

Disaster Prevention and Response Act

52 Articles published under Presidential Order Hus-Tsung-(I)-Yi-Tzu No. 8900178710, July 19, 2000

Addition of Article 39-1, published under Presidential Order Hua-Tsung-(I)-Yi-Tzu No.09100108310, May 29, 2002

Chapter One: General Provisions

(Purpose of Legislation)

Article 1: Disaster Prevention and Response Act (the Act) has been incorporated for the development and improvement of a disaster prevention and response system of functions to protect the safety of the people' s life and properties and conservation of the homeland.

Other laws shall become applicable to any things and matters related to Disaster not specifically provided in the Act.

(Definition)

Article 2: Terms whenever appear in the Act shall carry the following meanings:

1. Disaster: hazards caused by any of the following disasters:
 - (1) Nature disaster including typhoon, flooding, earthquake, draught, frost, and debris flow; and
 - (2) Major fire, explosion, civil utilities, power transmission line, fuel pipe line, traffic accidents, shipwreck and aircraft crash, toxic chemical materials disaster.
2. Disaster Prevention and Response: refers to mitigation and preparedness before disaster, response actions during disaster, and recovery after disaster.
3. Plans of Disaster Management: including the basic plan, operation plan and regional plan of Disaster Prevention and Response.
4. Basic Plan of Disaster Prevention and Response: refers to the national Disaster Prevention and Response plan authorized by the National Disaster Prevention and Response Council.
5. Operation Plan of Disaster Prevention and Response: refers to the Disaster Prevention and Response plan prepared by the central regulating authorities of Disaster Prevention and Response operation or the civil utilities for their respective business or administrative functions.

6. Regional Plan of Disaster Prevention and Response: refers to the municipal, or county/city Disaster Prevention and Response plan respectively authorized by the Disaster Prevention and Response Council of municipal, or county/city, or town.

(Central Regulating Authorities of Disaster Prevention and Response)

Article 3: Depending on the type of the disaster, the following agencies shall be the central regulating authorities for the Disaster Prevention and Response in charge of command, supervision and coordination among administrative agencies and civil utilities to carry out Disaster Prevention and Response operation:

1. Typhoon, earthquake, major fire, explosion: Ministry of the Interior ;
2. Flooding, draught, civil utilities and fuel pipeline, power transmission line disaster: Ministry of Economic Affairs ;
3. Frost, debris flow: Commission for Agricultural Affairs, Executive Yuan;
4. Traffic Accidents, shipwreck and aircraft crash: Ministry of Transportation and Communications;
5. Toxic Chemical Materials: Environment Protection Administration, Executive Yuan;
6. Other disasters: the central regulating authorities of Disaster Prevention and Response operation duly appointed or designated by the National Disaster Prevention and Response Council.

(Regulating Authorities)

Article 4: For the purpose of the Act, the regulating authorities at the central level shall be Ministry of the Interior; municipality, the municipal government; and county/city, the county/city government.

(Necessary Action & Report)

Article 5: The central regulating authorities of Disaster Prevention and Response may adopt to legal, administrative and financial actions for the purpose of Disaster Prevention and Response and shall report such actions to Legislative Yuan.

Chapter Two: Disaster Organization

(Duties of the Disaster Prevention and Response Council)

Article 6: There shall be a National Disaster Prevention and Response Council established

by Executive Yuan in charge of the following duties:

1. To define the basic Disaster Prevention and Response guidelines;
2. To authorize Disaster Prevention and Response basic plan and the Disaster Prevention and Response operation plans of the central regulating authorities ;
3. To authorize important Disaster Prevention and Response policy and countermeasures;
4. To authorize emergency action in case of nationwide disaster;
5. To supervise, evaluate the performance of Disaster Prevention and Response of the central administration, municipal, and county/city governments; and
6. To carry out any other things and matters as provided by the law or regulations.

(Organization of the National Disasters Prevention and Response Council)

Article 7: There shall be one each of a summoner and a deputy summoner to be respectively chaired by the Premier and the Vice Premier of Executive Yuan; and several councilers to be assigned or employed on part-time basis from the incumbent ministers without portfolio, directors of agencies involved, Disaster Prevention and Response experts and scholars by the Premier of Executive Yuan for the National Disaster Prevention and Response Council.

