announced on the government's gazette, newspapers, internet, or other suitable means. Any citizen or organization may offer their opinion to the Central Competent Authority in writing with their name and address specified, and their opinion will be considered during the deliberation.

The progress, results, response to opinions, and other related information of the deliberation shall be announced on the internet, government gazette or other suitable means. After the integrated coastal zone management plan is ratified, the Central Competent Authority shall announce the management plan within 40 days after receiving the ratification document, and shall notify municipal and county (city) governments and township (district) offices to publicly display the management plan for no less than 30 days. While on display, the integrated coastal zone management plan shall be maintained clean and complete for public access.

Article 10 Pursuant to Subparagraph 7 of Article 8, agencies responsible for formulating related plans are as follows:

1. Coastal conservation plan:

(1) First-grade coastal conservation plan: Formulated by the central competent authority of the business (or industry). In the event two or more businesses (or industries) are involved, the central competent authority of the main business (or industry) shall jointly formulate the plan with related agencies.

(2) Second-grade coastal conservation plan: Formulated by the municipal or county (city) government. In the event two or more municipalities or counties (cities) and two or more

businesses (or industries) are involved, the competent authorities of the municipal and/or county (city) governments shall jointly formulate the plan.

(3) Where the grade of conservation plan and agency responsible for formulating the plan is in contention, the Central Competent Authority may designate the grade or agency or directly formulate the plan.

2. Coastal protection plan:

(1) First-grade coastal protection plan: Formulated by the central competent authority of the business (or industry) after consulting related agencies.

(2) Second-grade coastal protection plan: Formulated by the competent authority of the business (or industry) in the municipal or county (city) government.

(3) Where the grade of protection zone and agency responsible for formulating the plan is in contention, the Central Competent Authority may designate the grade or agency.

After the integrated coastal zone management plan is announced and takes effect, in the event it is necessary to designate a new coastal conservation zone or coastal protection zone, the Central Competent Authority may designate the agency responsible for formulating the plan or directly formulate the plan.

In the event the formulation of integrated coastal zone management plans and the designation of coastal conservation zones or coastal protection zones involve areas inhabited by indigenous peoples, the competent authorities at each level shall jointly formulate the plans or designate the zones with the Council of Indigenous Peoples.

Article 11 Urban design guidelines shall be established for important coastal landscape zones designated in the integrated coastal zone management plan; the guidelines shall regulate land use and layout, building and facility height, and other landscape elements. The competent authority may coordinate traditional culture preservation, ecological conservation, resource restoration, and integrated planning of community development with related agencies for areas designated by the integrated coastal zone management plan as having slow development or degradation of environment.

Article 12 Coastal zones with any of the following conditions shall be designated as first-grade coastal conservation zones, remaining zones that require protection may be designated as second-grade coastal conservation zones. A coastal conservation plan shall be formulated in accordance with the integrated coastal zone management plan for the conservation and management of each coastal conservation zone:

1. Important aquatic resource conservation zone.
2. Important habitat and ecological corridor of rare and precious animals or plants.

3. Special landscape resources and recreational zone.
4. Important shore land or underwater cultural heritage zone.
5. Contains special natural landforms.
6. Contains abundant biodiversity resources.
7. Ground water recharge zone.
8. International and national important wetlands and other important coastal ecological systems designated in accordance with the law.
9. Other important zones that require protection in accordance with the law.

Use of resources that will change the condition of resources in first-grade coastal conservation zones shall be prohibited. This does not apply under any of the following conditions:

1. The use of resources is compatible with the coastal conservation plan or serves maintenance, management or academic research purposes.
2. The use of resources is for national security or public safety and was approved by the Central Competent Authority.

For legal use of resources within first-grade coastal conservation zones that do not comply with the coastal conservation zone, the competent authority of the municipal or county (city) government may order a change or relocation of the resource use within a time-limit, and shall provide suitable compensation. Legal use of resources may be continued or changed to a use that has less influence on coastal conservation before the competent authority of the municipal or county (city) government orders a change or relocation.

Regulations for the determination of usage not compliant with coastal conservation plans and compensation, and conditions for permission, procedures, abolishment, and others matters shall be jointly established by the Central Competent Authority and related agencies.

