



Article Content

Title : [People with Disabilities Rights Protection Act](#) (2007.07.11 Amended) 

Chapter 1 General Principles

- Article 1 This Act aims to protect the legal rights and interests of people with disabilities, secure their equal opportunity to participate in social, political, economical, and cultural activities fairly, while contributing to their independence and development.
- Article 2 The competent authorities refer to the Ministry of the Interior at the central level, municipal governments at the municipal level, and county (city) governments at the county (city) level. The affairs/ issues prescribed in this Act which relates to the commissions/ duties of individual competent authorities in charge of specific business shall be handled by these competent authorities individually.
- The commissions and duties of the competent authorities of individual levels and the competent authorities in charge of specific business referred to in the above two paragraphs are divided as follows:
1. The competent authorities are responsible for the planning, implementation and supervision of the affairs/ issues concerning the related legal rights and interests of people with disabilities, such as the protection of dignity, financial security, care & support service, and potentially independent living.
 2. The competent authorities in charge of health are responsible for the planning, implementation and supervision of the affairs/ issues concerning the related rights & interests in favor of people with disabilities in evaluation and assessment of the disability, medical care, rehabilitation, and the research and development of assistive devices, etc.
 3. The competent authorities in charge of education are responsible for the planning, implementation and supervision of the affairs/ issues concerning the related rights & interests in favor of people with disabilities in education, even balanced distribution of educational resources and facilities/ installations, etc.
 4. The competent authorities in charge of labor are responsible for the planning, implementation and supervision of the affairs/ issues concerning the related rights & interests in favor of people with disabilities in occupational reconstruction and services, promotion and protection of employment, labor rights and interests, worksite sanitary safety and health, etc.
 5. The competent authorities in charge of construction, public works, and housing are responsible for the planning, implementation and supervision of the affairs/ issues concerning the related rights & interests in favor of people with disabilities, in housing, public buildings, or facilities/ installations, and access-free living environment, etc.
 6. The competent authorities in charge of transportation and communications are responsible for the planning, implementation and supervision of the affairs/ issues concerning the related rights & interests in favor of people with disabilities in communications, public transports, traffic tools/ installations, public parking lots, etc.
 7. The competent authorities in charge of finance are responsible for the planning, implementation and supervision of the affairs/ issues concerning related rights & interests in favor of people with disabilities and the welfare care facility/ institution in reduction of taxation, etc.
 8. The competent authorities in charge of commerce are responsible for the planning, implementation and supervision of the affairs/ issues concerning the services of financial and banking, financial insurance, property management and trust in favor of people with disabilities, etc.
 9. The competent authorities in charge of law are responsible for the planning, implementation and supervision of the affairs/ issues concerning victim protection, sentenced person after-care, and environment improvement of shelters in favor of people with disabilities, etc.

10. The competent authorities in charge of the police are responsible for the planning, implementation and supervision of the affairs/issues concerning personal safety & protection and the search of the missing people with disabilities, etc.

11. The competent authorities in charge of sports are responsible for the planning, implementation and supervision of the affairs/issues concerning sport activities and exercise assistive devices in favor of people with disabilities, etc.

12. The competent authorities in charge of culture are responsible for the planning, implementation and supervision of the affairs/issues concerning the spiritual life, as well as the artistic and cultural activities in favor of people with disabilities, etc.

13. The competent authorities in charge of procurement/ purchasing regulations related to the Government Procurement Act are responsible for the planning, implementation and supervision of the affairs/issues concerning the non-profitable products and labor in favor of people with disabilities, etc.

14. The competent authorities in charge of communication and propagation are responsible for the planning, implementation and supervision of the affairs/issues concerning the access-free information, technology and appliance scheme/system of communication & propagation, appliances and processing without discrimination in favor of people with disabilities, etc.

15. Other measures shall be implemented by individual competent authorities in charge of specific business pursuant to their authority.

Article 3 The central competent authorities are in charge of following affairs/issues:

1. Planning, prescription and disseminating of national protection policies, regulations and setups of rights and interests of welfare services for people with disabilities;

2. Supervision and coordination between municipal and county (city) governments concerning the protection of rights and interests of welfare services for people with disabilities;

3. Allocation and subsidization of central welfare budget for people with disabilities;

4. Planning and reviewing of financial support for people with disabilities in municipal and county (city) level for people with disabilities

5. Planning of related professional training on the welfare services of people with disabilities;

6. Communication, exchange and cooperation of welfare and protection services in favor of people with disabilities with international agencies/organizations ;

7. Planning of protection services in favor of people with disabilities;

8. Collection and integration of data concerning welfare services in favor of people with disabilities;

9. Guidance, supervision and review/accreditation of all welfare care facilities/institutions in the country for people with disabilities,

10. Planning and supervision of other related rights & interests in national welfare services and protection in favor of people with disabilities.

Article 4 The municipal and county (city) competent authorities are in charge of following affairs/issues :

1. Implementation of national protection policies, regulations and setups of related rights & interests in welfare services in favor of people with disabilities;

2. Planning, prescription, disseminating and implementation of regulations and setups in rights and interests of welfare services and protection for people with disabilities in the level of municipal and county (city);

3. Allocation and subsidization of municipal and county (city) welfare budget for people with disabilities;

4. Planning and implementation of financial support and reviewing/accreditation of welfare services for people with disabilities)in municipal and county (city) level;

5. Planning and implementation of professional training on the welfare services for people with disabilities in municipal and county (city) level;

6. Implementation of protection services in favor of people with disabilities;

7. Collection and integration of welfare(services)data in favor of people with disabilities in municipal and county (city) level;

8. Establishment, supervision and review/accreditation of welfare care facilities/institutions for people with disabilities in municipal and county (city) level;

9. Planning and supervision of other related rights & interests in welfare services and protection in favor of people with disabilities in municipal and county (city) level.

Article 5 People with disabilities in this Act refer to those who with the following deviation or loss resulting from physical or mental impairments, are limited or restricted to be engaged in the ordinary living activities and participation in the society; and they, after processes of evaluation & assessment by the committee composed of professionals from medicine, social work, special education and employment counseling and evaluation, can be regarded as suffering one of the following malfunction categories and issued a disability identification.:

1, Mental Functions & Structures of the Nervous System;

2. Sensory Functions & Pain ; The Eye, Ear and Related Structures;

3. Functions & Structures of/involvement in Voice and Speech;

4. Functions & Structures of/related to the Cardiovascular, Haematological, Immunological and Respiratory Systems;
5. Functions & Structures of/related to the Digestive, Metabolic and Endocrine Systems;
6. Functions & Structures of/related to the Genitourinary and Reproductive Systems;
7. Neuromusculoskeletal and Movement related Functions & Structures;
8. Functions & Related Structures of the Skin.

