
Content

Title : National Sports Act **Ch**

Date : 2024.05.03

Content :

Article 1 To encourage and protect nationals' participation in sports, to improve the national sports environment and to promote national sports policies and the development of sports, this Act is hereby promulgated.

Article 2 The competent authority for this Act refer to: the Ministry of Education at central government level; city governments of special municipalities; and county (city) governments of counties (cities) .

Article 3 Terms of this Act are defined as follows:

1.Sports Association: sports associations that aim to promote sports and which have been approved by the competent authority of the Civil Associations Act and registered as such and whose specific competent authority is the competent authority for this Act, i.e. the Ministry of Education, the city governments or the county (city) governments.

2.Specific Sports Association: national sports associations which hold official membership of international sports associations.

3.Sports Professionals: individuals who have received professional education or training in sports and passed the test held by the central competent authority and received a certificate and who, with his/her professional knowledge and skills, engage in a specific sports operation.

4.Sports Coaches: individuals who have received professional training in sports and are familiar with sports training and education and competition rules and who, with a certificate issued by Sports Associations after passing a test, engage in sports instruction and coaching.

5.Sports Referees: individuals who have received professional training in sports and are familiar with competition rules and who, with a certificate issued by Sports Associations after passing a test, serve as referees in sports competitions.

Article 4 Each municipal, county (city) government should establish a dedicated unit for sports; township (town, city, district) offices should appoint dedicated sports personnel in charge of the planning, counseling and promoting national sports events.

Article 5 Government of all levels should protect the rights of its people to use sports facilities and to participate in sports on equal basis.

Each organization, institution, school, juridical person and association should, in accordance with relevant rules, promote sports in line with national sports policy.

Article 6 To encourage national participation in sports, September 9th of each year is proclaimed as National Sports Day.

Government of all levels should enhance promotion of national fitness on National Sports Day.

The public sports facilities of government of all levels should be open to the public free of charge on National Sports Day; and the government should encourage other sports facilities to be open to the public free of charge on National Sports Day.

Article 7 In order to implement sports, the central competent authority should formulate national sports development policy and review said policy on an annual basis; the competent authorities of municipals and counties (cities) should set out the local sports development plans according to the national sports development policy.

Article 8 Government of all levels should encourage each organization, school, juridical person and association to hold sports meetings.

Each national sports meeting should be planned in accordance with national sports development policy and in line with international official sports competitions.

The regulations of each national integrated sports meeting is to be

formulated by the central competent authority.

Article 9 The funding to implement sports for all should be budgeted by government organizations of all levels and schools respectively. Each Sport Association should raise on its own funding, while the competent authority of all levels may subsidize as deemed appropriate; the qualifications to apply for and the conditions, procedures, manners, standards, withdrawal and revocation of subsidies and other regulations or self-government regulations to be complied with are to be decided by competent authorities of all levels.

Article 10 The central competent authority should establish a system for training and testing of Sports Professionals.

The scope of the Sports Professionals in the preceding paragraph is to be decided by the central competent authority; the test for qualification, issuance, correction, renewal of certificates, the fee of test and certificate, withdrawal and revocation of certificate and other regulations to be followed are to be decided by the central competent authority.

Article 11 To improve the physical constitution of school students of all levels and national physical fitness and to cultivate athletes to compete in international sports meetings, the competent authority of all levels may collect, process and use the following personal data and build up a database.

1. The physical fitness data of school students of all levels.

2. The data of registration, enrollment, results record, game and sports injury of each and all level and category of sports meeting and national team athletes.

3. The data of status and scores of college students in sports-related departments, students of sports senior high schools and students of sports classes in senior high school level or below.

Each competent authority should designate a specialist to maintain the management and security of the data of the preceding paragraph.

When athletes of sports teams of schools of all levels enter into the next level of school education or transfer to another school, the original school and the current school should use the database in Paragraph 1 to transition or transfer the personal data.

Article 12 Each organization, institution, school, juridical person and association shall protect the right of persons with disabilities to participate in sport activities and plan appropriate sport facilities, activities and courses.

Article 13 To encourage international cooperation on sports and to facilitate the raising of the position in the sports world of the Republic of China (Taiwan), each competent authority of all levels should promote international sports; the promotion manner and subsidies of funding for such activities and the regulations or self-government regulations to be followed in the activities are to be decided by each competent authority of all levels.

