

法規名稱：集會遊行法

修正日期：民國 110 年 01 月 27 日

第 1 條

為保障人民集會、遊行之自由，維持社會秩序，特制定本法。

本法未規定者，適用其他法律之規定。

第 2 條

本法所稱集會，係指於公共場所或公眾得出入之場所舉行會議、演說或其他聚眾活動。

本法所稱遊行，係指於市街、道路、巷弄或其他公共場所或公眾得出入之場所之集體行進。

第 3 條

本法所稱主管機關，係指集會、遊行所在地之警察分局。

集會、遊行所在地跨越二個以上警察分局之轄區者，其主管機關為直轄市、縣（市）警察局。

第 4 條

集會遊行不得主張共產主義或分裂國土。

第 5 條

對於合法舉行之集會、遊行，不得以強暴、脅迫或其他非法方法予以妨害。

第 6 條

集會、遊行不得在左列地區及其週邊範圍舉行。但經主管機關核准者，不在此限：

- 一、總統府、行政院、司法院、考試院、各級法院及總統、副總統官邸。
- 二、國際機場、港口。
- 三、重要軍事設施地區。
- 四、各國駐華使領館、代表機構、國際組織駐華機構及其館長官邸。

前項第一款、第二款地區之週邊範圍，由內政部劃定公告；第三款地區之週邊範圍，由國防部劃定公告。但均不得逾三百公尺。第四款地區之週邊範圍，由外交部劃定公告。但不得逾五十公尺。

第 7 條

集會、遊行應有負責人。

依法設立之團體舉行之集會、遊行，其負責人為該團體之代表人或其指定之人。

第 8 條

室外集會、遊行，應向主管機關申請許可。但左列各款情形不在此限：

- 一、依法令規定舉行者。
- 二、學術、藝文、旅遊、體育競賽或其他性質相類之活動。

三、宗教、民俗、婚、喪、喜、慶活動。

室內集會無須申請許可。但使用擴音器或其他視聽器材足以形成室外集會者，以室外集會論。

第 9 條

室外集會、遊行，應由負責人填具申請書，載明左列事項，於六日前向主管機關申請許可。但因不可預見之重大緊急事故，且非即刻舉行，無法達到目的者，不受六日前申請之限制：

一、負責人或其代理人、糾察員姓名、性別、職業、出生年月日、國民身分證統一編號、住居所及電話號碼。

二、集會、遊行之目的、方式及起訖時間。

三、集會處所或遊行之路線及集合、解散地點。

四、預定參加人數。

五、車輛、物品之名稱、數量。

前項第一款代理人，應檢具代理同意書；第三款集會處所，應檢具處所之所有人或管理人之同意文件；遊行，應檢具詳細路線圖。

第 10 條

有下列情形之一者，不得為應經許可之室外集會、遊行之負責人、其代理人或糾察員：

一、未成年。

二、無中華民國國籍。

三、經判處有期徒刑以上之刑確定，尚未執行或執行未畢。但受緩刑宣告者，不在此限。

四、受保安處分之裁判確定，尚未執行或執行未畢。

五、受監護或輔助之宣告，尚未撤銷。

第 11 條

申請室外集會、遊行，除有左列情事之一者外，應予許可：

一、違反第六條或第十條規定者。

二、有明顯事實足認為有危害國家安全、社會秩序或公共利益者。

三、有明顯事實足認為有危害生命、身體、自由或對財物造成重大損壞者。

四、同一時間、處所、路線已有他人申請並經許可者。

五、未經依法設立或經撤銷、廢止許可或命令解散之團體，以該團體名義申請者。

六、申請不合第九條規定者。

第 12 條

室外集會、遊行申請之許可或不許可，主管機關應於收受申請書之日起三日內以書面通知負責人。

依第九條第一項但書之規定提出申請者，主管機關應於收受申請書之時起二十四小時內，以書面通知負責人。

主管機關未在前二項規定期限內通知負責人者，視為許可。

第 13 條

室外集會、遊行許可之通知書，應載明左列事項：

- 一、負責人姓名、出生年月日、住居所；有代理人者，其姓名、出生年月日、住居所。
- 二、目的及起訖時間。
- 三、集會處所或遊行之路線及集合、解散地點。
- 四、參加人數。
- 五、車輛、物品之名稱、數量。
- 六、糾察員人數及其姓名。
- 七、限制事項。
- 八、許可機關及年月日。