- Article 6 The municipal and county (city) competent authorities in charge of application and judgment of health condition/status shall assemble assessment teams by appointing specific institutions or professionals to render the assessment services and complete appraising and ascertaining/verification reports on the disability.
- The evaluation report mentioned above shall be sent to the competent authorities in charge of health where the applicant's domicile sets within ten days. The competent authorities in charge of health shall issue assessment fees and transfer the evaluation report to the municipal and county (city) competent authorities no later than ten days.
- Regulations on appointment and qualification of the disability assessment institutes or professionals, the categories and grades of disability, assessment items and standards, assessment methods, instruments, operation and others mentioned in Paragraph 1 are prescribed by the central competent authorities in charge of health.
- The budget of disability service is listed and provided by the municipal and county (city) competent authorities in charge of health.
- Article 7 The municipal and county (city) competent authorities shall assemble assessment teams to evaluate the living need of people with disabilities upon receiving the evaluation reports transferred from the competent authorities in charge of health.
- The evaluation mentioned above shall be rendered according to the category of disability, family economic condition/status, care service need, family living demand/need, social participation demand/need, etc.
- Whereas people with disabilities, who set their domiciles in the governed districts, have been confirmed to be in conformity with the regulations, the municipal and county (city) competent authorities shall actively issue the disability identifications, and provide the mandatorily related welfare and services.
- The need evaluation referred to in Paragraph 1 can be consolidated into the evaluation mentioned in the previous Article. Regulations on the consolidation of evaluation, qualifications of assessment team members, evaluation instruments, operations and others shall be prescribed by the central competent authority and the central competent authority in charge of health.
- Article 8 To prevent and reduce the occurrence of disability, the competent authorities in charge of related services in all levels of governments hierarchy shall systematically promote the prevention of disability, propagandize the knowledge of eugenics, health care education on disability-related heredity, morbidity/disease, disaster, environmental pollution, etc. In addition, they also shall promote the related propaganda and the social education.
- Article 9 The central and municipal or county (city) competent authorities and the competent authorities in charge of specific services shall organize the units or appoint officers to handle the affairs concerning the rights and interests of people with disabilities exclusively. The number of the units or officers shall be determined according to the actual requirement for providing the services.
- The business related to the welfare services of people with disabilities shall be handled by selected professionals.
- Article 10 The central and municipal or county (city) competent authorities shall appoint the representatives of people with disabilities or their guardians, scholars and experts in the field of the welfare services for people with disabilities, civil representatives, representatives of associations of the private sector, and the competent authorities in charge of specific services to render the protection affairs of rights and interests of people with disabilities. The number of the representatives of people with disabilities or their guardians, and the representatives of associations of the private sector shall be no less than one third of the total number of the committeemen.
- In the protection representatives mentioned above, single gender shall be no less than one third of the total number.
- Paragraph 1 concerning the protection of rights and interests include:
1. Integration, planning, research, consultation, coordination, and promotion of the affairs/issues concerning improving protection of people with disabilities;
 2. Negotiation of the appeals for the damage to their rights and interests of people with disabilities;
 3. Other affairs/issues that can improve the rights and interests, welfare, and protection of people with disabilities.
- Paragraph 1 concerning the protection of rights and interests and its operation, the second clause of the preceding paragraph concerning the negotiation of the appeals for the damage to their rights and

interests of people with disabilities, and others are prescribed by the competent authorities of different levels.

- Article 11 The governments' hierarchy of individual levels shall periodically investigate the needs of living, health care, special education, employment and occupational training, transportation and welfare of people with disabilities at least once every five years, and publish the report of the surveys. People with disabilities shall be included in the population census taken by the Executive Yuan once every ten years.
- Article 12 The funds for the welfare of people with disabilities are raised from the following sources:
1. The budgets made by the governments' hierarchy of individual levels exclusively for the welfare of people with disabilities;
2. Social welfare fund;
3. The exclusive Employment Fund established for people with disabilities;
4. Donations from individuals or associations;
5. Other incomes.
The budgets for the welfare of people with disabilities referred to in the first clause of the preceding paragraph above shall be made generously in accordance with the survey report referred to in preceding Article.
If a municipal or county (city) competent authority really has difficulty in making the budget for the welfare services of people with disabilities referred to in Paragraph 1 above, the central government shall subsidize, and which are used only for the purpose exclusively.
- Article 13 People with disabilities who disagree with the results of disability evaluation and need assessment, must submit a written application to the municipal or county (city) competent authorities within 30 days commencing from the next day after receipt of the result, to apply for re-evaluation and re-assessment. The application is limited for one time only.
The applicant shall pay for 40% of the re-evaluation and re-assessment fees according to the paragraph above. If the objection is accepted, the paid re-evaluation and re-assessment fees will be refunded to people with disabilities concerned.
The fees concerning an overdue application of re-evaluation and re-assessment according to Paragraph 1 above shall be self-paid for the whole operations.
- Article 14 The expiration date of the disability identification is five years for the longest. People with disabilities shall apply for re-evaluation for the disability and need re-assessment to the municipal and county (city) competent authorities whereas people with disabilities who set their domiciles in within 90 days prior to expiration.
If people with disabilities do not apply for re-evaluation and re-assessment within 60 days prior to the expiration date of the disability identification, the municipal and county (city) competent authorities shall send a written notice to people with disabilities concerned for application. There is no need to notify in written those whose disability categories are ascertained according to the regulations of the central competent authorities in charge of health, and who are free from re-evaluation/re-assessment. The municipal and county (city) competent authorities shall issue disability identifications directly or issue disability identifications after need assessment depending on the conditions/status' of individual cases.
If people with disabilities concerning can not apply for re-evaluation and re-assessment before the expiration date with proper reasons, can submit the document(s) just before the expiration date, upon receiving the confirmation by the municipal and county (city) competent authorities, people with disabilities shall resume the application within 60 days since the expiration date.
Where the condition/status of disability changes, people with disabilities shall apply for re-evaluation and re-assessment on their own initiatives.
When the change of disability condition/status is discovered, the municipal and county (city) competent authorities shall notify in written people with disabilities concerning to apply for re-evaluation and re-assessment within 60 days since the date of notification.
- Article 15 An applicant maintains the rights and interests according to Paragraph 1 to 3 of prior Article during the period between expiration date of original identification and valid date of the new disability identification, after the application is marked by the municipal and county (city) competent authorities. If the result of re-evaluation and re-assessment proves the change of disability categorizing and grading, the subsidies issued to the applicant following the previous paragraph shall be recovered or refunded.
Upon elimination of the fact of disability or decease of people with disabilities, the family members or interested ones shall return the disability identification to the municipal and county (city) competent authorities for abolishment or cancellation. The municipal and county (city) competent authorities have the right to directly abolish or cancel the unreturned identification, the rights and interests set in this Act, or recover the overpaid subsidies.

- Article 16 The dignity and legal rights and interests of people with disabilities shall be respected and guaranteed. People with disabilities shall not be discriminated on the rights and interests of education, (examination)participation, employment, residence/ housing, migration and medical care service. Any person who operates public places or facilities/ installations, shall not prevent people with disabilities from fairly using and enjoying the facilities/ installations, equipments, and rights only because of their disability.
- Article 17 The rights of benefit or welfare subsidies issued to people with disabilities according to the law shall not be regarded as the target of detainment/ seizure, assignment, and security.
- Article 18 To provide timely medical care services or referring, the municipal and county (city) competent authorities in charge of specific business shall establish reporting the following notification systems:
1. The competent authorities in charge of health shall establish a notification system for detecting the victims suspected to be disabled, the infants and children suspected with growth in development retardation or abnormality.
 2. The competent authorities in charge of education shall establish a notification system for detecting the students suspected to be disabled.
 3. The competent authorities in charge of labor shall establish a notification system of occupational injuries.
 4. The competent authorities in charge of police administration shall establish a notification system of traffic accidents.
 5. The competent authorities in charge of household registration shall establish a notification system of changing and moving of people with disabilities.
- Upon detecting anyone suspected to be disabled as referred to in this Act, the municipal and county (city) competent authorities shall render initial evaluation for his/ her living need immediately, and offer active supporting services or transfer the disability) case to the competent authorities in charge of related business.
- Article 19 The competent authorities of individual levels and the competent authorities in charge of specific business shall, based on the results of service need assessment, provide individualized and diversified services to people with disabilities.
- Article 20 To improve the integration, research and development, and services of assistive devices for people with disabilities, the competent authorities of individual levels and the competent authorities in charge of specific business shall promote resource management, research and development of assistive devices for people with disabilities.

Chapter 2 Rights and Interests of Health and Medical Care

- Article 21 The central competent authority in charge of health shall plan and integrate the medical resources to provide people with disabilities with appropriate services concerning health maintenance and reproductive health.
- The municipal and county (city) competent authorities shall provide periodical health examination and health care services for people with disabilities, as well as follow-up services with their willingness according to the health examination reports.
- Regulations on the health care service, follow-up service, health examination items and methods mentioned in above paragraphs are prescribed by the central competent authority together with the central competent authority in charge of health.
- Article 22 The competent authorities of individual levels in charge of health shall integrate medical care resources and provide individualized health and medical care service for people with disabilities, and assist welfare care facilities/ institutions for people with disabilities to provide the required health and medical care services.
- Article 23 Hospitals shall set up service entries for people with disabilities who have difficulty expressing their own needs or other special requirements, to help communication and other health-seeking related services.
- Hospitals shall provide discharge planning program for the admitted people with disabilities and the program shall include the following items:
1. Home care proposals.
 2. Rehabilitation proposals.
 3. Referral services of medical care resources in community
 4. In-home environment improvement proposals.
 5. Assessment and usage proposals of assistive device appliance.
 6. Transitional services.
 7. Reconstruction of (daily) living service proposals.
 8. Psychological counseling service proposals.
 9. Other related affairs/ issues of discharge planning services.

