

**Article Content**

Title : The Law of Ships CH

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Chapter 1 General Principles

- Article 1** This Law is enacted to ensure safety of navigation and life, and to put into effect the administration of the Certificate of Vessel's Nationality (Register), inspection, measurement, load line mark and facilities.
- Article 2** The competent authority for this Law is the Ministry of Transportation and Communications, and the businesses are run by the shipping administration authority.
- Article 3** The terms used in this Law are defined as follows:
1. "Ship" denotes water vehicle that carries people or cargo on the surface or in water, including passenger ship, cargo ship, fishing boat, vessel of special purpose, yacht and small ship
 2. Passenger ship means a ship that is not a small ship and has a passenger quota of more than 12 persons, mainly for the purpose of transporting passengers.
 3. Cargo ship refers to a ship that is not a passenger ship or a small ship, but for the purpose of carrying goods.
 4. Vessel of special purpose denotes a ship engaged in a specific mission.
 5. Yacht refers to a ship that is exclusively for entertainment, not for the purpose of passengers, cargo delivery or fishing, and that is powered by machinery or auxiliary power.
 6. Private yacht means a yacht specially designed for the owner of the ship to use for private used or for free to lend to others for recreational activities.
 7. Non-private yacht indicates a whole yacht that is rented out or provided to specific person who makes payment in other means to engage in specific or recreational activities.
 8. small ship refers to a non-powered ship with a gross tonnage of less than 50 or a power ship with a gross tonnage of less than 20.
 9. Passenger small ship denotes a small ship that is mainly intended to transport passengers.
 10. Member capacity means all people on board.
 11. Passenger refers to persons on board other than the following:

(1) The master, the deck officer, the pilot, and others employed and commanded by the master or deck officer on board.

(2) The victims that the master or the deck officer is responsible to rescue.

(3) Personnel who illegally board the ship.

(4) Personnel performing public authority or official duties on board.

(5) Not for the purpose of carrying passengers for profit, the ship owner's representative, the ship repair, inspection, and the cargo, or the attached personnel of the ship in the outlying islands who have been approved by the navigational authority for the boarding of the ship.

(6) Special personnel.

12. Special personnel refer to person who performs task(s) with special purpose(s) associated with the ship, excluding passengers, crew, and coastal patrol officers who perform public power.

13. Exemption means that the ship may be exempted from the provisions of this Law by the competent authority or the shipping administration authority due to special circumstances and shall comply with the safety conditions or measures.

14. Equivalent refers to the competent authority or the shipping administration authority may permit the ship to use materials, equipment, equipment or components that have been tested or otherwise determined to have the same performance as the relevant requirements.

Article 4 This Law applies to ships sailing on or in the water, except the following:

1. Navy vessels of military organization.
2. Dragon boats, canoes and non-powered sailboats.
3. Official small ships coast-anchored by the fire and rescue organization.
4. Small ships with a propulsive power under 12 kilowatts and not used for fishing.
5. Aboriginal people use small ships or floats that are recognized by the central indigenous authority on the basis of traditional culture, rituals or non-profits usage.

Article 5 The term "R.O.C. (The Republic of China)-flag ship" used herein refers to a ship which is approved by and registered in the shipping administration authority pursuant to the R.O.C. laws. A ship may apply for registering as a R.O.C.-flag ship Under any one of the following conditions:

1. The ship is owned by the R.O.C. government.
2. The ship is owned by a R.O.C. national.
3. The ship is owned by any of the following companies, which are established under the R.O.C. laws, with principal offices

situated within the R.O.C. territory:

- (1) An unlimited company, of which all shareholders are ROC nationals.
 - (2) A limited company, of which at least half of the capital is owned by R.O.C. nationals, and the director authorized to represent such company is a R.O.C. national.
 - (3) A joint company, of which all shareholders with unlimited liabilities are R.O.C. nationals.
 - (4) A company limited by shares, of which the chairman of the board and at least half of the directors are R.O.C. nationals, and at least half of the capital is owned by R.O.C. nationals.
4. The ship is owned by a juridical corporate, which is established under the R.O.C. laws, with its main office situated within the R.O.C. territory and at least two-thirds of the members and the statutory representative being R.O.C. nationals.

Article 6 Any non-R.O.C. flag ship shall not fly a national flag of the R.O.C., except otherwise stipulated in laws, or under any one of the following circumstances:

1. On the National Day or any memorial day of the R.O.C., or
2. When celebration or salute is needed.

Article 7 R.O.C.-flag ships shall not fly a non-R.O.C. flag, except otherwise stipulated in related regulations or under any one of the following circumstances, where a foreign flag may also be flied:

1. On the National Day or any memorial day of a foreign country of which a port the R.O.C.-flag ship is calling; or
2. When celebration or salute is needed.

Article 8 Unless otherwise specially approved by the R.O.C. government or for seeking shelter, any non-R.O.C. flag ship shall not stay in any harbor or port other than those announced as international ports by the R.O.C. government.

Article 9 Any R.O.C.-flag ship, unless having obtained a Certificate of Vessel's Nationality (Register), a Provisional Certificate of Vessel's Nationality (Register), a Certificate of Yacht or a Small-ship License, shall not navigate except for one of the following circumstances:

1. When the ship is launched or in a trial voyage;
2. When the ship is permitted or ordered to move by the shipping administration authority; or
3. When it is a necessary measure to be taken due to emergency.

Article 10 Any ship shall be marked with the following signs:

1. Name of the ship;
2. Name of the port of registry or the place of small-ship registration;

3. Distinctive number;
4. Load line mark and draft marks, except those exempted from making load line mark or draft mark pursuant to the provision of Article 51 and the proviso in Paragraph 1 of Article 80;
5. Other marks specified in laws and regulations.

None of the marks mentioned in the previous paragraph shall be defaced or obliterated, except for avoidance of capture in time of war.

The following alteration timelines shall apply when the items of ship markings have to be changed:

1. When markings of Subparagraphs 1 to 3, Paragraph 1 need to be changed, it shall be done at the same time of registration.
2. When markings of Subparagraphs 4 and 5, Paragraph 1 need to be changed, it shall be done within 3 months from the date of occurrence.

Name of the ship, name of the port of registry, place of registration, distinctive number, draft marks, load line mark, other markings and other regulated items shall be set down by the competent authority.

Article 11 A yacht shall obtain a yacht certificate and a small ship shall obtain a certificate of small ship. The following documents shall be obtained for ships apart from those listed in the previous paragraph:

1. Certificate of Vessel's Nationality (Register) or Provisional Certificate of Vessel's Nationality (Register);
2. Ship Inspection Certificate or other certificates that shall be obtained pursuant to international conventions; those carrying large quantities of bulk solids, liquids, gaseous cargo, bulk cargo oil or dangerous goods shall have the instruments specified in Paragraph 1 of Article 33 and Paragraph 1 of Article 34.
3. Tonnage certificate;
4. Minimum Safe Manning Certificate;
5. Crew list;
6. Load Line Certificate. However, ships without technical need for assigning a load line is not subjected to this requirement pursuant to the provision of Article 51.
7. Passenger Ship Safety Certificate or Certificate of Fitness for ships carrying passengers; passenger ship shall prepare passenger register; however, passenger ship sails in the rivers and lakes, inland waterways, port areas and other waters designated by the competent authorities is not subject to this limit.
8. A passenger ship with a gross tonnage of 100 and above or the certified number of passengers of more than 150 built or imported from abroad after December 10, 2010 shall possess Certificate of Classification issued by the ship register institute commissioned by the competent authority

9. The passenger ships mentioned above which were built or imported from abroad before December 10, 2010 and have been sailing offshore and coastal areas for more than 20 years shall possess Certificate of Classification issued by the ship register institute entrusted by the competent authority since the first special inspection after one year from the date of implementing the amendments of the provisions of the Law on November 6, 2018; those who have not been inspected during construction by the ship register institute commissioned by the competent authority shall obtain the drawing and calculation of the Naval Architect's certification before applying for classification.

