

# Marine Protection

## List of Administrative Rules Governing Taiwan's Marine Protected Areas



Principles in Dealing with Areas of MPAs under the Jurisdiction of Two or More Legislations

Item No.	Competent Authorities	MPAs of jurisdiction	Restricted Acts	Provisions Applicable	Penalties	Remarks
1	National Park Administration, Construction & Planning Agency, Ministry of Interior	Ecological reservation, special landscape area, and sea bottom park, recreation area, General Restricted Area of Power Plant, and Other Restricted Areas of Kenting National Park	1.Prohibited acts within the national park: Angling, and catching of fish without authorization 2.Prohibited acts as promulgated under Kenting National Park Recreation Activities Development Program: (1)General prohibited acts: prohibition of riding water scooters outside publicized authorized area, or outside authorized navigating passage; prohibition of causing water pollution, damaging natural environment and natural features when conducting recreation activities at sea; prohibition of carrying spear guns, shooting fish and catching marine animals when conducting recreation activities at sea; prohibition of exceeding required carrying capacity when conducting recreation activities at sea (required carrying capacity is to be decided by the entire private operators, and tourists shall not conduct such activities); prohibit tourists to consult operators who have not been authorized to operate at-sea recreation activities	National Park Law article 13, paragraph 2, and article 13, paragraph 8, prohibited recreation activities as announced, and article 14, paragraph 5.	Penalty Table on prohibited acts as stipulated in "Kenting National Park Recreation Activities Development Program", penalty of a fine of NT\$3,000.	

for service.

(2) Prohibited acts of operators: Prohibition of conducting at-sea recreation activities without authorization; prohibition of conducting at-sea recreation activities without deployment of qualified lifeguards and lifesaving equipment.

(3) Prohibited acts for conducting the activities of water scooters: Prohibition of riding water scooters in contravention of navigating rules; prohibit tourists riding water scooters not accompanied by qualified instructors professionally trained by this administration; or approaching slowly to the beach when coming alongside shore, and not turning off the engine when reaching water less than 90 cm. deep; or tourists under 18 years old riding water scooters alone, or tourists over 10 years but under 18 years old, riding water scooters without the written consent of parents, and accompanied by qualified instructors professionally trained by this administration; prohibit tourists water scooters without taking safety education, prohibition of riding water scooters without wearing helmets and safety jackets with whistles as required.

(4) Prohibited acts for conducting diving activities: Prohibit those without proving of diving capability in

conducting scuba diving; prohibit conducting diving without placing of diving flags and carrying diving position floating signs; prohibit conducting diving not accompanied by persons proven to have diving capability and familiar with the diving spots; prohibit those without the capability of a diving instructor to accompany clients in conducting diving and prohibit instructing more than eight persons per day per person; prohibit those without the capability of a diving instructor to accompany clients in conducting snorkeling and prohibit instructing more than 10 persons per day per person; prohibit operators of diving activities to allow a person that has not been proven to hold diving certificate to conduct diving alone; prohibit those who accompany clients to conduct diving, without telling the clients the required matters to be noted; and allow them to conduct diving alone without telling the clients the required matters to be noted.

(5) Prohibited acts of skippers and vessel drivers: Prohibit skippers and vessel drivers to take passengers for conducting diving without notifying the port coast guard administrating agency for port clearance; prohibit skippers and vessel drivers to take passengers for conducting diving,

			<p>without ensuring that the communicating equipment is functional; prohibit skippers and vessel drivers to take passengers for conducting diving, without telling the divers the conditions of the diving spots; prohibit skippers and vessel drivers to allow divers to conduct diving before placing a diving flag; prohibit skippers and vessel drivers to drive the vessel away from the diving spot before the divers have completed their diving and returned to the vessel, or the arrival of a supporting vessel.</p> <p>3. Announcement of “Prohibitions in the Kenting National Park”: Prohibitions of taking, selling, displaying samples and products of stalagmite, stalactites, fossils, shell sand, reef corals, and other bizarre rocks.</p>			
<p>2</p>	<p>National Park Administration, Construction &amp; Planning Agency, Ministry of Interior</p>	<p>Ecological reservation, special landscape area, and general restricted area of Dongsha Atoll National Park</p>	<p>1. National Park Law                      (1) Article 13, paragraph 2: The Following activities shall be prohibited within the national parks: Hunting animals or catching fish. According to Article 25, violators shall punished with a fine of not more than 1000 yuan, or if the circumstances of the offense are so intense as to cause serious damage to the environment, he or she shall be punished with imprisonment of not more than one year.                      (2) Article 14, paragraph 5: Prohibition of fishing without prior permission.</p>			

According to Article 25, violators shall be punished with a fine of not more than 1000 yuan.

