

Domestic Violence Prevention Act

Presidential Order No. Hua-Zong-Yi-Yi-Tzu-8700122820 enacting and promulgating a total of 54 Articles on June 24, 1998; to be effective from the date of enactment, except for Articles 2 through 4, 5-40, 5-41, and 6, which shall only take effect one year after the date of promulgation

Presidential Order No. Hua-Zong-Yi-Yi-Tzu-09600037771 enacting amendments to and promulgating a total of 66 Articles on March 28, 2007; to take effect upon promulgation

Presidential Order No. Hua-Zong-Yi-Yi-Tzu-09700002251 enacting amendments to and promulgating Article 10 on January 9, 2008

Presidential Order No. Hua-Zong-Yi-Yi-Tzu-09800097681 enacting amendments to and promulgating Article 50 on April 22, 2009

Presidential Order No. Hua-Zong-Yi-Yi-Tzu-09800105851 enacting amendments to and promulgating Article 58 on April 29, 2009

Chapter 1. General Regulations

Article 1 This Domestic Violence Prevention Act (the Act) has been incorporated to prevent domestic violence and to protect the interests of the victim of domestic violence.

Article 2 Definitions:

1. Domestic violence: Refers to any act of exercising any infringement, mentally or physically, amongst family members.
2. Domestic violence offense: Refers to any purposeful exercise of domestic violence amongst family members that constitutes an offense defined in any law other than the Act
3. Harassment: Refers to any interference, warning, mocking, insulting words and/or actions or any act of fabrication of situations that causes fears and terrors among family members.
4. Follow: Continuous monitoring and follow-up actions by people, cars, tools, equipment and/or other means.
5. Batterer's relocation program: Including but not limiting to educational and psychological consultation, mental therapy,

drug/alcohol addiction rehabilitation, or any other consultation and treatments enforce on batterer.

Article 3 Family members, referred to in the Act, shall include the following person and their minors:

1. Person who is commented as a spouse, or ex-spouse.
2. Person who has or has ever had on-going marital, or de-facto marital, parental and/or dependent relationship;
3. Person who has or has been related as a lineal-blood or a lineal-blood-by-marriage; and
4. Person who has or has been related as a lateral blood or a lateral-blood-by-marriage falling within the Relation Rank 4.

Article 4 The regulating authorities, whenever appeared in the Act, refer to Ministry of the Interior (MOI) in the central administration level; a municipality government that goes directly under the jurisdiction of the central government; and city or county governments in municipal level.

Article 5 The central government shall be doing the following transactions:

1. To develop policies and regulations for the purposes of domestic violence control and prevention;
2. To coordinate, supervise and evaluate the performance of domestic violence control and prevention bylaws by agencies concerned;
3. To promote the service efficiency and competence of the service provided by agencies involved in the control and prevention of domestic violence;
4. To educate the general public on control and prevention of domestic violence;
5. To coordinate provisioning protection and relocation programs for the victim of domestic violence;
6. To support both public and private institutions in creating domestic violence management procedures;
7. To sponsor the creation of an integrated data base of domestic violence offenders for mutual reference among judges, prosecutors, policemen, medical personnel and other governmental agencies and to keep strict

confidentiality of the identity of the victim;

8. To support local governments to promote domestic violence control and prevention operation and to provide financial and technical assistance.
9. Other items relating to this program.

The central government shall elect from and send professionals, private groups and their representatives to offer relating consultation; amongst those the number of professionals and the representatives of private groups shall be at least half of the total number. Furthermore, the number of female representatives shall be at least half of the total number.

The creation, management and application of the database stated in the preceding subparagraph 7 shall be separately set forth by the central administration.

Article 6 To promote domestic violence and sexual assault prevention and protection programs, the central government should create a Fund based on them. The keeping and the operation methods of revenues and expenses will be regulated by the Executive Yuan.