Chapter 2 Sports Education in Schools

Article 14 Senior high school level or below and junior colleges with five-year programs should for the first three years, beside the physical education classes, arrange for students to participate in daily sports, which should total at least 150 minutes per week and provide adapted physical education for students with disabilities to ensure they participate in physical education classes on equal basis.

The purpose, content and hours of classes, physical fitness test for students, cultivation and counseling of athletes, review and regulations of other relevant matters of physical education for schools of all levels in the preceding paragraph are to be decided by the central competent authority.

Article 15 To cultivate talents, senior high school level or below may propose to the competent authority and set up a sport class with the authority's approval. The criteria to set up the sport class, the size, enrollment tests, composition of classes, content of classes, restriction on competitions, evaluation visit, suspension of the class and regulations for other relevant matters are to be decided by the central competent authority.

The content of the courses of the preceding paragraph must include career development, functional exploration, sport safety and protection and other programs.

Schools that set up a sport class according to Paragraph 1 should at least

have 1 full-time Sport Coach. Schools that set up 2 or more sport classes for every grade should at least have 2 full-time Sports Coaches.

Schools that have no sport class may appoint regular Sport Coaches to execute sport training and to provide instruction for competitions .

Each competent authority of municipals and counties (cities) may, according to the key sports and events designated by the central authority, have the schools of their jurisdiction with sports coaches add a regular Sports Coach for every 6 classes to tour the schools to give sports training or provide instruction for competitions. The expenses will be subsidized in full by the central competent authority should the proposal to add such coaches is granted by the central competent authority and the number of such additional coaches is 5 or less.

Article16 The appointment of the full-time Sports Coach should be made according to the Act of Governing the Appointment of Educators. The qualification, remuneration, duty, responsibility, dismissal, termination, non-reappointment, complaint, welfare, vocational training, assessment, reward and punishment, promotion and other matters related to the rights and interests of appointment are to be decided by the central competent authority. Retirement, pension, leave, dispatch and other matters should be made in accordance with the relevant regulations for educators.

Any full-time Sports Coach who has been appointed for over three years and fails the evaluation test of the performance evaluation committee should not be reappointed. The composition and related rules of performance evaluation are to be decided by the competent central authority.

The years of seniority and retirement of any full-time Sports Coach who has been selected, trained and appointed by the central or local competent educational authority before this Act enters into force on July 11th, 2007, should be aggregated.

The guidance and management regulations for full-time sports coaches who received full-time coach qualifications from the central authority or any level of government before this amended Act was promulgated on February 6, 2003 and who still have not been appointed when the amended Act is implemented, will be decided by the central competent authority.

Article17 Each level of school should enhance the sports safety protection knowledge and skills of teaching staff and students, enhance sports safety measures, inspect sports facilities and equipment on a regular basis and make a record.

The sports facilities of the preceding paragraph should be, without influencing the education and management of the school, open to the community for doing sports and may charge for such use.

The establishment, subsidies, safety management and procedure, periodical review and record, scope and time of availability, user, term of use, charges and other regulations or self-government regulations of the sports facilities at school of all levels are to be decided by each competent authority. These matters of any sports facilities set at colleges and universities are to be decided by the college or university concerned unless such sports facilities are subsidized.

Chapter 3 Sports for All

Article18 The competent authority at all levels should encourage national participation in sports and promote implementing of fitness tests by each organization, institution, school, juridical person and association.

The regulations of the items, equipment, method and other matters of the fitness test in the preceding paragraph are to be decided by the central competent authority.

Article19 Each organization, institution, school, juridical person and association should enhance promotion of recreational sports for employees. Those who has more than 500 employees should hire Sports Professionals to handle the design and instruction of the activities.

The competent authority of each level may reward an organization, institution, school, juridical person and association that has good performance in carrying out activities prescribed in the preceding paragraph. The object, condition, procedure, manner and other regulations of the reward are to be decided by the central competent authority.

