

# Coastal Zone Management Act

## Chapter 1

### General Provisions

#### Article 1

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

#### Article 2

The terms used in this act are defined as follows:

1. Coastal zone: A zone of land, water, seabed, and subsoil designated and announced by the Central Competent Authority based on environmental characteristics, ecological integrity, and management requirements in accordance with the following principles; boundaries for marine area may be drawn using the coordinates of points to link a straight line.
  - (1) Shore land area: The area from the average high tide line to the first provincial highway, coastal road, or mountain ridge.
  - (2) Offshore area: The area from the average high tide line to the 30-meter isobaths or 3 nautical miles towards sea whichever is longer in distance, but not exceeding territorial sea and its seabed and subsoil.
  - (3) Shore land area and offshore area of offshore islands: Designated based on environmental characteristics and actual management requirements within the limit of territorial sea.
2. Coastal disaster: Disasters at coastal zones caused by earthquake, tsunami, storm surge, waves, sea level rise, land surface changes, or other natural and artificial factors.
3. Coastal protection works: Embankment, groin, detached breakwater, revetment, parapet, retention pond, ground water recharge facilities, water pumping facilities, floodgate, and other facilities to prevent seawater intrusion and coastal erosion.

#### Article 3

The term “competent authority” referred to in this Act shall be the Ministry of the Interior at the central level, the municipal government at the municipal level, and the county (city) government at the county (city) level.

#### Article 4

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

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

#### Article 5

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

#### Article 6

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

The Central Competent Authority may consult with related agencies to set up necessary survey stations and related facilities to establish said

database, and shall carry out maintenance of the database. Except for those involving national security, all related agencies shall provide necessary data for the database.

## Chapter 2

### Coastal Zone Planning

#### Article 7

Coastal zone planning and management principles are as follows:

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

## Article 8

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

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

## Article 9

Forums or other suitable means shall be organized to widely gather opinions from scholars, experts, related authorities, central legislative agency, and private organizations for the formulation of the integrated coastal zone management plan. The opinions shall be documented and representatives of scholars, experts, related departments, and private organizations shall be appointed to jointly deliberate on the integrated coastal zone management plan. The number of scholar, expert, and private organization representatives shall be no less than one half of all representatives. The integrated coastal zone management plan shall be submitted to the Executive Yuan for ratification and take effect after it is announced. This shall also apply to any changes to the integrated coastal zone management.

After the integrated coastal zone management plan is formulated and before it is submitted for deliberation, it shall be publicly displayed for 30

days and public hearings shall be held for it. The date and location of the public display and public hearings shall be announced on the government's gazette, newspapers, internet, or other suitable means. Any citizen or organization may offer their opinions to the Central Competent Authority in writing with their name and address specified, and their opinions will be considered during the deliberation.

The progress, results, response to opinions, and other related information of the deliberation shall be announced on the internet, government gazette or other suitable means.

After the integrated coastal zone management plan is ratified, the Central Competent Authority shall announce the management plan within 40 days after receiving the ratification document, and shall notify municipal and county (city) governments and township (district) offices to publicly display the management plan for no less than 30 days. While on display, the integrated coastal zone management plan shall be maintained clean and complete for public access.

#### Article 10

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

##### 1. Coastal protection plan:

- (1) First-class coastal protection plan: Formulated by the central competent authority of the industries. In the event two or more industries are involved, the central competent authority of the main industry shall jointly formulate the plan with related agencies.
- (2) Second-class coastal protection plan: Formulated by the municipal or county (city) government. In the event two or more municipalities or counties (cities) and two or more industries are involved, the competent authorities of the municipal and/or county (city) governments shall jointly formulate the plan.
- (3) Where the class of protection plan and agency responsible for formulating the plan is in contention, the Central Competent Authority may designate the class or agency or directly formulate the plan.

##### 2. Coastal protection plan:

- (1) First-class coastal protection plan: Formulated by the central competent authority of the industry after consulting related agencies.
  - (2) Second-class coastal protection plan: Formulated by the competent authority of the industry in the municipal or county (city) government.
  - (3) Where the class of protection zone and agency responsible for formulating the plan is in contention, the Central Competent Authority may designate the class or agency or directly formulate the plan.
2. Coastal protection plan:
- (1) First-class coastal protection plan: Formulated by the central competent authority of the industry after consulting related agencies.
  - (2) Second-class coastal protection plan: Formulated by the competent authority of the industry in the municipal or county (city) government.
  - (3) Where the class of protection zone and agency responsible for formulating the plan is in contention, the Central Competent Authority may designate the class or agency.

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

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

#### Article 11

Urban design guidelines shall be established for important coastal landscape zones designated in the integrated coastal zone management plan; the guidelines shall regulate land use layout, building and facility height, and other landscape elements.

The competent authority may coordinate traditional culture preservation, ecological conservation, resource restoration, and integrated planning of community development with related agencies for areas designated by the integrated coastal zone management plan as having slow development or degradation of environment.

## Article 12

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

1. Important aquatic resource conservation zone.
2. Important habitat and ecological corridor of rare and precious animals or plants.
3. Special landscape resources and recreational areas.
4. Important shore land or underwater cultural heritage areas.
5. Special natural topography and landform areas.
6. Areas rich in biodiversity.
7. Ground water recharge areas.
8. International and national important wetlands and other important coastal ecological systems designated in accordance with the law.
9. Other important areas that require protection in accordance with the law.