To carry out the Disaster Prevention and Response policy authorized by the National Disaster Prevention and Response Council and to promote major Disaster Prevention and Response duties and actions, the Vice Premier of Executive Yuan shall also chair the National Disasters Prevention and Response Commission of Executive Yuan, supported by full-time staffs organized in different divisions to deal with the operation with the organization procedure, the organization to be enacted by Executive Yuan.

To provide Disaster Prevention and Response consultation, facilitate following through Disaster Prevention and Response technology research and development, and improve Disaster Prevention and Response policies and actions, there shall be a Disaster Prevention and Response Experts Advisory Commission provided for the National Disasters Prevention and Response Commission of Executive Yuan.

To carry out its Disaster Prevention and Response operation, Ministry of the Interior shall found National Fire and Disaster Prevention and Response Administration.

(Duties of Municipal, County/City Disaster Prevention and Response Council)

Article 8: Duties of the municipal, and county/city Disaster Prevention and Response Council respectively established by the municipal, county/city government are:

1. To authorize the regional Disaster Prevention and Response Council plan developed for the municipal, county/city;
2. To authorize essential Disaster Prevention and Response policy and countermeasures;
3. To authorize emergency action in case of disaster within its jurisdiction;
4. To supervise, evaluate the performance of Disaster Prevention and Response Council within its jurisdiction; and
5. To carry out any other things and matters as provided by the laws.

(Organization of the Municipal, and County/City Disaster Prevention and Response Councils)

Article 9: There shall be one summoner and one or two deputy summoner to be respectively chaired by the administrator and deputy administrator of municipal, county/city government; and several councilors to be assigned or employed on part-time basis from the military representatives, directors of agencies and divisions involved, Disaster Prevention and Response experts and scholars by the municipal, county/city mayor for the municipal, or county/city Disaster Prevention and Response Council.

To serve as a contact window for the municipal, or county/city Disaster Prevention and Response Council, the municipal, county/city government shall provide a dedicated unit to handle the affairs.

To provide consultation for Disaster Prevention and Response works, the municipal, or county/city Disaster Prevention and Response Council may create own Disaster Prevention and Response experts advisory commission.

(Duties of Town Disaster Prevention and Response Council)

Article 10: There shall be a town Disaster Prevention and Response Council in charge of the following duties created by the town office:

1. To authorize the regional Disaster Prevention and Response plan developed for the town;
2. To authorize essential policy and action of Disaster Prevention and Response;
3. To promote disaster emergency action;
4. To promote community Disaster Prevention and Response things and matters; and
5. To carry out any other things and matters as provided by the law.

(Organization of Town Disaster Prevention and Response Councils)

Article 11: There shall be one each of a summoner, a deputy summoner and several councilors for the town Disaster Prevention and Response Council. The mayor of the town shall be the summoner; the general secretary or secretary of the town office shall be the deputy summoner; and representatives from divisions designated in the regional Disaster Prevention and Response plan shall be assigned or employed on part-time basis.

The mayor of the town shall designate divisions to carry out the Disaster Prevention and Response operation of the town.

(Establishment of Local Emergency Operation Center)

Article 12: In case of any disaster takes place or the risk of a disaster presents, the promoter of the municipal, county/city, or town Disaster Prevention and Response Council shall depending on the gravity of the disaster create and direct a emergency operation center to prevent disaster or effectively carry out disaster emergency action and to be command officer.

The municipal, county/city and town government shall enact the timing, procedure and organization of such emergency operation center.

(Establishment of Central Emergency Operation Center)

Article 13: In case of a major disaster or risk of such major disaster presents, the administrator of the regulating authorities of Disaster Prevention and Response shall immediately report it to the summoner of the National Disaster Prevention and Response Council. In turn, the summoner, depending on the gravity and nature of the disaster, may decide to create a Disaster Emergency Operation Center and appoint a command officer.

