

再生能源發展條例

中 華 民 國 9 8 年 6 月 1 2 日

立法院第 7 屆第 3 會期第 17 次會議通過

第 一 條 為推廣再生能源利用，增進能源多元化，改善環境品質，帶動相關產業及增進國家永續發展，特制定本條例。

第 二 條 本條例所稱主管機關：在中央為經濟部；在直轄市為直轄市政府；在縣（市）為縣（市）政府。

第 三 條 本條例用詞，定義如下：

一、再生能源：指太陽能、生質能、地熱能、海洋能、風力、非抽蓄式水力、國內一般廢棄物與一般事業廢棄物等直接利用或經處理所產生之能源，或其他經中央主管機關認定可永續利用之能源。

二、生質能：指農林植物、沼氣及國內有機廢棄物直接利用或經處理所產生之能源。

三、地熱能：指源自地表以下蘊含於土壤、岩石、蒸氣或溫泉之能源。

四、風力發電離岸系統：指設置於低潮線以外海域，不超過領海範圍之離岸海域風力發電系統。

五、川流式水力：指利用圳路之自然水量與落差之水力發電系統。

六、氫能：指以再生能源為能量來源，分解水產生之氫氣，或利用細菌、藻類等生物之分解或發酵作用所產生之氫氣，做為能源用途者。

七、燃料電池：指藉由氫氣及氧氣產生電化學反應，而將化學能轉換為電能之裝置。

八、再生能源熱利用：指再生能源之利用型態非屬發電，而屬熱能或燃料使用者。

九、再生能源發電設備：指除非川流式水力及直接燃燒廢棄物之發電設備外，申請中央主管機關認定，符合依第四條第三項所定辦法規定之發電設備。

十、迴避成本：指電業自行產出或向其他來源購入非再生能源電能之年平均成本。

風力發電離岸系統設置範圍所定低潮線，由中央主管機關公告之。

第 四 條 中央主管機關為推廣設置再生能源發電設備，應考量我國氣候環境、用電需求特性與各類別再生能源之經濟效益、技術發展及其他因素。

經中央主管機關認定之再生能源發電設備，應適用本條例有關併聯、躉購之規定。

前項再生能源發電設備之能源類別、裝置容量、查核方式、認定程序及其他應遵行

事項之辦法，由中央主管機關定之。

第 五 條 設置利用再生能源之自用發電設備，其裝置容量不及五百瓩者，不受電業法第九十七條、第九十八條、第一百條、第一百零一條及第一百零三條規定之限制。

再生能源發電設備，除前項、第八條、第九條及第十四條另有規定者外，其申請設置、工程、營業、監督、登記及管理事項，適用電業法之相關規定。

前項工程包括設計、監造、承裝、施作、裝修、檢驗及維護。

第 六 條 中央主管機關得考量國內再生能源開發潛力、對國內經濟及電力供應穩定之影響，自本條例施行之日起二十年內，每二年訂定再生能源推廣目標及各類別所占比率。

本條例再生能源發電設備獎勵總量為總裝置容量六百五十萬瓩至一千萬瓩；其獎勵之總裝置容量達五百萬瓩時，中央主管機關應視各類別再生能源之經濟效益、技術發展及相關因素，檢討依第四條第三項所定辦法中規定之再生能源類別。

再生能源熱利用推廣目標及期程，由中央主管機關視其經濟效益、技術發展及相關因素定之。

第 七 條 電業及設置自用發電設備達一定裝置容量以上者，應每年按其不含再生能源發電部分之總發電量，繳交一定金額充作基金，作為再生能源發展之用；必要時，應由政府編列預算撥充。

