

## 英譯法規內容

法規名稱(Title) : Sewerage Law

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法規沿革 : (Legislative) As published on December 21, 1984, per the letter of the President  
As amended on December 20, 2000, per the letter of the President  
Articles 21 amended by President Order (96) Hua-Tsung (1)-Yi-Tzu No.09500186531 on January 3, 2007

法規內文(Content) :

## Chapter I. General Provisions

### Article 1

This Law is stipulated for the purpose of facilitating the construction and management of the sewage in the planned urban and designated areas to protect the quality of water; with regard to matters not provided in this Law, other rules and regulations shall apply.

### Article 2

As used in this Law, the following terms shall carry their respective definitions:

- 1.Sewage means the rainwater, household wastewater and industrial wastewater.
- 2.Sewer means public sewerage that is established specially for processing the Sewage.
- 3.Public Sewer means the sewerage for public use.
- 4.Special Purpose Sewer means the Sewer that is established for use within limited areas or places but has not been included in the Public Sewer.
- 5.User means the user who uses the Sewer subject to the Law and the sewerage management regulations.
- 6.User's Drainage Facilities means the drainpipe and relative facilities established by the Sewer Users to connect the Sewer to drain off the Sewage.
- 7.Drainage Areas means the planned areas of the Sewer to drain off the Sewage.

### Article 3

The term "competent authority" as used in this Law denotes the Ministry of the Interior where the central government is concerned; where a municipality under the direct jurisdiction of the Executive Yuan is concerned, the government of such municipality; and where a county/city under direct jurisdiction of the Taiwan Province is concerned, the government of such county/city.

## Article 4

The central competent authorities shall handle the following matters:

- 1.Set up the development policies and schemes for the Sewer.
- 2.Set up the Sewerage rules and regulations and examine compliance.
- 3.Review and examine the development plan for the Sewerage system in the municipality and county/city.
- 4.Monitor and supervise the construction, management, research and development for the Sewerage system in municipality and county/city.
- 5.Administration of technique exams and the retraining of the Sewer operation and maintenance people.
- 6.Research and develop the sewerage techniques.
- 7.Coordinate the structure, construction and management of the Sewers in situations of multi-municipality and county/city or multi-counties/cities.

Other matters concerning national Sewerage.

If any of the above paragraphs is involved in environmental or water conservancy issues, it shall be proceeded jointly with central competent authorities in-charge of environment and water conservancy.

## Article 5

The competent authority for a municipality shall handle the following matters:

- 1.Plan and perform the municipality's Sewer construction.
- 2.Set up the municipality's sewerage regulations,
- 3.Research and development of the municipality's sewerage techniques.
- 4.Manage the Sewer of the municipality.
- 5.Retrain the Sewer operation and maintenance people.
- 6.Other matters concerning municipal sewerage.

## Article 6

The competent authority for a county shall handle the following matters:

- 1.Plan and perform the county's Sewer construction.
- 2.Set up the county's sewerage regulations,
- 3.Manage the Sewer of the county.
- 4.Monitor and supervise the construction and management for the sewerage system in the county.
- 5.Other matters concerning county sewerage.

The provisions of Items 1 to 3 and Item 5 in the preceding Paragraph shall apply mutatis

mutandis to the Sewers of the provincial city by its competent authorities.

#### Article 7

The Public Sewer shall be constructed and managed by local government or country/town/village office(s). Provided, when deemed necessary, the competent authorities may appoint a relevant public enterprise to construct and manage the Public Sewer.

#### Article 8

The Special Purpose Sewers of the government authorities, the public enterprises, the newly developed communities or industrial areas shall be constructed and managed by each such authority or institution.

The private newly developed community, the industrial areas or other areas or places designated by the competent authorities shall establish the Special Purpose Sewer. However, when deemed necessary, it may be constructed and managed by the local government, the county/town/village office(s) or an appointed relevant public enterprise or institution. The construction fee shall be pro rata allocated in calculation of the construction base and the floor square.

The allocated construction fee in the preceding Paragraph shall be imposed on and collected from the initial constructor when applying for the issuance of the construction license. The rule for imposing and collecting the construction fee shall be set up by the central competent authorities.

#### Article 9

For the purpose of constructing and managing the Sewers, the central, municipality and county/city competent authorities shall appoint or set up a Sewer institution to handle the construction and management of the Sewers.

### Chapter II. Engineering and Construction

#### Article 10

The standard for constructing the Sewer shall be stipulated by the central competent authorities.

#### Article 11

The competent authorities of the municipality or the county/city shall, depending on the practical needs and cooperating with the regional sewerage system, set up the regional

sewerage plan, report such plan to the central competent authorities for their approval, and include such plan into the urban plan or regional plan by legal procedure for performance.

## Article 12

The construction of the Sewer shall be planned and proceeded concurrently in cooperation with other public facilities.

## Article 13

For construction's need, the Sewer institution may consult and negotiate with relevant competent authorities to use the rivers, drainages, bridges, conduits, dikes, roads, parks and grass. However, such use shall be limited so as not to interfere with their original utilities.

## Article 14

For the construction's need, the Sewer institution may bury the pipes or other facilities under the public or private land, and the land proprietor, possessor and user may not reject. Provided, the constructor shall select the place and method that would cause least damage to perform the construction, and shall pay reimbursement to them. Any objection arising from the selection of place and method or reimbursement shall be reported to the central competent authorities for their approval before handling.

If the burying of pipes or other facilities in the preceding Paragraph causes the land proprietors to be unable to build up the raid air sheltering facility or statutory parking lot, and such fact is further examined and verified by the local competent authority in charge of construction matters, it may be granted permission to not build up the raid air sheltering facility or statutory parking lot according to the parts that are affected by such burying.