Executive Yuan shall specify the timing, procedure and organization for the creation of the central emergency operation center referred in the first paragraph herein.

(Establishment of Emergency Action Teams)

Article 14: To handle Disaster Prevention and Response things and matters or support the disaster emergency operation center of each level in carrying out disaster emergency actions in case of a disaster or risk of disaster presents, any agency, division or civil utilities designated in the Disaster Prevention and Response operation plan and regional Disaster Prevention and Response plan shall create an emergency mission to carry out the emergency actions.

(Joint Operation of Disaster Prevention and Response Councils & National Defense Mobilization Stand-by System)

Article 15: The Disaster Prevention and Response Councils at each level shall joint the national defense mobilization stand-by system in carrying out things and matters related to Disaster Prevention and Response, emergency action and mobilization with the procedure to be duly set forth jointly by Ministry of the Interior and government agencies involved.

(Establishment of Search & Rescue Organization)

Article 16: Fire and Disaster Prevention and Response Departments of the Ministry of the Interior shall create and maintain a special search and rescue team and a training center; while the municipal, or county/city government shall create and maintain a search and rescue organization to carry out emergency actions in case of a major disaster.

Chapter Three: Plan of Disaster Prevention and Response

(Development & Review of Disaster Prevention and Response Basic Plan)

Article 17: The Disaster Prevention and Response basic plan shall be developed by the National Disaster Prevention and Response Commission of Executive Yuan to seek the approval from the National Disaster Prevention and Response Council to be separately notified in writing to each central Disaster Prevention and Response operation regulating authorities, municipal, and county/city governments to carry out Disaster Prevention and Response things and countermeasures.

The Disaster Prevention and Response basic plan referred in the first paragraph herein shall be periodically reviewed, and from time to time if required.

(Contents of Disaster Prevention and Response Basic Plan)

Article 18: The Disaster Prevention and Response basic plan shall include:

1. Overall long-term Disaster Prevention and Response plan;
2. Important things and matters of the Disaster Prevention and Response operation plan and the regional Disaster Prevention and Response plan; and
3. Any other things and matters deemed as necessarily by the National Disaster Prevention and Response Council.

The Disaster Prevention and Response plan, Disaster Prevention and Response operation plan and the regional Disaster Prevention and Response plan referred in those subparagraphs above shall include:

1. Disaster prevention related things and matters;

2. Disaster emergency strategies related things and matters;
3. Things and matters related to restoration and reconstruction after the disaster; and
4. Any other things and matters deemed as necessarily by Disaster Prevention and Response Council respectively of other administrative agencies, civil utilities, municipality, county/city and town.

Any Disaster Prevention and Response plan and Disaster Prevention and Response related regulations made by the administrative agency by the operation of any other laws should not be contradictory to the Act.

(Development & Report for Approval Procedure of Civil Utilities Disaster Prevention and Response Operation Plan)

Article 19: Civil utilities shall develop the Disaster Prevention and Response operation plan according to the Disaster Prevention and Response basic plan to seek the approval from the central regulating authorities of public sector.

The central Disaster Prevention and Response operation regulating authorities shall based on the Disaster Prevention and Response basic plan develop within its jurisdiction of the Disaster Prevention and Response operation plan to seek the approval for action from the National Disaster Prevention and Response Council.

(Development & Report for Approval Procedure of Regional Disaster Prevention and (Response Operation Plan)

Article 20: Executive unit of the municipal, or county/city Disaster Prevention and Response Council shall develop own regional Disaster Prevention and Response plan depending on the Disaster Prevention and Response basic plan, related Disaster Prevention and Response operation plan and potential characteristics of the regional disasters to seek the approval from respective Disaster Prevention and Response Council for action and to report the regional plan to the National Disaster Prevention and Response Council.

Any regional Disaster Prevention and Response plan developed as described in the first paragraph herein shall never contradict to the Disaster Prevention and Response basic plan and related Disaster Prevention and Response operation plan.

Town office shall develop own regional Disaster Prevention and Response plan by following the Disaster Prevention and Response plan prepared by its superior organization and depending on the potential characteristics of the regional disasters to seek the approval from its Disaster Prevention and Response Council for action while reporting its regional Disaster Prevention and Response plan to its superior Disaster Prevention and Response Council.