- Article 24 The municipal and county (city) competent authorities in charge of health shall, according to the population size and health-seeking need of people with disabilities, appoint hospitals to set up special clinics for people with disabilities.
Regulations on hospital qualification, practice departments, personnel deployment, medical care service facilities/installations, supervision and evaluation of the special clinic for people with disabilities in the above-mentioned paragraph shall be prescribed by the central competent authorities in charge of health.
- Article 25 To reinforce health and medical care services for people with disabilities, the municipal and county (city) competent authorities in charge of health shall, according to the number of each category of people with disabilities and their need, establish or encourage the establishment of medical and rehabilitation facilities/institutions or nursing home, to provide medical care, rehabilitation, assistive device services, day care and home care services, etc..
Regulations on encouraging the care facilities/institutions and services mentioned above for people with disabilities, shall be prescribed by the central competent authority in charge of health.
- Article 26 Before the expenditure for medical care and rehabilitation services, and assistive devices needed by people with disabilities are included in the coverage of the National Health Insurance, the municipal and county (city) competent authorities shall subsidize people with disabilities according to the result of need evaluation/assessment.
Regulations on the subsidization mentioned in paragraph above shall be prescribed by the central competent authority in charge of health together with the central competent authority.

Chapter 3 Rights and Interests of Education

- Article 27 The central and municipal, county (city) competent authorities of individual levels in charge of (education) shall, according to the data obtained in census of the disabled, plan and establish special educational facilities (such as schools or classes/programs), or educate those who can not receive schooling in ordinary schools or classes/programs, so as to protect their rights and interests of education.
The schools of all levels, for those who pass the evaluation/assessment and be arranged by municipal and county (city) competent authorities, may not refuse people with disabilities because of their disability, the fact of not well-equipped/well-installed in the organizations/institutions, and other reasons .
Teachers/instructors in all levels of special education schools and special education classes/programs shall be qualified on related special education.
The government shall provide free transportation for children with disabilities who cannot commute by themselves in school ages. In case the government does have difficulty in providing such transportation services, traffic subsidy shall be provided; if the funds raised by the municipal or county (city) competent authority in charge of education are not sufficient, the central competent authority in charge of education shall subsidize the local governments.
- Article 28 The competent authorities of individual levels in charge of education shall actively help people with disabilities to receive schooling, and people with disabilities in school ages who are receiving medical care or social welfare services, and solve their related educational issues.
- Article 29 The competent authorities of individual levels in charge of education shall, according to the respective levels of household socioeconomic status of people with disabilities, favor them or their children with related educational expenses. The regulations on the subsidization shall be prescribed by the central competent authority in charge of education.
- Article 30 Upon providing education and holding entrance exam for people with disabilities, the competent authorities of individual levels in charge of education shall, according to the conditions/status' of people with disabilities and the learning requirements, provide necessary professionals, special teaching materials, all kinds of educational assistive devices, access-free campus environment, Braille books, and related education resources, so as to create fair and reasonable opportunities and conditions for people with disabilities concerned to receive education and take examination.
- Article 31 The competent authorities of individual levels in charge of education shall plan and establish studying and reading material resources for the preschool education and those with the seeing (visual acuity) disability, and encourage to establish private preschool organizations/institutions, seeing (visual acuity) disability libraries, after-school care service, research and development of teaching materials, and studying and reading materials for those with the seeing (visual acuity) disability.
Public kindergartens, nurseries, and after-school care services, shall prioritize the inclusion of children with disabilities, and practice preschool education, nursing services and related professional services for children with disabilities. Private sector of kindergartens, nurseries, after-school care services, shall be encouraged to receive children with disabilities.

- Article 32 The competent authorities of individual levels in charge of education shall encourage people with disabilities to receive education in senior high schools and colleges; the regulations of encouragement and implementation shall be prescribed by the central competent authority in charge of education. The above-mentioned schools that provide access-free facilities/ installations to people with disabilities may claim subsidies from the central competent authority in charge of education to improve access-free campuses.

Chapter 4 Rights and Interests of Employment

- Article 33 The competent authorities of individual levels in charge of labor shall, according to the actual need of people with disabilities, process by themselves or consolidate resources of private sectors to provide access-free and individualized occupational reconstruction services. The occupational reconstruction referred to in the preceding paragraph means occupational guidance assessment, occupational training, employment services, occupation redesign, entrepreneur guidance, etc..
- Article 34 The competent authorities of individual levels in charge of labor shall, for people with disabilities not independently competitive in employment market, according to their abilities/ capabilities and willingness to work, provide supportive and individualized employment services, such as sheltering employment services, occupational training, and other assistance to the work. The competent authorities of individual levels in charge of labor shall provide sheltering employment services, in accordance with the result of occupational guidance assessment, for people with disabilities who have willingness but not independently competitive, mandatory for long-term employment supports to enter the competitive employment market.
- Article 35 To provide the occupational training, employment services in Paragraph 2 of Article 33 and sheltering employment services in the preceding Article mentioned above, the municipal and county (city) competent authorities in charge of labor shall promote to establish the following welfare agencies/ organizations/ institutions for people with disabilities:
1. Occupational training agency/ organization/ institution;
 2. Employment service agency/ organization/ institution;
 3. Sheltered workshop;
- The above agencies/ organizations/ institutions can be established separately or together. The occupational training agencies/ organizations/ institutions, employment service agencies/ organizations/ institutions, and sheltered workshops of private sectors mentioned in Paragraph 1 shall, after applying and getting the permits of the municipal and county (city) competent authorities in charge of labor, provide services to people with disabilities, The agencies/ organizations/ institutions are not allowed to provide the related services without the permits of governments, but the agencies/ organizations/ institutions, associations or schools established under authority/ commission of governments by law are free from this limitation. Regulations on permit and preparation of establishment, rewarding, and inspection as well as the standards of the facilities/ installations, deployment of staffing, related qualifications, nurturing, and subsidizations shall be prescribed by the central competent authorities in charge of labor.
- Article 36 The competent authorities of individual levels in charge of labor shall consolidate relevant resources to assist the business and promote the product of the sheltered workshops.
- Article 37 The competent authorities of individual levels in charge of labor shall propose plans and establish by themselves or consolidate the resources of the private sectors to establish occupational guidance assessment, occupation redesign and entrepreneur counseling mentioned in Paragraph 2 of Article 33. Regulations on the implementation, qualification of professionals and subsidizations referred to in the preceding paragraph shall be prescribed by the central competent authorities in charge of labor.
- Article 38 Any given government department (agency/ organization) of individual levels, public school, or public business agency/ organization/ institution whose total number of employees is no less than 34 shall employ people with disabilities with capability to work and the number of employees with disabilities shall be no less than 3 percent of the total number of the employees. Any given private school, association, or private business agency / organization/ institution whose total number of employees is no less than 67 shall employ people with disabilities with capability to work and the number of employees with disabilities shall be no less than 1 percent of the total number of the employees, and no less than 1 person. Where the government department (agency/ organization), public or private school, association or business agency/ organization/ institution referred to in the two paragraphs above, with the obligation to employ people with disabilities, their numbers of total employees and employees with disabilities are based on those listed for labor insurance and government employee (civil servant/ public official) insurance on every first day of a month. The personnel quota of the obligatory agency/ organization/ institution referred to in the preceding paragraph, which is determined to be frozen or no replacement is thus exclusive from the total number of employees.