前項一定裝置容量，由中央主管機關定之；一定金額，由中央主管機關依使用能源之種類定之。

第一項基金收取方式、流程、期限及其他相關事項之辦法，由中央主管機關定之。

第一項基金之用途如下：

- 一、再生能源電價之補貼。
- 二、再生能源設備之補貼。
- 三、再生能源之示範補助及推廣利用。
- 四、其他經中央主管機關核准再生能源發展之相關用途。

電業及設置自用發電設備達一定裝置容量以上者，依第一項規定繳交基金之費用，或向其他來源購入電能中已含繳交基金之費用，經報請中央主管機關核定後，得附加於其售電價格上。

第 八 條 再生能源發電設備及其所產生之電能，應由所在地經營電力網之電業，衡量電網穩定性，在現有電網最接近再生能源發電集結地點予以併聯、躉購及提供該發電設備停機維修期間所需之電力；電業非有正當理由，並經中央主管機關許可，不得拒絕；必要時，中央主管機關得指定其他電業為之。

前項併聯技術上合適者，以其成本負擔經濟合理者為限；在既有線路外，其加強電力網之成本，由電業及再生能源發電設備設置者分攤。

電業依本條例規定躉購再生能源電能，應與再生能源發電設備設置者簽訂契約，並報中央主管機關備查。

第一項併聯之技術規範及停機維修期間所需電力之計價方式，由電業擬訂，報請中央主管機關核定。

再生能源發電設備及電力網連接之線路，由再生能源發電設備設置者自行興建及維護；必要時，與其發電設備併聯之電業應提供必要之協助；所需費用，由再生能源發電設備設置者負擔。

第九條 中央主管機關應邀集相關各部會、學者專家、團體組成委員會，審定再生能源發電設備生產電能之躉購費率及其計算公式，必要時得依行政程序法舉辦聽證會後公告之，每年並應視各類別再生能源發電技術進步、成本變動、目標達成及相關因素，檢討或修正之。

前項費率計算公式由中央主管機關綜合考量各類別再生能源發電設備之平均裝置成本、運轉年限、運轉維護費、年發電量及相關因素，依再生能源類別分別定之。

為鼓勵與推廣無污染之綠色能源，提升再生能源設置者投資意願，躉購費率不得低於國內電業化石燃料發電平均成本。

再生能源發電設備設置者自本條例施行之日起，依前條第三項規定與電業簽訂契約者，其設備生產之電能，依第一項中央主管機關所公告之費率躉購。

本條例施行前，已與電業簽訂購售電契約者，其設備生產之再生能源電能，仍依原訂費率躉購。

再生能源發電設備屬下列情形之一者，以迴避成本或第一項公告費率取其較低者躉購：

- 一、本條例施行前，已運轉且未曾與電業簽訂購售電契約。
- 二、運轉超過二十年。
- 三、全國再生能源發電總裝置容量達第六條第二項所定獎勵總量上限後設置者。

第十條 全國再生能源發電設備總裝置容量達第六條第二項所定獎勵總量上限前設置之再生能源發電設備，其所產生之電能，係由電業依前條躉購或電業自行產生者，其費用得申請補貼，但依其他法律規定有義務設置再生能源發電部分除外；費用補貼之申請，經中央主管機關核定後，由本條例基金支應。

前項補貼費用，以前條第四項及第五項所定躉購費率較迴避成本增加之價差計算之

前條第六項及前項迴避成本，由電業擬訂，報中央主管機關核定。

第一項再生能源電能費用補貼之申請及審核辦法，由中央主管機關定之。

第十一條 對於具發展潛力之再生能源發電設備，於技術發展初期階段，中央主管機關得基於示範之目的，於一定期間內，給予相關獎勵。

前項示範獎勵辦法由中央主管機關定之。

第十二條 政府於新建、改建公共工程或公有建築物時，其工程條件符合再生能源設置條件者，優先裝置再生能源發電設備。

第十三條 中央主管機關得考量下列再生能源熱利用之合理成本及利潤，依其能源貢獻度效益，訂定熱利用獎勵補助辦法：

一、太陽能熱能利用。

二、生質能燃料。

三、其他具發展潛力之再生能源熱利用技術。

前項熱利用，其替代石油能源部分所需補助經費，得由石油管理法中所定石油基金支應。

利用休耕地或其他閒置之農林牧土地栽種能源作物供產製生質能燃料之獎勵經費，由農業發展基金支應；其獎勵資格、條件及補助方式、期程之辦法，由中央主管機關會同行政院農業委員會定之。