Article 7 Municipality and city/county governments may crete a domestic violence prevention committee to coordinate, search, deliberate, consult, supervise, assess and promote domestic violence relating tasks. The committee organizations and its functions will be set forth by the municipality and city/county governments.

Article 8 Each level of government shall create and maintain a Domestic Violence Prevention center by incorporating efforts from police administration, education, health, social administration, household administration and judicial units concerned to engage in the following operations to protect the interest of domestic violence victims and prevent domestic violence from happening:

1. A 24-hour hotline shall be created;
2. A 24-hour emergency rescue, seeking medical care, and acquisition of a certificate of diagnosis, emergency relocation;
3. Offer or referral of psychological support, economic support, legal supports, education service, housing guidance to the victim of

domestic violence. Also provide gradual, supportive and multiple vocational training and employment service to them;

4. Provide short, medium and long term shelters to the victim and the minors;
5. Referral to physical and mental treatment for the victim;
6. Referral to physical and mental treatment program and follow-up consultation for the offender;
7. Follow-up and management to the referral cases;
8. Education, training and promotion programs to the society;
9. Other domestic violence relating issues.

The Domestic Violence Prevention center may be incorporated into the Sexual Assault Prevention Center. There must be social workers, policemen, medical personnel and other related professionals with its charters and practices in the center and the organization will be set forth by municipality or city/county government.

Chapter 2 Civil protection order

Section 1 Petition and cognizance

Article 9 The protection order (hereafter called protection order) is available in three forms, respectively, ordinary and provisional and emergency protection orders.

Article 10 An application for a protection order may be filed with the court by a victim, prosecutor, police department, or regulating authorities from municipal, or country (city) government.

In the event that the victim is a minor, disabled, mentally and/or physically, or is prevented from appointing an attorney for any cause whatsoever, his/her legal representative, any blood relative or relative-by-marriage falling within Relation Rank 3 may file the petition for a protection order from the court for, and on behalf of, the victim.

[The exemption from court cost shall cover the application, revocation, alteration, extension, or appeal for a protection order. Paragraph 4, Article 77-23 of Code of Civil Procedure hereof shall be applied.](#)

Article 11 A petition for a protection order shall be subject to the jurisdiction of the

district court where the residence of the victim, the respondent or the place of the domestic violence is located.

Article 12 Any petition for a protection order shall be in written form, provided, however, that if the victim is exposed to immediate domestic violence, the prosecutor, police, and municipality or county/city governments may file the petition by speech, facsimile, or any other electronic means at any time during the day, night or holiday.

The said petition shall not enter the residential address of the petitioner or the victim, and there shall be only the place of service to be entered.

The court, for the purpose of determination of jurisdiction, may conduct an investigate to the residential address of the victim. When the petitioner or the victim requests the court to keep confidential the residential address of the victim, the interrogation shall be conducted in secrecy by the court. Resultant transcripts and related information shall be sealed to prevent their circulation.

Article 13 The court shall reject any petition if the application form or any other information has been missing. However, if the complement can be made, a period of make-up time will be given.

Any court may, by exercising its functional authorities, conduct investigation of the evidence and may give separate interrogation if required.

The separate interrogation stated in the preceding sentence can be made outside of the court, based on the petition situation or ex officio. It can also be done by any technical device which transmits volume and images, or under acceptable means of isolation.

Upon the application of the victim, his/her relatives, social workers who provide consultation, and/or mental therapists can stay with him/her during the trial, and be able to express their thoughts.

There shall be no open investigation and trial of any matter of petition for a protection order.

Upon making a final decision, the court may hear comments delivered by the regulating authorities from municipal, or county (city) government or

social welfare institute.

There shall be no intermediation or reconciliation permitted in the matter of protection orders.

There shall be no delay in the issuance of a protection order by any excuse of any other case pending investigation or legal action between the parties concerned after the petition has been accepted.