Any regional Disaster Prevention and Response plan developed as described in the preceding paragraph shall never contradict to the superior Disaster Prevention and Response plan.

(Conflict solution)

Article 21: Any pending conflict between Disaster Prevention and Response operation plans or regional Disaster Prevention and Response plans shall be reported to Disaster Prevention and Response Council of Executive Yuan for settlement.

Chapter Four: Disaster Prevention

(Work Items for Disaster Prevention or Reduction)

Article 22: To prevent disaster or reduce the damages caused by the disaster, governments from each level depending on its functional authorities shall carry out the following things and matters:

1. Development, budgeting, implementation and review of Disaster Prevention and Response;
2. Education, training and propaganda of Disaster Prevention and Response;
3. Application of Disaster Prevention and Response technology Research and Development results;
4. Mountain maintenance, flooding prevention and conservation of any other national land;
5. Inspection, reinforcement and maintenance of old building, important public building and Disaster Prevention and Response facilities and equipment, and improvement of urban Disaster Prevention and Response mechanism;
6. Observation, collection, analysis and documentation of meteorological, geological, hydraulic and other related information required for Disaster Prevention and Response;
7. Investigation, analysis of disaster potentials, hazardous degree and situation simulation in scientific approaches, and publishing the results as applicable;
8. Entering into mutual Disaster Prevention and Response support agreement between local government and civil utilities;
9. Creation of community Disaster Prevention and Response group, civil Disaster Prevention and Response voluntary organization, and providing promotion, guidance, assistance and incentives for their actions;
10. Promotion of disaster insurance;

11. Disaster Prevention and Response supports required by the minorities;
12. Establishment, exchange and international cooperation of Disaster Prevention and Response information network; and
13. Any other things and matters related to Disaster Prevention and Response.

(Preparation of Emergency Action)

Article 23: Governments and related civil utilities shall have the following routines well prepared for effective carrying out emergency actions:

1. Readiness of the Disaster Prevention and Response organization;
2. Disaster Prevention and Response training and drill;
3. Disaster monitor, forecast, release alarm and reinforcement of their facilities;
4. Configuration, maintenance and reinforcement of information collection, communication and commanding related to the disaster situation;
5. Storage, preparation and inspection of Disaster Prevention and Response materials;
6. Preparation and readiness of Disaster Prevention and Response facilities and equipment;
7. Improvement of barriers to Disaster Prevention and Response emergency action;
8. Coordination in supports for international disaster rescue operation; and
9. Any other preparation required for emergency action.

(Emergency Evacuation)

Article 24: In case of a disaster or the risk of a disaster presents, the municipal, county/city governments, or the town office to protect the public, their properties or prevent further expansion of the disaster shall advise or instruct the people to evacuate and provide the proper relocation.

(Disaster Prevention and Response Training and Drill)

Article 25: Government of each level and civil utilities concerned shall carry out Disaster Prevention and Response training and drill.

In the course of such training and drill as specified in the first paragraph herein, all the employees from the government and civil utilities, residents and other public, private institutes, groups, companies and industrial facilities are required to get involved or provide assistance.

Any one from government, institute, group, company or industrial facilities who participates in the training and drill as specified in the preceding paragraph shall be granted with a public leave.

(Assignment of Full-time Disaster Prevention and Response Staff)

Article 26: Government of each level and civil utilities shall assign full-time staff to carry out Disaster Prevention and Response works.