第十四條 再生能源發電設備達中央主管機關所定一定裝置容量以上者，其再生能源發電設備及供電線路所需使用土地之權利取得、使用程序及處置，準用電業法第五十條至第五十六條規定。

第十五條 再生能源發電設備及其輸變電相關設施之土地使用或取得，準用都市計畫法及區域計畫法相關法令中有關公用事業或公共設施之規定。

因再生能源發電設備及其輸變電相關設施用地所必要，租用國有或公有林地時，準用森林法第八條有關公用事業或公共設施之規定。

再生能源發電設備及其輸變電相關設施用地，設置於漁港區域者，準用漁港法第十四條有關漁港一般設施之規定。

燃燒型生質能電廠之設置，應限制於工業區內。但沼氣發電，不在此限。

第十六條 公司法人進口供其興建或營運再生能源發電設備使用之營建或營運機器、設備、施工用特殊運輸工具、訓練器材及其所需之零組件，經中央主管機關證明其用途屬實且在國內尚未製造供應者，免徵進口關稅。

公司法人進口前項規定之器材，如係國內已製造供應者，經中央主管機關證明其用途屬實，其進口關稅得提供適當擔保於完工之日起，一年後分期繳納。

自然人進口供自用之再生能源發電設備，經中央主管機關證明其用途屬實且在國內尚未製造供應者，免徵進口關稅。

前三項免徵關稅或分期繳納關稅之進口貨物，轉讓或變更用途時，應依關稅法第五十五條規定辦理。

第一項至第三項之免徵及分期繳納關稅辦法，由財政部會商相關機關定之。

有關證明文件之申請程序、自然人供自用之再生能源發電設備之品項範圍及遵行事項辦法，由中央主管機關會商相關機關定之。

第十七條 設置再生能源發電、利用系統及相關設施，依不同設施特性，就其裝置容量、高度或面積未達一定規模者，免依建築法規定請領雜項執照。

前項關於免請領雜項執照之設備容量、高度或面積標準，由中央主管機關會同中央建築主管機關定之。

第十八條 中央主管機關於必要時，得要求再生能源發電設備設置者提供再生能源運轉資料，並得派員或委託專業機構查核；再生能源發電設備設置者不得規避、妨礙或拒絕。

第七條第一項設置自用發電設備達一定裝置容量以上者，應按月將其業務狀況編具簡明月報，並應於每屆營業年終了後三個月內編具年報，送中央主管機關備查；中央主管機關並得令其補充說明或派員檢查，自用發電設備設置者不得規避、妨礙或拒絕。

前項報告格式，由中央主管機關定之。

第十九條 再生能源發電設備設置者與電業間因本條例所生之爭議，於任一方提起訴訟前，應向中央主管機關申請調解，他方不得拒絕。

中央主管機關應邀集學者、專家為前項之調解。

調解成立者，與訴訟上之和解有同一之效力；調解不成立者，循仲裁或訴訟程序處理。

第一項及第二項調解之申請、程序及相關事項之辦法，由中央主管機關定之。

第二十條 有下列情形之一者，中央主管機關應通知限期改善；屆期未改善者，處新臺幣三十萬元以上一百五十萬元以下罰鍰，並命其再限期改善；屆期仍未改善者，得按次連續處罰：