10. A passenger ship other than the first two paragraphs with ship age more than 20 years shall, from the first special inspection one year after the date of implementing the amendment of the provisions of the Law on November 6, 2018, holds an effective ship condition assessment report issued by Naval Architect which is to be valid for a period of not more than two years.

11. Navigation and engine Logbook.

12. Other documents as announced by the competent authority. The shipping administration authority at the ship location may examine the documents of vessel in the first two subparagraphs at any time. The ship owner shall be ordered to apply for a change of registration, or replacement of the relevant certificates of vessel within one month when discrepancy is found. When examiners as mentioned in the preceding paragraph execute their duty, a document for the execution of such duty shall be presented. The examinees may refuse the request of those who fail to present such document.

If the documents in Subparagraph 1 and 2 expire during a voyage, they should be considered still valid until the ship arrives at the port of destination

Article 12 The name of a ship, to be given by the owner, shall not be identical to that of any other ship. However, this does not apply to the names of small ships that are approved before the enforcement of the amendment of this Law at November 12, 2010.

Article 13 The ship owner shall determine by himself/herself a port of registry or a place of registration for his/her ship.

Article 14 If any certificate of a ship stipulated by this Law is missing, broken, or any alteration of entry of any certificate's registration occurs, the owner of the ship shall apply for replacement, reissuance of the certificate or change of registration within 3 months from the date of discovery or occurrence.

Chapter 2 Certificate of Vessel's Nationality

Article 15 After receipt of the Ship Inspection Certificate and the Tonnage Certificate, the owner of a ship shall register the proprietorship at the shipping administration authority of the port of registry within 3 months pursuant to the Ship Registration Law.

The Ship Inspection Certificate referred to in the previous paragraph, pursuant to the provision of Article 31, may be substituted by a valid certificate of international conventions, and a certificate of classification issued by a ship register institute commissioned by the competent authority.

Article 15-1 Unless otherwise provided by the regulations, the existing ships that are imported from abroad shall attach relevant documents such as the contract or the letter of intent for the sale or purchase, the ship's particulars, the ship's certificate and the authority approval to the shipping administration authority before applying for importation approval.

The age of the existing ship that has been imported from abroad or the purpose of use has changed shall not exceed the allowable importation year period. Enter the existing ship schedule will be announced by the competent authority.

The ship's certificate of the first item refers to the certificate of nationality. However, if the ship does not apply to the regulations of such country's ship regulations which results the ship in condition of no certificate, it can be replaced by the shipyard's construction certificate.

Article 16 After a ship is registered pursuant to the article 15, the shipping administration authority shall not only issue the Registration Certificate pursuant to the Ship Registration Law, but also has to issue the Certificate of Vessel's Nationality (Register); a Provisional Certificate of Vessel's Nationality (Register) may be issued first if necessary.

Article 17 A ship owner who acquires a ship at a port other than the recognized port of registry may apply for a Provisional Certificate of Vessel's Nationality (Register) to the shipping administration authority at the port of calling or the port of registry, by submitting the relevant supporting documents of ship acquisition or original ship nationality. An application for registration of the ship shall be made pursuant to Article 15 herein within 3 months from the date of obtaining the certificate.

Article 18 In case the Certificate of Vessel's Nationality (Register) of a ship is missing, broken or any entry therein is altered when it calls at a port other than the port of registry, the master or owner of the ship may apply to the shipping administration

authority at the port of calling or port of registry for issuance of a Provisional Certificate of Vessel's Nationality (Register) within 3 months from the date of discovery or occurrence. If the aforesaid event occurs on voyage, the master or owner of the ship may make the above-mentioned application to the shipping administration authority at the port of arrival or port of registry.

In case a Provisional Certificate of Vessel's Nationality (Register) is applied for pursuant to the preceding two paragraphs, the ship owner shall apply for replacement or reissuance of the Certificate of Vessel's Nationality (Register) to the shipping administration authority at the port of registry within 3 months from the date of receiving the provisional certificate.

Article 19 The validity of the Provisional Certificate of Vessel's Nationality (Register) shall not exceed six months for a ship navigating abroad, or three months for a ship navigating within domestic waters. However, for cases with proper reasons, application may be made for renewal to the shipping administration authority at the port of calling or port of registry before the expiry of the certificate, stating the reason. Validity of the renewed certificate shall not exceed one month, and only one renewal is allowed.

Article 20 In the event that a registered ship is lost or wasted, loses its R.O.C. nationality, has been missing for more than six months or sunk and unable to be salvaged or repaired, the owner of the ship shall apply for cancellation of the ship's ownership registration to the shipping administration authority of the ship's port of registry according to the Ship Registration Law within 4 months after discovery or occurrence of such facts. The original Certificate of Vessel's Nationality (Register) of such ship shall then be withdrawn, unless it has been lost. For any ship modified into yacht or small ship, the owner of the ship shall apply for registration and issuance of a license pursuant to relevant regulations within 3 months from the date of completion of modification. The original Certificate of Vessel's Nationality (Register) shall be withdrawn, unless it has been lost.

Article 21 Ship owner, who fails to apply for cancellation of registration and submit the certificate for withdrawal pursuant to Paragraph 1 of the preceding Article, will be ordered by the shipping administration authority of the port to complete the procedures within one month. For those who still fail to do so without proper reason, the shipping administration authority may cancel

the registration and withdraw the Certificate of Vessel's Nationality (Register) at its own discretion.

- Article 22 The competent authority shall undertake to prescribe and give effect to the regulations on the issuance, renewal/replacement, annulment, cancellation or withdrawal, imposition of certification fees, validity of certificate, management and regulations on other matters for compliance concerning the Certificate of Vessel's Nationality (Register) and Provisional Certificate of Vessel's Nationality (Register).

Chapter 3 Inspection of Ships

- Article 23 For inspection of a ship, there are special inspection, periodical inspection and additional inspection.
Scope of the ship inspection shall include the following:
1. Structural strength of various parts of the ship.
 2. The major and auxiliary machines or tools for propulsion of the ship.
 3. Stability of the ship.
 4. The load line mark, except for ships without technical need for assigning a load line pursuant to the provision of Article 51.
 5. Subdivision of the ship bilge compartment, except for ships without need for such subdivision pursuant to the provision of Article 36.
 6. Fireproof construction of the ship, except for ships without need for fireproof construction pursuant to the provision of Article 35.
 7. Ship's marks.
 8. Ship equipment.
- Ships shall not sail unless having passed the inspection and arranged the equipment properly according to regulations.
The competent authority shall, according to the difference of classification, tonnage, cargo type, and navigable water, undertake to prescribe and give effect to the regulations on the items and content of ship inspection, the inspecting agencies, validity period, application procedures and documents, on the issuance, renewal/replacement, annulment, cancellation or withdrawal of the Ship Inspection Certificate, and on imposition of inspection fee and certification fee, and other matters for compliance.
- Article 24 The items, specifications, exemptions and equivalents, certificates and other rules for compliance of ship equipment shall be determined by the competent authority according to its classification, tonnage, type of cargo carried, and navigable water.

