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| Title : | Rules Governing Classification and Rates of Relief of Forest Fires  |
| Date : | 2002.06.14 |
| Legislative : | 1.Promulgated on June 14, 2002. |
| Content : | <p>Article 1 These Rules are enacted pursuant to the provisions of Article 48 of the Disaster Prevention And Response Act.</p> <p>Article 2 The term "forest fire" used herein means a fire which occurs in a state-owned, public, or private forest land.</p> <p>Article 3 The relief provided herein is classified into 1.Relief for death, disappearance, or serious injury of persons; 2.Relief for relocation.</p> <p>Article 4 The subjects of relief shall be 1.in cases of death of persons, those who died in a forest fire, or were fatally injured in a forest fire and died as a result; 2.in cases of disappearance of persons, those who disappeared in a forest fire and their disappearance has been registered with the household registration office; 3.those who were seriously injured in a forest fire, or those who were not seriously injured in a forest fire but needed immediate medical attention and hospitalization for treatment and the total medical cost incurred during the 15 days from the date of hospitalization (duration of hospitalization) amounts to the relief payment claimable by a person who was seriously injured. 4.in cases of a need for relocation, the houses which were damaged in a forest fire to the extent that they are no longer inhabitable. The damage to such houses which the affected household live in shall be determined according to the following: (1)More than one third of the total area of the roof and the rafter of the house is burned down; or, in case of a reinforced concrete house, the floor slab</p> |

and/or

beam cracked or were damaged in the forest fire and such house will be uninhabitable without remediation/repair;

(2)The walls of the house ruptured or tilt or the common walls fell or were damaged and such house will be uninhabitable without remediation/repair.

(3)As determined by the municipal, county (city) government, the house is seriously damaged and no longer inhabitable.

(4)The affected household referred to in this subparagraph means the household

registered with the household registration office and inhabiting the house when

the forest fire occurred. The term "house" as used herein means and only means

the bedroom, living room, dining room and connected kitchen, toilet, and bathroom.

Article 5

The relief payment shall be paid at the following rates:

1.In cases of death of persons, 200,000 New Taiwan Dollars per person.

2.In cases of disappearance of persons, 200,000 New Taiwan Dollars per person.

3.In cases of serious injury, 100,000 New Taiwan Dollars per person.

4.In cases of relocation, 20,000 New Taiwan Dollars per person and not more than

100,000 New Taiwan Dollars in total per household. Those who do not inhabit

the house damaged are not be eligible to receive relief payments.

The relief payment provided in subparagraph two of the preceding paragraph shall be returned if the person disappearing in the forest fire is found still alive after such relief payment is paid to his/her family.

Where a relief payment has been received from another agency for the same forest fire, no relief payment shall be paid.

Article 6

Those who are eligible to receive relief payments are as follows:

1.In cases of death or disappearance of a person, the eligible claimant of the relief

payment shall be, in order of priority,

(1)the spouse;

(2)the lineal descendents by blood;

(3)the parents;

(4)the brothers and sisters; or

(5)the grandparents

of the deceased or missing person.

2.In cases of serious injury, the eligible claimant of the relief payment shall be

the injured person himself/herself.

3.In cases of relocation, the eligible claimant of the relief payment shall be the

head of the household or the person who currently inhabits the damaged

house.

Article 7

The relief payment shall be paid by the municipal, county (city) government at the place where the forest fire occurred, which shall prepare the necessary budget.

Article 8

These Rules shall come into force on the day of promulgation.

Data Source : MONISTRY OF AGRICULTURE Laws and Regulations Retrieving System