一、違反第七條第一項規定，未繳交基金。

二、違反第八條第一項規定，未併聯或躉購或提供停機維修期間所需電力。

第二十一條 違反第十八條第一項或第二項規定，規避、妨礙、拒絕查核或檢查者，處新臺幣三十萬元以上一百五十萬元以下罰鍰。

第二十二條 違反第十八條第一項或第二項規定，未能提供、申報或未按時提供、申報資料，或提供、申報不實，或未配合補充說明者，中央主管機關應通知限期改善；屆期未改善者，處新臺幣二十萬元以上一百萬元以下罰鍰，並命其再限期改善；屆期仍未改善者，得按次連續處罰。

第二十三條 本條例自公布日施行。

Statute for the Renewable Energy Development Act

Passed in the conference 7-3-17 of the Legislative Yuan, the R.O.C. (Taiwan)

12 June 2009

Article 1 To promote the use of renewable energy, advance the energy multiplicity, improve the environmental quality, invigorate the relevant industries and facilitate the national sustainable development, the Statute for the Renewable Energy Development Act (hereinafter the Act) is instituted.

Article 2 The competent authority referred to in the Act is the Ministry of Economic Affairs, the R.O.C. (Taiwan) in the central government, the municipal city hall in the municipality, and the county (city) government in the county (city) respectively.

Article 3 The definition of the terms used in the Act is:

1. Renewable energy: solar energy, biomass energy, geothermal energy, ocean energy, wind energy, non-pumped-storage hydroelectricity, energy produced from either direct employment or treatments of domestic general waste and general industrial waste, or other sustainable energy recognized by the central competent authority.
2. Biomass energy: energy produced from either direct employment or treatments of agricultural and forestry plants, methane and domestic organic waste.
3. Geothermal energy: energy from soil, rock, steam or hot spring underneath the surface of the earth.
4. Wind energy generation offshore system: an offshore oceanic wind energy generation system built within the oceanic territory between the low tide line and the territorial sea.
5. Run-of-the-river hydroelectricity: a hydroelectric generation system conversing natural water sum and gap of trenches to energy.
6. Hydrogen energy: using renewable energy as the source of energy and hydrogen as a carrier of energy by decomposing water or the decomposition or fermentation of germs or algae.
7. Fuel cell: an electrochemical conversion device which transfers chemical energy to electricity by the electrochemical reaction of hydrogen and oxygen.
8. Thermal conversion for renewable energy: the conversion pattern of renewable energy is the like of thermal energy or fuel excluding electric

power generation.

9. Device for renewable energy: a device excluding non-run-of-the-river hydroelectricity and direct incineration of waste conforms to the provisions prescribed in paragraph 3 of Article 4 by applying for the recognition of the central competent authority

10. Avoided cost: an annual average cost of the non-renewable-energy electricity either generated by an electric power company on its own or bought from other sources.

The low tide line referred to in the wind energy offshore system is promulgated by the central competent authority.

Article 4 The central competent authority shall deliberate the national climate, demands for electricity and the economic benefits, technical development of various renewable energy and other factors so as to promote the establishment and construction of devices for renewable energy.

The pertinent provisions of parallel connection and / or wholesale prescribed in the Act shall apply to devices for renewable energy recognized by the central competent authority.

The energy category, installed capacity, ways of inspection, procedures for recognition and other compliances concerning devices for renewable energy in the preceding paragraph shall be ordered by the central authority.

Article 5 Where the installed capacity of self-consumption devices for renewable energy is less than 500 kilowatts, the limit prescribed in Articles 97, 98, 100, 101 and 103 of the Electricity Act shall not apply..

Except for those otherwise provided in the preceding paragraph and Articles 8, 9 and 14 of the Act, the pertinent provisions of the Electricity Act shall apply to the application for establishment, engineering, operation, supervision, registration and management.

The engineering referred to in the preceding paragraph includes design, supervision, contracted installation, construction, repair, inspection and maintenance.

Article 6 Upon the consideration of the potential of domestic development for renewable energy and the impact on the domestic economy and the stability of power supply, the central competent authority may stipulate the promotional target and the ratio of categories for renewable energy biennially within 20 years from the date of the enforcement of the Act.