Article20 To enhance safety management and to protect the rights and interests of the participants, each organization, institution, school,

juridical person and association should acquire approval to operate high-risk sports from the competent authority where such activities take place or the competent municipal or county (city) authority. The category, scale, permit of operation, dismissal and abolishment, safety facility or measure, appointment of Sports Professionals and Sports Coaches, medical care, insurance, management and other regulations are to be decided by the central competent authority.

The competent authority of municipals and counties (cities) may promulgate self-government regulations according to the regulations of the preceding paragraph.

Chapter 4 Competitive Sports

Article 21 The competent authority of all levels should establish a system to cultivate athletes, the manner of nurturing, planning, budgeting, rights and interests of athletes and other regulations are to be decided by the central competent authority.

The regulations concerning a selection, training and registration of Sports Coaches and athletes for the national team for international sports meetings and regulations dealing with over-registration are to be decided by the central competent authority.

The selection, training and registration of Sports Coaches and athletes for the national team of the preceding paragraph should be fair, just, open and professional. Specific Sports Associations may not discriminate against Coaches and athletes without justification or put them at a disadvantage in selection, training and registration of Sports Coaches and athletes for the national team.

As Specific Sports Associations dispatch teams on behalf of the country to participate in international sports meetings, the sponsor contracts between the Association and companies should be based on international practice and consideration of the needs and interests of the competing athletes. In the case of athletes with individual sponsors, the Specific Sports Association, the athletes and the sponsors of both parties should consult before the competition and respect the special requirements of the athlete, and shall not make an unfair agreement.

The central competent authority should establish an allowance system for national team training and participating athletes according to the level of each international sports meeting. Specific Sports Association should, when holding or participating in the profitable commercial games, pay the athlete's registration fee.

Article 22 The competent authority at all levels should reward athletes, athletes with disabilities and their coaches with excellent performance in domestic or international athletic competitions, and individuals or groups with special contributions to physical education and sports. The objects, conditions, procedures, methods, revocation, abolition and rules and self-government regulations for other matters shall be decided by the competent authorities at all levels.

The central authority shall give guidance for employment to the athletes and disabled athletes who participate in international sports competitions and achieve excellent results in the preceding paragraph. The guidance qualifications, measures, duration, application and examination procedures, guidance methods and other related matters shall be set by the central authority.

Athletes who have represented the national team who are civil servants can provide commercial endorsement with the approval of the agency (organization) they are employed by and shall not be subject to the regulations on business operation and part-time work of the Civil Servant Work Act; the rules on scope, restriction, procedure and other related matters of commercial endorsement shall be decided by the said agency(organization).

Article 23 The Specific Sports Association of the national team shall, during the training and participation period, take out the necessary insurance for the athletes and team staff who have been reported to the central competent authority; their insurance coverage, items, contents and expenses and related matters shall be decided by the central competent authority.

The central competent authority shall issue condolence money to training athletes and team staff for short-term disability, physical or mental disability or death due to training or participation. The object, condition,

reference, recipient, procedures for the loss, application procedures, deadlines and other related matters shall be determined by the central competent authority.

Article24 Competent authorities and sports organizations at all levels should strengthen doping control to maintain the health of athletes and promote fairness of sports competition; doping control education, advocacy, counseling, prevention, testing, treatment of violation, relief and other regulations are to be decided by the central competent authority.

Article25 Organizations, institutions, schools, juridical persons and or associations shall prevent the occurrence of sports injuries in sports training, competition and all kinds of sports competitions. If necessary, they shall hire a physiotherapist or sports trainer and, considering medical needs, hire medical personnel.

Article26 The central competent authority should reward sports science research and development in sports for all ages and cultivation of sports science talent. It should instruct each organization, institution, school, juridical person and association to apply the sports science in training. The condition, manners, dismissal, abolishment and other regulations of the reward are to be decided by the central competent authority.

Chapter 5 The Chinese Taipei Olympic Committee

Article27 The Chinese Taipei Olympic Committee (hereinafter the CTOC) is a juridical person that has been recognized by the International Olympic Committee (hereinafter the IOC) as the representative for the Republic of China (Taiwan).

The organization, mission and the purpose of CTOC shall be consistent with the Olympic Charter and the laws of the Republic of China (Taiwan).