2. Prohibited activities within Dongsha Atoll National Park:

(1) Prohibition of feeding or disturbing wild animals. Violation for the first time shall be punished with a fine of 1500 yuan, and 3000 yuan for the second time.

(2) Prohibition of taking without permission, samples of biological remains, fossils, shell sand, reef corals and other rocks. Violators shall be punished with a fine of 3000 yuan.

(3) Prohibition of introducing or rearing exotic animals and plants or their farming. Violators shall be punished with a fine of 3000 yuan.

(4) Prohibition of installing such structures as stands, and shelves. Violators for the first time shall be punished with a fine of 1500 yuan, and 3000 yuan for the second time.

(5) Prohibition of swimming, diving, snorkeling, and other related acts. Violators for the first time shall be punished with a fine of 1500 yuan, and 3000 yuan for the second time.

(6) Prohibition of making campfires and loud noises. Violators for the first time shall be punished with a fine of 1500 yuan, and 3000 yuan for the second time.

(7) Prohibit vessels or other vehicles other than for government service

			to remain in ecological reservations. Violators shall be punished with a fine of 3000 yuan.			
3	Taijiang National Park Administration, Construction & Planning Agency, Ministry of Interior	General restricted areas (1) & (2) of Taijiang National Park	<p>1. Except catching economic fish species permitted by the competent authorities, prohibition of catching rare marine animals and plants.</p> <p>2. Except permitted by the national park administration, prohibition of deploying artificial reefs and building of artificial installations.</p> <p>3. Prohibition of using dynamite, electricity, and poisons to catch fish, and conducting other acts harmful to marine animals and plants.</p> <p>4. Prohibition of any act causing water pollution.</p>	<p>1. National Park Law, Article 13, paragraph 2</p> <p>2. National Park Law, Article 14, paragraph 1, sub-paragraph 1.</p> <p>3. National Park Law, Article 13, paragraph 2</p> <p>4. National Park Law, Article 13, paragraph 3</p>	A fine of NT\$3000	
4	Northeast and Yilan Coast National Scenic Area Administration Headquarters, Bureau of Tourism, Ministry of Transportation and Communication	Marine resources protected areas linking Bitou Cape and Sandiao Cape	1. No take	Regulations Governing the Management of Designated Scenic Areas, Article 14, paragraphs 3, 4, & 5; the Statute for the Development of Tourism, Article 62, paragraph 1	1. Statute for the Development of Tourism, Article 62, paragraph 1: "Those who damage famous landmarks, natural resources or tourist facilities in tourism locations or designated scenic spots shall be fined by the competent authorities for the related matters up to NT\$50,000. The authorities may order the offender to recover the damaged objects to the original state or compensate for restoration costs. Should the damage be irreparable, the competent	

		authority for the related matters may impose an additional fine up to NT\$ 5 million.”
2. Prohibition of carrying spear gun, shooting fish and catching marine animals.	Regulations Governing Water Recreation Activities	2. Statute for the Development of Tourism, Article 60: “Those who engage in aquatic leisure activities in publicly announced prohibited areas, or who defy the restrictive orders issued by the competent management authority of the aquatic area regarding the types, range, time, and conducts of permissible activities in the aquatic area, shall be fined between NT\$5,000 and 25,000 with their activities banned. In the event that the aforementioned acts have profit-taking nature, the offenders shall be fined between NT\$15,000 and 75,000 with their activities banned.”
3. Prohibition of conducting motorized water recreation activities	3. Announcement of “Restrictions on Water Recreation Activities Sub-area between Bitou Cape and Sandiao Cape of Northeast and Yilan Coast National Scenic Area”: (1) Restrictions in Sub-area: Recreational activities in waters linking Bitou Cape and Sandiao Cape, unless otherwise provided, the water recreation activities to be conducted are restricted to non-motorized sail boats,	3. Announcement of “Restrictions on Water Recreation Activities Sub-area between Bitou Cape and Sandiao Cape of Northeast and Yilan Coast National Scenic Area”: 2. In accordance with the Statute for the Development of Tourism, Article 60, violations to this

