Juvenile Justice Act

Chapter I General Provisions

Article 1
This Act is hereby enacted to safeguard the sound self-development of the juveniles, to adjust their growth environment, and to rectify their character.

Article 1-1
Matters in relation to juvenile protection and juvenile criminal cases shall be dealt with in accordance with the provisions of this Act; matters not covered by this Act shall be governed by other relevant statutory laws.

Article 2
A juvenile referred to in this Act is a person who has reached the age of twelve (12) years but under the age of eighteen (18) years.

Article 3
The following matters shall be dealt with by the juvenile court in accordance with this Act:
1. Where a juvenile commits a crime under the criminal laws;
2. Where a juvenile is found to have been subject to one of the following situations and it is considered that there is necessity to safeguard the sound self-development of the said juvenile:
(1) habitually carrying of weapons and firearms without justifiable cause;
(2) using narcotics or hallucinogenic drugs even though such an act does not constitute a punishable statutory offense;
(3) preparing or attempting to commit a crime that is not punishable by the statutory law.
Whether the necessity to safeguard referred to in the foregoing paragraph exists shall be assessed by taking all relevant circumstances into account, such as the character, environment, people in frequent association with, groups participated in, places frequented, daily life, family function, school attended or working environment of the juvenile concerned.

Article 3-1
In conducting an interview or interrogation with a juvenile, a notice shall be sent to the statutory agents, the persons who currently protect the juvenile or any other appropriate persons so that they may accompany the said juvenile. The foregoing

shall not apply to situations where a notice has been sent accordingly but the relevant persons fail to be present without justifiable cause, or where issuing such a notice is not feasible due to shortage of time.

As to a matter where the law requires a juvenile to be escorted to the juvenile court within twenty-four (24) hours, time spent in awaiting the accompanying persons specified in the above paragraph to be present shall be noted but shall not be counted against the said twenty-four (24) hours. In any event, the sum total of the awaiting time shall not exceed four (4) hours.

Where a juvenile is incapable of making a complete statement due to psychological disorder or other mental disabilities, he/she, where necessary, shall be assisted by experts in children or adolescent mental health or other fields.

Where a juvenile being interviewed or interrogated is not familiar with the language used, he/she shall be assisted by an interpreter. Where a juvenile is with hearing, language, or multiple disabilities, in addition to being assisted by an interpreter, he/she shall be permitted to be interviewed or interrogated by using written words, sign language or other appropriate means, and shall be permitted to express himself/herself by those means.

Article 3-2

In conducting an interview or interrogation with a juvenile, he/she shall beforehand be informed of the following:

1. the legal grounds and facts of the criminal offense or the delinquency prescribed in Subparagraph 2, Paragraph 1 of Article 3 he/she is suspected to commit; where the juvenile concerned, after being informed, is of the view that the suspected offense or delinquency should be modified, the legal grounds and facts of the modified offense or delinquency;
2. that he/she may remain silent and does not have to make a statement against his/her will;
3. that he/she may appoint an assistant; and that he/she may apply for legal assistance if that is what is enabled in accordance with statutory law and regulation;
4. that he/she may apply investigation into the evidence that is favorable to him/her.

Where the juvenile concerned indicates that he/she has appointed an assistant, the interview or interrogation shall be immediately stopped awaiting the presence of the assistant. The foregoing shall not apply to situations where the juvenile concerned, his/her statutory agent, or a person who currently protects the juvenile apply for or agree with the continuation of the interview or interrogation.

Article 3-3
In conducting an interview or interrogation with a juvenile, escorting or keeping him/her in waiting, the juvenile shall be kept in separate custody with a suspect or defendant of an ordinary criminal matter, unless it is deemed necessary for the said juvenile to be confronted or examined.

Article 3-4
Where a juvenile is interviewed or interrogated continuously, he/she may be given appropriate time for rest. Interview or interrogation with a juvenile may not be conducted during nighttime, except:
1. when there is an emergency;
2. when the interview or interrogation is conducted to ascertain the identity of the juvenile;
3. when an immediate interview or interrogation is requested by the juvenile concerned, the statutory agents, or the persons who currently protect the juvenile.

The nighttime referred to in the previous paragraph means time before sunrise and after sunset.

Article 4
Where a juvenile delinquency shall be tried by a military tribunal in accordance with the law, the juvenile court may apply the provisions of this Act to the said matter.

Chapter II Organization of the Juvenile Court

Article 5
Each special municipality shall establish its juvenile court; a county or a city may establish its juvenile court taking into account its geographic condition and caseload. In a region where a juvenile court has yet to be established, a juvenile division may be established in the district court concerned, with its functions being taken care of by the existing personnel in the planning of the said district court who shall apply the provisions of this Act.
A juvenile division shall be established in the High Court and its branch courts.

Article 5-1
Under a juvenile court there shall be the criminal division, the protection division, the investigation and protection division, public assistants' office, and be equipped with staff in charge of psychological assessment, psychological counseling, and counselors.

Article 5-2
Unless otherwise specified in this Act, the organization of the juvenile court shall apply *mutatis mutandis* the relevant provisions applicable to district courts in the Court Organic Act.

Article 5-3
The psychological assessment officer, psychological counseling officer, and counselors shall be under the investigation and protection division. The psychological assessment officer and psychological counseling officer shall be of the 5th grade of Delegated Appointed Rank to the 8th grade of Recommended Appointed Rank; the counselors shall be of the 3rd grade of Delegated Appointed Rank to the 6th grade of Recommended Appointed Rank.

Article 6
(Deleted)

Article 7
In selecting the president, presiding judge, and judges of the juvenile court, and the presiding judge, judges, and public defenders of the juvenile division of the High Court and its branches, apart from general qualifications, consideration shall be given to knowledge, experience and enthusiasm in juvenile protection.
The regulations for the selection of the president, presiding judge, and judges referred to in the foregoing paragraph shall be prescribed by the Judicial Yuan.