Article 25 Under any of the following conditions, ship owners shall apply to the shipping administration authority at the port to apply for a special inspection:

1. The ship is newly built.
2. The ship is imported from abroad.
3. The hull has been modified or the propeller has been altered.
4. The intended use or type has been changed.
5. Validity of the special inspection has expired.

After passing the special inspection, a Ship Inspection Certificate be issued or renewed to the ship by the shipping administration authority, which shall be valid for five years. However, for passenger ship or cargo ship that is more than 20 years old, the validity period for issuing and reissuing the Ship Inspection Certificate shall not exceed two years.

Article 26 After the special inspection, the ship owner shall apply to the shipping administration authority at the port of calling for periodical inspection every one full year within 3 months before and after the due date.

After passing the periodical inspection, the ship shall obtain an endorsement on the Ship Inspection Certificate from the shipping administration authority.

Article 27 Under any one of the following conditions, ship owners shall apply to the shipping administration authority at the port of calling for an additional inspection:

1. The ship suffers from a marine casualty.
2. The hull, machinery or equipment is in danger of tampering with navigation, personal safety or environmental pollution.
3. The ship's seaworthiness is in doubt.

After passing the additional inspection, the ship shall get a note on the Ship Inspection Certificate from the shipping administration authority.

Article 28 After applying for periodical inspection or special inspection, the ship shall complete its renovation and inspection within three months. A ship that has not completed the inspection within the time limit will be deemed to have failed the inspection, and the shipping administration authority will issue an order to suspend its operation.

Special inspections mentioned in the preceding paragraph do not include special inspections for new ship construction, ship imported from abroad, hull modification or propulsion machines reload.

Article 28-1 In case the owner of the ship fails to apply for periodical inspections or special inspections in accordance with the regulations and is overdue for five years, the shipping

administration authority shall notify the owner of the ship to proceed the required inspections within three months. Those who fail to process in the limit period without any good reason, the shipping administration authority will announce it for three months; if no objection has been filed after the expiration of the announcement, the ship's document may be cancelled according to the provisions stipulated in Article 11 and the registration will be cancelled as well.

Where the owner of private yacht that is less than 24 meters in length and the member capacity is less than 12 people fails to submit the self-checklist according to the regulations after five years of overdue, the shipping administration authority shall proceed in accordance with the procedure mentioned above. If there is no objection after the expiration of the announcement, the yacht's certificate and registration will be canceled. If the facts are found after the event of the ship being deregistered by the shipping administration authority, the owner of the ship may attach relevant documents and apply to the shipping administration authority for conducting special inspections and issuing relevant documents as well as restore to registration.

Article 28-2 Unless of being ordered to suspend, the ship owner shall apply to the shipping administration authority when the ship is suspended, and the owner of the ship shall apply to the shipping administration authority before re-sailing ship. The ship shall not start sailing prior to passing the inspection. Regulations of ship inspection shall not be applied during the suspension of ship, and the owner of the ship shall, upon application for suspension, return the ship inspection certificate to the shipping administration authority.

Article 28-3 The shipping administration authority shall implement spot check for the matters of navigation safety to ships of the Republic of China and non-Republic of China that are shipping passengers and goods or engaged in the business of non-private yachts between ports of the R.O.C. Except for emergency rescue, a ship shall not carry member capacity more than the number approved by the shipping administration authority.

Article 29 When the special inspection, periodical inspection or additional inspection as stipulated in Articles 25 to 27 occurs in a foreign country, the owner or master of the ship shall request a local ship register institute commissioned by the competent authority at the port of calling to execute the inspection. After passing the special inspection as stipulated in the preceding paragraph, the owner of the ship shall submit the

inspection report to the shipping administration authority at the port of registry for application for issuing or renewing the Ship Inspection Certificate.

After the ship has passed the periodical inspection or additional inspection as stipulated in Paragraph 1, the ship register institute shall endorse or note on the Ship Inspection Certificate.

Article 30 A ship governed by an international convention shall be inspected pursuant to the regulations prescribed in the international convention, and shall possess the certificates specified therein. When the service time of a passenger or cargo ship is over 20 years, an inspection equivalent to the renewal certificate shall be implemented on the second or third anniversary equivalent date within the validity period of the relevant international convention certificate.

Article 30-1 The owner of the following ships or the organization responsible for its safe operation and pollution prevention management shall establish a safe operation and pollution prevention management system from the effective date and obtain the Certificate of Verification issued by the shipping administration authority.

1. Passenger ship with a gross tonnage of 100 and above or with a certified number of passengers of more than 150 persons
2. Cargo ship with a gross tonnage of more than 500.
3. Other ships that are subject to the announcement by the competent authority.

The effective date for ships referred to in the preceding paragraph shall be one year from the date of the amendment of the provisions on November 6, 2018 however, for ships specified in the third paragraph, the effective date shall be the following year announced by the competent authority.

The rules of the matters regarding content, verification, exemption and equivalent of the safety operation and pollution prevention management system, application, issuance, reissue, replacement, annulment, cancellation or withdrawal, verification fee, collection of certificate fee, validity period of the certificate and others shall be determined by the competent authority.

If the ship has the certificate of the International Safety Management (ISM) code issued by the recognized organization delegated by the competent authority, it shall be deemed to have verified the rules set out in the preceding paragraph, and the relevant certificates will not be reissued.

Article 31 A ship possessing valid certificate issued according to an international convention, and is inspected and classified by a ship register institute commissioned by the competent authority,

is deemed to have completed the inspection pursuant to the provisions set forth in this Chapter, and exempted from issuance of the Ship Inspection Certificate.

Article 32 For a non-R.O.C. flag ship that departs from a R.O.C. international port, the master of the ship shall submit the inspection document or proof of passing inspection to the shipping administration authority of the port for examination. For a non-R.O.C. flag ship that fails to submit the inspection document or proof of passing inspection for examination or whose documents have expired, the shipping administration authority of the port may order improvement to be made within a specified deadline, and the ship shall not depart from the port before fulfillment of the order.

The master of the ship who disagrees to the order for improvement or prohibition to depart from the port as mentioned in the preceding paragraph should appeal to the shipping administration authority of the port within 5 days.