室外集會、遊行不予許可之通知書，應載明理由及不服之救濟程序。

第 14 條

主管機關許可室外集會、遊行時，得就左列事項為必要之限制：

- 一、關於維護重要地區、設施或建築物安全之事項。
- 二、關於防止妨礙政府機關公務之事項。
- 三、關於維持交通秩序或公共衛生之事項。
- 四、關於維持機關、學校等公共場所安寧之事項。
- 五、關於集會、遊行之人數、時間、處所、路線事項。
- 六、關於妨害身分辨識之化裝事項。

第 15 條

室外集會、遊行經許可後，因天然災變或重大事故，主管機關為維護社會秩序、公共利益或集會、遊行安全之緊急必要，得廢止許可或變更原許可之時間、處所、路線或限制事項。其有第十一條第一款至第六款情事之一者，應撤銷、廢止許可。

前項之撤銷、廢止或變更，應於集會、遊行前以書面載明理由，通知負責人；集會、遊行時，亦同。

第 16 條

室外集會、遊行之負責人，於收受主管機關不予許可、許可限制事項、撤銷、廢止許可、變更許可事項之通知後，其有不服者，應於收受通知書之日起二日內以書面附具理由提出於原主管機關向其上級警察機關申復。但第十二條第二項情形，應於收受通知書之時起二十四小時內提出。

原主管機關認為申復有理由者，應即撤銷或變更原通知；認為無理由者，應於收受申復書之日起二日內連同卷證檢送其上級警察機關。但第十二條第二項情形，應於收受申復書之時起十二小時內檢送。

上級警察機關應於收受卷證之日起二日內決定，並以書面通知負責人。但第十二條第二項情形，應於

收受卷證之時起十二小時內決定，並通知負責人。

第 17 條

依前條規定提出之申復，不影響原通知之效力。

第 18 條

集會、遊行之負責人，應於集會、遊行時親自在場主持，維持秩序；其集會處所、遊行路線於使用後遺有廢棄物或污染者，並應負責清理。

第 19 條

集會、遊行之負責人，因故不能親自在場主持或維持秩序時，得由代理人代理之。

前項代理人之權責與負責人同。

第 20 條

集會、遊行之負責人，得指定糾察員協助維持秩序。

前項糾察員在場協助維持秩序時，應佩戴「糾察員」字樣臂章。

第 21 條

集會、遊行之參加人，應服從負責人或糾察員關於維持秩序之指揮。

對於妨害集會遊行之人，負責人或糾察員得予以排除。受排除之人，應立即離開現場。

第 22 條

集會、遊行之負責人，宣布中止或結束集會、遊行時，參加人應即解散。

宣布中止或結束後之行為，應由行為人負責。但參加人未解散者，負責人應負疏導勸離之責。

第 23 條

集會、遊行之負責人，其代理人或糾察員及參加人均不得攜帶足以危害他人生命、身體、自由或財產安全之物品。

第 24 條

集會、遊行時，警察人員得到場維持秩序。

主管機關依負責人之請求，應到場疏導交通及維持秩序。

第 25 條

有左列情事之一者，該管主管機關得予警告、制止或命令解散：

- 一、應經許可之集會、遊行未經許可或其許可經撤銷、廢止而擅自舉行者。
- 二、經許可之集會、遊行而有違反許可事項、許可限制事項者。
- 三、利用第八條第一項各款集會、遊行，而有違反法令之行為者。
- 四、有其他違反法令之行為者。