				canoes, wind surfers, and diving.	announcement, the offenders shall be fined between NT\$5,000 and NT\$20,000, with their activities banned; in the event that the abovementioned acts have profit-taking nature, the offenders shall be fined between NT\$15,000 and 75,000 with their activities banned.
5	East Coast National Scenic Area Administration Headquarters, Bureau of Tourism, Ministry of Transportation and Communication	Marine resources conservation areas between Haishanping and Fanchuanbi, Ludao	Yachting, diving, rowing, sailing, water surfing, sea bottom sighting, and other related water recreation activities not authorized by the tourism competent authorities, so as not to obstruct the conservation of fisheries resources in the area.	1.Regulations Governing Water Recreation Activities, Article 8, paragraph 4: Shall not cause water pollution or damage the natural environment or natural landscape. 2. Regulations Governing Water Recreation Activities, Article 17, paragraph 3: Persons engaging in snorkeling or scuba diving activities shall not carry spear gun, shoot fish, or catch marine animals.	In accordance with the Regulations Governing Water Recreation Activities, the offenders shall be fined between NT\$5,000 and NT\$15,000, with their activities banned.
6	Forestry Bureau, Council of Agriculture, Executive Yuan	Matsu Islands Tern Refuge	Common restricted activities: (1) Prohibition of hunting, killing, disturbing, and abusing general and protected wildlife and birds, or picking, damaging birds' eggs. (2) Prohibition of all kinds of development, building, dredging, mining, quarrying, gathering or hewing of plants, or other acts that may damage the natural environment. Without damaging the critical habitats of wildlife and impacting the inhabitation of wildlife, the competent authorities may establish facilities necessary for	1. Wildlife Conservation Act, Article 41	1. Within wildlife refuges, hunting, or killing protected wildlife, without possessing special conditions, or violating the required regulations, the offenders shall be punished with imprisonment for six months up to ten years, and/or a fine between NT\$300,000 and NT\$1.5 million, and may be subject to additional 1/3 of the prescribed punishment.



	maintaining and interpreting conservation.		
	<p>2. Special restrictions in core areas:</p> <p>(1) Prohibiting general public from climbing or entering core areas, except for academic research or educational purposes, with prior permission of the competent authorities.</p> <p>(2) During nesting season of terns (every October to the following March), fishermen may go ashore for gathering shells or lavers, without violating the restricted matters under protection and utilization of the refuge (common, buffer areas and other restricted matters under protection and utilization).</p>	2. Wildlife Conservation Act, Article 42	2. Within wildlife refuges, hunting, killing protected wildlife, the offenders shall be punished with imprisonment for not more than one year, detention and/or a fine between NT\$300,000 and NT\$600,000; in case of causing death of wildlife, the offenders shall be punished with imprisonment of not more than 2 years, detention, and/or a fine between NT\$100,000 and NT\$500,000, and may be subject to additional 1/3 of the prescribed punishment.
	3. Special restricted matters in buffer areas: Within buffer areas, prohibition of pressing car honks, making fireworks, feeding seabirds or other acts that may disturb seabirds.	Wildlife Conservation Act, Article 50, paragraph 1	3. Within wildlife refuges, hunting, and killing general wildlife, and violating other announced restricted matters, the offenders shall be punished with a fine between NT\$50,000 and NT\$250,000.
	4. Other restricted matters: Matters prescribed in accordance with Wildlife Conservation Act and the Fisheries Act.	4. Wildlife Conservation Act, Article 50, paragraph 2.	4. Within wildlife refuges, disturbing, and abusing general wildlife, the offenders shall be punished with a fine between NT\$20,000 and NT\$100,000.
Mianhua Islet and Huaping Islet Wildlife Refuges	Common restricted matters: (1) Prohibition of	1. Wildlife Conservation Act, Article 41	1. Within wildlife refuges, hunting, and

<p>hunting, killing, disturbing, and abusing general and protected wildlife and birds, or picking, damaging birds' eggs.                  (2) Prohibition of developing, building, dredging, mining, quarrying, gathering or hewing of plants, or other acts that may damage the natural environment.                  Without damaging the critical habitats of wildlife and impacting the inhabitation of wildlife, the competent authorities may establish facilities necessary for maintaining and interpreting conservation.</p>		<p>killing protected wildlife, without possessing special conditions, or violating their regulations, the offenders shall be punished with imprisonment of not less than 6 months and not more than 5 years, and/or a fine between NT\$300,000 and NT\$1.5 million, and may be subject to additional 1/3 of the prescribed punishment.</p>	
<p>2. Special restricted matters in core areas: Entering core areas shall be subject to approval by the government of Keelung City, restricting to academic research and educational purposes.</p>	<p>2. Wildlife Conservation Act, Article 42</p>	<p>2. Within wildlife refuges, disturbing, and abusing protected wildlife, the offenders shall be punished with an imprisonment of not more than 1 year, detention and/or a fine between NT\$300,000 and NT\$600,000; in case of causing death to the wildlife, the offenders shall be punished with an imprisonment of not more than 2 years, detention, and/or a fine between NT\$100,000 and NT\$500,000, and may be subject to additional 1/3 of the prescribed punishment.</p>	
<p>1. Restricted matters in buffer areas:</p>	<p>3. Wildlife Conservation Act, Article 50, paragraph 1.</p>	<p>3. Within wildlife refuges, hunting, and killing general</p>	