Article 33 Ships carrying large quantities of bulk solids, liquids, gaseous cargo or bulk cargo oil shall meet the following conditions:

1. From the first special inspection after one year from the date of the amendment and enactment of this Law coming in force, ships constructed or acquired abroad before the amendments and enactment of the provisions of this Law on November 6, 2018 coming in force shall have document of fitness for the carriage of those cargo issued by the ship register institute commissioned by the competent authority and obtain approved or re-issued certificate by the shipping administration authority after passing the special examination.
2. Ships constructed or acquired abroad on or after the amendments and enactment of the provisions of this Law on November 6, 2018 coming in force shall possess valid certificates issued in accordance with the international conventions, and is inspected and classified by the ship register institute commissioned by the competent authority.
3. Ships of less than 150 gross tonnage, carrying bulk liquid, gaseous cargo or bulk cargo oil, or those of less than 500 gross tonnage carrying bulk solid cargo that have the document of fitness for the carriage of those cargo issued by the Naval Architect since the first special inspection after one year from the date of the implementation of the amendments to the provisions of this Law on November 6, 2018 coming in force shall be exempted from the provisions of the previous two paragraphs after having passed the special inspection of the shipping administration authority and been issued or reissued the certificates

Ships that are specified in the first and third paragraphs yet

without carrying bulk dangerous toxic chemical liquid or chemical liquid of liquefied gas, or liquefied gas shall be free of issuance or renewal certificate after having passed the special inspection conducted by the shipping administration authority, but it should be noted in the ship inspection certificate. Loading conditions, application for permission, construction and stability, safety equipment, exemptions and equivalents, document of fitness, documentation fees and certificate fees, and other regulations for compliance for ships specified in the first paragraph shall be determined by the competent authority.

Article 34 Ships carrying dangerous goods shall meet the following conditions:

1. From the first special inspection after one year from the date of the amendment and enactment of this Law coming in force, ships constructed or acquired abroad before the amendments and enactment of the provisions of this Law on November 6, 2018 coming in force shall have document of fitness for the carriage of those cargo issued by the ship register institute commissioned by the competent authority and note on ship inspection certificate after having passed the inspection conducted by the shipping administration authority.
 2. Ships constructed or acquired abroad on or after the amendments and enactment of the provisions of this Law on November 6, 2018 coming in force shall possess valid certificates issued in accordance with the international conventions, and is inspected and classified by the ship register institute commissioned by the competent authority
 3. Ships of less than 500 gross tonnage that have the document of fitness for the carriage of those cargo issued by the Naval Architect since the first special inspection after one year from the date of the amendments to the provisions of this Law on November 6, 2018 coming in force shall be exempted from the provisions of the previous two paragraphs after having passed the inspection of the shipping administration authority and noted it to the ship inspection certificate.
- Regulations governing the classification, identification, packaging, marking and labeling, shipping documents, loading and unloading operations, exemptions and equivalents, document of fitness, documentation fees and other regulations for compliance shall be stipulated by the competent authority.

Article 34-1. Except as provided in the preceding article or Article 56, dangerous goods shall not be carried or checked into a passenger ship carrying passengers.
The name of the dangerous goods will be announced by the shipping administration authority.

- Article 35 The owner or master of a ship shall apply to the shipping administration authority at the port of calling for inspection of the ship's fireproof construction, and the ship may only sail after passing the inspection. The competent authority shall undertake to prescribe and give effect to the regulations on the classification of a ship's fireproof construction, fireproof construction of various classes and other matters for compliance.
- Article 36 To ensure the stability required for the safety of navigation, a ship shall be subdivided, for which the owner or master of the ship shall apply to the shipping administration authority at the port of calling for inspection, and the ship may only sail after passing the inspection. The competent authority shall undertake to prescribe and give effect to the regulations on the permitted length and special conditions for the subdivision, stability of a ship under damaged condition, watertight devices of the subdivision and other matters for compliance.
- Article 37 For an hydrofoil, hovercraft, high-speed craft, and other vessels approved by the competent authority and promulgated to adopt by the international code, the owner or master of the ship shall apply to the shipping administration authority at the port to apply for inspection, and the ship may only sail after passing the inspection and obtained the certificate. The competent authority shall undertake to prescribe and give effect to the regulations on inspection, construction, fixture, equipment, passenger cabin, the certified number of passengers, the issuance, renewal/replacement, annulment, cancellation or withdrawal of certificates, and on imposition of inspection fee and certification fee, and other matters for compliance.
- Article 38 (Deleted)

Chapter 4 Measurement of Ships

- Article 39 Before applying for a Certificate of Vessel's Nationality (Register), the owner of the ship shall apply to the shipping administration authority at the port of calling for tonnage measurement and issuance of the Tonnage Certificate.
- Article 40 The owner of a ship which is built or acquired abroad shall apply to a ship register institute commissioned by the competent authority at the port of calling for tonnage measurement. For ships that have been measured pursuant to the provision in the preceding paragraph, the owner shall apply to the shipping administration authority for issuance of the Tonnage Certificate.
- Article 41 A ship acquired abroad which has been measured by the same mode as that of the R.O.C. may be exempted from re-measurement.

A ship acquired abroad which has been measured by a different mode from that of the R.O.C. shall be re-measured through an application made in accordance with the relevant regulations. The owner of the ship may apply for issuance of a Provisional Certificate of Vessel's Nationality (Register) before applying for measurement and obtaining the Tonnage Certificate, with the tonnage document issued by the former flag state.

Article 42 When the ship's type, arrangement or capacity has been altered, or its tonnage measurement or calculation is found incorrect after the ship owner has registered the ship, an application for re-measurement and reissuance of the Tonnage Certificate shall be made. Where such alteration or incorrection is found by the shipping administration authority, the authority shall undertake the re-measurement and reissuance of the Tonnage Certificate.

Article 43 For a non-R.O.C. flag ship departing from a R.O.C. port, the master of the ship shall submit the Tonnage Certificate to the shipping administration authority of the port for examination. For a non-R.O.C. flag ship that fails to submit the Tonnage Certificate for examination pursuant to the preceding paragraph, the shipping administration authority of the port may order improvement to be made by a specified deadline. The ship shall not depart from the port before fulfillment of the order. The master of the ship who disagrees to the order for improvement or prohibition to depart from the port as mentioned in the preceding paragraph may appeal to the shipping administration authority of the port within 5 days.

Article 44 The competent authority shall undertake to prescribe and give effect to the regulations on the application for measurement, measurement, calculation of gross and net tonnages, on the issuance, renewal/replacement, annulment, cancellation or withdrawal of Tonnage Certificate, and on imposition of measurement fee and certification fee, and other matters for compliance.

Chapter 5 Load Lines of Ships

Article 45 The load line represents the maximum draft, which shall not be submerged on her voyage.

Article 46 All ships shall be provided with a load line certificate, except for ships without technical need for assigning a load line pursuant to the provision of Article 51.

Article 47 The owner of a ship shall apply to the shipping administration authority at the port of calling for the assignment of load lines and the issue of a load line certificate for the ship.

The load line certificate of a ship is valid for 5 years. The ship owner shall apply for special inspection before expiry for renewal of the certificate.

Article 48 After a ship is assigned a load line or undergoes special inspection, the ship owner shall apply for periodical inspection every one full year within three months before and after the assignment or inspection. The certificate shall be endorsed by the shipping administration authority at the port of calling when the results of periodical inspections are considered satisfactory.

Article 49 A ship shall not sail Under any one of the following conditions:

1. A load line shall be assigned but not assigned yet.
2. The load line certificate has expired.
3. A load line shall be re-assigned but not re-assigned yet.
4. Loading of the ship has exceeded the maximum draft specified on the load line certificate.