The incentive total for renewable energy prescribed in the Act is the total

installed capacity at 6.5–10 million kilowatts. Upon the incentive total capacity exceeds 5 million kilowatts, the central competent authority shall review energy categories for renewable energy prescribed in paragraph 3 of Article 4 in terms of economic benefits, technical development and relevant factors.

The promotional target and timetable of thermal conversion for renewable energy shall be stipulated by the central competent authority in terms of economic benefits, technical development and relevant factors.

Article 7 An electric power company shall, if the self-consumption devices exceed a certain sum of installed capacity, pay a certain sum of money as the funds for developing renewable energy pro rata in terms of the total electricity sum excluding renewable energy annually. The government shall list the budget for allotment if necessary.

A certain sum of installed capacity prescribed in the preceding paragraph is stipulated by the central authority. A certain sum of money prescribed in the preceding paragraph is stipulated by the central competent authority pursuant to the category of the used energy.

The collecting way, flow, deadline and other relevant matters of the funds prescribed in paragraph 1 is stipulated by the central competent authority.

The purposes of the funds mentioned in paragraph 1 are as follows:

- 1.Subsidy to price of renewable energy;
- 2.Subsidy to devices for renewable energy;
- 3.Demonstration and promotion for renewable energy;
- 4.Other pertinent purposes for developing renewable energy approved by the central competent authority.

An electric power company may, if the self-consumption devices exceed a certain sum of installed capacity, add the charge i.e. the funds paid in compliance with the provision in the paragraph1 or the fee paid for the electricity bought from other sources with the paid funds aforementioned to electricity sales by applying to the central competent for approval.

Article 8 The electricity produced by devices for renewable energy shall be available to the parallel connection and wholesale and to the electricity during the overhaul which suspends the operation of devices upon the deliberation of the stability of electric network at the place where the renewable energy plant and the current electric network are the closest by the local electric power company running electric network.. An electric power company may not refuse the preceding provision unless the just cause approved by the central competent

authority exists. The central competent authority may designate other electric power companies to perform the preceding action if necessary.

Where an electric power company is technically applicable to the parallel connection in the preceding paragraph, it applies to those bearing the affordable cost. The cost of the enhanced electric network in addition to the existing lines is shared by both the electric power company and the party establishing the devices for renewable energy.

An electric power company shall sign the contract with the party establishing devices for renewable energy and report to the central competent authority for check as the electricity of renewable energy is bought by wholesale in compliance with the provisions prescribed in the Act.

The technical norms of the parallel connection and the pricing way of the electricity needed during the overhaul which suspends the operation of devices are drafted by an electric power company and reported to the central competent authority for approval.

Devices for renewable energy and lines for connecting electric network are built and maintained by the party establishing devices for renewable energy. The electric power company shall, upon the parallel connection with devices, provide the essential aids if necessary. The party establishing devices for renewable energy bears the preceding charge.

Article 9 The central competent authority shall establish a commission by inviting pertinent departments and commissions, scholars and experts and groups which deliberates and determines the wholesale charge and the computing formula of the electricity produced by devices for renewable energy. A hearing may be held in compliance with the Administrative Procedure Act prior to the promulgation if necessary. Moreover, there shall be an annual review or correction in terms of technical advancement, cost change, target obtainment and relevant factors pursuant to respective categories of renewable energy.

The computing formula of the charge in the preceding paragraph is stipulated by the central competent authority in accordance with categories of renewable energy by the comprehensive deliberation of average installed cost, operating year limit, maintenance fee, annual power sum and relevant factors of devices for respective categories of renewable energy.

To encourage and propagate the pollution-free green energy and advance the aspiration of the investors for renewable energy, the wholesale purchase charge may not be less than the average cost of the domestic electric power

companies using fossil fuel.

Where the party establishing devices for renewable energy signs the contract with an electric power company in compliance with paragraph 3 of the preceding Article on the enforced date of the Act, the electricity shall be wholesaled under the purchase charge promulgated by the central competent authority in paragraph 1.