Article 13 Coastal conservation plans shall specify the following matters:

1. Targets and purpose of conservation.
2. Scope of the coastal conservation zone.
3. Prohibited and compatible use.
4. Conservation, monitoring, and restoration measures and methods.
5. Business and financial plan.
6. Other matters related to the coastal conservation plan.

The name, content, procedures, responsible agency, and management items of conservation zones that are designated in accordance with other laws and comply with the basic management principles of the integrated coastal zone management plan shall be in accordance with the relevant laws. Articles 10 and 12 of this Act do not apply to such conservation zones.

When necessary, the competent authority may formulate a conservation plan specifying prohibited and compatible uses, pursuant to Subparagraph 3 of Paragraph 1, to provide better conservation and management of conservation zones designated in accordance with other laws.

Article 14 Coastal zones may be designated as first-grade or second-grade coastal protection zones to prevent coastal disasters, seawater encroachment and national land loss and protect citizens' lives and assets in the event there is any of the following conditions; first-grade or second-grade shall be based on the severity of the condition. A coastal protection plan shall be formulated for each coastal protection zone:

1. Coastal erosion.
2. Tide Overflow.
3. Storm surge flooding.
4. Land subsidence.
5. Other potential disasters.

The competent authority of subparagraphs 1 to 4 of the preceding paragraph is the competent authority of water conservancy.

In the event there are stipulations on the division of rights and responsibility regarding Subparagraph 1 of Paragraph 1 set forth in a business plan or other law, the defense measure shall be carried out by the competent authority of the industry in which the business plan is being carried out.

The competent authority of Subparagraph 5 of Paragraph 1 shall be in accordance with relevant laws or designated by the Central Competent Authority.

Article 15 Coastal protection plans shall specify the following matters:

1. Summary of coastal disaster risk analysis.
2. Targets and purpose of protection.
3. Scope of the coastal protection zone.
4. Prohibited and compatible use.
5. Protection measures and methods.
6. Type, scale, and layout of coastal protection works.
7. Business and financial plan.
8. Other matters related to the coastal protection plan.

The formulation of coastal protection plans for coastal protection zones that involve coastal conservation zones in Paragraph 1 of Article 12 shall consider the special needs for ecological and environmental conservation, avoid coastal protection works that damage or reduce the environmental, ecological, landscape, and cultural value of the coastal

conservation zone, and acquire the approval of the agency responsible for formulating the coastal protection plan as prescribed in Paragraph 3 of Article 16. Where there is no coastal conservation plan, the approval of the competent authority with jurisdiction over the coastal conservation zone shall be obtained.

Article 16 First-grade and second-grade coastal conservation plans and coastal protection plans, formulated in accordance with the integrated coastal zone management and Articles 12 and 14, shall be publicly displayed by the formulating agency for 30 days. The agencies shall organize public hearings and announce the date and location of the public display and public hearings in the government gazette, newspapers, internet, and other suitable means. While the plans are on display, any citizen or organization may offer their opinion to the agency in writing with their name and address specified, and their opinion will be submitted along with the plan to the Central Competent Authority for deliberation. The progress, results, response to opinions, and other related information of the deliberation shall be announced on the internet, government gazette or other suitable means. A written response on whether or not their opinion was accepted and the reason shall be sent to citizens or organizations who offered their opinion in writing.

Where the coastal conservation plan involves restricting indigenous peoples from using their land, natural resources, and adjoining land, the agency shall consult the local indigenous tribe and acquire its consent before the plan enters the deliberation process.

After the coastal conservation plan and coastal protection plan are ratified, the agency shall announce the coastal conservation plan and coastal protection plan within 40 days after receiving the ratification document, and shall notify the municipal or county (city) government and township (district) offices to publicly display the plans for no less than 30 days. While on display, the plans shall be maintained clean and complete for public access, and shall be carried out by the competent authority of the municipal or county (city) government.

In the event matters specified in paragraph 1 and the preceding paragraph are not carried out, the supervisory agency shall carry out the matters.

Article 17 Deliberation and ratification of coastal conservation plans and coastal protection plans in the preceding article shall be carried out as follows:

1. Coastal conservation plan:

(1) Where the plan was formulated by the Central Competent Authority, the Central Competent Authority shall jointly deliberate the plan with related agencies, and shall submit the plan to the Executive Yuan for ratification.