Article 50 When a non-R.O.C. flag ship, of which a load line shall be assigned subject to the provisions of the International Load Line Convention or the laws of its flag state, departs from a R.O.C. international port, the master of the ship shall submit the Load Line Certificate or Exemption Certificate to the shipping administration authority of the port for examination. In one of the following conditions, the authority may order improvement to be made by a specified deadline, and the ship shall not depart from the port before fulfillment of the order:

1. Failure to submit the load line or exemption certificate for examination or such certificate has expired.
2. The ship's load exceeds the maximum draft specified in the load line certificate.
3. The position of the load line is inconsistent with that specified in the load line certificate.
4. The load line shall be re-assigned but not re-assigned yet.

The master of the ship who disagrees to the order for improvement or prohibition to depart from the port as mentioned in the preceding paragraph may appeal to the shipping administration authority of the port within 5 days.

Article 51 The competent authority shall undertake to prescribe and give effect to the regulations on the inspections and assignments of load lines; issuance, renewal/replacement, annulment, cancellation or withdrawal of the load line certificate; terms for assigning load lines, freeboard, and load lines of timber deck cargo of ships sailing on international voyages; subdivision load lines of passenger ships, and load lines of ships sailing on inland waters; zones, areas and seasonal periods; and imposition

of assignment fee and certification fee; and other matters for compliance.

Chapter 6 Passenger Ships

- Article 52 The owner of a passenger ship shall apply to the shipping administration authority of the port of calling for issuance of a Passenger Ship Safety Certificate. Ships shall not carry passengers without a Passenger Ship Safety Certificate. The shipping administration authority shall undertake to ratify the certified number of passengers and the navigable waters subject to the conditions of ship's equipment, watertight subdivisions and fireproof construction, which shall be noted in the Passenger Ship Safety Certificate. Passenger ships shall not carry passengers in excess of the aforesaid certified passenger quota, and shall not carry passengers outside the aforesaid specified navigable waters.
- Article 53 The validity of a Passenger Ship Safety Certificate, which is to be ratified by the shipping administration authority, shall not exceed one year, depending on the ship's seaworthiness. In case of entries in the Passenger Ship Safety Certificate being altered or within one month before the expiry of the Certificate, the owner of the passenger ship shall apply for renewal. Ships shall not carry passengers upon expiry of the Passenger Ship Safety Certificate and before renewal of the Certificate.
- Article 54 (Deleted)
- Article 55 When a non-R.O.C. flag ship carries passengers at a R.O.C. port, the master of the ship shall submit the Passenger Ship Safety Certificate to the shipping administration authority at the port of calling for examination. In no case may the ship carry passengers unless its seaworthiness is verified. For non-R.O.C. flag ships that fail to submit the Passenger Ship Safety Certificate for examination as stipulated in the preceding paragraph, the shipping administration authority of the port may order improvement to be made by a specified deadline. The ship shall not depart from the port before fulfillment of the order. The master of the ship who disagrees to the order for improvement or prohibition to depart from the port as mentioned in the preceding paragraph may appeal to the shipping administration authority of the port within 5 days.
- Article 56 The competent authority shall undertake to prescribe and give effect to the regulations on the inspection of passenger ships, pre-sailing inspection, stability, passenger cabins, passenger quota, fresh waters and accommodation, sanitary facilities, picked-up cargoes, contingency measures, and on the issuance,

renewal/replacement, annulment, cancellation or withdrawal of the Passenger Ship Safety Certificate, imposition of inspection fee and certification fee, and other matters for compliance.

Article 57 Cargo ships may carry passengers only after the owner or master of the ship has applied for approval of the shipping administration authority. The competent authority shall undertake to prescribe and give effect to the regulations on the certified number of passengers, passenger cabins, on the issuance, renewal/replacement, annulment, cancellation or withdrawal of the Certificate for Carrying Passengers, and on inspection, imposition of fees, management, and other matters for compliance.

Chapter 7 Yachts

Article 58 Once the inspection and measurement of yachts have been authenticated by a foreign or domestic institution recognized by the competent authority, it shall be handled by the shipping administration authority at the port of calling. Its certificate or registration shall be handled by the shipping administration authority at the port of registry or place of registration.

Article 59 For inspection of yachts, there are special inspection, periodical inspection, additional inspection and voluntary inspection.
Yachts may only sail when the following stipulations are met:

1. The yacht has passed the inspection.
2. The total number of passengers on board does not exceed the quota ratified by the shipping administration authority.
3. Equipment is well-arranged according to relevant regulations.

Article 60 Non-private yachts with length exceeding 24 meters shall be assigned a load line pursuant to the provisions of Chapter 5; private yachts are exempted from assignment of a load line.

Article 61 An application shall be made by the owner of the yacht for implementing special inspection if:

1. When the yacht is newly built,
2. The yacht is acquired abroad,
3. The hull is modified or the propeller is altered,
4. The intended use or type is altered, or
5. The validity of special inspection has expired.

After the yacht has passed the special inspection, the shipping administration authority shall issue or renew the Certificate of Yacht, which has a valid period for 5 years. For private yachts not exceeding 24 meters in full length, however, the Certificate of Yacht has no expiry date.

Non-private yacht with full length more than 24 meters manufactured domestically or imported abroad after the

implementation and enactment of the provisions of the amendments to the Law on November 6, 2018, shall be subject to special inspection during construction and examination of the Certificate of Classification issued by the ship register institute entrusted by the competent authority, or shall have the construction inspection documents during the construction and the Certificate of Classification before import.

Yachts that have not been inspected during construction shall not be converted to other types of vessels.

Article 62 When the owner of a yacht applies for implementation of special inspection pursuant to Subparagraphs 1 to 3, Paragraph 1 of the preceding article, he/she shall also apply for measurement of the ship's capacity at the same time pursuant to relevant regulations.

Article 63 The owner of a yacht shall submit the ex-factory certificate issued by the manufacturer or certificate of origin for the yacht prior to applying for the special inspection and measurement mentioned in the preceding article.
The aforesaid certificates include the relevant illustrations of the hull structure and the proof of origin for such machinery. For yachts constructed by mass production with verified certificate from the verification agency or Naval Architect recognized by the competent authority, the shipping administration authority at the port of calling may directly issue the Certificate of Yacht without implementing special inspection.

Article 64 Special inspection of yachts shall include the inspection of the hull, stability, propelling machine and shafting, and safety equipment. However, special inspection for newly built yachts shall be done in accordance with the yacht manufacturer's design plan and safety equipment.

Article 65 The owner of the following yachts shall apply to the shipping administration authority at the port of calling for implementation of periodical inspection every two and a half years from the date of passing the special inspection within 3 months before and after the due date:

1. Non-private yachts
2. Private yachts of a full length of 24 meters or above.
3. Private yachts of a full length less than 24 meters, and of more than 12 member capacity on board in total.

Yacht of an age more than 12 years shall apply for implementation of periodical inspection every one full year of age within 3 months before and after the due date.
After passing the periodical inspection, the yacht shall be given

endorsement on the Certificate of Yacht by the shipping administration authority.

Article 66 Owner of the private yacht of an age below 12 years with a full length under 24 meters and not more than 12 member capacity shall implement voluntary inspection and fill in the voluntary inspection form within three months of each full year after the date of passing the special inspection, and the submit the form together with the Certificate of Yacht to the shipping administration authority of the port of registry or place of registration for future reference.