前項制止、命令解散，該管主管機關得強制為之。

第 26 條

集會遊行之不予許可、限制或命令解散，應公平合理考量人民集會、遊行權利與其他法益間之均衡維護，以適當之方法為之，不得逾越所欲達成目的之必要限度。

第 27 條

經許可集會、遊行之負責人或代理人違反第十八條規定者，處新臺幣三萬元以下罰鍰。

第 28 條

集會、遊行，經該管主管機關命令解散而不解散者，處集會、遊行負責人或其代理人或主持人新臺幣三萬元以上十五萬元以下罰鍰。

集會遊行負責人未盡第二十二條第二項但書之責，致集會遊行繼續進行者，處新臺幣三萬元以下罰鍰。

第 29 條

集會、遊行經該管主管機關命令解散而不解散，仍繼續舉行經制止而不遵從，首謀者處二年以下有期徒刑或拘役。

第 30 條

集會、遊行時，以文字、圖畫、演說或他法，侮辱、誹謗公署、依法執行職務之公務員或他人者，處二年以下有期徒刑、拘役或科或併科新臺幣六萬元以下罰金。

第 31 條

違反第五條之規定者，處二年以下有期徒刑、拘役或科或併科新臺幣三萬元以下罰金。

第 32 條

集會、遊行時，糾察員不法侵害他人之權利者，由負責人與行為人連帶負損害賠償責任。但行為人基於自己意思之行為而引起損害者，由行為人自行負責。

第 33 條

第二十三條規定之物品，不問屬於何人所有，均得扣留並依法處理。

第 34 條

依本法所處罰鍰，經通知繳納逾期不繳納者，移送法院強制執行。

第 35 條

本法自公布日施行。

Title : Assembly and Parade Act

Amended Date : 2021-01-27

Category : Ministry of the Interior

Article 1 This Act is enacted to protect people's right to the freedom of assembly and parade, and to maintain social order.

In cases where this law is not applicable, the provisions of other laws shall apply.

Article 2 The term "Assembly" hereinafter used in this Act refers to the meetings, speeches, or other mass activities held in public places or locations accessible to the public.

The term "Parade" hereinafter used in this Act refers to an organized public procession on the streets, roads, alleys, or in other public places or locations accessible to the public.

Article 3 The term "Competent authority" hereinafter used in this Act refers to the police precinct that has jurisdiction over the place where the assembly or parade takes place.

If the location of the assembly or parade spans the jurisdictions of two or more police precincts, the competent authority shall be the municipal or county (city) police department.

Article 4 Assemblies and parades must not advocate communism or territorial separation.

Article 5 For legally held assemblies and parades, they must not be obstructed through violence, intimidation, or other unlawful means.

Article 6 Unless approved by the competent authority, any assembly or parade shall not be held in the following areas or their surroundings:

1. Presidential Office, Executive Yuan, Judicial Yuan, Examination Yuan, all levels of courts, as well as the official residences of the President and Vice President.
2. International airports and seaports.
3. Areas around important military installations.
4. Foreign embassies, consulates, representative agencies, international organizations and the official residences of their chief directors in the Republic of China (Taiwan).

The areas surrounding the locations mentioned in the preceding paragraphs, as specified in the first and second paragraphs, shall be designated and announced by the Ministry of the Interior, but shall not exceed 300 meters. The areas surrounding the locations mentioned in the third paragraph shall be designated and announced by the Ministry of National Defense, but shall not exceed 300 meters. The areas surrounding the locations mentioned in the fourth paragraph shall be designated and announced by the Ministry of Foreign Affairs, but shall not exceed 50 meters.

Article 7 There shall be a responsible person for each assembly or parade.

The responsible person for the assembly or parade held by a legally established organization shall be the representative of the organization or another person designated by him/her.

Article 8 For outdoor assemblies and parades, a permit shall be applied for with the competent authority except in the following conditions:

1. Assemblies or parades held in compliance with laws and regulations.
2. Academic, arts and literature, tourism, sports competitions or other similar activities.

3. Religious and traditional activities, weddings, funerals, celebrations, or festivities.

A permit is not required for indoor assemblies. However, if the use of amplifiers or other audiovisual equipment is sufficient to create an outdoor gathering atmosphere, it will be considered as an outdoor gathering.

Article 9 For outdoor assemblies and parades, the person in charge should fill out an application form, specifying the following details, and submit it to the competent authority at least six days in advance. However, in the event of unforeseeable major emergencies that cannot be immediately convened and cannot achieve their intended purpose, they are not subject to the six-day advance application requirement.

1. Name, gender, occupation, date of birth, national ID number, residential address, and telephone number of the person in charge of their representative, as well as the names and contact information of any stewards.
2. The purpose, manner, and start/end times of the assembly or parade.
3. The location of the assembly or the route of the parade, as well as the assembly and dispersal points.
4. The estimated number of participants.
5. The names and quantities of vehicles and items involved.

In the case of the representative mentioned in the preceding paragraph, a proxy consent form should be provided. For the assembly location mentioned in the third paragraph, consent documents from the owner or manager of the location should be provided. For parades, a detailed route map should be submitted.