Within 3 months of entry into force of the amendments of this Act on the date of August 31th 2017, the CTOC should provide the central competent authority with its Charter, list of committee members and the record of annual conference to register. The central competent authority should grant a juridical person certificate after granting permit of registration. The dissolution of the CTOC should be approved by the central competent authority.

The Charter of the Committee should include the following information:

- 1.Name
- 2.Address.
- 3.Mission.
- 4.Exclusive rights and obligations.
- 5.Organization.
- 6.Staff member.
- 7.Funding.
- 8.Complaint.
- 9.Allocation of property after dissolution.

If there are any amendments made to the Charter or the committee members of the preceding 2 paragraphs, the amended Charter and the list of committee members shall be submitted to the central competent authority.

Article28 The CTOC should, consistent with the exclusive rights and obligations imposed by the Olympic Charter, cooperate with the central competent authority to execute the following operations:

- 1.Develop and maintain Olympic activities.
- 2.Related matters for participation in the Olympic Games, Asian Games and other integrated sports meetings recognized by the IOC
- 3.Implement and execute anti-doping regulations for international sports meetings.
- 4.Select the city to bid to host the Olympic Games, Asian Games and other integrated sports meetings recognized by the IOC.
- 5.Recognize or approve any single Sport Association that applies to join international sports associations.
- 6.Other matters in relation to international cooperation in sports.

The principles, manners and the dispute settlement procedures for differences arising from the CTOC in executing business prescribed from Subparagraph 2 to 5 in the preceding paragraph are to be drafted by the CTOC and approved by the central competent authority.

Article29 With regard to the subsidy from the government and funding for execution of government entrusted activities, the CTOC should, before

November 30th of each year, provide the annual work plan and the budget for the next year to the central competent authority for approval. The CTOC should, before January 31st of each year, provide the work report for executed plans that used government funding in the previous year to the central competent authority for approval.

The annual budget and the financial statements of the CTOC should be audited and certified by a CPA and announced.

Chapter 6 Specific Sports Associations

Article 30 Specific Sports Associations should enhance promotion of the following operations in whole or in part, and establish plans and standard operating procedures:

1. Establish a system for classified registration and record management of athletes.
2. Establish a system for review of qualification, issuance of certificate and management for sports coaches and referees.
3. Carry out in-service training for the Sports Coaches, referees and staffs.
4. Actively establish the selection and training system for Sport Coaches and athletes.
5. Establish a sports human resource database and to maintain the security thereof.
6. Establish records and rules of sports, collect domestic and foreign sports information, publish a publication or provide members and the public with the proper information by other means.
7. Assist in executing research and development of sports science.
8. Establish the seasonal system for annual competitions and hold competitions and promotion activities.
9. Promote international exchange programs for sports.
10. Promote national recreational sports.
11. Establish a financial audit and management system and actively seek resources from non-government sources.
12. Promote the anti-doping in sports policy.

Specific Sports Association should make medium and long term development plans to operate the operations prescribed in each subparagraph of the preceding paragraph and include such operations in the annual work plan and execute accordingly.

In order to formulate a national sports development policy and a plan for local sports development so as to enhance national physical fitness and as a training and discovery of athletes and related academic and sports industry applications, Specific Sports Associations shall provide the central authority with information prescribed in each subparagraph of Paragraph 1 periodically.

The selection and cultivation plan of Subparagraph 4 of Paragraph 1 and the records and rules and other relevant matters of Subparagraph 6 of Paragraph 1 should be carried out and announced in timely manner.

Article 31 The qualification test, issue of certificate, management and other regulations for Sports Coach and referee are to be decided by the central competent authority.

Article 32 The membership of a Specific Sports Association should be open to the public in principle.

The charter and amendments made thereto of Specific Sports Associations should be approved by the central competent authority.

Article 33 The central competent authority should give counselling, visit and assess Specific Sports Associations on annual basis.

The item of assessment in the preceding paragraph should include the selection system of national teams, the operation of the organization, the audit and finance condition, promotion performance and the planning of public participation. The assessment should be decided and executed with academics, experts and impartial private persons.

The result of the visit and assessment of Paragraph 1 should be announced within 3 months after completion and such result may be the basis for central competent authority provision of subsidy. The central competent authority should give professional advice and assistance on missing items.

