



Press Release

Taipei District Prosecutors Office

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In order to implement the official document from the Taiwan High Prosecutors Office (THPO), Taipei District Prosecutors Office (TDPO) held a meeting using the “Common Platform to Investigate Crimes Related to People’s Livelihood” to cope with illegal cases deriving from the Coronavirus disease 2019 (COVID-19) epidemic, and jointly declare that TDPO will investigate various kinds of cases that violate the related epidemic prevention regulations.

To place in action the official document from Taiwan High Prosecutors Office through the “Common Platform to Investigate Crimes Related to People’s Livelihood,” which has already been in operation, TDPO actively reached out to multiple government agencies, including Fair Trade, Health Policy, Police, Consumer Protection, Interior National Immigration, and Pharmacists Association. TDPO also held a meeting using the “Common Platform to Investigate Crimes Related to People’s Livelihood” to cope with illegal cases deriving from the Coronavirus disease 2019 (World Health Organization named the 2019-nCoV pneumonia originating from Wuhan area of China as COVID-19) epidemic.

During the meeting, TDPO Chief Prosecutor Tai-Zhao Xing announced that, to complete the instructions given by THPO, TDPO has assigned four groups of prosecutors to be responsible for the investigation of related cases; the prosecutors will comply with all epidemic measures and keep close tabs on society by investigating behaviors that violate the Communicable Disease Control Act (CDCA) strictly and efficiently in order to protect the people of our country.

Convener of the “Common Platform to Investigate Crimes Related to People’s Livelihood,” the head prosecutor Pei-Yu Huang, announced that they have offered the unified data (including behaviors and legal responsibilities that may violate the related regulations during the outbreak of COVID-19) to the meeting for discussion, and have enhanced communication between competent authorities, in order to solve cases rapidly and accurately and reach the goal of promoting people's trust and sense of security.

TDPO urges people to comply with the epidemic measures proposed by Central Epidemic Command Center (CECC) when facing COVID-19; the behaviors mentioned below may involve administrative or criminal responsibility:

1. A person under infection risk keeps wandering around or violates the quarantine or prevention measures.

A person under infection risk keeping wandering around (such as go out randomly, leave the country, go abroad or take public transportation) or failing to comply with

the quarantine or prevention measures, violates the Articles 36, 48, and 58 of the CDCA, and will be sentenced a fine of no more than NT\$300,000, NT\$150,000, NT\$15,000 according to Articles 67, 69, 70.

2. A person who stocks up face masks announced by Executive Yuan and refrains from selling to the market without justification with the intention to raise the transaction price, or a person who stocks up or raises the transaction price of face masks which have been commandeered by government in case of severe circumstances.

To enhance the control of epidemic prevention supplies, and to ensure the quantities to be sufficient, according to Art. 54.1 of the CDCA, Ministry of Health and Welfare requisitioned medical and surgical face masks produced by domestic manufacturers since January 30, 2020. Executive Yuan has also announced that the face masks requisitioned above conform to the necessities of people's livelihood regulated in Criminal Law 251. 1. 3. Therefore, according to the regulations mentioned above, those who intentionally raise the transaction price, or stock up the announced kinds of face masks, refraining from selling to the market without justification, or those who stock up or raises the transaction price of face masks which have been commandeered by government in case of severe circumstances, shall be sentenced to imprisonment for no more than 3 years, or 7 years.

3. A person who is fully aware that he/she has been infected by COVID-19, but fails to comply with instructions by the competent authorities and has thus infected others

Being fully aware that he/she has been infected by COVID-19, but not complying with instructions by the competent authorities, for example, a person who violates related instructions of home quarantine requirements or self isolation, keeps going to public places and thus infects others, shall be sentenced to imprisonment for no more than 3 years, short-term imprisonment, or a fine of not more than NT\$ 500,000 according Art. 62 of the CDCA. Therefore, people who are fully aware that he/ she might have been infected by COVID-19, must obey the instructions of the competent authorities, or else, may not only receive administrative fine, the organ of prosecution and investigation may also severely initiate the criminal proceedings according to related regulations.

4. A person who disseminates rumors or incorrect information concerning epidemic conditions of communicable diseases, resulting in damages to the public or others.

As for those who disseminate rumors or incorrect information concerning epidemic conditions of communicable diseases, resulting in social unrest, people panic buying, and other damages to the public or others, TDPO may take the initiative to contact with plenty of

government agencies including police, consumer protection, fair trade, and interior national immigration, through the platform, to strictly and severely investigate those people violating Act. 63 of the CDCA who shall be fined no more than NT\$ 3,000,000 by actively work in concert with the inspection situation. If someone who spreads rumors in a way that is sufficient to undermine public order and peace violating Act. 63. 1. 5 of the Law for Maintaining Social Order, will be punished by police.

5.A person who manufactures or imports medical or surgical face masks without approval; a person who knowingly sells or displays with the intent to sell the regulated face masks.

As medical or surgical face masks have been defined as medical devices according to the Medical Devices Act, Traders who manufacture or import medical or surgical face masks without approval, shall be sentenced to imprisonment no more than 3 years, or a fine of no more than NT\$ 10,000,000 according to Art. 84 of the Pharmaceutical Affairs Act. And this shall also apply to traders who knowingly sell, supply, transport, store, engage in brokerage of, transfer, or display with the intent to sell the regulated face masks. Those who commit the aforementioned offence by negligence shall also be sentenced to imprisonment no more than 6 months. Therefore, traders should manufacture or import medical and surgical face masks meeting the related regulations of Pharmaceutical Affairs Act, to protect consumers' interests

and use safety.

6. A person other than pharmaceutical firm sells medical or surgical face masks, or sells non-medical dust masks with propaganda regarding the medical efficacy.

There have been some cases of people other than pharmaceutical firms selling medical or surgical face masks which belong to medical devices online or by roads randomly , or some cases of people selling non-medical dust masks, with propaganda regarding the medical efficacy. For those who violate Act. 92, 91. 2 of the Pharmaceutical Affairs Act, shall be imposed respectively with a fine of NT\$ 2,000,000, and NT\$ 25000.

In conclusion, all the participating authorities urge that people should comply with the epidemic measures proposed by CECC. People who have been diagnosed or show symptoms should call 1922 (or 0800-001922) immediately and visit a doctor, and actively inform the doctor about their contact history and travel history. As for traders and distributors who sell face masks, authorities urge these parties not to be greedy, and engage in behaviors that violate related regulations (such as intentionally stocking up the announced types of face masks or raising the transaction price). People who find that someone is selling face masks with abnormal prices should call 1950 or make a report to district consumer ombudsmen directly. If you find that someone is disseminating incorrect information, stocking up or raising the transaction price of

epidemic prevention supplies requested by government, or in other ways failing to comply with the epidemic measures of competent authorities, please make a report to the district organs of prosecution and investigation. The prosecutors will investigate all circumstances that are against the law to protect the people of our country.