

REPUBLIC OF CHINA (TAIWAN)

The President of the Republic of China promulgated the Law on Compensation for Nuclear Damages on July 26, 1971. ^{1/} Chapter III of this law concerns the limitations on liability for damages due to nuclear accidents and required guarantees. For each nuclear accident, the amount of compensation is not to exceed 70,000,000 Taiwan dollars (approximately \$1,750,000), exclusive of interest and litigation expenses (Article 23). Operators of nuclear enterprises must obtain enough insurance or have financial guarantees to cover possible liability. The amount of such insurance or guarantees required for each enterprise shall be determined by the agencies in charge (Article 24).

Compensation must be paid for nuclear accidents regardless of whether they were deliberately caused or the result of negligence. If, however, the accident is a direct result of international armed conflict or hostilities, civil disorder, mob riot, or natural calamity, then the enterprise involved is not liable (Article 17). The Court may reduce or waive compensation if the injured person's own actions caused the damages.

Prepared by Dr. Tao-tai Hsia
Chief, Far Eastern Law Division
Law Library, Library of Congress
February 1984

TTH:CAJ:caj
2/15/84

^{1/} Tsui-hsin shih-yung chung-yang fa-kuei hui-pien [Most Recent Practical Compilation of Central Laws and Regulations] 6640-6642 (Yeh Ch'ien-chao, ed., Taipei, Yen Ming Publishers Ltd., 1973).