The regulations for subject, the use of assessment results, subsidies and other related matters of counselling, visits and implementation of assessment in the preceding 3 paragraphs shall be determined by the central competent

authority.

Specific Sports Association should cooperate and provide relevant information for the guidance, visits or assessment as prescribed in Paragraph 1. They shall not circumvent, obstruct or refuse.

Article34 Specific Sports Association shall not have any hidden or false information on their financial and accounting matters and shall manage the following matters:

- 1.Implement an internal financial monitoring system.
- 2.Announce the annual budget, final accounts and government agency funding subsidy.

Article35 The budget and final accounts of a Specific Sports Association shall be reported to the central competent authority for reference.

A Specific Sports Association shall, within three months after the end of each year, after examination and approved by accountants recognized by the central competent authority, submit its accounts and financial statements to the central competent authority for reference and announcement. The central competent authority may appoint other accountants to review if needed.

To supervise the finances of Specific Sports Association, the central competent authority shall, at any time, dispatch or appoint an accountant to inspect the financial statements and financial statement auditing and certification report, internal control and other matters together with a sports professional impartial person, and the Specific Sports Association shall cooperate in giving relevant information and may not circumvent, obstruct or refuse.

Specific Sports Associations that accept the subsidy of competent authorities should publish such information of subsidy in the financial area of their official websites.

Article36 Specific Sports Associations should not appoint the spouse or relatives within three degrees of current chairman (director) and the secretary general as full-time staff. The restriction does not apply to ones appointed before such chairman (director) and the secretary general took up the position.

Directors, supervisors, executive directors, executive supervisors and the chairman (director) may not serve as staff.

Article37 The athlete, coach or local sport association who disagree with the decision made by a Specific Sports Association on the matters listed below, may make complaints to the Association. With no satisfaction of the decision of the complaint, it may apply for arbitration within a fix period of time to the arbitration institution for sports disputes recognized by the central competent authority to which the concerned Association may not refuse.

- 1.Violation of rules of sports by athletes and coaches.
- 2.Rights and interests of athletes or coaches concerning selection, training, qualification, nomination and other rights and obligations as prescribed in Paragraph 2 of Article 21.
- 3.The Rights and obligations between athlete and any third person or Specific Sports Association and any third person arising from sponsor contracts.
- 4.The group membership or the rights and obligations of local sports associations.

The parties to the disputes regarding a contract signed in Subparagraphs 2 and 3 of the preceding paragraph between the Specific Sports Associations, or dispute between the athletes and the Specific Sports Associations may apply for arbitration in accordance with the provisions of this Article.

Parties that have applied for arbitration in accordance with the provisions of the preceding 2 paragraphs may not file legal proceeding for the same dispute. The court shall dismiss such a suit. If the case is filed before the arbitration is applied for, the court shall, upon the request made by the other party, stop the proceedings and order the plaintiff, in a certain period of time, to apply for arbitration in accordance with the provisions of the preceding two paragraphs. If the plaintiff fails to apply for arbitration within the period of time, the court shall dismiss the suit. Should the arbitration award be determined after the court has stopped proceedings, the suit shall be deemed as withdrawn.

The terms, procedure, revocation of recognition of arbitration institution of Paragraph 1 and the qualifications, methods of selecting of the institutional members and the arbitration procedure, the period of application for arbitration, the provisions to be applied, the arbitration fees and other

regulations shall be determined by the central competent authority.
If the party concerned refuses to accept the decision made by the arbitration institution, it shall, within thirty days from the date of delivery or service of the decision, file or renew a lawsuit at a court. The arbitration decision and the final decision made by the courts shall, to the parties concerned, have the same effect.

The arbitration award made by the arbitration institution shall have the same effect as the judgment of the court should the parties to the disputes agree to use the arbitration set forth in this Act.

Where the parties to the dispute reach an agreement in the course of the arbitration proceedings, the result of the agreement shall be reported to the arbitration institution and the central competent authority for reference and the arbitration procedure shall be terminated.

Article 38 Specific Sports Associations shall comprise of group and individual member; group members should include the individual sports committee (association) of special municipality, county (city) sports federations and schools of all levels.