Article 14 Upon concluding the trial and domestic violence is established, the Court shall, based on the facts and as required, issue one or more than one of the following ordinary protection orders either as petitioned or by its functional authorities:

1. To put a ban on the respondent from exercising domestic violence against the victim or any particular members in the family;
2. To put a ban on the respondent from exercising any direct or indirect harassment, contact, follow, communication, correspondence or any other unnecessary means of contact;
3. To order the respondent to vacate the victim's residence; and, if required, to restrict the respondent from disposing of said property, i.e. the victim's residence or any other temporary disposition;
4. To order the respondent to stay away for a specified distance from the following places: the victim's residence, school, work place or any other places regularly accessible by the victim or any of specific family members of the victim;
5. To specify the right to use an automobile, motorcycle, and any other necessities in daily life, occupation or education requirement; furthermore, if required, to deliver any and all of said necessities by an order;
6. To specify either party separately or both parties of the concerned jointly what and how to temporarily exercise or bear the rights and duties of his/her or their minor(s) and such provisional exercise or rights may be delivered to said minor(s) if required.
7. To specify the exercise of visitation time, locations and means by the respondent and whenever needed, such visitation shall be restricted;
8. To order the respondent to pay for the rental of the residence of the victim, or

to pay for the support to the victim and his/her minor;

9. To order the respondent to pay for the medical care, consultation, sanctuary or any property damage costs incurred from the victim or any particular family members of the victim;

10. To order the Respondent to complete the relocation program for the victim;

11. The respondent shall be responsible for the corresponding attorney fees;

12. The respondent is not allowed to check for the information of census registration, school registration and source of income of the victim and the minors under victim's guardianship.

13. To prescribe any other order(s) that is/are required for the protection of the victim and of any particular family members of the victim.

Before the determination of the preceding clause 10, the Court shall have the respondent take the examination of whether to receive the offender treatment program.

Article 15 The ordinary protection order is valid for 1 year and is coming into effect as of the issuance date.

Before the ordinary protection order loses its efficacy, the litigant or victim can apply for an abatement, change or extension of the order. The extension period should not exceed one year and should be limited to only one application.

The ordinary protection order loses its efficacy, if it has been concluded to other determination by the court.

Article 16 The provisional or emergency protection order can be approved without a trial.

To protect the victim, the court may approve issuing a provisional protection order according to the petition without trial or before the end of the trial.

In approving the issuance of a protection order, the court may prescribe any order as defined in Subparagraphs 1~6 and 12, Paragraph 2 of

Article 14, Article 13 according to the petition of by the functional authorities of the court.

In receiving a petition for a protection order, based on the domestic violence facts delivered by the applicant, the court shall issue a provisional protection order in written form within 4 hours of application, and may transmit such order either by fax or any other electronic means to the police, if the court believes that the victim of domestic violence is exposed to immediate danger.

Shall the petitioner files a provisional or emergency protection orders before he/she files an ordinary protection order and the provisional or emergency protection order has been approved and issued by the court, it is considered as a petition for an ordinary protection order.

The provisional and emergency protection orders shall become effective as of the issuance date. The orders lose their efficacy at the time the petitioner abates the petition of the ordinary order, at the time the court concludes the trial and issues an ordinary order, or at the time the court rejects the petition.

By its functional authorities or as petitioned by the victim, the court before the termination of a provisional protection order may change or reverse the provisional and emergency protection order.

Article 17 A protection order requiring the respondent to vacate from the victim's residence or restricting the respondent to approach the victim remains intact, though the victim has given consent to the respondent to live or stay with the victim.

Article 18 Other than the emergency protection order, the protection order shall be served to the litigant, victim, police department and municipality or city/county government within 24 hours upon its approval by the court.

Regulating authorities in municipal, county/city government shall document any protection order issued by the court and shall make such documentation available to the court, police authorities and any other government agency for review at any time.

Article 19 The court shall provide a safe environment and shall also take measures to protect the victim's presence in the court.