	<p>2. Within buffer areas, fishermen may conduct fishing, in accordance with the provisions of the Fisheries Act.</p> <p>3. During nesting season of seabirds every March to September, except fishing operations of fishermen, any person entering buffer areas shall be subject to approval of the government of Keelung City.</p>		<p>wildlife, and violating other announced restricted matters, the offenders shall be punished with a fine between NT\$50,000, and NT\$250,000.</p>	
<p>Penghu Cat Islet Seabirds Refuge</p>	<p>1. Common restricted matters:</p> <p>(1) Prohibition of hunting, killing, disturbing, and abusing general and protected wildlife and birds, or picking, or damaging birds' eggs.</p> <p>(2) Prohibition of developing, building, dredging, mining, quarrying, gathering or hewing of plants, or other acts that may damage the natural environment. Without damaging the critical habitats of wildlife and impacting the inhabitation of wildlife, the competent authorities may establish facilities necessary for maintaining and interpreting conservation.</p>	<p>1. Wildlife Conservation Act, Article 41.</p>	<p>1. Within wildlife refuges, hunting, and killing protected wildlife, without possessing special conditions, or violating their regulations, the offenders shall be punished with imprisonment of not less than 6 months and not more than 5 years, and/or a fine between NT\$300,000 and NT\$1.5 million, and may be subject to additional 1/3 of the prescribed punishment.</p>	
	<p>2. Special restrictions in core areas:</p> <p>(1) Prohibiting general public from</p>	<p>2. Wildlife Conservation Act, Article 42.</p>	<p>·2. Within wildlife refuges, disturbing, and abusing protected</p>	

	<p>climbing or entering core areas, except for academic research or educational purposes, with prior permission of the competent authorities.</p> <p>(2) During nesting season of terns (every October to the following March), fishermen may go shore for gathering shells or lavers, without violating the restricted matters under protection and utilization of the refuge (common, buffer areas and other restricted matters under protection and utilization).</p>		<p>wildlife, the offenders shall be punished with imprisonment for not more than one year, detention and/or a fine between NT\$300,000 and NT\$600,000; in case of causing death of wildlife, the offenders shall be punished with imprisonment of not more than 2 years, detention, and/or a fine between NT\$100,000 and not more than NT\$500,000, and may be subject to additional 1/3 of the prescribed punishment.</p>
	<p>3. Special restricted matters in buffer areas: Within buffer areas, prohibition of pressing car honks, making fireworks, feeding seabirds or other acts that may disturb seabirds.</p>	<p>3. Wildlife Conservation Act, Article 50, paragraph 1.</p>	<p>3. Within wildlife refuges, hunting, and killing general wildlife, and violating other announced restricted matters, the offenders shall be punished with a fine of not less than NT\$50,000 and NT\$250,000.</p>
	<p>4. Other restricted matters: Matters prescribed in accordance with Wildlife Conservation Act and the Fisheries Act.</p>	<p>4. Wildlife Conservation Act, Article 50, paragraph 2.</p>	<p>4. Within wildlife refuges, disturbing, and abusing general wildlife, the offenders shall be punished with a fine between NT\$20,000 and NT\$100,000.</p>
<p>Penghu Columnar Basalt Natural Reserve</p>	<p>1. General restricted matters: Within natural reserves, alteration or damage of their original natural status is prohibited. In order to maintain the original natural status of the natural</p>	<p>1. Cultural Heritage Preservation Act, Article 94, paragraph 7.</p>	<p>1. In violation of Article 84, paragraph 1, alteration or damage to the original status of natural serves, the offenders shall be punished</p>