Employees in the paragraph mentioned above who do not receive monthly payment in accordance with basic wage in the Labor Standard Law are not counted as employees with disabilities and total employees. But those employees with disabilities who work for part time and receive payment no less than half of the basic wage can be counted in pairs as employees with disabilities and total employees.

People with disabilities who work under sheltering employment in the sheltering employment service agency/organization/institution are not included as employees with disabilities and total employees. Whereas a department or agency/organization/institution employs a person with severe disabilities in accordance with the preceding Paragraph 1 and 2, the person shall be calculated as two.

The guidelines for calculating the total number of the obligatory employees with disabilities of police administrations, fire departments, customs affairs, national defense and legal affairs shall be prescribed otherwise in the Enforcement Rules for this Act.

- Article 39 To employ people with disabilities, the government departments (agencies/organizations) of individual levels, public schools, and public business agencies/organizations/institutions shall request Examination Yuan to arrange special examination for people with disabilities and remove the unreasonable restrictions on the grade of anthropological status requirement to people with disabilities occurred in the examinations for government employees (civil servants/public officials).
- Article 40 The departments (agency/organization) that employ people with disabilities shall abide by the principle of "same pay for same work" and treat them without any discrimination. The wages for people with disabilities working in normal work time shall be no less than the basic wage. The wages of people with disabilities under sheltering employment may be calculated according to their productivity. If the productivity is not sufficient, the wages may be reasonably reduced; the wages are to be discussed by both the employers and the sheltering employees, and reported to the municipal and county (city) competent authorities in charge of labor.
- Article 41 People with disabilities qualified for sheltering employment in occupational guidance assessment are provided with jobs by the(units)(agencies/organizations/institutions) capable of providing sheltering employment services. Both sides shall sign a written contract under mutual understanding (on the rights, interests and duties, obligations).
When people with disabilities accept sheltering employment but are appraised (ascertained/verified) in the occupational guidance assessment of Article 34 unfitting for the sheltering employment, the sheltering employment service agencies/organizations/institutions shall, according to the factual need of people with disabilities, provide transition service, and may not pay Severance Payment.
- Article 42 The employers shall provide labor insurance, national health insurance and other social insurances pursuant to the related labor laws and regulations, to ensure the rights and interests of people with disabilities during their supportive and sheltering employment.
The standard of people with disabilities occupational disaster compensation salaries of sheltering employment in sheltering workshops shall be no less than basic wages.
After the payment is made of to the sheltered employees with occupational disaster compensation, the sheltered workshops may apply for compensatory subsidies to the municipal and county (city) competent authorities of individual levels in charge of labor.
Regulations on the qualification conditions, terms, amounts, ratios and implementation shall be prescribed by the central competent authorities in charge of labor.
- Article 43 The municipal and county (city) competent authorities in charge of labor shall open an exclusive account of employment fund for people with disabilities in order to promote the disabled employment. Regulations on the receipts and disbursements or transactions and implementation shall be prescribed by the municipal and county (city) competent authorities in charge of labor.
The agencies/organizations/institutions which do not employ sufficient number of people with disabilities mentioned in Paragraph 1 and 2 of Article 38, shall periodically pay the difference subsidies to the Disabled Employment Funds. The amount is based on the difference in number of employed multiplied by the monthly basic wage.
The Disabled Employment Funds under the municipal and county (city) competent authorities in charge of labor shall submit 30% of the difference subsidies of previous year to Employment Security Fund under the central competent authorities in charge of labor for the overall allocation and distribution. Regulations on this submitting and the allocation and distribution shall be prescribed by the central competent authorities in charge of labor.
- Article 44 The Disabled Employment Fund shall be utilized as follows:
1. Subsidize the agencies/organizations/institutions which need to purchase, re-equip/re-install, fix instruments & materials and facilities/installations and other charges by employing (the sufficient number of) people with disabilities;
2. Issue grants to the private agencies/organizations/institutions over-employing people with disabilities;

3. Implement other related affairs/ issues to promote the employment rights and interests of people with disabilities.

The amount of the grants mentioned in the above Clause 2 shall be based on the upper limit of over-number of difference multiplied by 50% of monthly basic wage.

Article 45 The competent authorities of individual levels in charge of labor shall encourage the departments (agencies/ organizations) that perform excellently in employing people with disabilities. Regulations on the encouragement referred to in the preceding paragraph shall be prescribed by the central competent authority in charge of labor.

Article 46 Anyone other than the seeing (visual acuity) disabled referred to in this Act may not be engaged in massage, with the only exemption that the medical and nursing personnel may utilize massage to treat the patients.

People with seeing (visual acuity) disability may, after having taken the professional training and obtained the qualification, be engaged in massage in specified places.

To be engaged in massage or physiotherapy massage, people with seeing (visual acuity) disability shall apply for the massage or physiotherapy massage practicing permit at the competent municipal and county (city) authority in charge of labor at the location of practicing.

Regulations on issuance, replacement, renewal, abolishment and other necessary issues of the above-mentioned qualification and permit as well as other related affairs/ issues shall be prescribed by the central competent authority in charge of labor, together with the the central competent authority and the central competent authority in charge of health.

Article 47 In order to deal with premature/ accelerated ageing among people with disabilities, the central competent authorities in charge of labor shall establish the mechanism of early retirement for employees with disabilities to ensure their life quality after they leave worksites.

Chapter 5 Support Services

Article 48 To connect the welfare demand of people with disabilities in different stages of their careers, the related departments (agencies/ organizations) in the municipal and county (city) competent authorities shall actively communicate and coordinate with one another to work out career transitions and connecting plans, to provide people with disabilities with integrated and continuous services.

Article 49 The supportive services for people with disabilities shall be planned based on the principles of diversification and continuation.

The municipal and county (city) competent authorities shall, by themselves or consolidate resources of private sectors, provide supportive services to people with disabilities. And there shall be no limit to the time of setting the domiciles.

Article 50 To assist people with disabilities to obtain necessarily individualized care, the municipal and county (city) competent authorities shall provide the following home services according to the results of need assessment:

1. Home care;
2. Daily living reconstruction;
3. Psychological reconstruction;
4. Residence/ Housing in community;
5. Marital and reproductive health counseling;
6. Day care and residential care;
7. After-school care;
8. Other related personal care services for people with disabilities.

Article 51 To reinforce the capability of the families to take care of people with disabilities, the municipal and county (city) competent authorities shall provide the following services according to the results of need assessment:

1. Temporary/ Respite and short-term care;
2. Supports to the caregivers,
3. Home-based care services;
4. Training and practicing for the caregivers;
5. Other related services to promote the capability of family caregivers and their life quality.

Regulations on the content, practicing procedures, qualification & training of working personnel, and management of the issues referred to in the preceding Article and above paragraph, where necessary, shall be prescribed by the central competent authorities and the central competent authorities in charge of specific business.

Article 52 The municipal and county (city) competent authorities of individual levels shall provide the following services to encourage people with disabilities to participate in social activities:

1. Leisure and cultural activities;
2. Sports;

3. Access-free to public information;
4. Fair participation in politics;
5. Law counseling and support
6. Access-free environment;
7. Assistive device, installation, appliances of technology and services;
8. Social propagation and education to the society;
9. Other services related to social participation of people with disabilities.