The municipality or city/county government shall establish a domestic violence case service center, either by the local court, or by entrusting the case to civil groups. The court shall provide locations, necessary equipment and relating assistance. The courts on off-shore islands are excluded from this item.

Article 20 Unless otherwise specified, any decision made in the protection order may be challenged.

Unless otherwise provided in this Chapter, provisions set forth in Non-litigation Law may be applicable to the procedure of protection order. Law of Civil Procedure may be applicable to matters not specifically provided in Non-litigation Law.

Section 2 Execution

Article 21 The litigant and relating agencies shall comply with the order and the following items after its issuance:

1. The protection order of not allowed to use, to gain revenue, or to dispose the property, and money disbursement can be set to the compulsory enforcement. It will be executed by the court under the compulsory enforcement act upon the petition of the victim, and it is free of execution fee;
2. The protection orders of the following items will be executed by municipality or city/county government upon the petition of the respondent: First, set up a place in the municipality or city/county government for the visitation. Second, the municipality or city/county government, or their staff members will supervise the visitation;
3. The protection order of the completion of the offender relocation program will be executed by municipality or city/county government;

4. The protection order of offender not allowed to check for information of the victim will be executed by relating agencies, upon the petition of the victim;
5. Other types of protection order will be executed by the police department.

The execution of the fore-mentioned clause 2 and 3 will be assisted by the police department, if necessary.

Article 22 The police authorities shall escort the victim to his/her or the Respondent's residence to ensure the safe occupation by the victim of any residence, motorcycle, automobile or any other personal living, occupation or educational necessity according to the protection order.

Shall the respondent not deliver the vehicles and other necessities mentioned in the preceding article, upon the request of the victim, the police authorities shall enter the residence, building or destination to divest the possession or detainment of the respondent.

Article 23 The respondent shall deliver relating certificates, books, stamps or other documentation of the necessities mentioned in preceding article. The police authorities can execute enforcement on it if the items are not delivered to the victim

Shall the above mentioned certificates, books, stamps or documentation not be delivered and they belong to the victim, he/she may file a petition to relating authorities to change, write off or to re-issue them. If they belong to the respondent and were issued by administrative agencies, the victim may file a petition to the original issuing agencies to distribute a substitute document for the use in the effective period of protection order.

Article 24 The oblige shall file a petition to the police department to have the obligor deliver the minors within a period of time , if the obligor does not do so. If the action fails after the time period, the order will be executed under compulsory enforcement by the court, upon the petition of oblige and will be free of execution fee.

Article 25 The execution authorities or the oblige shall follow the statement in the

preceding article and shall file a change on the protection order, if the obligor fails to comply with the order for the visitation of the minors.

Article 26 Based on Article 14.1.6, the party who temporarily obtain the right for exercise or incumbance to the minors, he/she can make the household registration change for the minors at the household administration agency with a protection order.

Article 27 Shall the litigant or the party have any objections to make to the execution method of the order, the procedures to follow, or others which may breach his/her rights, he/she can report to the execution agency before the execution procedure has been ended.

Shall the execution agency thinks it reasonable for the objection stated in preceding sentence, the execution must be stopped and the agency should avoid or modify the executed actions. If not reasonable, the execution agency should comment on the petition within 10 days of receipt and send back to the original court for further judgment.

The determination of the court in the preceding sentence is non-appealable.

Article 28 Any protection order issued on a domestic violence matter by a foreign court may be enforceable when a request for recognition is approved by a court of the Republic of China.

Any petition for the recognition of a protection order issued on a domestic violence matter by a foreign court shall be rejected if any of those events listed in Articles 402.1, 402.2 and 403.3 of Civil Law constitutes.

Should a petition for recognition by the court of the Republic of China of a protection order issued by a foreign court on domestic violence be originated from a country where does not recognize any protection order issued by the court of the Republic of China, such petition may be rejected.