(2) Where the plan was formulated by the central competent authority of the business (or industry), the plan shall be submitted to the Central Competent Authority for deliberation and ratification.

(3) Where the plan was formulated by the competent authority of a municipal or county (city) government, the plan shall be approved by the central competent authority of the business (or industry) and then submitted to the Central Competent Authority for deliberation and ratification. Where the plan involves two or more businesses (or industries), the central competent authority of the main business (or industry) shall jointly approve the plan with related agencies, or directly submit the plan to the Central Competent Authority for joint deliberation with related agencies and ratification.

2. Coastal protection plan:

(1) Where the plan was formulated by the central competent authority of the business (or industry), the plan shall be submitted to the Central Competent Authority for deliberation, and then submitted to the Executive Yuan for ratification.

(2) Where the plan was formulated by the competent authority of a municipal or county (city) government, the plan shall be approved by the central competent authority of the business (or industry) and then submitted to the Central Competent Authority for deliberation and ratification.

The Central Competent Authority shall appoint representatives of scholars, experts, agencies, and private organizations to jointly deliberate the coastal conservation plans and coastal protection plans in the preceding paragraph. The number of representatives of scholars, experts, and private organizations shall not be less than one half of all representatives. Change or abolishment of coastal conservation plans and coastal protection plans shall be in accordance with paragraphs 1 and 2 and the preceding article.

Article 18 After the integrated coastal zone management plan, coastal conservation plan, and coastal protection plan are announced and take effect, the formulating agency shall conduct a comprehensive review every five years based on the condition of the coastal zone and make necessary changes. The formulating agency may conduct a review at any time under any of the following conditions:

1. To implement important or emergency conservation measures.
2. To prevent major or emergency disasters.
3. To promote public good or construct necessary public infrastructure for national defense.

Any changes to the integrated coastal zone management plan, coastal conservation plan, and coastal protection plan shall be in accordance with procedures set forth in Articles 9, 16 and 17.

Article 19 After the integrated coastal zone management plan, coastal conservation plan, and coastal protection plan are announced and take effect, competent authorities shall revise or change development plans, construction plans, urban planning, national park planning or regional planning within the specified time-limit.

Article 20 Where sea routes may potentially influence coastal conservation or cause ocean pollution, the Central Competent Authority may jointly adjust the sea route with the competent authority of marine transport and announce the sea route adjustment.

Article 21 Agencies formulating or implementing the integrated coastal zone management plan, coastal conservation plans or coastal protection plans may engage in the following conduct for the formulation or implementation of said plans:

1. Send personnel into public or private land for field surveys.
2. Negotiate with land owners, users, or administrators to use public or private land that does not serve any special purpose as a temporary site for operations or placing materials.
3. Remove land improvements that obstruct plan implementation.
4. Coordinate with the competent authority of fisheries to change or abolish the approval of fishery rights, cease the exercise of fishery rights, or restrict fishing in accordance with the Fisheries Act, so as to step up fishery resource conservation or coastal protection.
5. Coordinate with the competent authority of mining or sand and gravel excavation to designate forbidden areas and prohibit mining or sand and gravel excavation in designated mining areas or approved sand and gravel areas.

Pursuant to subparagraph 1 of the preceding paragraph, when surveyors enter public or private land for land survey, the surveyors shall produce identification documents or a distinguishing badge related to their professional capacity. The land owner, tenant, administrator, or user may not avoid, refuse or obstruct the surveyors. The surveyors shall notify the land owner, tenant, administrator or user seven days before conducting the survey. The agency that formulated or implemented the plan shall provide suitable compensation to parties that sustain any losses due to the conduct specified in subparagraph 1. The amount or method of compensation shall be negotiated by the two parties. Where an agreement cannot be reached, the agency that formulated or implemented the plan shall request its superior agency decide on the compensation. Where the compensation is stipulated by other laws, the stipulations shall apply.

The agency may expropriation or appropriate land in coastal zones in accordance with the law for the implementation of the coastal conservation plan or coastal protection plan.

The agency may outsource the management of public land in coastal zones to a private enterprise based on contents of the coastal conservation plan or coastal protection plan.