The Specific Sports Associations that have been established before the implementation of the amendments to this Act on August 31, 2017 shall amend their charters in accordance with the provisions of the preceding paragraph within six months from the date of the amendment of this Act. According to the charter, the Associations shall include individual sports committee (association) of municipalities and counties (cities) and all levels of school as group members, adjust the number of representatives of group members, and convene the meeting of members (representatives) to reselect the director and supervisors.

Article 39 A person who has one of the following situations may not serve as the president (chairman) or secretary general of Specific Sports Associations:

1. Ones who have had a term of fixed-term imprisonment or above imposed by a court and it has not yet been executed or the execution has not yet finished; however, it does not apply to those cases where suspension is announced.

2. Ones who have had rehabilitative measures imposed and they have not yet been executed or the execution has not yet finished.

3. Ones who have been pronounced bankrupt and rights yet to be restored.

4. Ones who have been announced to be monitored or assisted, not yet revoked.

A person who has a spouse, relative by blood within 3 degrees or immediate relative by marriage who is a director and supervisor of a Specific Sports Association shall not have any of the following circumstances:

1. Serve at the same time as a director and a supervisor.

2. Serve at the same time as a director.

3. Serve at the same time as a supervisor.

The term of the president (chairman) of a Specific Sports Association may not exceed four years, they may be reappointed for only once if elected again.

A Specific Sports Association shall appoint directors according to the following rules:

1. Directors who are current or former national team athletes shall not be less than one-fifth of directors.

2. Individual members and group members shall not be more than one half of the members.

Changes of the president (chairman), directors and supervisors of a Specific Sports Association shall, after submitting for approval of the central competent authority within 30 days, be submitted to the competent authorities of the Civil Associations Act for reference.

The president (chairman), directors supervisors and the secretary-general of a Specific Sports Association shall abide by the principle of avoidance of interest and shall not take advantage of the power, opportunity or method of their authority for their benefit or the benefit of others.

Current central government officials and the central elected representatives shall not serve as directors or supervisors of the Specific Sports Association of the preceding paragraph.

Article 40 Specific Sports Associations should, so required by the nature of operation, invite experts, scholars and impartial persons to form each special committee.

The special committees of the preceding paragraph should include selection and training, coaches, referees, discipline and athlete committees. The organizational rules and the list of committee member should be reported to

the central competent authority.

Article41 Specific Sports Associations should appoint full-time staff to execute the operation of the association.

Specific Sports Associations that have the position of secretary general and deputy secretary general should appoint persons with sports expertise or experience in operation. At least one of them should have expertise in sports.

Specific Sports Association president (chairman) should select their employees according to the qualification conditions set in the preceding 2 paragraphs, and the selection should be reported to the central competent authority once the board of director has approved such selection.

Article42 The organization, proceedings, rights and obligations of and between the association and its members, complaint, guidance by the competent authority and other regulations are to be decided by the central competent authority. For any affairs other than prescribed herein, the Civil Associations Act shall apply.

Specific Sports Associations bound by international regulations shall operate in accordance with the charter of the association and relevant regulations. Each competent authority of a special municipality and county (city) may, according to this Act and other laws and regulations, promulgate management self-government for Sports Associations in their jurisdiction,

Article43 Each competent authority may deliver warning to, withdraw its resolutions or suspend its operation in part or in whole for any Specific Sports Association that violates laws, regulations and charters or harms public interests and require such Association to improve the situation within specific period. When there is no improvement made in the period or the violations are serious, the competent authority may:

1.Suspend the reward and subsidy in whole or in part.

2.Dismiss its staff.

3.Order it rearranged in the fixed period of time.

4.Transfer it to the competent authority of the Civil Associations Act to revoke its permit.

Transfer it to the competent authority of the Civil Associations Act to order the dissolution of the Association.

Chapter 7 Sports Facilities

Article44 To implement sports for all, the government of all levels should widely establish public sports facilities and provide the public with adaptive age-suitable facilities; the operation of such facilities is to be guided and evaluated by each competent authority.

The condition of establishment, specification, safety measure and staff rules, examination, evaluation, reward and other regulations of the facilities in the preceding paragraph are to be decided by the central competent authority.

Chapter 8 Supplementary Provisions Article

Article45 The enforcement rules of this Act are determined by the central competent authority.

Article46 This Act comes into force as on the date of announcement.