Article 10 The following individuals may not serve as the person in charge, their representatives, or stewards for outdoor assemblies or parades that require permission:

1. Minors.
2. Those without Republic of China (Taiwan) nationality.
3. Individuals who have been sentenced to imprisonment for a term and the sentence has not been executed or has not been completed. However, those granted probation are not subject to this restriction.
4. Individuals subject to security measures as determined by a final court decision, which have not been executed or have not been completed.
5. Individuals under guardianship or assistance as declared, and the declaration has not been revoked.

Article 11 Applications for outdoor assemblies or parades shall be granted permission unless one of the following circumstances applies:

1. Violation of the provisions of Article 6 or Article 10.
2. There is clear evidence indicating a threat to national security, social order, or public interests.
3. There is clear evidence indicating a threat to life, physical integrity, freedom, or significant property damage.
4. At the same time, in the same location, or on the same route, another person has applied

and obtained permission.

5. The application is made under the name of an organization that has not been legally established or has had its permission revoked, annulled, or ordered to disband.

6. Application not in compliance with the provisions provided in Article 9.

Article 12 The competent authority shall, within three days from the date of receiving the application, notify the person in charge in writing whether permission for the outdoor assembly or parade has been granted or denied.

For applications made in accordance with the provisions of Article 9, paragraph 1, the competent authority shall, within twenty-four hours from the time of receiving the application, notify the person in charge in writing.

If the competent authority fails to notify the person in charge within the time limits specified in the preceding two paragraphs, it shall be considered as permission granted.

Article 13 The Notification Letter for permission for an outdoor assembly or a parade shall specify the following information:

1. Name, date of birth, and residential address of the person in charge; if there is a representative, their name, date of birth, and residential address.
2. The purpose and the starting & ending time.
3. The venue of the assembly or the route of the parade, as well as the gathering and dispersal points.
4. The number of participants.
5. Names and number of vehicles and articles.
6. Number and name(s) of picket staff .
7. Restrictions.
8. Name of approval authority and date of approval.

The Notification Letter for denial of permission for an outdoor assembly or parade shall include the reasons for denial and the procedures for appeal if the applicant disagrees.

Article 14 When approving an outdoor assembly or parade, the competent authority shall put necessary restrictions with regard to on the following matters:

1. Maintenance of the safety at important areas, facilities or buildings.
2. Prevention of interference with the duties of government agencies.
3. Maintenance of traffic order and public health.
4. Maintenance of tranquility at public areas such as institutions and schools.
5. The number of participants, time, place, and route of the assembly or parade.
6. Any disguising that might make personal identification difficult.

Article 15 In case of natural disasters or serious accidents after an outdoor assembly or a parade is approved; the competent authority shall revoke the permit or change the originally approved time, place, route, or restrictions for the urgent necessity to maintain social order and public interests. In any of the conditions as prescribed in subparagraphs 1 to 6 of Article 11, the permit shall be revoked or canceled.

The revocation, cancelation, or change prescribed in the preceding paragraph, shall be

specified in writing and notified to the responsible person prior to the assembly or parade being held. The same shall apply if an assembly or parade is in progress.

Article 16 The person in charge of an outdoor assembly or parade, upon receiving notification from the competent authority regarding denial of permission, restrictions on permission, revocation of permission, or changes to permission, may, if they disagree, submit a written appeal along with reasons to the higher-level police authority within two days from the date of receiving the notification. However, in cases described in Article 12, paragraph 2, the appeal should be submitted within twenty-four hours from the time of receiving the notification.

When the appeal is believed to have merit, the original competent authority shall revoke or change the original notification. When the appeal is believed to lack merit, the original competent authority shall submit the Appeal Letter along with the case file within 2 days to its higher-level police authority. For conditions in Article 12, Paragraph 2, however, the submission shall be completed within 12 hours upon receipt of the Appeal Letter.

The higher-level police authority shall make a decision within 2 days upon receipt of the case file and notify the responsible person in writing. However, on the conditions prescribed in paragraph 2 of Article 12, the decision shall be made within 12 hours upon receipt of the case file by which the responsible person shall be notified.

Article 17 The appeal filed in accordance with the preceding article does not affect the validity of the original notification.