Article 22 The agency that formulated or is implementing the coastal protection plan may collect a community development fee not exceeding the amount parties directly benefit from constructions related to the coastal protection plan.

Collection of community development fees in the preceding paragraph shall be in accordance with the Statute for Collection of Community Development Fees by Construction Project.

Article 23 The central competent authority of water conservancy shall consult with competent authorities of related businesses (or industries) to establish a coastal protection works planning and design manual that gives consideration to marine weather, meteorology, topography, geology, elevation fluctuation, erosion, and other coastal conditions, as well as the impact of waves, weight of the works, water pressure, earth pressure, wind pressure, earthquakes, and drift.

Article 24 Where coastal protection works concurrently serve as other facilities, such as roads, water gate, and cargo unloading terminal, the competent authority of the facility shall construct, maintain and manage the coastal protection work.

Chapter 3 Coastal Zone Utilization and Management

Article 25 Applicants of development, construction, buildings, or special usages reaching a certain scale in specific zones of non-first-grade coastal conservation zones shall attach a coastal zone utilization and management manual when applying for the Central Competent Authority's approval.

The competent authority of the business (or industry) may not issue a development or construction permit without approval from the Central Competent Authority.

Regulations on the specific zone of coastal zones, certain scale, special usages, format of the coastal utilization and management manual, application procedures, time-limit, abolishment, and other matters in paragraph 1 shall be prescribed by the Central Competent Authority.

Article 26 Applications for approval in accordance with paragraph 1 of the preceding article may only be approved after the Central Competent Authority determines that the following conditions have been met:

1. Complies with utilization principles set forth in the integrated coastal zone management plan.
2. Complies with control items of the coastal conservation plan and coastal protection plan.
3. Maintains public transportation or provides alternative measures.
4. Effective measures to avoid or mitigate the impact on coastal ecology and environment.
5. When it is necessary to use the natural coast or sea reclamation for development purposes, in principle only the minimal amount should be used, and effective measures to compensate or restore ecological and environmental losses shall be adopted in suitable areas within the development area or nearby coastal areas.

Conditions for approval and regulations on other matters in the preceding paragraph shall be prescribed by the Central Competent Authority.

Article 27 Where the main planning area of urban planning, regional planning, or national park planning is within a coastal zone, the agency responsible for deliberating the plans shall seek the opinion of the competent authority.

Article 28 The Central Competent Authority shall provide suitable incentives and commendation for coastal, conservation, restoration, protection, education, promotion, research and development, creation, donation, adoption, and management items that benefit the public.

Article 29 Competent authorities may establish a coastal management fund to expand participation and implement affairs related to coastal conservation. The sources of income of the coastal management fund are as follows:

1. Appropriations from government agencies following budget procedures.
2. Income from interest.
3. Income from donations.
4. Other income.

Article 30 Coastal management funds are limited to the following purposes:

1. Coastal research, investigation, survey, planning, and monitoring expenses.
2. Coastal environment cleaning and maintenance.
3. Coastal conservation and restoration subsidies.
4. Coastal conservation and restoration incentives.
5. Coastal environment education, interpretation, creation, and promotion.
6. International exchanges and cooperation in coastal conservation.

7. Other coastal conservation, protection, and management expenses approved by the competent authority.

Article 31 Exclusive use of and the establishment of artificial facilities in offshore area and public natural sand beaches are prohibited to maintain public access and public use rights. This shall not apply to uses or facilities that comply with the integrated coastal zone management plan and stipulations of other laws; or necessary uses or facilities for national land conservation, national security, public transportation, environmental protection, academic research, and public good after applying to the competent authority for approval.

Regulations on the scope of uses and facilities allowed by other laws, application procedures, required documents, conditions for approval, abolishment, and related matters shall be prescribed by the Central Competent Authority.

Chapter 4 Penal Provisions

Article 32 Any person who violates Paragraph 2 of Article 12 by changing resource conditions in first-grade coastal conservation zones, or violates prohibitions of coastal conservation plans set forth in Subparagraph 3 of Paragraph 1 of Article 13 shall be punished with a fine no less than NT\$60,000 but not exceeding NT\$300,000.