Chapter 3 Criminal procedure

Article 29 The police shall forthwith make an arrest of any crime at the scene of domestic violence or offense against protection order and proceed the matter

pursuant to Article 92 of Law of Criminal Procedural.

Shall the prosecutor, chief judicial police or judicial police has sufficient reasons to think that the offender or the suspect is a suspect of a domestic violence crime and/or imposing continuous danger to the life, body or freedom of his/her family member(s) as defined for custody requirements in Law of Criminal Procedure, they shall forthwith take the suspect into custody.

A warrant is not required if the custody mentioned in preceding sentence is executed by a prosecutor. If the custody is executed by the chief judicial police or judicial police and only if the case is urgent, the police shall report to the prosecutor for the issuance of a warrant right after custody.

The suspect shall be immediately released if the prosecutor refuses to sign a warrant of arrest.

Article 30 Before custody or issuing an warrant under the regulations stated in item 2 and 3 in preceding article, the prosecutor, chief judicial police or judicial police shall consider the situation with great caution, especially the followings:

1. The offender or the suspect's actions have caused physically or mentally harm to the victim and might endanger the lives, body or freedom of the victim and the family members, if isolation is not exerted;
2. The offender or the suspect has conducted domestic violence for a long time or has violated the protection order, has been alcoholic, has used drugs or has conducted drug misuse;
3. The offender or the suspect has used any weapon or other dangerous tools to threaten or assault the victim, and the victim is exposed to potential threat;
4. The victim is a child, youth, elder, disabled or in others who cannot protect himself/herself.

Article 31 If the defendant of domestic violence offense or violation against protection order is forthwith ordered released on bail, an obligated care entrust, a restriction of residence, or a release after being interrogated by the prosecutor or

the court shows that there is no necessity to be taking into custody, one or more than one of the following conditions may be prescribed to demand the compliance from the defendant:

1. Not to commit any act of domestic violence;
2. Not to directly or indirectly harass, contact, talk to or have any other communications with the victim;
3. To move out the residence of the victim;
4. To order the respondent to stay away for a specified distance from the following places: the victim's residence, school, work place or any other places regularly accessible by the victim or any of specific family members of the victim;
5. Any other things and matters which may be required in order to protect the victim.

The preceding conditions shall become effective between the time period of release on a bail, an obligated care entrust, a restriction on residence or release after interrogation, to the criminal cause has come to an end. The total time must be less than 1 year.

The prosecutor or the court can abate or change the condition set in item 1, upon the petition of the litigant, or ex officio.

Article 32 The prosecutor or the court may have rescinded its judgement and made decisions otherwise in the event that the defendant has violated any conditions for release set forth in Article 23. In addition, they may confiscate any bond deposited by the defendant.

The defendant who violates the conditions set by the prosecutor or the court according to Article 31.1.1, has become suspected, has been proved to be a repetitive offender of domestic violence and should be taking into custody, the prosecutor shall file a petition to the court according to Article 101.1, Law of Criminal procedural. If the case is under a trial, the court shall file a petition to it.

Article 33 Articles 31 and Article 32.1 may become applicable to the defendant who is released from custody according to a court order.

Any defendant released from custody may be taken into custody again if he/she has violated any conditions for release set forth in the preceding paragraph of this Article.

Article 34 Any disposition or decision under Article 31.1 and Article 33.1 shall be made in written form by the prosecutor or the court and to be served to both the defendant and the victim.

Article 35 The police shall report to the prosecutor or the court any violation of the defendant against any conditions prescribed by the prosecutor or the court according to Article 31.1 and Article 33.1. In such case, Article 29 may become applicable.

Article 36 Any interrogation or cross-examination towards the victim can be executed outside of the court, upon petition or ex officio, or be performed under acceptable isolation measures.

Article 37 Any bill of prosecution (or indictment), non-prosecutorial disposition, deferred prosecutorial disposition, revocation of deferred prosecutorial disposition, written decision or written judgment made on the matter of domestic violence offense or violation against protection order shall be served to the victim.