## Article 15

When other underground facilities need to be disposed of due to the plan, design or construction of the drainage pipes or relevant facilities, the Sewer institution shall first inform the relevant authorities and obtain their agreement. In case an agreement is not obtained, it shall be reported to the competent authority to call a meeting with relevant authorities to make a decision.

## Article 16

The land proprietor, possessor or user shall not reject the temporary use of the public or

private land by the Sewer institution for investigation, measurement, construction or maintenance of the Sewers. However, they shall be reimbursed if they suffer any damage from providing the land. Any objection that arises from the reimbursement shall be reported to the central competent authority for its decision before handling.

#### Article 17

The plan, design and construction supervision of the Sewer may be entrusted to a registered technician in the relevant field. If the plan, design and construction are handled by the government, these shall be handled by qualified technicians under the regulations set up by central competent authority.

#### Article 18

The operation and maintenance of the Sewerage Facilities shall be conducted by the qualified personnel who pass the technique exam. The rules of the technique exam shall be regulated by the central competent authority.

### Chapter III. Use and Management

#### Article 19

The Sewer institution shall publicly announce the drainage area, the date to start use, the connecting procedure and the sewerage management rule before the start use of the Sewers. Except otherwise permitted by the local competent authority, the Sewage within the drainage area shall be drained off in the Sewer subject to the public announcement.

#### Article 20

The User shall be responsible for the management and maintenance of its own Drainage Facility.

#### Article 21

The user's drainage facility shall be installed by a qualified user's drainage facility installation contractor or water supply pipe contractor. The technician employed by the contractor shall pass the technique exam and the training held by the central competent authority.

The regulations for management of the user's drainage facility installation contractor shall be set up by the central competent authority.

## Article 22

The User may not connect its Drainage Facility to the Sewer before it passes the Sewer contractor's exam. If it fails to pass the exam, the Sewer contractor shall order the User to correct within a limited time.

The standard for the User's Drainage Facility shall be set up by the central competent authority.

## Article 23

In case the User may not drain off without using another's Drainage Facility, it shall first obtain approval from the Sewer institution before connection and use, and shall share the expenses incurred from the installation, use and maintenance based on its benefited level. If the User's Drainage Facility in the preceding Paragraph needs to be expanded or improved before connection and use, the expenses incurred from such expansion and improvement shall be borne by the User applying for such connection.

## Article 24

The Sewer institution may dispatch its personnel with evidencing documents to examine Users' Drainage Facilities and measure the water flow rate and water quality.

## Article 25

The standard water quality of the Sewage that the Sewer may contain shall be set up by the Sewer institution, and reported to authorities of the municipality or county/city for their approval and announcement.

In case the Sewage drained off by the User exceeds the standard stipulated in the preceding Paragraph, the Sewer institution shall order it to be corrected within a limited time. If the breach is material, it may notify it to stop use.

## Chapter IV. Fee for Use

## Article 26

The User shall pay for the use of Sewer, and the fee shall be calculated and collected by the following methods:

1. In proportion of the quantity of use of tap water and other water of the Users.
2. By the quality and quantity of the Sewage drained off by the User.
3. Other method approved by the competent authority.

The calculating and collecting methods for the fee for use in the preceding Paragraph shall

be stipulated by the competent authorities of the municipality and county/city, and further reported with the central competent authority for its approval.

#### Article 27

In case the User fails to pay for the fee for use under the Law, there shall be imposed a delay penalty of one percent of the unpaid use fee for every three days starting from the second day of the expiration of payment. If the delay exists over one month and the User refuses to pay after being notified, it may be filed with a competent court to grant a decree for compulsory enforcement.

#### Chapter V. Supervision and Assistance

#### Article 28

The Sewer institution shall immediately correct if the Sewage drained to the Sewer exceeds the drainage standard stipulated by the competent authority in charge of anti-water pollution.

#### Article 29

In case the User fails to install the User's Drainage Facility and complete the connection with the Sewer within the prescribed period, in addition to the penalty under Article 32, the competent authority may also order the Sewer institution to handle on behalf of such User, and any fee incurred shall be borne by the User.

If the User fails to pay the fees that shall be borne by it in the preceding Paragraph within the period notified, it may be filed with a competent court to grant a decree for compulsory enforcement.

#### Article 30

The competent authorities of the municipality or the county/city shall periodically examine the information and records for each facility, the water quality of the Sewage, and the equipment and financial status of the Sewer institution.

#### Chapter VI. Penalty

#### Article 31

Any person who destroys or damages the main sewerage facility or disables the Sewer from use or causes any danger by other behavior shall be punished with imprisonment for at least six months and not more than five years, and/or an administrative fine for at least five

thousand but not more than fifty thousand dollars.

### Article 32

If each of the following occurs, the User may be imposed of a administrative fine for over one thousand and below ten thousand dollars:

- 1.To drain off the Sewage into the Sewer not within the prescribed period.
- 2.In violation of Article 22, to connect and use before passing the exam, or failing to correct within a prescribed period when it fails to pass such exam.
- 3.Refusal to allow the Sewer institution to exam or inspect in accordance with Article 24.
- 4.If in violation of Paragraph 2 of Article 25, not to correct within the prescribed period.

If the factory, mining or other businesses appointed by the central competent authority fails to correct for three successive penalty impositions under Item 4 of the preceding Paragraph, the competent authority may report to and ask the competent authority with jurisdiction over its enterprise to impose a penalty of suspension.

### Article 33

The administrative fine under this Law shall be imposed by the competent authority. Any one who fails to pay within the prescribed notice period may be reported to the competent court to grant a decree for compulsory enforcement.

## Chapter VII. Miscellaneous

### Article 34

The enforcement rule of this Law shall be stipulated promulgated by the central competent authority.

### Article 35

This Law shall come into effect on the date of promulgation.