

14.最高法院刑事上訴案件被告裁判結果－按罪名別分

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	Subtotal	科刑							
			計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
						小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years
合 Total	計 Total	5 803	5 402	-	21	5 305	1 536	1 068	311	1 175
普通刑法	計 Subtotal of general criminal law	2 627	2 392	-	17	2 318	811	653	127	360
內亂罪	Offenses against the internal security of the state	-	-	-	-	-	-	-	-	-
外患罪	Offenses against the external security of the state	3	1	-	-	1	-	1	-	-
妨害國交罪	Offenses of interference with relations with other states	-	-	-	-	-	-	-	-	-
瀆職罪	Offenses of malfeasance in office	50	5	-	-	5	4	1	-	-
妨害公務罪	Offenses of interference with public functions	5	5	-	-	4	4	-	-	-
妨害投票罪	Offenses of interference with voting	28	28	-	-	28	28	-	-	-
妨害秩序罪	Offenses of interference with public order	1	1	-	-	1	1	-	-	-
脫逃罪	Offenses of escape	2	2	-	-	2	-	1	1	-
藏匿犯及湮滅證據罪	Offenses of concealment of offenders and destruction of evidence	1	1	-	-	1	1	-	-	-
偽證罪	Offenses of perjury	38	28	-	-	28	28	-	-	-
誣告罪	Offenses of malicious accusation	67	48	-	-	48	43	4	1	-
公共危險罪	Offenses against public safety	212	210	-	-	209	84	86	8	24
放火	Arson	32	32	-	-	32	3	7	3	16
燒毀建築物及住宅	Destruction by fire of building and residence	26	26	-	-	26	-	4	3	16
燒燬其他物件	Destruction by fire of other objects	6	6	-	-	6	3	3	-	-
失火	Negligent fire	-	-	-	-	-	-	-	-	-
燒燬建築物及住宅	Destruction by fire of building and residence	-	-	-	-	-	-	-	-	-
燒燬其他物件	Destruction by fire of other objects	-	-	-	-	-	-	-	-	-
違背建築術成規	Violation of building practice	-	-	-	-	-	-	-	-	-
妨害衛生安全	Obstruction to sanitation	9	9	-	-	9	-	7	1	1
漏逸氣體	Gas leak	-	-	-	-	-	-	-	-	-
妨害交通安全	Obstruction to traffic safety	171	169	-	-	168	81	72	4	7
強暴脅迫危害交通安全	Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-
不能安全駕駛	Inability to drive safely	31	31	-	-	31	7	10	4	7
肇事致人死傷逃逸	Hit and run	133	131	-	-	131	68	62	-	-
其他	Other	7	7	-	-	6	6	-	-	-
危險物	Hazard materials	-	-	-	-	-	-	-	-	-
破裂物	Explosives	-	-	-	-	-	-	-	-	-
核能放射線	Nuclear radiation	-	-	-	-	-	-	-	-	-
其他	Other	-	-	-	-	-	-	-	-	-

說明：本表僅含宣告不合法、無理由及自為判決之被告資料。

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court
by Crime Type**

2018

Unit: individual

Type of sentence		拘役	罰金	免除其刑	無罪	免訴	不受理	管轄錯誤	其他	緩刑	保安處分		
Time imprisonments				Detention	Punitive fine	Penalty released	Acquitted	Not prosecutable	Case declined	Mistake in Jurisdiction	Other	Suspension of punishment	Rehabilitative measures
逾五年至七年以下	逾七年至十年以下	Over 5 years to 7 years	Over 7 years to 10 years	Over 10 years									
278	661	276	52	24	7	277	10	82	7	18	4	3	
94	216	57	45	12	2	141	2	71	7	12	2	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	2	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	1	32	4	7	-	-	
-	-	-	1	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	7	-	1	-	2	-	-	
-	-	-	-	-	-	16	-	1	2	-	-	-	
3	3	1	1	-	-	2	-	-	-	-	-	-	
1	1	1	-	-	-	-	-	-	-	-	-	-	
1	1	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
2	2	-	1	-	-	2	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
1	2	-	-	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	-	2	-	-	-	-	-	-	
-	-	-	1	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	

Note: This table only contains the defendants declared as improform, groundless or ruled by the Supreme Court.