- Article 53 The municipal and county (city) competent authorities of individual levels in charge of transportation shall, according to the actual need of people with disabilities, invite representatives from the related associations for people with disabilities, local transport vehicles carriers and the competent authorities in charge of social welfare services, to discuss and plan appropriate routes, airlines, service schedules, car/carriage/cabin/compartment (of vehicles, airplanes and ships), etc., for access-free transportation services.
Access-free equipment and facilities/installations shall be planned and established, in accordance with the conclusion of the preceding discussion and planning, in public transports for the convenience of people with disabilities.
Regulations on establishment of the barrier-free equipment and facilities/installations, measures, and other necessary issues related to access-free environment referred to shall be prescribed by the central competent authorities in charge of specific business.
- Article 54 The roads, streets, sidewalks and arcades in urban areas shall meet the related access-free regulations and directions prescribed by the central competent authorities in charge of specific business.
- Article 55 The central competent authorities in charge of specific business shall establish the related transport marks, lines, signals and identification frequency of the access-free transportation.
The municipality and county(city) government shall, based on the identification frequency referred to in the paragraph above, promote visualized voice signals and voice positioning.
- Article 56 In each public parking area, 2 percent of the total parking lots shall be reserved for people with disabilities. Where the total number of a public parking area is less than 50, at least 1 parking lot must be reserved for people with disabilities. Any person other than those with disabilities who have the exclusive identification cards of disabled parking is not allowed to use the reserved parking lot(s).
The exclusive identification card of disabled parking shall be issued in accordance with the result of need assessment.
The location, space planning and usage of the disabled parking lots as well as issuance of the exclusive identification card and the reprimand/punishment for illegal use shall be prescribed by the central competent authority together with the related departments (agencies/organizations) in charge of transportation & communication, construction, and so on.
- Article 57 The public buildings and gathering places to be newly constructed or manufactured shall include facilities/installation and equipment that are convenient for people with disabilities to use. The government shall not issue construction licenses to the public buildings, or gathering places that are not in conformity with the foresaid provision, nor allow them to be opened to the public.
Regulations on establishment of the access-free equipment and facilities/installation in the preceding paragraph shall be prescribed in other related laws and regulations by the central competent authorities in charge of specific business.
The competent authorities of individual levels in charge of specific business shall order the owners or the people in charge of the management of the public buildings and gathering places to improve if the access-free equipment and facilities/installation are not in conformity with the regulations of the above paragraph, But where it is really difficult to establish access-free equipment and facilities/installation due to military control, protection of ancient relics, natural factors, construction of the buildings, restriction of the equipment or facilities/installation, or other special conditions, the owners or the people in charge of the management of the agency/organization/institution may submit an alternative improvement plan to the competent authorities of individual levels in charge of specific business. The competent authorities shall specify a time limit for implementing the improvement plan.
- Article 58 People with disabilities may, when taking domestic public transport, be favored with half price by the right & interest of the disability identification.
If people with disabilities are ascertained/verified to be in need of company, according to the result of need assessment, and have one companion only, people with disabilities and their guardians or one of the necessary companions may also enjoy the preceding favors.
People with disabilities have the prior rights & interests to take the transports referred to in Paragraph 1, and the favors shall not be limited to the place of the domiciles, unless the transports are under local authorities.
Regulations on the implementation, operating procedure and the scope of practicing referred to in the

above three paragraphs shall be prescribed by the central competent authorities in charge of specific business.

- Article 59 People with disabilities do not need to pay the admittance fee when entering public scenery areas, entertainment places, or cultural and educational areas with their disability identification. Where the scenery areas, entertainment places, or cultural and educational areas are managed by the private sector, they shall be favored with half price.
If people with disabilities are ascertained/verified to be in need of company, according to the result of need assessment, and have one companion only, people with disabilities and their guardians or the necessary companions may also enjoy the preceding favors.
- Article 60 People with seeing (visual acuity) disability accompanied by qualified guide dogs or by young guide dogs and their training personnel during training are allowed to enter public areas, public buildings, business places, public transports and other public facilities /installations freely.
The owner, administrator or user of the preceding public places, public buildings, business places, public transports and other public facilities/installations in the paragraph above shall not charge the guide dogs with additional expenses, refuse their free entry or exit, or add other conditions for their entrance and exit.
When guide dogs guide people with seeing (visual acuity) disability, others shall not touch, feed or interfere the guide dog by any sound, voice, or signals.
Regulations on the qualification, management of guide dogs and young guide dogs in training, permit/approval of training agencies/ organizations/institutions, cancellation or abolishment of permit/ approval, and other related issues are prescribed by the central competent authorities.
- Article 61 The municipal and county (city) governments shall set up an entry to provide sign language translation services to people with disabilities in hearing or speaking/speech function while they participate in public affairs.
Regulations on the scope and operating procedure of the preceding sign language services are prescribed by the municipal and county (city) competent authorities.
Certified technicians of sign language will serve the post of sign language interpreter/ translator according to Paragraph 1 on the day of five years ever since this Act be legislated and promulgated.
- Article 62 The municipal and county (city) authorities shall, according to the characteristic and need of people with disabilities in their domicile, establish by themselves or consolidate the resources of the private sector to establish the welfare care facilities/institutions to provide services of life care, (daily) living re-construction, welfare counseling,...etc., for people with disabilities.
Principles to the services provided by the above mentioned care facilities/institutions in Paragraph 1 are to enhance the ability for families to take care of people with disabilities and for them to participate in social affairs, and are to support the services mentioned from Article 50 to Article 52.
The standard of type, scale, business, facilities/installation and personnel deployment in care facilities/institutions referred to in Paragraph 1 are prescribed by the central competent authorities.
The care facilities/institutions in the preceding Paragraph 1 may charge fees for the facilities/installations or services, and regulations of charging fees shall be submitted to the municipal and county (city) competent authorities for approval.
The care facilities/institutions in the preceding Paragraph 1 extending their business into other fields are acceptable, and shall be under the regulations and directions of the competent authorities in charge of other specific business.
- Article 63 To establish a welfare care facility/institution for people with disabilities, applications shall be submitted to the municipal and county (city) competent authorities for the permits.
After having obtained the permits in accordance with the above paragraph, the care facility/institution shall register itself as a juristic corporator within three months commencing from the permits of the application. While the registration procedure is finished, the juristic corporator may accept donations/subsidies or collect funds from the outside with the approval of the competent authorities, and the funds shall be used for exclusive purposes. It is not necessary for the care facility/institution to handle thus registration if any of the following facts exists:
1. The care facility/institution is affiliated to a juristic corporator or a public-welfare corporation that is established pursuant to other laws;
2. The size of the care facility/institution is small, and it will not collect funds from the outside, receive donations/ subsidies, or enjoy the privileges of tax reduction or exemption.
Where the care facility/institution has not registered itself as a juristic corporator in accordance with the preceding Paragraph 1 within a specified time limit (or is not in conformity with the preconditions of exemption from registration), the care facility/ institution may apply to the municipal and county (city) competent authorities in charge of specific business for extension once, and the extension period shall be no longer than three months. An overdue application shall make the approval invalid.
Regulations on the permit/approval requirements, procedure, review period, permit/approval cancellation and abolishment, suspension, extension or migration, supervision and management, etc.,

are prescribed by the central competent authority.