Article 18 The person in charge of the assembly or parade shall personally be present at the scene to oversee and maintain order during the assembly or parade. If the assembly location or parade route results in litter or pollution after use, they shall also be responsible for cleaning it up.

Article 19 When the responsible person of an assembly or parade is unable to preside over the assembly or parade or maintain the order on the scene in person, His proxy may act on his or her behalf.

The authority and responsibilities of the proxy shall be the same as those of the responsible person.

Article 20 The responsible person of an assembly or parade may designate stewards to help maintain order.

The stewards designated in the preceding paragraph shall wear armbands marked with the word “steward” while helping to maintain order on the scene.

Article 21 Participants in an assembly or parade shall follow instructions given by the responsible person or the stewards in maintaining order.

Any persons interfering with the assembly or parade shall be excluded by the responsible person or stewards and shall leave the scene immediately.

Article 22 As soon as the responsible person of an assembly or parade announces discontinuation or completion of the assembly or parade, the participants shall disband immediately.

Any actions taken after the announcement of suspension or conclusion shall be the responsibility of the individuals involved. However, if the participants do not disperse, the person in charge should be responsible for advising and persuading them to leave.

- Article 23 The responsible person of an assembly or parade, his or her proxy, the stewards and the participants are prohibited from carrying objects that might endanger lives, physical integrity, freedom, or property safety of others.
- Article 24 When an assembly or parade is in progress, the police may be present on the scene to maintain order.
At the request of the responsible person of the assembly or parade, the competent authority shall have officers be present on the scene to regulate traffic and maintain order.
- Article 25 The competent authority in charge may issue warnings, stop, or order to dismiss under one of the following circumstances:
1. When an assembly or parade that requires approval is held without a permit, or its permit has been revoked or canceled but the assembly or parade is still held.
 2. When an assembly or parade conducted with permission violates the terms of the permission or any restrictions imposed.
 3. When an assembly or parade mentioned in Article 8, paragraph 1, violates the law.
 4. When there are other violations of the law.
- In the case of warnings, corrective actions, or orders for dissolution mentioned in the preceding paragraph, the competent authority in charge may enforce them forcibly.
- Article 26 The denial of permission, restrictions, or orders for the dissolution of assemblies and parades should be carried out in a fair and reasonable manner, taking into account the balanced protection of the people's right to assemble and parade against other legal interests. These actions should be implemented through appropriate means and should not exceed the necessary limits to achieve their intended purposes.
- Article 27 If the person in charge or their representative of an assembly or parade that has been granted permission violates the provisions of Article 18, they may be subject to a fine of up to thirty thousand New Taiwan Dollars (NTD).
- Article 28 When an assembly or parade is not dismissed after the competent authority has given a dismissal order, the responsible person of the assembly or parade or his or her proxy or the host shall be fined not less than thirty thousand New Taiwan Dollars (NTD) but not exceeding one hundred and fifty thousand NTD.
If the responsible person of the assembly or parade fails to perform the responsibility prescribed in the proviso of paragraph 2 of Article 22, resulting in the continuation of the assembly or parade, he or she shall be fined up to thirty thousand NTD.
- Article 29 If an assembly or parade is not dismissed after the competent authority has given a dismissal order, but is still in progress and does not obey the order after being stopped, the instigator shall be sentenced to imprisonment of up to two years or criminal detention.
- Article 30 During an assemble or parade, if someone insults or defames government agencies, public servants=performing their duties in accordance with the law or another person through texts, images, speeches, or any other means, they may be subject to imprisonment for up to two years, detention, or a fine of up to sixty thousand New Taiwan Dollars (NTD), or a combination of these penalties.

- Article 31 Any persons who violate the provisions of Article 5 shall be sentenced to imprisonment of up to two years, criminal detention, and/or a fine of up to thirty thousand New Taiwan Dollars (NTD).
- Article 32 During an assembly or parade, if stewards unlawfully infringe upon the rights of others, the person in charge and the individual responsible for the actions shall bear joint and several liability for damages. However, if the individual responsible for the actions caused the damage through their own intentional conduct, they shall be solely responsible.
- Article 33 The articles prescribed in Article 23, regardless of ownership, shall all be held into custody and handled in compliance with the law.
- Article 34 The fines prescribed in this Act shall be referred to court for compulsory enforcement in the event that no payment has been made by the notified deadline.
- Article 35 This Act shall come into force from the date of promulgation.