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續一)

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years
偽造貨幣罪 Offenses of counterfeiting currency	10	10	-	-	10	-	3	-	6
偽造有價證券罪 Offenses of counterfeiting valuable securities	112	98	-	-	98	3	39	7	49
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	274	216	-	-	214	150	50	11	3
偽造變造私文書 Forgery or alteration of private documents	176	154	-	-	154	128	17	6	3
偽造變造公文書 Forgery or alteration of public documents	50	38	-	-	38	7	27	4	-
偽造變造特種文書 Forgery or alteration of special documents	-	-	-	-	-	-	-	-	-
公文書不實登載 False entry in public documents	38	15	-	-	15	8	6	1	-
使公務員登載不實 Causing a functionary to make false entries in public documents	7	7	-	-	7	7	-	-	-
業務上文書登載不實 False entry in occupational documents	2	2	-	-	-	-	-	-	-
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	1	-	-	-	-	-	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	436	417	-	-	417	72	48	20	207
強制性交猥褻 Forced sexual intercourse or obscene act	432	413	-	-	413	68	48	20	207
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	-	-	-	-	-	-	-	-	-
其他 Other	4	4	-	-	4	4	-	-	-
妨害風化罪 Offenses against sexual morality	48	46	-	-	46	42	3	1	-
強姦 Rape	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	48	46	-	-	46	42	3	1	-
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text, book or article	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	7	7	-	-	7	4	3	-	-

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court
by Crime Type(Cont. 1)**

2018

Unit: individual

Type of sentence			免除其刑	無罪	免訴	不受理	管轄錯誤	其他	緩刑	保安處分		
Time imprisonments		拘役										
逾五年至七年以下	逾七年至十年以下	逾十年	Detention	Punitive fine	Penalty released	Acquitted	Not prosecutable	Case declined	Mistake in Jurisdiction	Other	Suspension of punishment	Rehabilitative measures
1	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	12	1	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	-	-	43	-	14	-	1	-	-
-	-	-	-	-	-	21	-	1	-	-	-	-
-	-	-	-	-	-	3	-	9	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	18	-	4	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
13	57	-	-	-	-	18	-	1	-	-	1	1
13	57	-	-	-	-	18	-	1	-	-	1	1
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
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-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續二)

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	科刑								
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑					
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years	
亵瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	3	3	-	-	3	1	1	1	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	7	7	-	-	5	4	1	-	-	-
單純賭博 Simple gambling	2	2	-	-	-	-	-	-	-	-
供給賭博場所等賭博 Gamble of providing gambling places and the like	5	5	-	-	5	4	1	-	-	-
殺人罪 Offenses of homicide	183	168	-	17	151	31	6	6	9	
殺人 Homicide	133	131	-	17	114	-	1	6	8	
既遂 Consummation	61	59	-	17	42	-	1	1	2	
普通殺人 General homicide	57	55	-	14	41	-	1	1	2	
殺害直系尊親屬 Homicide of lineal ascendants by blood	4	4	-	3	1	-	-	-	-	
未遂 Attempt	72	72	-	-	72	-	-	5	6	
普通殺人 General homicide	71	71	-	-	71	-	-	5	5	
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	1	-	-	1	-	-	-	1	
過失致死 Manslaughter	50	37	-	-	37	31	5	-	1	
一般過失致人於死 General negligent killing	1	1	-	-	1	-	1	-	-	
醫療業務過失致人於死 Occupational negligent killing by a physician	-	-	-	-	-	-	-	-	-	
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-	
交通業務過失致人於死 Occupational negligent killing by a driver	29	20	-	-	20	16	4	-	-	
交通一般過失致人於死 General negligent killing by a driver	5	3	-	-	3	3	-	-	-	
其他業務過失致人於死 Other occupational negligent killing	15	13	-	-	13	12	-	-	1	

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court
by Crime Type(Cont. 2)**

2018

Unit: individual

Type of sentence			免除其刑	無罪	免訴	不受理	管轄錯誤	其他	緩刑	保安處分		
Time imprisonments		拘役										
逾五年至七年以下	逾七年至十年以下	逾十年	Detention	Punitive fine	Penalty released	Acquitted	Not prosecutable	Case declined	Mistake in Jurisdiction	Other	Suspension of punishment	Rehabilitative measures
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	2	-	-	-	-	-	-	-
-	-	-	-	-	2	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
45	14	40	-	-	-	14	-	1	-	-	-	-
45	14	40	-	-	-	2	-	-	-	-	-	-
1	-	37	-	-	-	2	-	-	-	-	-	-
1	-	36	-	-	-	2	-	-	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	-
44	14	3	-	-	-	-	-	-	-	-	-	-
44	14	3	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	12	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	9	-	-	-	-	-
-	-	-	-	-	-	-	1	-	1	-	-	-
-	-	-	-	-	-	-	2	-	-	-	-	-

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續三)