- Article 64 The competent authorities shall periodically guide and review / accredit the welfare care facilities / institutions for people with disabilities.
The competent authorities shall reward the care facilities / institutions that are outstanding in their performance, and order the care facilities / institutions that are not properly managed or violate the establishment standards to improve within a stipulated time limit.
Regulations on the reviewing / accreditation, procedures, rewards and improvement guidance referred to in Paragraph 1 shall be prescribed by the competent authorities.
- Article 65 A written contract shall be signed between a welfare care facility / institution for people with disabilities and the care receivers or their families on the mutual understanding of rights, interests and obligations, duties.
A written contract of transfer and settlement shall be signed between the municipal and county (city) competent authorities and a welfare care facility / institution for people with disabilities on the mutual understanding of rights, interests and obligations, duties.
The central competent authority concerned shall set forth a standard pattern of the written contract, based on the format, & content mentioned in previous sections. The things / issues to be recorded or not shall be all listed in the pattern.
The pattern of the standard contract shall be published by the care facilities / institutions and to be (delivered to the clients) along with the receipts of payment. Unless otherwise specified, this shall be regarded as a mutually agreed contract, as stated in Paragraph 1 of this Article.
- Article 66 A welfare care facility / institution for people with disabilities shall insure itself with public liability insurance and secure its own operation in order to protect the rights and interests of people with disabilities.
The scope and amount of public liability insurance in the above paragraph shall be prescribed by the central competent authority and the central competent authorities in charge of specific business.
The secure capability of operation referred to in Paragraph 1 and its judging standard are prescribed by the municipal and county (city) competent authority where the welfare care facility / institution registers.
- Article 67 Where people with disabilities apply for setting up retail stores or booths in public places owned by the government, or for purchasing or rent public housing or parking lots, the government shall reserve certain quota of the places for them to permit / approve their applications first. The reserved quota is prescribed by the municipal and county (city) competent authorities.
The conditions of the applicant and limits on the rent or transfer to others mentioned in previous paragraph are prescribed by the competent authorities of specific business. Other applicants with disabilities shall enjoy priority to rent and transfer.
The government shall provide low-interest financing or rent subsidies to people with disabilities who purchase or rent the stores or booths referred to in Paragraph 1, and the regulations are prescribed by the central competent authority.
- Article 68 The municipal and county (city) governments (competent authorities) shall reserve quotas and priorities for the permit / approval in favor of the welfare care facilities / institutions, associations and those qualified for establishment of sheltered workshops to set up sheltered workshops (welfare factories or stores) in public places, or for providing residences in public dwelling houses.
The reserving quotas in above mentioned paragraph shall be put into consideration of constructing plan during the planning stage of specific areas by the municipal and county (city) competent authorities in charge of specific business together with the municipal and county (city) competent authorities.
The applicant qualified for permit / approval, limits on its rent and transfer, are implemented under related regulations prescribed by the competent authorities in charge of specific business; the objects of rent and transfer are only limited to the related welfare care facilities / institutions or associations for people with disabilities.
- Article 69 The government departments (agencies / organizations) of individual levels, public schools, public business agencies / organizations / institutions, and the care facilities / institutions, associations, private schools receiving subsidies from the governments shall, during purchasing, under a reasonable price and lower than a certain amount, give priority to the products and services produced and provided by the welfare care facilities / institutions and associations, sheltered workshops for people with disabilities.
The competent authorities of individual levels shall announce the information of the products and services referred to in the preceding paragraph at a fixed interval, or notify each unit that has the obligation to purchase the products and services of such information by letter, and such units shall support the purchase of the products and services to a certain percentage according to the related laws and regulations.
Items of such products and services, percentages, certain amount, reasonable price, and the priority

of purchasing referred to in the above two paragraphs as well as other related affairs/ issues shall be prescribed by the central competent authority.

Chapter 6 Economic Security

- Article 70 The economical security for people with disabilities are to be planned and executed, step by step, by life subsidies, day care and residential care subsidies, caregiver allowance, and pension/ annuity insurance.
Regulations on the pension/ annuity insurance for people with disabilities in the above mentioned paragraph is implemented by the related social insurance laws.
- Article 71 The municipal and county (city) competent authorities shall, according to the result of need assessment, provide people with disabilities in their governed districts with following subsidies, and there shall be no limit on the time of setting the domiciles.
1. Life subsidy;
 2. Day care and residential care subsidy;
 3. Medical care subsidy;
 4. Home care subsidy;
 5. Assistive devices subsidy;
 6. Subsidies on house rent and house-purchasing loan interest;
 7. Parking lot purchasing loan interest or parking lot rent;
 8. Other subsidy for necessary expenses (for their welfare).
- Regulations on the subsidizations referred to in the preceding paragraph shall be prescribed by the central competent authority and the central competent authority in charge of specific business, except elsewhere stated in this Act and in others.
- To implement the affairs/ issues mentioned in the preceding Clause 1, 2, 6, 7 of Paragraph 1, the municipal and county (city) competent authorities shall, on their own initiative and before the end of each fiscal year, as consolidating those information provided by the related departments (agencies/ organizations), reexamine the documents concerning the approved subsidy cases. However, whereas it is alteration of the applicant's qualification or it is deemed necessary for examination, the competent authorities may request the applicant to provide the related certification documents.
- For unqualified receivers, the subsidy shall be returned by the receivers within 60 days upon receiving, under the writing order issued by the municipal and county (city) competent authorities concerned. Shall it be not returned in time, the whole case will be sent to administrative execution.
- Article 72 The government shall, by laws, reduce or exempt the taxes to be paid by people with disabilities or their supporters.
Provided that a tax payer or his/ her spouse or supported family members be disabled, it is allowed to record the special reduction amount in favor of people with disabilities on the tax return, and the amount is prescribed in the Income Tax Act.
The subsidies received by people with disabilities or their supporters are not subject to taxation.
- Article 73 When people with disabilities participate in social insurance, the government shall, according to the household economical conditions/ status', subsidize them for part of the premium required to be paid by the disabled themselves.
Regulations on the subsidization for premium referred to in the preceding paragraph shall be prescribed by the central competent authority.

Chapter 7 Protection Services

- Article 74 When reporting on people with disabilities or those suspected with disabilities, no discriminative title or description shall be used by the media, and no non-factual or audience-misleading report is allowed to direct the audience to discriminate or prejudice against people with disabilities.
The mass media shall not blame on the disease/ morbid condition or impairment/ disability of the litigant only because people with disabilities are involved in related lawsuits, or before the courts judge that the disease/ morbid condition or impairment/ disability of the litigant causes the incident.
- Article 75 Any of the following acts shall not be imposed on people with disabilities:
1. Desertion.
 2. Physical and mental abuse.
 3. Freedom restriction.
 4. Leave the incompetent disabled persons alone in specific environments/ situations where they might be put in danger or get hurt.
 5. Make use of people with disabilities to beg or act for performance.
 6. Force or seduce people with disabilities to get married.
 7. Other crimes or misbehaviors against people with disabilities or make use of them.

- Article 76 Medical staff, social workers, educational workers, police-officers and other personnel who implement disability welfare business shall report the suspicious case in any one of all clauses in the preceding Article to the municipal and county (city) competent authorities in charge of specific business no later than 24 hours.
Village/borough heads or any other persons shall report any suspicious case to the municipal and county (city) competent authorities.
The personal information of the reporter in the above mentioned paragraphs shall be kept secret. While being informed in accordance with preceding paragraphs, the municipal and county (city) competent authorities shall conduct or commission other organization/institution or association to conduct a visit and investigation to people with disabilities no later than 24 hours, and the investigation report shall be submitted within four days upon receiving the case. The authorities can ask for necessary assistance from the police-offices, hospitals or other relating agencies/organizations/institutions.
Regulations on reporting procedure and follow-up referred to in the preceding paragraph are prescribed by the central competent authorities.
- Article 77 While the legal supporters who take care of people with disabilities by law or by contract lose their supportive capability and endanger people with disabilities life-threateningly, physically or economically, the municipal and county (city) competent authorities shall provide the appropriate protection and settlement, upon request of people with disabilities themselves, legal supporters, or based on authorities/commissions, after need assessment is taken.
The expenses occurred during the implementation of the above paragraph are to be paid by people with disabilities or their legal supporters, with the exception of subsidies issued by the municipal and county (city) competent authorities pursuant to Clause 2 of Paragraph 1 in Article 71.
- Article 78 Shall people with disabilities encounter any of the difficulties as one of all clauses listed in Article 75, and be in instant danger or danger suspension on lives, body, or freedom, the municipal and county (city) competent authorities shall provide urgent protection, settlement, or other necessary disposition. As confronting the urgent protection, settlement, or other mandatory management, the municipal and county (city) competent authorities can ask for necessary assistance from the prosecutors or local police-offices to complete the above urgent task.
- Article 79 The urgent protection or settlement in the preceding Article can be commissioned to related welfare care facilities/institutions for people with disabilities. The expenses shall be paid by the persons who conduct any of the acts/mistreatments referred to in Paragraph 1 of Article 78.
The above expense, if necessary, shall be paid in advance by the municipal and county (city) competent authorities, and copies of receipts and a detail calculation for the reimbursement must be sent to the persons who conduct any of the acts/mistreatments referred to in Paragraph 1 of Article 78.
The above reimbursement shall be requested in written by the municipal and county (city) competent authorities, and paid within 10 to 30 days upon receiving related documents. If the return of reimbursement has not been completed after the date of expiration, the case will be referred to the courts for compulsory enforcement.
- Article 80 The urgent protection or settlement for people with disabilities in Article 78 shall not exceed 72 hours; while settlement shorter than 72 hours does not provide sufficient protection to people with disabilities, the case will be referred to the courts for a(judgment)of the continuous protection and settlement. The time limit for continuous protection and settlement is no longer than three months, and the cases can be referred to the courts for a sentence of the necessary extensions.
For people with disabilities who are in the continuous protection and settlement, the municipal and county (city) competent authorities shall, according to the condition/status of people with disabilities and their need, assist people with disabilities to apply to the courts for the announcement of interdiction.
The municipal and county (city) competent authority concerned mentioned above shall assess and assist in transferring people with disabilities to appropriate care facilities/institutions before the continuous protection and settlement expire.
- Article 81 For people with disabilities who are in a necessary status of interdiction announcement, the municipal and county (city) competent authorities shall assist the application to the courts. When the factors causing interdiction announcement are eliminated, the authorities concerned mentioned above shall assist people with disabilities to apply for an abatement of interdiction to the original courts of judging. When it is necessary to change the guardians, the competent municipal and county (city) authorities shall assist people with disabilities to do such an appeal.
If the court shall appoint a social welfare care facility/institution as the guardian, the municipal and county (city) competent authorities shall supervise the implementation of the guardian obligation; regulations on the related supervision are prescribed by the central competent authority.