Article 38 Any offender of domestic violence offense or violation against protection order subject to probation shall be taking into custody during the probation.

In adjudicating such probation, the court may demand the offender to comply with one or more of the following conditions during the custody of probation:

1. Not to commit any act of domestic violence;
2. Not to directly or indirectly harass, contact, talk to or have any other communications with the victim;
3. To move out of the residence of the victim;
4. To order the respondent to stay away for a specified distance from the following places: the victim's residence, school, work place or any other places regularly accessible by the victim or any of specific family members of the victim;

5. Completion of Batterer's relocation program;
6. Any other things and matters which may be required in order to protect the victim.

Before the court commands the defendant to complete the Batterer's relocation program according to clause 5 of the preceding item, item 2 of Article 14 is applicable to the case.

The court shall immediately notify the victim and the police authorities where the victim's residence is located, at the time when the probation is announced according to the item of this Article.

The probation is revocable if the person under custody violates item 2 of this Article and is considered serious.

Article 39 Article 38 may be applicable to any offender of domestic violence who is released from the imprisonment and is under protective custody.

Article 40 The prosecutor or the court may notify the municipality or city/county government, or direct police authorities to enforce any conditions prescribed under first item of Article 31, the first item of Article 33, the second item of Article 38 or any condition specified under Article 39.

Article 41 Ministry of Justice shall set forth and execute the treatment program for the convicted criminal of domestic violence offense or violation against protection order.

Personnel involved in the development and execution of said treatment program should be properly trained and educated in the control and prevention of domestic violence.

Article 42 Jail officials shall notify the victim of the date scheduled to release the prisoner of domestic violence offense or violation against protection order or any escape from the jail by said prisoner, unless the present address of the victim is unknown.

Chapter 4 Parents and Children

Article 43 In the determination or change of any one to exercise or bear any right or duty for a minor as provided by law, the court may, based on the fact of domestic violence, construct that it is against the interest of the minor should

the offender be appointed to exercise or bear any right or duty for the minor.

Article 44 If any domestic violence is reported after a decision on the determination or change of any one to exercise or bear any right or duty for a minor, or on the visitation and communication with the minor, the court may modify such decision for the best interest of the minor taking the requests made by the victim, the minor, municipality or city/county government, social welfare institution or any other party of interest into consideration.

Article 45 The court, when duly allowing any visitation and/or communication between the offender of domestic violence and his/her minors shall take the safety of the minor and the victim into consideration, and may additionally prescribe one or more of the following orders:

1. The delivery of the minors shall be taken place in a safe location;
2. The visitation shall be supervised by a third party, agency or group and any requirement to demand the compliance by the offender may be specified;
3. The completion of offender relocation program or other consultations may be set as conditions of visitation;
4. The costs incurred from the visitation and/or communication shall be paid by the offender;
5. No over-night stay is allowed;
6. The offender shall pay a guarantee deposit and he/she shall return his/her minor safely at the time specified;
7. Any other conditions that may be required to ensure the safety of children, victim and other family members.

The court may, as petitioned or by its functional authorities terminate such visitation and/or communication if it is deemed by the court of any violation by the offender against any condition set forth in the preceding paragraph, or the safety of the victim or his/her minor cannot be granted during the visitation. If the condition set in clause 6 of the preceding item is violated, the guarantee deposit can be confiscated.

If and when required, the court may order the agency concerned or any one involved to keep confidential the residence of the victim or his/her

children.

Article 46 Each municipal and county (city) government shall provide and maintain or cause to provide and maintain certain place (s) for the visitation by an offender of domestic violence with his/her minor.

Trained and educated control and prevention of domestic violence personnel shall be present at the place for visitation as specified in the preceding sentence. Bylaws for the creation of such place, supervision of visitation and execution of delivery of the minor and fees incurred shall be set forth by the municipality or city/county government.