Chapter Five: Disaster Emergency Action

(Work Items of Emergency Action)

Article 27: Government of each level and the civil utilities concerned shall carry out the following work items of disaster emergency action:

1. Release the alarm, alarm transmission, emergency alert, evacuation, rescue, advise of evacuation, information collection of disaster situation and report of damage;
2. Fire fighting, flooding prevention and other emergency actions;
3. Providing temporary accommodation, social rescue and special protection measures for the minorities;
4. Emergency cares for the children and students affected by the disaster;
5. Emergency handling of hazardous materials, facilities and equipment;
6. Sterilization, disease prevention, inspection of food and any other health routines;
7. Determination of warning zone, traffic control, order maintenance and crime control and prevention;
8. Rescue, first aid and transportation of the injured;
9. Inspection and disposal of the bodies of victims and their belongings;
10. Supply and allotment of consumer products and potable water;
11. Prevention and emergency repair of irrigation facilities and agricultural crops;

12. Emergency repair of public facilities including railway, highway, rapid transportation system, air station, seaports, public gas and fuel pipeline, power transmission line, telecommunication, and tap water.
13. Emergency verification of hazardous building;
14. Custody and disposal of drifts, sunk objects and other objects from the salvation;
15. Complete documentation of the emergency action taken; and
16. Any other actions required in coping with emergency and prevention of expansion of disaster.

(Commanding Authorities & Operation Place of Emergency Operation Center)

Article 28: Upon creating the emergency operation center at each level, the administrator of the government shall either in person or designate a representative to reside in the Center to carry out the emergency actions. The command officer of the Center shall be the highest-ranking official in charge of commanding, coordination and integration.

Each level of the emergency operation center shall maintain a permanent site for its operation to keep sufficient disaster control and prevention equipment and conduct periodical drills.

(Integration, Organization and Training of Disaster Prevention and Response Resources)

Article 29: Upon creating the emergency operation center at each level, the command officer of the Center shall command, supervise and coordinate among national army, fire department, police department, involved government agencies, civil utilities, organization of reserve military personnel, civil defense organization, community Disaster Prevention and Response groups and civil Disaster Prevention and Response volunteers in carrying out disaster rescue works.

Procedures governing the organization, training, supporting disaster rescue by those organization of reserve military personnel, civil defense organization, community Disaster Prevention and Response groups and civil Disaster Prevention and Response volunteers described in the preceding paragraph shall be set forth by Ministry of the Interior jointly with government agencies involved.

(Disaster Report & Taking Necessary Action Responsibilities)

Article 30: Anyone shall take initiative to report any disaster or the risk of disaster to the fire or police department, the village master or secretary.

Upon receiving the report, the fire or police department, the village master or the secretary shall promptly take necessary actions.

Upon discovering, being notified of a disaster or the risk of a disaster, the government at each level and the civil utilities should take the initiative to collect and communicate information on the disaster and promptly take necessary actions.

(Disposition or Injunction Taken within Emergency Area)

Article 31: The command officer of the emergency operation center may as required by emergency actions make the following dispositions or injunctions:

1. Drafting any professionals and technicians for their assistance in rescue;
2. Designating a certain area to limit or restrict entry or clear the area, or designating an area among roads, on the surface, and/or an air altitude to restrict pass by vehicles, sea vessels and/or aircrafts;
3. Requisition of searching dog, salvation supplies, vehicles, sea vessels, or aircraft, land, building and/or work object;
4. Demolish of hazardous building and/or work object, and removal of barriers to the site of disaster;
5. Having the top priority to use the media and communication equipment to collect and broadcast the disaster and emergency action relation information; and
6. Any other emergency disposition may be required.

(Injunction)

Article 32: For the purpose of carrying out the action specified in Article 27, the government at each level may issue injunctive order to those who engaging in the manufacturing, transportation, trading and custody of materials needed for the action, to have those materials under custody or requisition the same.

To exercise the injunctive order referred in the preceding paragraph, the government may send its employee showing his/her ID to enter the business place of any of those businesses or the place where the materials are stored for inspection.

(Claim for Damages by Civilian)

Article 33: Any civilian sustaining loss to his/her properties as a result of the disposition, injunctive order or action made pursuant to Article 31 and Article 32.1 of the Act may claim for

damages unless such loss is attributable to the civilian.

The damages shall be paid in money and at a sum not greater than the loss as incurred.

The claim shall be honored by the government when confirmed after investigation within six months.

No claim for damages will be accepted when filed four years or longer after the date of the loss sustained.

(Request of Support)

Article 34: If the town office fails to cope with a disaster, the county/city government shall take the initiative to send its employees to provide the support, or assign coordinators to provide support and assistance as requested by the town office.