reserves, unless approved by the competent authorities, randomly entering into the areas of the reserves is not permitted.		with imprisonment of not more than 5 years, detention, and/or a fine between NT\$200,000 and n 1 million.	
<ol style="list-style-type: none"> <li>1. Special restricted matters:</li> <li>2. Every November to the following March, fishermen may go ashore for gathering of lavers, while not violating the protected and utilized matters of the natural reserves.</li> <li>3. Residents on the island may conduct cultivation, cattle rearing, and fishing with the preconditions of not damaging the natural landscape.</li> <li>4. Outsiders are permitted to walk along the planned line within the Xiji Islet and Dongji Islet Natural Reserves. Residents and landowners of the islets, and those possessing properties on the islets may travel freely in and out of the islets.</li> <li>5. Existing facilities, buildings, roads, and other infrastructures in the natural reserves may be repaired and maintained.</li> </ol>	2. Cultural Heritage Preservation Act, Article 98, paragraph 1, sub-paragraph 3	2. In violation of Article 84, paragraph 2, entering randomly into the natural reserves, without the approval of the competent authorities, the offenders shall be punished with a fine between NT\$30,000 and NT\$150,000.	

	·3. Other restricted matters: Others matters provided in accordance with the Wildlife Conservation Act, the Cultural Heritage Preservation Act, and the Fisheries Act.			
Xuhai Guanyinbi Natural Reserve	<p>1.General restricted matters:</p> <ol style="list-style-type: none"> <li>1. Construction and facilities not for the purpose of administrating the natural reserve.</li> <li>2. Altering or damaging the original natural status.</li> <li>3. Bringing in animals and plants not belonging to this natural reserve.</li> <li>4. Collecting samples.</li> <li>5. Making loud noise or disturbing wildlife in the natural reserve.</li> <li>6. Adding markings of words, graphs, or color belts on plants, rocks and signboards.</li> <li>7. Entering into areas other than those designated without permission.</li> <li>8. Polluting environment, dumping of wastage.</li> <li>9. Other acts altering or damaging the original natural status.</li> <li>10. Arbitrarily burning bamboo, wood, flowers and grass, randomly throwing away or</li> </ol>	1. Cultural Heritage Preservation Act, 94, paragraph 1, sub-paragraph 7.	1. In violation of Article 84, paragraph 1, altering or damaging the natural status of the natural reserves, the offenders shall be liable to imprisonment of up to 5 years, detention, and/or a fine between NTS200,000 and NT\$1 million.	

			<p>dumping trash, and other acts that may cause pollution to the environment of the reserve.</p> <p>11. New building or altering and repairing any kind of buildings, accumulated substances, ditches, and ponds.</p> <p>12. Construction work that may cause altering of woods and ground level, or changing of the features or topography of land.</p> <p>13. Other matters restricted by the competent authorities.</p>		
			<p>2.Special restricted matters:                      (1) Specially permits persons carrying out environment education to walk along planned line in the reserve.                      (2) Training of guides and volunteers, and conducting activities of professional training or workshops, to enhance propaganda on the concept of conservation.</p>	<p>2. Cultural Heritage Preservation Act, Article 98, paragraph 1, sub-paragraph 3.</p>	<p>2. In violation of Article 84, paragraph 2, randomly entering into natural reserves, the offenders shall be liable to a fine of NT\$30,000 to NT\$150,000.</p>
			<p>3. Other restricted matters: Other matters as provided in the Wildlife Conservation Act, Cultural Heritage Act, and Fisheries Act.</p>		
7	<p>The Fisheries Agency, Council of Agriculture, Executive Yuan; respective governments of Counties and Cities</p>	<p>Fisheries Resources Conservation Areas, and Closed Areas for related fishing gears and fishing methods, and specific fisheries</p>	<p>Prohibition of taking aquatic animals and plants in specific areas, specific time, or using specific fishing gears, and fishing methods</p>	<p>The Fisheries Act, and regulations enacted in accordance with the Act</p>	<p>1.According to the Fisheries Act, Article 10, restriction or suspension of the fishery operations, or suspension of fishing license for a period not more than 1</p>

year; for serious violation, permits for fishery operations or fishing license may be subject to revocation. Suspension of the professional certificates or seamen books of the officers for not more than 1 year; for serious violation, the professional certificates or seamen books of the officers may be subject to revocation.

2. According to the Fisheries Act, Article 60, paragraph 1, the offenders may be liable to imprisonment of 1 year and up to 5 years, detention, and/or a fine of up to NT\$150,000.

3. According to the Fisheries Act, Article 60, the offenders may be liable to imprisonment of a period up to 6 months, detention, and/or a fine of up to NT\$30,000.

4. According to the Fisheries Act, Article 65, the offenders may be liable to a fine between NT\$30,000 and NT\$150,000.

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