Article 47 The court may overrule any settlement or mediation if discovers any fact of domestic violence in the course of litigation or mediation, unless provided with any of the following events:

1. The person sponsoring the settlement or mediation has been properly trained on the control and prevention of domestic violence and such settlement or mediation has been provided in a way that the safety of the victim can be assured of;
2. The victim is allowed to designate any one to assist him/her in the course of settlement or mediation;
3. Any other procedure to free the victim from being threatened by the offender as deemed necessary by the person sponsoring the settlement or intermediation.

Chapter 5 Prevention and position

Article 48 In handling any report of domestic violence, the police shall, when required, take the following measures to protect the victim and prevent violence from happening:

1. To watch over the residence of the victim or take any other measures that may be required for the safety of the victim and his/her family members before the approval of issuing a protection order by the court;
2. To escort the victim and his/her child to the shelter or medical institution;
3. To inform the victim of his/her rights, remedy measures and services

available to him/her.

The police shall document any case of domestic violence by writing in a format to be specified by the police administration regulating authorities at the central level.

Article 49 Medical, social, psychological, educational and nursing professionals who have suffered any physical or mental threats while trying to prevent domestic violence from happening, or to protect the victim, may request for assistance from the police authorities.

Article 50 While performing their duties, medical, social, psychological, educational and nursing professionals, police, [staff of immigration service](#), and all personnel involved in the enforcement of control and prevention of domestic violence shall report any suspicion of domestic violence to local regulating authorities within 24 hours.

The methods and matters of report shall be regulated by the central regulating authorities; the identity of the informant shall be kept confidential.

Upon being informed, the regulating authorities, when required, shall conduct or cause other agencies, institutions or groups involved in control and prevention of domestic violent to conduct visits and investigations.

In conducting such visit and investigation, the regulating authorities or the undertaking agency, group, or institution may request assistance from the police, medical center, school or any other related agency or institution; and said agency or institution shall not deny such request for support.

Article 51 For the informant who makes phone call to the hotline stated in Article 8.1.1, the municipality or city/county government shall trace for the informant's phone number and address, if any one of the followings happens:

1. To avoid immediate danger to the life, body, freedom or property of the litigant;
2. To avoid serious harm to someone's rights;
3. To avoid interference with public function with unnecessary calls to the hotline;
4. To promote public interests or to prevent danger from happening.

Article 52 No hospital or clinic may refuse to provide medical help, diagnosis, and execute a certificate of diagnosis to any victim of domestic violence.

Article 53 Health regulating authorities shall develop and promote health education propaganda programs on the control and prevention of domestic violence.

Article 54 The central health regulating authority shall develop specifications to govern the relocation program for the offender of domestic violence. Said specifications shall include but not be limited to the following particulars:

1. Assessment criteria for the relocation program;
2. Contact and assessment systems amongst judicial agencies, executive agencies/institutions of domestic violence victim protection, executive agency/institution of domestic violence offender relocation programs;
3. Qualification requirements of the executive agency/institution.

The central health regulating agency shall work with relating agencies to promote, develop, coordinate and supervise the program and other relating issues.

Article 55 The executive agency/institution of relocation program for the offender of domestic violence may perform the followings:

1. Inform the judicial agency, the victim and the victim's attorney of the fact that the offender is currently placed under a relocation program;
2. Investigate into the offenders relocation information in any other institute;
3. Provide information of the offender to judicial agencies, jail audit committees, domestic violence control and prevention centers, and any other concerned institutions.

If the offender refuses to take the relocation program, does not take enough hours or does not comply with the program regulation, and perform any acts of intimidation or violence, the executive agency/institution of the relocation program shall inform the municipality or city/county government and if needed, the agency shall ask for assistance from the government.

Article 56 Municipality or city/county government shall produce written information on the interests of the victim, remedies and services available to the victim. The information shall be made accessible to the victim upon request and for reference by the practicing medical institutions and police authorities.