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	科刑									
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑						
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years		
傷害罪 Offenses of causing bodily harm	147	144	-	-	130	21	14	11	24		
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	2	2	-	-	2	1	-	-	-		
重傷 Serious bodily harm	24	21	-	-	21	-	3	7	4		
傷害致死 Bodily harm resulting in death	60	60	-	-	60	-	2	-	7		
醫療業務過失傷害 Occupational negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-		
密醫過失傷害 Negligent bodily harm by an unlicensed physician	-	-	-	-	-	-	-	-	-		
交通業務過失傷害 Occupational negligent bodily harm by a driver	5	5	-	-	3	3	-	-	-		
交通一般過失傷害 General negligent bodily harm by a driver	2	2	-	-	-	-	-	-	-		
其他業務過失傷害 Other occupational negligent bodily harm	1	1	-	-	1	1	-	-	-		
其他 Other	53	53	-	-	43	16	9	4	13		
墮胎罪 Offenses of abortion	-	-	-	-	-	-	-	-	-		
遺棄罪 Offenses of abandonment	4	4	-	-	4	2	-	1	1		
妨害自由罪 Offenses against personal liberty	119	113	-	-	97	82	10	1	1		
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	1	1	-	-	1	-	-	1	-		
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-		
略誘罪 Abduction	-	-	-	-	-	-	-	-	-		
剝奪行動自由 Deprivation of freedom of movement	83	80	-	-	79	66	9	-	1		
強制罪 Coercion offense	20	17	-	-	13	13	-	-	-		
恐嚇危害安全 Obstruction of safety by threat	11	11	-	-	3	2	1	-	-		
侵入或滯留 Trespassing on, or lingering in, a property	4	4	-	-	1	1	-	-	-		
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-		

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court
by Crime Type(Cont. 3)**

2018

Unit: individual

Type of sentence			免除其刑	無罪	免訴	不受理	管轄錯誤	其他	緩刑	保安處分		
Time imprisonments		拘役										
逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecutable	Case declined	Mistake in Jurisdiction	Other	Suspension of punishment	Rehabilitative measures
10	38	12	14	-	-	3	-	-	-	-	1	-
-	1	-	-	-	-	-	-	-	-	-	-	-
7	-	-	-	-	-	3	-	-	-	-	-	-
3	36	12	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	-	-	-	-	-	-	-	1	-
-	-	-	2	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	10	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	3	-	16	-	-	2	-	4	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	3	-	1	-	-	2	-	1	-	-	-	-
-	-	-	4	-	-	-	-	-	3	-	-	-
-	-	-	8	-	-	-	-	-	-	-	-	-
-	-	-	3	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續四)

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years
妨害名譽及信用罪 Offenses against personal reputation & credits	6	6	-	-	1	1	-	-	-
妨害秘密罪 Offenses relating to protection of secrets	-	-	-	-	-	-	-	-	-
竊盜罪 Offenses of larceny	19	16	-	-	16	15	1	-	-
普通竊盜罪 Common theft and theft of movables or immovables	13	10	-	-	10	9	1	-	-
加重竊盜罪 Severe theft	6	6	-	-	6	6	-	-	-
常業竊盜罪 Occupational theft	-	-	-	-	-	-	-	-	-
強盜罪 Offenses of robbery	155	152	-	-	152	-	-	5	22
搶奪及海盜罪 Offenses of snatch of property and piracy	19	18	-	-	18	11	6	1	-
侵占罪 Offenses of misappropriation	20	19	-	-	11	7	2	-	2
普通侵佔 Common embezzlement	4	4	-	-	2	2	-	-	-
公務公益侵佔 Official embezzlement	1	-	-	-	-	-	-	-	-
業務侵佔 Occupational embezzlement	9	9	-	-	9	5	2	-	2
侵佔遺失物 Embezzlement of lost articles	6	6	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	585	569	-	-	568	137	367	52	12
一般詐欺 Common fraud	585	569	-	-	568	137	367	52	12
常業詐欺 Occupational fraud	-	-	-	-	-	-	-	-	-
背信罪 Offenses of breach of trust	8	4	-	-	3	2	1	-	-
重利罪 Offenses of usury	9	9	-	-	6	6	-	-	-
恐嚇取財罪 Offenses of obtaining property by threats	21	19	-	-	19	16	3	-	-
擄人勒贖罪 Offenses of kidnapping for ransom	2	2	-	-	2	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	-	-	-	-	-	-	-	-	-
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	20	12	-	-	10	8	2	-	-
妨害電腦使用罪 Offenses of impairment to use of computers	6	4	-	-	3	3	-	-	-

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court
- by Crime Type(Cont. 4)**

2018

Unit: individual

Type of sentence			免除其刑	無罪	免訴	不受理	管轄錯誤	其他	緩刑	保安處分		
Time imprisonments		拘役										
逾五年至七年以下	逾七年至十年以下	逾十年	Detention	Punitive fine	Penalty released	Acquitted	Not prosecutable	Case declined	Mistake in Jurisdiction	Other	Suspension of punishment	Rehabilitative measures
-	-	-	2	3	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	2	1	-	-	-	-	-	-
-	-	-	-	-	2	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
22	100	3	-	-	-	1	-	1	-	1	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	1	7	-	1	-	-	-	-	-	-
-	-	-	1	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	6	-	-	-	-	-	-	-
-	-	-	1	-	-	3	-	12	1	-	-	-
-	-	-	1	-	-	3	-	12	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	-	3	-	1	-
-	-	-	3	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	1	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	-	-	8	-	-	-	-	-	-
-	-	-	1	-	-	2	-	-	-	-	-	-