Owner of the private yacht with a propulsion power of less than 12 kw shall be self-inspected and filled in the self-inspection form to the shipping administration authority for reference 3 months before and after the due date of every one full year from the date of passing the first special inspection

Private yachts shall not sail without completing the stipulated procedures as mentioned in the preceding paragraph.

After the yacht has passed the additional inspection as stipulated in Paragraph 1 of Article 27, the shipping administration authority shall make a note on the Certificate of Yacht.

Article 67 For yachts having passed the inspection and measurement, the owner shall apply for registration at the shipping administration authority within 3 months pursuant to the following stipulations:

1. Yachts of 20 gross tons or above shall be registered according to the provisions in the Ship Registration Law.

2. Yachts under 20 gross tons shall be registered according to the provision of Article 71.

After the yachts of Subparagraph 1 in the preceding paragraph are registered, the shipping administration authority shall issue a Certificate of Registry.

Article 68 In the event that a registered yacht is lost or wasted, loses its R.O.C. nationality, has been missing for more than six months or sunk and unable to be salvaged or repaired, the owner of the yacht shall apply for cancellation of the yacht's certificate or registration to the shipping administration authority at the port of registry or place of registration within 4 months from the date of discovery or occurrence of such facts. The Certificate of Yacht and Certificate of Registry shall then be withdrawn, unless they have been lost.

Article 69 Yacht owner who fails to apply for cancellation of registration and submit the certificates for withdrawal pursuant to the provision of the preceding article, will be ordered by the shipping administration authority of the port of registry or

place of registration to complete the procedures within one month. For those who still fail to do so without proper reason, the shipping administration authority may cancel the registration, and withdraw the Certificate of Yacht and Certificate of Registry at its own discretion.

- Article 70 A yacht shall not be used for passenger or cargo transportation, fishing business, or any other purposes than entertainment, but fishing activity not for business purpose is allowed. Private or Non-R.O.C. flag yacht shall not be used for non-private yacht. However, Non-R.O.C. flag yacht with any of the following conditions that are approved by the competent authority are exempted from this limit:
1. The company designated in the third paragraph of Article 5, is a Non-R.O.C. flag yacht with a total length of 18 meters or more.
 2. Insured liability insurance according to the amount of insurance specified by the competent authority.
 3. Attach the administrative fee payment receipt and the certificate of seaworthiness issued by the foreign government.
- For yacht activities that do not involve entry/exit of the border, relevant information about the ship, the voyage and the persons shall be reported to the coast guard authority at the port of departure by means of e-mail, fax or in person. Regulations concerning the special permission and procedure of customs clearance, entry/exit, health inspection, safety inspection for yachts shall be determined the competent authority.
- Article 71 Yacht owners shall effect the liability insurance at a premium specified by the competent authority. Failure to do so shall result in prohibition to depart from the port.
- The competent authority shall undertake to prescribe and give effect to the regulations on inspection, measurement, equipment, maximum member capacity on board, insurance premium, navigable waters of the yachts, Certificate of Yacht, registration, imposition of relevant fees and other matters for compliance. Authorities of various grades in charge of the commercial ports, fishing ports, coasts and rivers shall institute yacht parking and yacht towing areas at suitable locations within their jurisdictions, and plan, develop and manage the areas according to relevant laws and regulations.
- Article 72 Provisions in this Law, except those in this Chapter, Chapter 1, Paragraph 2 of Article 15-1, Paragraph 1 of Article 27, Article 28, Paragraph 1 of Article 28, Paragraph 1 of Article 28-1, Paragraph 1 of Article 28-3, Paragraph 1 of Article 29, Paragraph 1 of Article 30, Article 32, Paragraph 1 of Article 40, the first section of Paragraph 1 and Paragraph 2 of Article 41, Paragraph 1

of Article 84, Paragraph 1 of Article 89, Articles 91, Paragraph 1 and Paragraph 3 of Article 92, Article 93 to Article 95, Subparagraph 1 of Paragraph 1 and Paragraph 3 of Article 97, and Articles 99 to 102, are not applicable to private yachts. Provisions in this Law, except those in this Chapter, Chapter 1, Paragraph 2 of Article 15-1, Paragraph 1 of Article 27, Article 28, Paragraph 1 of Article 28-1, Article 28-2 and Article 28-3, Paragraph 1 of Article 29, Paragraph 1 of Article 30, Article 32, Paragraph 1 of Article 40, the first sections of Paragraph 1 and Paragraph 2 of Article 41, Chapter 5, Paragraph 1 of Article 84, Paragraph 1 of Article 89, Articles 91, Subparagraph 1 and 3 of Article 92, Article 93 to Article 95, Subparagraph 1 of Paragraph 1 and Paragraph 3 of Article 97 and Articles 99 to 102, are not applicable to non-private yachts. Private used and non-private yachts are subject to the second Subparagraph 2 of Paragraph 2 of Article 28, and the yacht certificates shall be returned to the shipping administration authority.

Chapter 8 Small Ships

- Article 73 The shipping administration authority at the port of calling shall undertake the inspection and measurement of the small ships. The shipping administration authority at the place of registration shall handle the registration and issuance of Small Ship License. A small ship shall not sail without the Small Ship License issued by the shipping administration authority. For business needs, the competent authority may commission a ship register institute or licensed and qualified shipbuilder to carry out the inspection and measurement tasks. The shipbuilder who is the designer of the small ship shall not work on the inspection and measurement of the same small ship. Those who fail to decline the commission of inspection and measurement shall be terminated for the commissioned work, and the inspection and measurement results shall be void. Effective date of the provision concerning the shipping administration authority's undertakings as per Paragraph 1 shall be determined by the Executive Yuan.
- Article 74 For inspection of small ships, there are special inspection, periodical inspection and additional inspection. Small ships may only sail if the following stipulations are met:
1. Having passed the inspection.
 2. Number of passengers does not exceed the quota ratified by the shipping administration authority pursuant to Article 81.
 3. Equipment is well-arranged pursuant to relevant regulations.
- Article 75 The owner of a small ship shall apply for implementation of special inspection Under any one of the following conditions:

1. The ship is newly built.
2. The ship is acquired abroad.
3. The hull is modified or the propeller is altered.
4. The intended use or type is changed.
5. The validity of the special inspection has expired.

After the small ship has passed the special inspection, the shipping administration authority shall issue or renew the Small Ship License.

Article 76 In event of the situation in Subparagraph 1 or 2, Paragraph 1 of the preceding article, the small ship shall apply for measurement. For small ships that are already measured, but have changed the hull capacity due to modification of the hull, an application shall be made for re-measurement.

Article 77 For small ships having passed the special inspection and measurement, the owner shall apply for registration and issuance of license to the shipping administration authority by submitting the measurement documents.
For small ships constructed by mass production with manufacturer approval, type approval and product approval given by a ship register institute commissioned by the shipping administration authority, the shipping administration authority at the port of calling may directly register the small ship according to the verified ex-factory certificate endorsed by the ship register institute, and issue the license without implementing special inspection.