- Article 82 The municipal and county (city) competent authorities, related welfare care facilities/institutions for people with disabilities, provide residence arrangement service for people with disabilities in a community, and suffer opposition from the dwellers in any pattern whatever, the competent municipal and county(city) governments shall provide assistance to expel the opposition.
- Article 83 To ensure the security on the rights & interests of the property of people with disabilities, the central competent authority shall, together with the related competent authorities in charge of specific business, encourage trust enterprises to provide property trust scheme for people with disabilities.
- Article 84 During a lawsuit in processing, if people with disabilities is involved in the lawsuit or has to testify, the prosecutor or the judge shall, according to the special need of his/her disability category and grade, provide necessary assistance.
In case an accused or a suspect is unable to make a complete statement due to mental/intellectual disability, the municipal and county (city) competent authorities shall appoint a social worker as a qualified assistant pursuant to Article 35 of Code of Criminal Procedure.
While the appointed assistant pursuant to Paragraph 1 in Article 35 of Code of Criminal Procedure is unable to take the position, a social welfare care facility/institution or association can apply for the re-appointment to the municipal and county (city) competent authorities, in accordance with the paragraph mentioned above.
- Article 85 While people with disabilities are institutionalized in correction facilities/organizations/institutions by law, the competent authorities in charge of law shall make necessary improvements upon considering the characteristics of the correction facility/organization/institution, current installations of the facilities and the special need of people with disabilities.

Chapter 7 Penal Provisions

- Article 86 Anyone who violates the regulations of Paragraph 1 of Article 16 will be fined a sum no less than NT\$100,000 and no more than NT\$500,000.
Anyone who violates the regulations of Article 74 will be fined a sum no less than NT\$100,000 and no more than NT\$500,000 by the competent authority in charge of specific business.
- Article 87 Anyone who violates the regulations of Paragraph 1 of Article 40 will be fined a sum no less than NT\$100,000 and no more than NT\$500,000 by the municipal and county (city) competent authority in charge of labor.
- Article 88 Where the regulations of no improvement, or no alternative improvement plan submitted, or the improvement not completed within the time limit specified in the approved improvement plan (in charge of the management of public buildings, gathering places and public transports), referred to in Paragraph 3 of Article 57, are violated, the competent authorities of individual levels may stop using the public buildings, gathering places, and public transports, and fine the owner or the principal of the management department/agency a sum no less than NT\$60,000 and no more than NT\$300,000, and order improvement within a stipulated time limit. In case improvement is not completed within the stipulated time limit, the competent authorities may continue to issue fines till the improvement is completed, and can cut the water or electricity supply, or shut them down completely and dismantle it coercively where necessary.
The competent authorities shall establish a fund and use the fines as the incomes of the fund to improve and promote access-free equipment and facilities/installation. Regulations on management and use of the fund shall be prescribed by the central competent authorities in charge of specific business.
- Article 89 Whereas a welfare care facility/institution for people with disabilities is opened without permit/approval of the establishment in accordance with Paragraph 1 of Article 63, or without juristic corporator registration within the specified time limit in accordance with Paragraph 2 or 3 of Article 63, the principal will be fined a sum no less than NT\$60,000 and no more than NT\$300,000. The competent authority may publicize the name of the principle, and may order improvement within a stipulated time limit.
During the stipulated time limit mentioned above, the welfare care facility/institution shall take no more people with disabilities. The principal of the violating care facility/institution will be fined a sum no less than NT\$60,000 and no more than NT\$300,000, and may be fined per violation continuously.
Whereas the care facility/institution referred to in Paragraph 1(does not)abide by the order of the competent authority to improve within the stipulated time limit, the principal will be fined a sum no less than NT\$100,000 and no more than NT\$500,000, and may be fined per violation continuously. The competent authority may publicize the name of the care facility/institution, and may order it to shut down the business.
Whereas the care facility/institution referred to in the above paragraph does not abide by the order of the competent authority to close out the business, the principal will be fined a sum no less than NT\$200,000 and no more than NT\$1,000,000, and may be fined per violation continuously.

- Article 90 Whereas a welfare care facility/institution for people with disabilities violates any of following clauses and is confirmed in the investigation by the competent authorities, the care facility/institution will be fined a sum no less than NT\$60,000 and no more than NT\$300,000, and ordered to improve within a stipulated time limit. In case the care facility/institution does not improve accordingly after the time limit has expired, it may be fined per violation continuously.
1. One of the clauses listed in Article 75.
 2. Provide unsafe facilities /installation or equipment or insanitary food.
 3. Other major events sufficient to influence the mental and physical health of people with disabilities.
- Article 91 Whereas a welfare care facility/institution for people with disabilities stops its business or dissolves, the competent authority shall appropriately settle down people with disabilities served by the care facility/institution, and care facilities/institutions for people with disabilities shall be cooperative; otherwise, coercive execution may be performed and a sum no less than NT\$60,000 and no more than NT\$600,000 will be fined.
- Regulations on the above takeover procedure, terms, and limitation of the rights & interests of operation and property management, etc., of the care facility/institution under takeover, are prescribed by the central competent authorities.
- While the care facility/institution completes the improvement, it shall prepare the related information and documents to apply to the authority concerned for reopening; the reopening planning proposal shall be submitted to the central competent authorities for reference after the review is taken by the authority concerned.
- Article 92 Any welfare care facility/institution for people with disabilities that is ordered to improve within a stipulated time limit pursuant to Article 90, Article 93, Article 94 by the competent authority shall not take more residents of people with disabilities, and the violator will be fined a sum no less than NT\$60,000 and no more than NT\$300,000, and may be fined per violation continuously.
- Whereas a welfare care facility/institution for people with disabilities does not improve within the time limit stipulated by the competent authority pursuant to Article 90 and Article 93, the competent authority may order it to shut down the business for no less than one month and no more than one year, and publicize its name. In case the care facility/institution still does not improve accordingly after the time limit has expired or seriously violates the laws or regulations, the competent authority shall withdraw the permit /approval or, if the care facility/institution is a juristic corporator, dissolve it.
- In case the care facility/institution still does not close out the business according to the above mentioned stipulation, it will be fined another sum no less than NT\$200,000 and no more than NT\$1,000,000, and may be fined per violation continuously.
- Article 93 The competent authorities shall periodically guide and evaluate/appraise the welfare care facilities/institutions for people with disabilities pursuant to Paragraph 1 of Article 64. If the competent authorities detect any of the following conditions, the care facility/institution shall be stipulated to improve within a specified time limit. In case the care facility/institution still does not improve accordingly after the time limit has expired, it may be fined a sum no less than NT\$50,000 and no more than NT\$250,000, and may be fined per violation continuously:
1. The objective of business operation does not meet the target of care facility/institution establishment or the Bylaw of Donation.
 2. The care facility/institution violates the standard of original permit/approval to its establishment.
 3. The sum of property does not afford to achieve the targeted business, or the care facility/institution submits an dishonest financial report.
 4. The care facility/institution is graded as unqualified by competent authorities.
- Article 94 Whereas a welfare care facility/institution for people with disabilities is detected any of the following conditions and shall be stipulated to improve within one month. In case the care facility/ institution still does not improve accordingly after the time limit has expired, it will be fined a sum no less than NT\$30,000 and no more than NT\$150,000, and may be fined per violation continuously if:
1. The care facility/institution does not submit the standard of charges pursuant to Paragraph 4 of Article 63, or it overcharges against the regulations.
 2. The care facility/institution does not meet the regulations prescribed by the central competent authorities pursuant to Paragraph 4 of Article 63 to stop, expand, or migrate.
 3. The care facility/institution violates Paragraph 1 of Article 65 and does not(establish)a written contract with care receivers or their family members, or include the forbidden items into the contract.
 4. The care facility/institution for people with disabilities violates Paragraph 1 of Article 66 and does not insure public liability insurance or is unable to secure its operation.
- Article 95 Anyone who violates any of clauses in Article 75 shall be fined a sum no less than NT\$30,000 and no more than NT\$150,000. The competent authority may publicize the name.
- The home caregiver or family member of people with disabilities who violates any clause in Article 75, shall be punished according to the regulation mentioned above. In addition, the(municipal)and county