Where the party has signed the contract with an electric power company by the enforcement of the Act, the electricity produced by devices for renewable energy is wholesaled in accordance with the originally contracted purchase charge.

Upon one of the following circumstances, the wholesale purchase charge shall be determined by either avoided cost or the promulgated charge in paragraph 1 in terms of the lower one.

1. The operation prior to the enforcement of the Act without the contract with any electric power company;
2. The operation exceeds more than 2 decades; and
3. The party establishes devices for renewable energy after the national total installed capacity of renewable energy exceeds the upper limit of incentive total.

Article 10 The fee of the electricity either produced privately or bought under the wholesale stipulation in the preceding Article by an electric company may be applied for the subsidy if the devices for renewable energy have been established before the national total installed capacity of devices for renewable energy exceeds the upper limit of the incentive total prescribed in paragraph 2 of Article 6; however, it does not apply to the party obligated to establish devices for renewable energy in terms of laws. The application for the subsidy shall be paid by the funds of the Act through the approval of the central competent authority.

The subsidy is computed by the difference between the wholesale charge and the avoided cost prescribed in paragraphs 4 and 5 of the preceding Article.

The avoided cost referred to in the preceding paragraph and paragraph 6 of the preceding Article is drafted by the electric power company and reported to the central competent authority for approval.

The measures governing the application for and examination of the subsidy of renewable energy electricity in the paragraph 1 is ordered by the central competent authority.

Article 11 The central competent authority may reward the devices for renewable energy with the potential to develop in the initial phase of technical development within a definite term.

The measures governing the demonstrative rewards are stipulated by the competent authority.

Article 12 The government will prioritize the establishment of devices for renewable energy installed in the public engineering of constructed or reconstructed or the public buildings the engineering conditions of which conform to the establishment of renewable energy.

Article 13 Upon the consideration of the reasonable cost and profits of thermal conversion for renewable energy as follows, the central competent authority may order the measures governing the rewards and subsidies for thermal conversion in terms of the benefits of energy contribution.

1. Thermal conversion of solar power;

2. Biomass fuel; and

3. Other technologies of thermal conversion for renewable energy with the potential.

The subsidized expenditures for replacing petroleum energy with thermal conversion in the preceding paragraph may be paid by the fund for petroleum prescribed in the Petroleum Managed Law.

The incentive expenditures for utilizing fallows or other idle land of agriculture, forestry and pasturage to produce biomass fuel are paid by the funds for agricultural development. The incentive qualification, conditions and the measures governing the subsidy and schedule is stipulated by the central competent authority consulting the Council of Agriculture, Executive Yuan.

Article 14 Where devices for renewable energy exceeds a certain installed capacity specified by the central competent authority, the provisions prescribed in Articles 50–56 of the Electricity Act shall apply to the right obtainment and the procedures and treatments for utilization of the land required for devices for renewable energy and lines for power supply *mutatis mutandis*.

Article 15 The stipulations relating to utilities or public facilities prescribed in the Urban Planning Act and the Regional Planning Act shall apply to the utilization or acquisition of the land required for devices for renewable energy and related electric power transmission and transformer apparatus *mutatis mutandis*.

The stipulations relating to utilities or public facilities prescribed in Article 8 of the Forestry Act shall apply to the lease of national or public forest land

required for devices for renewable energy and related electric power transmission and transformer apparatus mutatis mutandis.

The stipulations relating to general facilities in fishing ports prescribed in Article 14 of the Fishing Port Act shall apply to devices for renewable energy and related electric power transmission and transformer apparatus installed in fishing ports mutatis mutandis.

The establishment of combustive biomass electric plants shall be confined to industrial parks. However, it does not apply to methane electric power plants.

Article 16 Where the purposes of constructive and / or operational machinery, facilities, and specific transportation tools for engineering, training equipments and essential accessories and parts required for constructing or operating devices for renewable energy imported by corporations are proven to be authentic by the central competent authority and unavailable domestically, the tariff will be exempted.