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續五)

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years
特別刑事法令計 Subtotal of special criminal law	3 176	3 010	-	4	2 987	725	415	184	815
貪污治罪條例 Punishment of corruption act	231	173	-	-	173	25	28	17	29
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act	-	-	-	-	-	-	-	-	-
違反電信法 Violation of the telecommunications act	-	-	-	-	-	-	-	-	-
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act	4	4	-	-	4	4	-	-	-
違反森林法 Violation of the forestry law	80	76	-	-	76	38	38	-	-
違反漁業法 Violation of the fishery law	1	1	-	-	1	-	1	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	1 947	1 918	-	4	1 914	452	187	111	496
製造運輸販賣 Manufacture, transport, or sale	1 408	1 384	-	4	1 380	9	121	97	492
施用 Use	429	428	-	-	428	391	37	-	-
其他 Other	110	106	-	-	106	52	29	14	4
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-
違反電業法 Violation of the electricity management law	-	-	-	-	-	-	-	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	-	-	-	-	-	-	-	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-
違反職業安全衛生法 Violation of the labor safety and health law	3	1	-	-	-	-	-	-	-

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續六)

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years
違反各種稅法 Violation of various taxation laws	-	-	-	-	-	-	-	-	-
違反臺灣省菸酒專賣條例 Violation of the taiwan provincial tobacco and alcohol monopoly act	-	-	-	-	-	-	-	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	5	5	-	-	5	-	-	2	-
違反醫師法 Violation of the physicians law	9	9	-	-	9	8	1	-	-
違反藥事法 Violation of the pharmaceutical affairs act	49	48	-	-	48	38	6	2	2
偽藥 Counterfeit medicine	49	48	-	-	48	38	6	2	2
其他 Other	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	21	9	-	-	7	7	-	-	-
違法重製罪 Offence of unlawful reproduction	17	5	-	-	4	4	-	-	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	1	1	-	-	-	-	-	-	-
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	3	3	-	-	3	3	-	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	-	-	-	-	-	-	-	-
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	-	-	-	-	-	-	-	-	-
違反公平交易法 Violation of the fair trade act	-	-	-	-	-	-	-	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	1	1	-	-	1	1	-	-	-
違反野生動物保育法 Violation of the wildlife conservation law	1	1	-	-	1	1	-	-	-
違反水污染防治法 Violation of the water pollution control law	3	3	-	-	3	2	1	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	50	45	-	-	45	8	21	2	14

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續七完)

中華民國 107 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					小計 Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years
違反公司法 Violation of the company law	20	20	-	-	15	15	-	-	-
違反食品安全衛生管理法 Violation of the food sanitation control law	11	6	-	-	3	-	-	2	1
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-
竊用專利方法罪 Offense of wrongful use of a patented process	-	-	-	-	-	-	-	-	-
販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-
違反反商標法 Violation of the trademark law	2	2	-	-	2	2	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	2	2	-	-	2	2	-	-	-
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	375	367	-	-	366	14	31	28	209
國家安全法 National security law	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	64	63	-	-	63	4	26	6	13
違反選舉罷免法 Violation of the election and recall law	34	27	-	-	27	3	4	1	19
違反兒童及少年性剝削防制條例 Violation of the children's and juvenile's sexual transaction prevention act	40	37	-	-	37	6	9	2	19
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	20	15	-	-	15	8	6	-	1
違反資恐防制法 Violation of Countering the Financing of Terrorism Act	-	-	-	-	-	-	-	-	-
其他 Other	205	179	-	-	172	89	56	11	12

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court
- by Crime Type(Cont. End)**

2018

Unit: individual

Type of sentence			免除其刑	無罪	免訴	不受理	管轄錯誤	其他	緩刑	保安處分		
Time imprisonments		拘役										
逾五年至七年以下	逾七年至十年以下	逾十年	Detention	Punitive fine	Penalty released	Acquitted	Not prosecutable	Case declined	Mistake in Jurisdiction	Other	Suspension of punishment	Rehabilitative measures
-	-	-	5	-	-	-	-	-	-	-	-	-
-	-	-	-	3	-	4	-	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
67	13	4	1	-	-	7	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
5	9	-	-	-	-	-	-	-	1	-	-	-
-	-	-	-	-	-	-	6	-	1	-	-	-
-	1	-	-	-	-	-	-	2	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	3	1	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
4	-	-	1	6	-	21	4	-	-	1	-	-