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

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

For legal use of resources within first-class coastal protection zones that do not comply with the coastal protection zone, the competent authority of the municipal or county (city) government may order a change or

relocation of the resource use within a time-limit, and shall provide suitable compensation. Legal use of resources may be continued or changed to a use that has less influence on coastal conservation before the competent authority of the municipal or county (city) government orders a change or relocation.

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

### Article 13

Coastal protection plans shall specify the following matters:

1. Targets and purpose of protection.
2. Scope of the coastal protection zone.
3. Prohibited and compatible uses.
4. Protection, monitoring, and restoration measures and methods.
5. Industrial and financial plan.
6. Other matters related to the coastal protection plan.

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

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

### Article 14

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

zone:

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

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

In the event there are stipulations on the division of duties and responsibilities regarding Subparagraph 1 of Paragraph 1 set forth in a industrial plan or other law, the protective measures shall be carried out by the competent authority of the industry for the purpose of the industrial plan.

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

## Article 15

Coastal disaster prevention plans shall specify the following matters:

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

The formulation of coastal disaster prevention that involve coastal protection zones in Paragraph 1 of Article 12 shall consider the special needs for ecological and environmental conservation, avoid coastal disaster prevention works that damage or reduce the environmental, ecological, landscape, and cultural value of the coastal protection zone, and acquire the approval of the agency responsible for formulating the coastal protection plan as prescribed in Paragraph 3 of Article 16. Where

there is no coastal protection plan, the approval of the competent authority with jurisdiction over the coastal protection zone shall be obtained.

#### Article 16

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

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

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

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

## Article 17

Deliberation and ratification of coastal protection plans and coastal disaster prevention plans in the preceding article shall be carried out as follows:

### 1. Coastal protection plan:

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

### 2. Coastal disaster prevention plan:

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

The Central Competent Authority shall appoint representatives of scholars, experts, agencies, and private organizations to jointly deliberate the coastal protection plans and coastal disaster prevention plans in the preceding paragraph. The number of representatives of scholars, experts, and private organizations shall not be less than one half of all representatives.

Change or abolishment of coastal protection plans and coastal disaster prevention plans shall be in accordance with paragraphs 1 and 2 and the preceding article.

#### Article 18

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

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

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

#### Article 19

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

#### Article 20

Where shipping routes may potentially influence coastal protection or cause marine pollution, the Central Competent Authority may jointly adjust the shipping route in consultation with the competent authority of marine transport and make a public announcement .

#### Article 21

Agencies formulating or implementing the integrated coastal zone management plan, coastal protection plans or coastal disaster prevention plans may engage in the following conduct for the formulation or

implementation of said plans:

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

Pursuant to subparagraph 1 of the preceding paragraph, when surveyors enter public or private land for land survey, the surveyors shall produce identification documents or a distinguishing badge related to their professional capacity. The land owner, tenant, administrator, or user may not avoid, refuse or obstruct the surveyors. The surveyors shall notify the land owner, tenant, administrator or user seven days before conducting the survey.

The agency that formulated or implemented the plan shall provide suitable compensation to parties that sustain any losses due to the conduct specified in subparagraph 1.

The amount or method of compensation shall be negotiated by the two parties. Where an agreement cannot be reached, the agency that formulated or implemented the plan shall request its superior agency decide on the compensation. Where the compensation is stipulated by other laws, the stipulations shall apply.

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

The agency may outsource the management of public land in coastal

zones to a private enterprise based on contents of the coastal protection plan or coastal protection plan.

#### Article 22

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

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

#### Article 23

The central competent authority of water conservancy shall consult with competent authorities of related industries to establish a coastal disaster preventionprotection works planning and design manual that gives consideration to marine weather, meteorology, topography, geology, elevation fluctuation, erosion, and other coastal conditions, as well as the impact of waves, weight of the works, water pressure, earthquake, and drifting objects.

#### Article 24

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

### Chapter3

#### Coastal Zone Utilization and Management

#### Article 25

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

The competent authority of the industries may not issue a development or

construction permit without approval from the Central Competent Authority.

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

#### Article 26

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

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

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

#### Article 27

Where the main planning areas of urban master plans, regional plans, , or national park plans are within the coastal zone, the agency responsible for deliberating the plans shall seek the opinion of the competent authority.

#### Article 28

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

### Article 29

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

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

### Article 30

Coastal management funds are limited to the following purposes:

1. Coastal research, investigation, survey, planning, and monitoring expenses.
2. Coastal environment cleaning and maintenance.
3. Coastal conservation and restoration subsidies.
4. Coastal conservation and restoration incentives.
5. Coastal environment education, interpretation, creation, and promotion.
6. International exchanges and cooperation in coastal conservation.
7. Other coastal conservation, protection, and management expenses approved by the competent authority.

### Article 31

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

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

## Chapter 4 Penal Provisions

### Article 32

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

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

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

### Article 33

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

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

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

### Article 34

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

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

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

#### Article 35

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

#### Article 36

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

#### Article 37

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

#### Article 38

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

#### Article 39

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

#### Article 40

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

#### Article 41

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

#### Article 42

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

### Chapter 5

#### Supplementary Provisions

#### Article 43

Where the execution of the integrated coastal zone management plan, coastal protection plan or coastal disaster prevention plan is in contention, the competent authority shall coordinate the related agencies; where an

agreement cannot be reached, the competent authority shall request its superior agency to make the decision.

#### Article 44

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

#### Article 45

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

#### Article 46

This Act shall become effective on the date of promulgation.