

**Article Content**

**Title :** Aids to Navigation Act  CH  
**Amended Date :** 2018-11-21  
**Category :** Ministry of Transportation and Communications (交通部)

- Article 1 This Act is promulgated in order to improve the navigational safety of vessels, as well as to establish, supervise and administer various aids to navigation.
- Article 2 The competent authority of this Act is the Ministry of Transportation and Communications and the operations are conducted by the shipping administration authority.
- Article 3 Terms used in this Act are defined as follows:  
(1)"Aid to Navigation" means any device intended to assist vessels in positioning and navigation when vessels are navigating the waters, including lighthouses, light buoys, buoys, floating piles, light poles, guideposts, radar beacons and other signs announced by the shipping administration authority.  
(2)"Waters" means navigable waters for vessels such as oceans, rivers, lakes and reservoirs.  
(3)"Notice to Mariner" means the navigation information released by the shipping administration authority regarding the addition, change of equipment, facilities, geography and hydrography or other matters affecting navigational safety in the waters of the Republic of China.  
(4)"Marine Facility" means the fixed artificial structure installed by a marine engineering project.
- Article 4 Municipal governments, county (city) governments, port management agencies (institutions), legal entities, and the government authorities in charge of the relevant industries may establish the necessary aids to navigation and shall be responsible for their maintenance and management, after obtaining approval from the shipping administration authority; any change or removal of the aids is subject to the same approval requirement unless otherwise stipulated by other laws. In such circumstances, the establishment, maintenance, management, change or removal shall be subject to the special provisions of other laws and be filed with the shipping administration authority for its records. After obtaining approval from the shipping administration authority, the installer of the marine facilities shall specify

a safety area that surrounds the marine facilities to establish the aids to navigation, and take appropriate measures to ensure the safety of navigation and the marine facilities.

For navigational safety, the shipping administration authority may require the entities or institutions, as set forth in the preceding two paragraphs, to establish, maintain or manage the aids to navigation in the waters or fairways.

The shipping administration authority may request the installer, maintainer or manager to remedy, change or remove the aids to navigation within a given period of time if it finds they are not appropriate, safe or necessary.

The technical specifications regarding the establishment, appearance and characteristics of the aids to navigation shall be prescribed by the competent authority on the basis of the recommended guidelines of international organizations.

**Article 5** The entity that establishes, maintains or manages aids to navigation shall notify the shipping administration authority when it establishes, maintains or manages, changes or removes them.

After receiving the notice in the preceding paragraph, the shipping administration authority shall release the notice to mariners to inform the vessels.

**Article 6** The owner, manager or agents of the vessel shall pay Aids to Navigation Service Fee to the shipping administration authority when the vessel enters, departs from, or uses commercial ports, industrial ports, piers constructed by the public or private sector or uses the facilities therein.

The service fees in the preceding paragraph may be charged by an entity (institution) authorized by the shipping administration authority.

The rules for the fee schedule and the payment mechanism for the service fee in Paragraph I shall be prescribed by the competent authority.

**Article 7** The following vessels are exempt from Aids to Navigation Service Fee:

- (1)Vessels navigating in the inland waters.
- (2)Vessels of friendly nations exclusively for goodwill visits.
- (3)Military vessels owned by the R.O.C. government or friendly nations, official vessels or vessels requisitioned or employed by the government.
- (4)Fishing vessels not carrying commercial commodities or self-use yachts.
- (5)Non-powered vessels towed or carried by other vessels.
- (6)Imported vessels not carrying cargo and intended for disassembly.
- (7)Vessels entering the port for supplies with prior declaration

that the vessel will depart from the port within 48 hours of entry and without loading/discharging cargo or 20 or more embarking/disembarking passengers.

(8)Vessels that are ordered from overseas and intended for departure after completion of its construction and customs clearance, and are not carrying cargo or 20 or more passengers.

(9)Pilotage boats or vessels exclusively used at the port.

(10)Vessels exclusively for construction of harbors, dredging, hydrographic surveys, or sea-bed exploration, or vessels carrying related equipment.

(11)Vessels exclusively for ocean research, drilling for petroleum or mineral, investigation or education.

(12)Vessels considered by the shipping administration authority as those carrying humanitarian relief supplies.

(13)Vessels entering the port exclusively for shelter, inspection or repair, or vessels which are destined for another port but must enter the port for oil and water supplies and which, as well as the cargo, will depart from the port in the same status, without loading/discharging cargo or embarking/disembarking passengers.

**Article 8** For navigational safety, the shipping administration authority, after consulting with the authority concerned, can plan fairways and report to the competent authority for approval, and announce and publish information of said fairways in the government gazette.

**Article 9** The following conduct is forbidden for all vessels:  
 (1)Being tied to an aid to navigation, unless permitted by the shipping administration authority.  
 (2)Not taking the announced fairway.  
 The following conduct is forbidden for all individuals:  
 (1)Damaging, removing, climbing up or covering aids to navigations.  
 (2)Changing the characteristics of aids to navigation.  
 (3)Using lights or signals that could be mistaken for aids to navigation.  
 (4)Occupying drifting aids to navigation.  
 (5)Any other conduct that may affect the functioning of aids to navigation.

**Article 10** Where a vessel violates Item II of Paragraph I of Article 9 for failing to take the designated fairway, the shipping administration authority shall impose a fine of not less than NT\$100,000 but not more than NT\$500,000 on the owner, charterer, master, his/her deputy in his/her absence, yacht skipper, boat skipper, or his/her deputy in his/her absence.  
 For each violation of Item I of Paragraph I of Article 9 or Paragraph II of Article 9, the shipping administration authority

will impose a fine of not less than NT\$20,000 but not more than NT\$100,000 on the owner, charterer, master, his/her deputy in his/her absence, yacht skipper, boat skipper, or his/her deputy in his/her absence. In addition, the shipping administration authority may order the violator to make improvements or restorations within a given time limit. For each instance of failure to observe the time limit, the shipping administration authority may impose a fine.

**Article 11** The shipping administration authority shall impose a fine of not less than NT\$20,000 but not more than NT\$100,000 on the establisher, maintainer or the manager of the aids to navigation, or the installer of the marine facilities for any of the following conducts. In addition, the shipping administration authority may order the violator to make improvements within a given time limit. For each instance of failure to observe the time limit, the shipping administration authority may impose a fine.

(1) Violation of Paragraph I or II of Article 4 for failing to obtain approval from the shipping administration authority.

(2) Violation of Paragraph III of Article 4 for failing to establish, maintain or manage aids to navigation in accordance with the instructions of the shipping administration authority.

(3) Violation of Paragraph VI of Article 4 for failing to remedy, change or remove aids to navigation within the given time in accordance with the instructions of the shipping administration authority.

(4) Violation of Paragraph I of Article 5 for failing to notify the shipping administration authority.

**Article 12** Where the establishment and management of aids to navigation involve international affairs, the competent authority may adopt the regulations, guidelines, standards, recommendations or procedures issued by international organizations or associations, conventions, treaties or the annexes.

**Article 13** This Act shall come into force on the date of promulgation.