For any medical personnel, shall he/she become aware of the identity of the patient as a victim of domestic violence, has to deliver said information to the patient.

The above information shall not state the address of the shelter.

Article 57 Municipality or city/county government shall provide domestic violence control and prevention related materials to the medical institutions, public/private elementary schools and household administration authorities. The agencies/schools should deliver the materials to parents of new-born, parents of new students to grade 1 elementary schools, newly-wedded filing marriage registration, and parents filing certificate of birth for their baby.

Materials to be provided hereunder shall include description of the impact of domestic violence upon children and families, and the available domestic violence control and prevention services.

Article 58 Municipality or city/county government shall issue the following allowance to the victim of domestic violence:

1. Emergency sponsorship;
2. Medical expense, psychological treatment, consultation and guidance fees which are not falling into the disbursement category of national health insurance;
3. Litigation and attorney fees;
4. Settlement fee and house rental;
5. Education, daily life and nursing fees of children;
6. Other necessary expenses.

The target, condition and amount to be subsidized mentioned above will be regulated by the municipality or city/county government.

The entrepreneurial loan subsidization is available for victim of

domestic violence who aged 20 years and over. The qualifications, procedures, allowance amount, number of applicants and deadline will be set by the central authority agency.

Article 59 Social administration regulating authorities shall provide on- job training on the control and prevention of domestic violence for social workers, nursemaids, conservation workers and other relating social administration personnel.

Police regulation authorities shall provide on-job training on the control and prevention of domestic violence for the police force.

Judicial Yuan and Ministry of Justice shall provide on-job training for judicial personnel directly involved in the control and prevention of domestic violence.

Health regulating authorities shall sponsor, or cause any involved medical group to sponsor, on-job education on control and prevention of domestic violence for medical and nursing personnel.

Education regulating authorities shall provide on- job training and school education for consultants, administration staff, teachers and students from educational institutions.

Article 60 There shall be a total of at least 4 hours of program on control and prevention of domestic violence given to students in each grade in each academic year. The program hours can be divided into several times but the total hours must stay the same.

Chapter 6 Penalty

Article 61 Any violator against any of the following findings which are made by the court based on Article 14.1 and/or Article 16.3 of the Act is a violation against protection order as defined in the Act; he/she shall be sentenced to an imprisonment of three years or less, detention or separately or jointly fined a penalty at an amount not greater than New Taiwan Dollars one hundred thousand:

1. No more domestic violence can be committed;
2. No more harassment, contact, follow, communication, correspondence or any other actions which are considered not necessary;
3. To move out of the residence of the victim;
4. To order the respondent to stay away for a specified distance from the following places: the victim's residence, school, work place or any other places regularly accessible by the victim or any of specific family members of the victim;
5. Completion of offender relocation program.

Article 62 Any one violates Article 50.1 of the Act shall be sentenced to a fine at an amount not less than six thousand New Taiwan Dollars and not greater than thirty thousand New Taiwan Dollars by municipality or city/county government. However, any medical personnel shall be exempted from this Article as a result of avoiding any immediate hazard to the physical condition of the victim.

Any one violates Article 42 of the Act shall be sentenced to a fine at an amount no less than six thousand New Taiwan Dollars and no greater than New Taiwan Dollars thirty thousand by municipality or city/county government.

Article 63 Any one violates Article 51.3 of this Act and refuses to accept advice shall be sentenced to a fine at an amount no less than New Taiwan Dollars three thousand and no greater than New Taiwan Dollars fifteen thousand by municipality or city/county government.

Chapter 7 Bylaws

Article 64 The central regulating authorities shall set forth the bylaws for the enforcement of protection order and dealing with domestic violence case by the administrative authorities.

Article 65 The central regulating authorities shall set forth the bylaws for this Act.

Article 66 This act shall come into force on and from the date of announcement.