(city) competent authorities shall order him/her to take a family education lesson and guidance no less than eight hours and no more than fifty hours, and to charge for the lesson where necessary. The standards of charges are prescribed by the municipal and county (city) competent authorities. Whereas the one referred to in the above paragraph (does not) abide by the order of the competent authority to take the family education lesson and guidance or the hours are not sufficient, he/she will be fined a sum no less than NT\$3,000 and no more than NT\$15,000, and may be fined per violation continuously until the order is taken.

- Article 96 Where any of the following conditions occurs, the person or the agency/organization/institution will be fined a sum no less than NT\$20,000 and no more than NT\$100,000 by the municipal and county (city) competent authorities in charge of labor:
1. An occupational training agency/organization/institution, employment service agency/organization/institution or sheltered workshop violates Paragraph 3 of Article 35 and is ordered to close out the service for improvement within a stipulated time limit, and the agency/organization/institution does not abide by the order, or without any improvement.
 2. A private school, association or agency/organization/institution of private sectors violates Paragraph 2 of Article 38 without proper reasons.
- Article 97 An agency/organization/institution, association, or private school receiving subsidies from the governments which violates Paragraph 2 of Article 69 without proper reasons shall be fined a sum no less than NT\$20,000 and no more than NT\$100,000 by the competent authorities in charge of specific business.
- Article 98 Anyone who violates Paragraph 1 of Article 46 will be fined a sum no less than NT\$10,000 and no more than NT\$50,000. Rather, whereas the violation happens in a business place, the responsible person or the owner will be fined a sum no less than NT\$20,000 and no more than NT\$100,000. and shall improve within a stipulated time limit. In case the person or the agency/organization/institution still does not improve accordingly after the time limit has expired, the fine issued may be continuously fined per violation.
- The fines referred to in the above paragraph shall be included into the exclusive account of the employment fund for people with disabilities by the municipal and county (city) governments, for the exclusive purposes of employment promotion to people with seeing (visual acuity) disability.
- Article 99 Public transportation vehicles do not install access-free facilities/ installation or equipment according to the regulations in Paragraph 3 of Article 53, the related competent authority in charge of transportation shall order the enterprise to submit a plan for improvement for approval and to implement within a stipulated time limit. In case the enterprise does not submit the plan or does not improve accordingly, it will be fined a sum no less than NT\$10,000 and no more than NT\$50,000, and may be fined per violation continuously. Shall the approved plan be changed during implementation, the change shall be submitted to the original competent authority, and the change is limited to once only. Whereas a public parking area does not reserve a certain quota of the parking lots for people with disabilities pursuant to Paragraph 1 of Article 56, the competent authority shall order improvement within a stipulated time limit. In case the public parking area does not improve accordingly after the time limit has expired, the owner or manager will be fined a sum no less than NT\$10,000 and no more than NT\$50,000.
- Article 100 Anyone who violates the regulations referred to in Paragraph 2 of Article 16 or in Paragraph 2 of Article 60 will be ordered to improve within a stipulated time limit. In case the persons do not improve accordingly after the time limit has expired, they will be fined a sum no less than NT\$10,000 and no more than NT\$50,000, and may be fined per violation (continuously).
- Article 101 Whereas the agency/organization/institution providing sheltered employment violates the regulations referred to in Paragraph 1 of Article 41, the municipal and county (city) competent authorities in charge of labor shall order improvement within a stipulated time limit; in case the agency/organization/institution does not improve accordingly after the stipulated time limit has expired, it will be fined a sum no less than NT\$6,000 and no more than NT\$30,000, and may be fined per violation continuously.
- Article 102 The government employee (civil servant/public official) who carries any of the following behaviors while performing his/her commissions /duties shall be penalized:
1. Violating the regulations of Paragraph 1 of Article 16.
 2. Violating the regulations of Paragraph 1 of Article 38, Paragraph 1 of Article 67, Paragraph 1 of Article 68, or Paragraph 2 of Article 69, without proper reasons.
- Article 103 The competent authorities of individual levels in charge of labor shall publicize the violators against the regulations referred to in Paragraph 1 or 2 of Article 38.
- The persons who do not abide by the regulations in Paragraph 2 of Article 43 and pay the difference subsidies periodically, will be fined a delinquency charge with overdue fine of 0.2% of the unpaid difference subsidies each day since the day next to the difference subsidies due until one day before

the complete payment. The total delinquency charge with overdue fine is limited within one time of the unpaid difference subsidies.

The income of the above delinquency charge shall be included in the exclusive account of the employment fund set up by the municipal and county (city) governments for people with disabilities, and shall be used for exclusive purposes.

Article 104 The fines and reprimandment/penalty under this Act are executed by the municipal and county (city) competent authorities except elsewhere stated.

Chapter 9 Supplementary Provisions

Article 105 The governments hierarchy of individual levels shall report the implementation of this Act to the civil representative organization/ council yearly.

Article 106 People with disabilities who receive the disability manual before the comprehensively enforcing/implementation of the amended articles on June 5th in 2007 shall apply for re-evaluation and need assessment, or for change to disability identification within the appointed time/date and procedures set up by the municipal and county (city) competent authorities; the authorities concerned may abolish or cancel the received disability identification on their own rights and interests, in case people with disabilities do not apply accordingly after the time limit has expired. People with disabilities who apply for re-evaluation (re-appraising, re-ascertaining/re-verification), and need re-assessment, or for change to disability identification according to above paragraphs, shall enjoy the original welfare services for people with disabilities before the issuance of disability identification by the municipal and county (city) competent authorities in accordance with the provisions / articles before the amendment on June 5th in 2007. People with disabilities who are unable to apply for re-evaluation (re-appraising, re-ascertaining/re-verification), and need re-assessment to the municipal and county (city) competent authorities under appointed time limit, shall prepare the due reasons to apply to the municipal and county (city) competent authorities concerned for extension within a appointed time limit. After the reason is taken, the extension may be accepted and it shall be limited within 60 days. The municipal and county (city) competent authorities shall accomplish the implementation of the preceding Paragraph 1 within five years after the comprehensively enforcing/implementation of amended articles of this Act on June 5th in 2007.

Article 107 The provision of Article 38 amended on June 5th in 2007 in this Act will come into force two years since the date of promulgation; Article 5 to Article 7, Article 13 to Article 15, Article 18, Article 26, Article 50, Article 51, Article 56, Article 58, Article 59 and Article 71 will come into force five years since the date of promulgation.

Article 108 Enforcement Rules for this Act will be prescribed by the central competent authority.

Article 109 This Act will come into force as of the date of promulgation except elsewhere stated.

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