The tariff of apparatuses imported by corporations in the preceding paragraph available domestically the purposes of which are to be proven to be authentic by the central competent authority may be paid by the installments with adequate collaterals in 1 year from the date of the accomplishment of construction.

Where the purposes of self-consumption devices for renewable energy imported by natural persons are proven to be authentic by the central competent authority and unavailable domestically, the tariff will be exempted.

The provisions of Article 55 of the Tariff Act shall apply to imported commodities exempted from the tariff or with the tariff paid by the installments described in the preceding paragraphs 1-3 if there is any transfer or alteration of purpose.

The measures governing the tariff exemption or tariff paid by the installments are stipulated by the Ministry of Finance jointly consulting relevant offices.

The application procedures of relevant documents, item scope of self-consumption devices for renewable energy and compliances are ordered by the central competent authority jointly consulting relevant offices.

Article 17 Where the installed capacity, height or area fails to exceed a definite scale in accordance with the characteristics of devices, system and facilities for renewable energy may be exempted from the application for the miscellaneous license prescribed in the Building Act.

The standards for installed capacity, height or area in the preceding paragraph

are ordered by the central competent authority jointly consulting the central architectural authority.

Article 18 The central competent authority may, if necessary, request the party establishing devices for renewable energy to provide the operational data of renewable energy and may designate staff or commission professional organizations for inspection, which the party establishing devices for renewable energy may not avoid, hinder or reject.

Where the self-consumption devices for renewable energy established under paragraph 1 of Article 7 exceeds a definite installed capacity, the operational state shall be edited as a brief monthly report on a monthly basis and an annual report shall be edited within 3 months after the operational year ends and be submitted to the central competent authority for check. The central competent authority may request for the supplement statements or designate staff for inspection which the party establishing self-consumption devices for renewable energy may not avoid, hinder or refuse.

The reporting format is stipulated by the central competent authority.

Article 19 Any dispute arising from the party establishing devices for renewable energy and an electric power companies due to the Act shall be applied for mediation to the central competent authority prior to litigation proposed by one party which the other party may not refuse.

The central competent authority shall invite scholars and experts for the mediation in the preceding paragraph.

Where the mediation comes into existence, it enjoys the same validity with the reconciliation of litigation. Where the mediation fails to come into existence, the case will be handled by the procedures of arbitration or litigation.

The measures governing the application, procedures and relevant matters of the mediation in paragraphs 1 and 2 are ordered by the competent authority.

Article 20 Upon any of the circumstances as follows, the central competent authority shall notify the party of the rectification within a definite time. The party failing to rectify within a definite time will be fined at not less than NTD 300,000 and not more than NTD 1,500,000 and be ordered to rectify within a definite time. The party failing to rectify within a definite time may be fined consecutively on a frequency basis.

1. Violation against the provision prescribed in paragraph 1 of Article 7:
not paying the funds; and
2. Violation against the provision prescribed in paragraph 1 of Article 8:

failure of parallel connection or wholesale purchase or offering the electricity required for the overhaul which suspends the operation of devices.

Article 21 The party violating the provisions prescribed in paragraph 1 or 2 of Article 18 by avoiding, hindering or refusing the inspection or check is fined at not less than NTD 300,000 and not more than NTD 1,500,000.

Article 22 The central competent authority shall notify the party violating the provisions prescribed in paragraph 1 or 2 of Article 18 by failing to provide or apply for data, or failing to provide or apply for data within a definite time, or providing or applying for falsity, or failing to supplement the statements of the rectification within a definite time. The party failing to rectify within a definite time will be fined at not less than NTD 200,000 and not more than NTD 1,000,000 and be ordered to rectify within a definite time. The party failing to rectify within a definite time may be fined consecutively on a frequency basis.

Article 23 The Act is enforced on the promulgated date.