Where a conservation target is damaged or destroyed as a result of a violation in the preceding paragraph, the violator shall be punished with imprisonment no less than six months but not exceeding five years; in addition thereto, a fine not exceeding NT\$400,000.

Where a disaster is caused as a result of a violation in paragraph 1, the violator shall be punished with imprisonment no less than three years but not exceeding ten years; in addition thereto, a fine not exceeding NT\$600,000.

Article 33 Any person who violates prohibitions of coastal protection plans within a coastal protection zone set forth in Subparagraph 4 of Paragraph 1 on Article 15 shall be punished with a fine no less than NT\$30,000 but not exceeding NT\$150,000.

Where coastal protection works are damaged or destroyed as a result of a violation in the preceding paragraph, the violator shall be punished with imprisonment not exceeding five years; in addition thereto, a fine not exceeding NT\$300,000.

Where a disaster is caused as a result of a violation in paragraph 1, the violator shall be punished with imprisonment no less than one year but not exceeding seven years; in addition thereto, a fine not exceeding NT\$500,000.

Article 34 Any person who violates prohibitions of coastal conservation plans in a second-grade coastal conservation zone set forth in Subparagraph 3 of Paragraph 1 of Article 13 shall be punished with a fine no less than NT\$20,000 but not exceeding NT\$100,000.

Where a conservation target is damaged or destroyed as a result of a violation in the preceding paragraph, the violator shall be punished with imprisonment not exceeding three years, detention, and/or a fine not exceeding NT\$200,000.

Where a disaster is caused as a result of a violation in paragraph 1, the violator shall be punished with imprisonment no less than six months but not exceeding five years; in addition thereto, a fine not exceeding NT\$400,000.

Article 35 Any person who avoids, obstructs or refuses surveys in Subparagraph 1 of Paragraph 1 of Article 21 shall be punished with a fine no less than NT\$10,000 but not exceeding NT\$50,000, and may be fined per violation and subject to compulsory inspection.

Article 36 Any person who violates Paragraph 1 of Article 25 by carrying out construction without the competent authority's approval or not according to the approved contents shall be punished with a fine no less than NT\$60,000 but not exceeding NT\$300,000, and shall be ordered to make improvements or restore the site to its original state within a prescribed time limit. In the event the violator fails to comply, the violator may be fined per violation.

Article 37 Any person who violates Paragraph 1 of Article 31 by exclusively using or establishing artificial facilities in offshore area or public natural sand beaches, and does not restore the site to its original condition within a prescribed time limit after being prohibited by the competent authority shall be punished by a fine no less than NT\$10,000 but not exceeding NT\$50,000 and may be fined per violation.

Article 38 In addition to imposing fines on violators of Paragraph 1 of Article 32, Paragraph 1 of Article 33, or Paragraph 1 of Article 34, the competent authority shall order the violator to immediately cease use or construction, and may order the violator to restore the site to its original condition, demolish the facility, or add safety facilities within a prescribed time limit. In the event the violator fails to comply, the violator may be fined per violation.

Article 39 In the event the representative of a legal entity, the agent of a legal entity or a natural person, an employee or any other staff member violates this Act in the rendering of his/her respective services, the violator shall be punished with a fine; in addition, the legal entity itself or the natural person shall also be subject to punishment by such fine as prescribed in the respective articles of this Act.

Article 40 The penalty for violation of Article 32 to 34 may be reduced if the site is effectively restored or remedied before the presiding judge declares the conclusion of debate in the court of first instance.

Article 41 Any benefits gained and things used in the violation of Paragraph 1 of Article 32, Paragraph 1 of Article 33, or Paragraph 1 of Article 34 shall be forfeited.

Article 42 Any benefits gained and things used in the violation of this Act shall be forfeited.

Chapter 5 Supplementary Provisions

Article 43 Where the execution of the integrated coastal zone management plan, coastal conservation plan or coastal protection plan is in contention, the competent authority shall coordinate the related agencies; where an agreement cannot be reached, the competent authority shall request its superior agency to make the decision.

Article 44 The Central Competent Authority shall announce the integrated coastal zone management plan within two years after this Act takes effect.

Article 45 The enforcement rules of this Act shall be prescribed by the Central Competent Authority.

Article 46 This Act shall become effective on the date of promulgation.