Article 78 After the special inspection, the owner of a small ship shall apply for implementation of periodical inspection according to the following timelines:

1. Power-driven passenger small ships: within 3 months before and after the due date of every one full year.
2. Power-driven non-passenger small ships: within 3 months before and after the due date of every two full years.
3. Non-power driven small ships: within 3 months before and after the due date of every three full years.
4. Small ships of maritime pilot and of research or training usage: within 3 months before and after the due date of every one full year..

After the small ship has passed the periodical inspection, the shipping administration authority shall endorse on the Small Ship License.

After the small ship has passed the additional inspection as stipulated in Paragraph 1 of Article 27, the shipping administration authority shall make a note on the Small Ship License.

- Article 79 For small ship owners' application of inspection and measurement, the shipping administration authority shall send an officer to do on-site inspection or inform the owner to present the ship at specified port.
- Article 80 For small ships carrying passengers or cargoes, the maximum draft mark shall be assigned, and marked on the external surfaces of the shipboards on two sides at the middle part of the hull. However, this does not apply to ships that are unable to be assigned a draft mark because of its design, structure, type, use or special functions, and are approved by the shipping administration authority.
Small ships with an assigned maximum draft mark shall not carry loads exceeding the mark when sailing.
- Article 81 The owner of a passenger small ship shall apply for inspection to the shipping administration authority. The small ship may only carry passengers after having passed the inspection and the passenger quota and navigable waters are being ratified, and marked on the small ship License by the shipping administration authority.
Since the first special inspection after one year from the date of implementation of the provisions of the Law on November 6, 2018, passenger small ships with age more than 20 years shall prepare ship condition assessment program report certified by Naval Architect with certificate valid less than two years.
- Article 82 Provisions in this Law, except those in this Chapter, Chapter 1, Article 15-1, Paragraph 1 of Article 27, Article 28, Paragraph 1 and 3 of Article 28-1, Paragraph 1 of Article 28-2, Article 28-3, Paragraph 1 of Article 40, the first part of Paragraph 1 and Paragraph 2 of Article 41, Paragraph 1 of Article 89, Article 90, Paragraph 1 and 3 of Articles 92, Article 93, Article 94, Subparagraph 1 of Paragraph 1 of Article 97 and Article 98 to 102, are not applicable to small ships.
The small ship is subject to the Paragraph 2 of Article 28-2 and the Small Ship License shall be returned to the shipping administration authority.
The passenger small ship is subject to the provisions of Article 34-1.
- Article 83 The competent authority shall undertake to prescribe and give effect to the regulations on the passenger quota, contingency preparation and registration of small ship, issuance, renewal/replacement, annulment or withdrawal of Small Ship License, imposition of fees and other matters for compliance. The competent authority shall undertake to prescribe and give effect to the regulations on the hull, main engine, ancillary

engine and stern shaft of small ships, on the inspection and measurement of the electrical equipment, drainage facility, steering, anchoring and mooring equipment, life-saving equipment, fire-fighting equipment and fireproof facilities, living and emergency escape facilities, navigating devices and other accessory devices, and on the imposition of inspection fee and measurement fee, and other matters for compliance.

Chapter 9 Ship Register Institutes and Ship Surveyors

Article 84 The competent authority may commission a ship register institute to handle the following tasks for business needs:

1. Inspection and measurement of ships, and issuance of certificates
2. Various ship examinations stipulated by international conventions and issuance of certificates
3. Assignment and verification of a ship's load line, and issuance of certificates

When the ship register institute is working on the aforesaid commissioned tasks, an experienced ship surveyor shall be hired to take charge of the tasks and to sign for endorsement.

Article 85 R.O.C. nationals must pass the ship surveyor's examination and applied to the shipping administration authority for issuance of a practicing certificate before engaging in the practice. During the practice as a ship surveyor, ship surveyors may not be engaged in work related to the duty of a ship surveyor such as private or public shipping carrier business, shipping agency business or shipbuilding factories, etc.

Article 86 The practicing certificate of a ship surveyor is valid for 5 years. Licensed ship surveyors shall apply for renewal of the practicing certificate one month before the expiry of the license, enclosing the original practicing certificate and supporting documents of the service experience.

Article 87 Persons Under any one of the following circumstances may not take the practice as a marine surveyor. For those who have already been a practicing ship surveyor, their practicing certificate shall be withdrawn or annulled:

1. Those who have been convicted of offenses against internal and external security.
2. Those that are sentenced to one-year imprisonment or above due to business-related criminal acts and no probation is pronounced.
3. Those whose exam qualification is withdrawn or annulled pursuant to the provisions of Examination Act.
4. Those who are diagnosed to have psychiatric disorder or abnormal physical or mental status, and verified by a relevant specialist doctor designated by the competent authority as unfit

for the practice.

5. Those whose pronouncement of custody or assistance has not been withdrawn.

Article 88 The competent authority shall undertake to prescribe and give effect to the regulations on the issuance, renewal/replacement, annulment, cancellation or withdrawal of the practicing certificate for a ship surveyor, imposition of fees and other matters for compliance.

Chapter 10 Penalties

Article 89 In case of violation of the provisions of Article 8, the shipping administration authority shall impose a fine between NT\$30,000 and NT\$300,000 on the owner or master of a small ship, or deck officer of a yacht or a small ship, and may order immediate exit from the port.

In case of violation of the Paragraph 1 of Article 30, the ship is prohibited from sailing. For those who violate the rules, the shipping administration authority shall impose a fine between NT\$30,000 and NT\$ 150,000 on responsible person of agency who takes in charge for safe operation and pollution prevention management or owner of the ship.

Article 90 In case of violation of the provisions of Paragraph 2 of Article 28-3, the shipping administration authority shall impose a fine between NT\$15,000 and NT\$150,000 on the owner or master of a ship, or deck officer of small ship, and order a prohibition of navigation and improvement to be made by a specified deadline. The ship may be release for sailing only after the improvement is made.

In case of violation of the provisions of Paragraph 3 of Article 52 or Subparagraph 2, Paragraph 2 of Article 74, the shipping administration authority shall impose a fine between NT\$15,000 and NT\$150,000 on the owner or master of a passenger ship, and order a prohibition of navigation and improvement to be made by a specified deadline. The ship may be release for sailing only after the improvement is made.

In case of violation of the provisions of Paragraph 1 of Article 34-1 of carrying or consigning dangerous goods into a ship carrying passengers, a fine between NT\$20,000 and NT\$100,000 will be imposed.

Article 91 In case of violation of the provisions of Subparagraph 2, Paragraph 2 of Article 59 or Paragraph 1 or Paragraph 2 of Article 70, the shipping administration authority shall impose a fine between NT\$15,000 and NT\$150,000 on the owner or deck officer of a yacht, and order a prohibition of navigation and improvement to be made by a specified deadline. The yacht may be

released for sailing only after the improvement is made.

In case of violation of the provisions of Paragraph 1 to 3 of Article 66, the shipping administration authority shall impose a fine between NT\$3,000 and NT\$30,000 on the owner or deck officer of a yacht, and order a prohibition of navigation and improvement to be made by a specified deadline. The yacht may be released for sailing only after the improvement is made.