If the municipal, or county/city government fails to cope with a disaster, the central Disaster Prevention and Response operation regulating authorities shall take the initiative to send its employees to provide the support, or assign coordinators to provide support and assistance as requested by the municipal, or county/city government.

Items and procedure of support referred in the first two paragraphs herein shall be separately specified by the central Disaster Prevention and Response operation regulating authorities and the county/city government.

If the municipal, or county/city government, or the central Disaster Prevention and Response operation regulating authorities fails to cope with the disaster, it may request supports from the national army in a procedure to be jointly determined by Ministry of the Interior and government agencies involved.

(Alarm Signal Required in Emergency)

Article 35: Unless otherwise provided by other laws, classification, contents, method and release timing of alarm signals to be released during the emergency action, shall be specified by each central Disaster Prevention and Response operation regulating authorities to seek the approval from the National Disaster Prevention and Response Council for publication.

Alarm signals referred in the first paragraph and any similar signals shall not be used unless otherwise permitted.

Chapter Six: Restoration & Reconstruction after Disaster

(Restoration & Reconstruction)

Article 36: Government at each level and civil utilities concerned shall carry out restoration and reconstruction after a disaster pursuant to applicable laws and Disaster Prevention and Response plan while encouraging the civil organizations and enterprises to provide supports.

(Creation & Dismissal of Reconstruction Promotion Council)

Article 37: To carry out restoration and reconstruction after a disaster, government at each level may create a council to promote the reconstruction with members to be assigned from all agencies concerned. The article of incorporation of such a council shall be set forth by the respective government.

The Reconstruction Promotion Council may only be dismissed upon the completion of the restoration and reconstruction after a disaster.

Chapter Seven: Penal Clauses

(Offense against Requisition, Priority Use or Custody)

Article 38: Any of the following offenses shall be subject to a penal sum not less than NT\$100,000 and not greater than NT\$500,000:

1. Noncompliance with Articles 31.1, 31.3 or 31.5; or
2. Noncompliance with Para. 1 of Article 32.

(Offense against Mandatory Demolishment & Abuse of Alarm Signals)

Article 39: Any of the following offenses shall be subject to a penal sum not less than NT\$50,000 and not greater than NT\$250,000:

1. Noncompliance with Articles 31.2, or 31.4; or
2. Noncompliance with Para. 2 of Article 35.

(Reimbursement of Salvation Costs)

Article 39-1: In the event that any one in distress by violating the requirements set forth in Article 31.2 and has been rescued by the emergency operation center, the emergency operation center may demand the reimbursement of costs from the one so rescued.

Terms governing the agency, timing and procedure to make the demands shall be determined by Ministry of the Interior jointly with agencies concerned.

(Offense against Emergency Action and Inspection)

Article 40: Any of the following offenses shall be subject to a penal sum not less than NT\$30,000 and not greater than NT\$150,000:

1. Offense against Article 31.6; or
2. Avoidance, refusal or interference with the inspection given under Para. 2 of Article 32.

(Weighted Criminal Liabilities)

Article 41: Any one taking the advantage of a disaster to commit larceny, blackmail, robbery, or loot shall be subject to punishment by the criminal law with an additional 50% penalty to the principal sentence.

(Injunction)

Article 42: Any failure to pay the penal sum prescribed in the Act within the given time shall be transferred to the court for an injunctive order.

Chapter Eight: Additional Articles

(Adjustment & Operation of Disaster Prevention and Response Expenditures)

Article 43: Expenditures needed to carry out disaster prevention and rescue under the Act shall be duly prepared with the budgets by the government at each level according to those things and matters to be undertaken as provided by the Act.

Receipts and payments of then current fiscal year may be adjusted as applicable without being subject to Articles 62 and 63 of Budget Act when such adjustment is required in the event that the budget prepared for the expenditures of Disaster Prevention and Response is insufficient to pay the costs of the emergency action during the disaster, and the restoration and reconstruction after the disaster.

(Loans & Tax Reduction, Exemption or Suspension of Reconstruction Funds)

Article 44: National Disaster Prevention and Response Commission of Executive Yuan shall promptly cause the financial institutes to provide loans at lower interest rate to meet the funds required for the construction by the people from the disaster affected areas.

National Disaster Prevention and Response Commission of Executive Yuan shall specify the ceiling amount of the loans, interest subsidies, and loan operation procedure for the purpose of the

first paragraph herein. Subsidies for interest payment shall be paid from the budget to be prepared by the government of each level. In deciding the range of subsidies for interest payment, the extent of damage suffered by the people from the disaster affected areas and their capability of independent reconstruction shall be taken into consideration.

National Disaster Prevention and Response Commission of Executive Yuan shall no later than the commencement to levy taxes for the current fiscal year after the incidence of the disaster or the next fiscal year immediately followed set forth tax reduction or suspended levy pursuant to the act.

(Application of Private Donation)

Article 45: Any and all private donations for disaster rescue shall be applied in general by the government on conditions that the government shall respect the comments of the donors to have the donations to be exclusively applied for things and matters directly related to disaster rescue. No donations shall be applied for payments of administrative or operation costs. Detailed accounts of payments made from the donations shall be published.

(Commendation of Disaster Prevention Merits)

Article 46: Any organization or individual who has given extraordinary contributions to engage in Disaster Prevention and Response works shall be duly commended by the government of each level.

(Compensation)

Article 47: Any one becomes injured, ill, handicapped, or dead in the course of carrying out Disaster Prevention and Response action under the Act, payment(s) may be claimed according to applicable requirements related to his/her regular job.

In the event that the claim described in the first paragraph herein is prevented from claiming payments, the payment(s) shall be paid according to the following requirements by referring to that permitted for the voluntary fire control personnel; and the government shall prepare the budget for the expenditures required for the payments:

1. Ill or injury: a certificate for such ill or injury issued by the government shall be produced to a public hospital or a contracted hospital to receive medical care: Provided, however, that medical care may be sought from any hospital in case of emergency.

2. Handicapped: the handicapped payment shall be paid in a lump sum depending on the gravity of the injury as follows:

(1) Extremely severe and severe degree: 36 cardinals payable;

(2) Intermediate degree: 18 cardinals payable; or

(3) Mild degree: 8 cardinals.

3. Death in the event: 90 cardinals payable

4. Death within one year after the event: payment to be made up in a lump sum as provided herein.

For the purpose of this Article, the amount of one cardinal shall not be less than that of a monthly remuneration of an annual remuneration payable to a public service of the fifth job ranking.

For the purpose of the second paragraph, the handicapped degree shall be determined pursuant to Act of Protection of the Handicapped and applicable regulations.

Any payment already claimed under the first paragraph herein when is lower than that specified in Subparagraphs 2 through 4 of the second paragraph shall be made up and paid to the claimant.

Payments to be made under the second paragraph and the shortage to be made up as provided in the preceding paragraph of this Article shall be approved and released by the government.

(Disaster Prevention and Response Category and Standard)

Article 48: Categories and standards for the purpose of supports to be provided for the disaster shall be unified and specified jointly by the central Disaster Prevention and Response operation regulating authorities and the municipal, or county/city government.

(Requisition & Reimbursement)

Article 49: Any requisition made under the Act shall be reimbursed with the procedure to be specified by Ministry of the Interior.

(Certification of Civil Disaster Prevention and Response Voluntary Organization)

Article 50: Registration and work permit for the civil voluntary organizations to help carrying out Disaster Prevention and Response works under the Act shall be certified by Ministry of the Interior pursuant to the certification procedure specified also by Ministry of the Interior. Course, and training expenditures required for the certification may be subsidized by respective budget prepared by Ministry of the Interior.

The government shall purchase and maintain disaster rescue policies and may help provide salvation equipment for those who are members of civil Disaster Prevention and Response voluntary organization certified pursuant to the first paragraph herein.

(Bylaws)

Article 51: Bylaws of the Act shall be set forth by Ministry of the Interior.

(Effective Date)

Article 52: The Act shall become operative on and after the date it is published.