Article 92 In case of violation of the provisions of Paragraph 1 of Article 15, Article 25, Paragraph 1 of Article 26, Paragraph 1 of Article 27, Article 30, Article 39, the first half of Article 42, Paragraph 2 of Article 53, the shipping administration authority shall impose a fine between NT\$6,000 and NT\$60,000 on the owner of a ship, and order a prohibition of navigation and improvement to be made by a specified deadline. The ship may be released for sailing only after the improvement is made.

In case of violation of the provisions of Paragraph 3 of Article 23, the first half of Article 37, Article 49, Paragraph 1 of Article 52, Paragraph 3 of Article 53 or the first half of Article 57, the shipping administration authority shall impose a fine between NT\$6,000 and NT\$60,000 on the owner or master of a ship, and order a prohibition of navigation and improvement to be made by a specified deadline. The ship may be released for sailing only after the improvement is made.

The owner or master of a ship, the deck officer of yacht or small ship who refuses the shipping administration authority to conduct a spot check on the ship in accordance with the provisions stipulated in Paragraph 1 of Article 28-3 shall be imposed a fine between NT\$6,000 and NT\$60,000; whenever there is a doubt of seaworthiness of a ship, the shipping administration authority shall prohibit it to navigate and order it to improve within a time limit; the ship may be released for sailing only after the improvement is made.

Article 93 In case of violation of the provisions of Article 9, Paragraph 1 or 2 of Article 11, the shipping administration authority shall impose a fine between NT\$6,000 and NT\$60,000 on the owner or master of a ship, or deck officer of a yacht or a small ship, and order improvement to be made by a specified deadline.

In case of violation of the provisions of Paragraph 1 or 2 of Article 11, the owner of a ship shall be fined NT\$6,000 to NT\$60,000 and shall be improved within a time limit by the shipping administration authority.

Article 94 Under any one of the following circumstances, the shipping administration authority shall impose a fine between NT\$6,000 and NT\$60,000 on the wner or master of a ship, or deck officer of a yacht or a small ship , and order improvement to be made by a

specified deadline.

Those that fail to apply for certificate change or registration, or reissue a ship related certificate of ships by the deadline specified in Paragraph 2 of Article 20 or Paragraph 3 or Article 11, the shipping administration authority shall impose a fine between NT\$6,000 to NT\$60,000 on the owner of a ship.

Article 95 In case of violation of the provisions of Paragraph 1 of Article 61, Article 62, Paragraphs 1 and 2 of Article 65, Paragraph 1 of Article 67 or Article 68, the shipping administration authority shall impose a fine between NT\$6,000 and NT\$60,000 on the owner of a yacht.

Article 96 Ship surveyors violating Article 85 or Article 86 shall be fined between NT\$6,000 and NT\$60,000 by the shipping administration authority.

Article 97 Under any one of the following circumstances, the shipping administration authority shall impose a fine between NT\$3,000 and NT\$30,000 on the owner of a ship:

1. Violation of the provisions of Paragraphs 1 to 3 of Article 10 or Article 14 of failing to apply for the change and registration.

2. Violation of the provisions of Article 17 of failing to register for ownership of a ship within 3 months from the date of obtaining the Provisional Certificate of Vessel's Nationality (Register).

The owner or master of a ship who violates the provisions of Article 18 of failing to apply for renewal or replacement of the Certificate of Vessel's Nationality (Register) within 3 months from the date of obtaining the Provisional Certificate of Vessel's Nationality (Register) will be impose a fine between NT\$3,000 to NT\$30,000 by the shipping administration authority. Yacht owners or deck offices of yachts who violate the provisions of Subparagraph 1 or 3, Paragraph 2 of Article 59 will be imposed a fine between NT\$3,000 to NT\$30,000 by the shipping administration authority.

Article 98 Under any one of the following circumstances, the office of marine administration shall impose a fine between NT\$3,000 and NT\$30,000 on the owner or deck officer of a small ship:

1. Violation of the provisions of the latter half of Paragraph 1 of Article 73, and sailing without a small ship License issued by the shipping administration authority.

2. Violation of the provisions of Subparagraphs 1, Paragraph 2 of Article 74 or Paragraph 2 of Article 80.

Small ship owner who violates the provisions stipulated in Paragraph 1 of Article 75, Article 76, Paragraph 1 of Article 77,

Paragraph 1 of Article 78, or Article 81 shall be imposed a fine between NT\$3,000 to NT\$30,000 by the shipping administration authority.

Article 99 The same ship owner, master, yacht steerer or small ship steerer who has been punished by the shipping administration authority twice or more within one year due to the same act provided in Articles 90 to 92, Article 94, Article 95, Article 97 or Article 98 shall be imposed a suspension of navigation on the ship between 7 days and one months as well.

Article 100 Punishments for the master or deck officer of a ship as stipulated in this Law are applicable to acting masters, deck officers or other persons assuming their duty.
Acting master, deck officer or a person performing his duties who violates the provisions of the preceding paragraph shall be punished in accordance with the provisions of Articles 89 to 94, 98 or 99.
This Law deals with the owner of the ship in Articles 8, 28-3, 30-1, 34-1, Paragraph 3 of Article 52, Paragraph 2 of Article 59, Article 70, and Paragraph 2 of Article 74 shall be applicable to the charterer of the ship.
Any charterer of ship who has violated the provisions of the preceding paragraph shall be punished according to the provisions of Articles 89, 90, Paragraph of Article 91, Article 97, 98 or 99.

Chapter 11 Supplementary Provisions

Article 101 For other rules and regulations on ship technology and management, the competent authority may refer to the standards, recommendations, measures or procedures set down in the relevant international conventions or agreements and their annexes, and adopt them for promulgation and enforcement.

Article 101-1 The administrative investigations of the marine casualty shall be conducted by the shipping administration authority, and the maritime enquiry may be conducted according to the authority or the application of the Party thereof.
The investigator of the preceding paragraph may, after presenting the certificate, board the ship to conduct investigation or identification, interview relevant personnel or request the documents or articles required for the investigation. The respondents shall make a statement according to the facts and may not evade, hinder or refuse without justifiable reasons.
Before the investigation of the first paragraph is completed, the shipping administration authority may control the departure of the vessel or request the National Immigration Agency of MOI to restrict the departure of persons on board. The shipping

administration authority shall simultaneously notify the parties by means of a written clarification of the reasons and a supplementary relief procedure, and shall be delivered according to law.

After the shipping administration authority having completed the investigation, the vessel that is under the control of departure and the person on board who are restricted from leaving the country shall be released from the exit control or request National Immigration Agency of MOI to lift the exit restrictions. In order to conduct maritime enquiry, the shipping administration authority may set up a Maritime Accident Committee with tasks including the evaluation of very serious marine casualty such as ship foundering, collision, stranding or other casualty events. The rules of the composition, investigation procedures, methods of assessment, fees and other matters to be complied with in the Maritime Accident Committee referred to in the preceding paragraph shall be prescribed by the competent authority. In order to handle maritime appraisal, the shipping administration authority may set up a maritime appraisal team with tasks including the evaluation of major maritime cases such as ship sinking, collision, reefing or other accidents. The rules of the composition, investigation procedures, methods of assessment, fees and other matters to be complied with in the maritime appraisal team referred to in the preceding paragraph shall be prescribed by the competent authority.

Article 102 This Law shall come into force on the date of promulgation, unless otherwise specified