Article 8
(Deleted)

Article 9
Duties of a juvenile investigation officer are as follows:
1. Investigation and collection of information relating to juvenile protection matters;
2. Investigation on matters relating to juveniles in the juvenile detention center;
3. Other matters assigned by the relevant laws.
Duties of a juvenile probation officer are as follows:
1. Handling a protection disposition that is to be enforced by a juvenile probation officer;
2. Other matters assigned by the relevant laws.
In performing his/her duties, a juvenile investigation officer and a juvenile probation officer shall comply with a judge’s supervision.

Article 10
The investigation and protection division shall have one (1) division chief, who holds a concurrent post of either a juvenile investigation officer or a juvenile probation officer, to manage and distribute juvenile investigation and protection affairs; where there are more than six (6) officers in an investigation and protection division, the said division shall be divided into sub-divisions, and each sub-division shall designate one team leader to support the division chief.

Article 11
Where performing their duties with a juvenile investigation officer or a juvenile probation officer, a psychological assessment officer, a psychological counseling officer, a clerk, an assistant and a process-server shall comply with the supervision of the said juvenile investigation officer or juvenile probation officer.

Article 12
(Deleted)

Article 13
A juvenile investigation officer or a juvenile probation officer who holds a concurrent post of the division chief or team leader in the juvenile court shall be of the 9th grade of Delegated Appointed Rank or the 10th grade of Selected Appointed Rank; the rest of the juvenile investigation officer or the juvenile probation officer shall be of the 7th to 9th grade of Delegated Appointed Rank.
The juvenile investigation officer in the juvenile division of the high court shall be of the 8th or 9th grade of Delegated Appointed Rank to the 10th grade of Selected Appointed Rank.

Chapter III Juvenile Protection

Section I Investigation and Trial

Article 14
The jurisdiction over juvenile protection matters shall be exercised by the court where the acts in question are committed, the court for the domicile or residence of the juvenile concerned, or the court for the place where the juvenile is present.

Article 15

Where a juvenile court, after examining a pending case, finds that the exercise of its jurisdiction by another competent juvenile court may better protect the juvenile in question, it may transfer the pending case to such a juvenile court by ruling; the juvenile court to which the said case is thus transferred may not further transfer the case in question again.

Article 16
Paragraphs 1 and 2 of Article 6, Article 7 and the first section of Article 8 of the Code of Criminal Procedure shall apply *mutatis mutandis* to the juvenile protection under this Act.

Article 17
A person who becomes aware of a delinquency prescribed in Subparagraph 1, Paragraph 1 of Article 3 may report such a matter to a competent juvenile court.

Article 18
Where a judicial police officer, a prosecutor or a court, while performing their duties, becomes aware of a delinquency prescribed in Subparagraph 1, Paragraph 1 of Article 3, he/she/it shall transfer such a matter to a competent juvenile court.
Where a judicial police officer, a prosecutor or a court, while performing their duties, becomes aware of a delinquency prescribed in Subparagraph 2, Paragraph 1 of Article 3, he/she/it may report such a matter to the Youth Counseling Committee in the domicile or residence of the juvenile concerned, or in the place where the juvenile in question is present.
Where a person who has custody over a juvenile, the school from which a juvenile has dropped out, or an institution that carries out relevant tasks of juvenile protection becomes aware of a delinquency prescribed in Subparagraph 2, Paragraph 1 of Article 3, he/she/it may report such a matter to the Youth Counseling Committee in the domicile or residence of the juvenile concerned, or in the place where the juvenile in question is present.
A juvenile who commits an act prescribed in Subparagraph 2, Paragraph 1 of Article 3, he/she may request assistance from the Youth Counseling Committee in his/her domicile or residence, or in the place where he/she is present.
A Youth Counseling Committee in the domicile or residence of a juvenile or in the place where a juvenile in question is present, upon becoming aware of a juvenile who commits any act prescribed in Subparagraph 2, Paragraph 1 of Article 3, shall coordinate available resources in sections such as welfare, education, psychology, health care, household administration, police, finance, financial management, labor,

immigration and other relevant sections and provide the juvenile in question with counseling for an appropriate duration of time.
Where a Youth Counseling Committee, during the appropriate duration of time referred to in the foregoing paragraph, comes to the view after assessment that in order to better protect the sound self-development of the juvenile concerned, a case before it may only be handled by a juvenile court, it may submit a request to a juvenile court, stating the reasons for such a request and filing the relevant records of counseling and other relevant materials, while continuing performing the counseling assistance in accordance with the foregoing paragraph.
The Youth Counseling Committee in each special municipality, county or city government shall consist of persons who are equipped with expertise in social work, psychology, education, family education or other relevant fields so as to perform its duties provided in Paragraphs 2 to 6 above. Rules on matters in relation to the establishment, counseling methods, duties, assessment and power to submit a request of a Youth Counseling Committee shall be made by the Executive Yuan in consultation with the Judicial Yuan.
Prior to July 1, 2013, where a judicial police officer, a prosecutor, a court, a person who has custody over a juvenile, the school from which a juvenile has dropped out, or an institution that carries out relevant tasks of juvenile protection becomes aware of a delinquency prescribed in Subparagraph 2, Paragraph 1 of Article 3, he/she/it may transfer the case concerned or make a request for a juvenile court to handle the said case.

Article 19
After a juvenile court undertakes a transfer, report, or request in accordance with the provisions of this Act, the juvenile investigation officer shall conduct a preliminary investigation into the delinquency-related behavior, character, experience, mental and physical conditions, family background, social environment, education background, and other necessary circumstances of the juvenile concerned, followed by filing a report in a designated time period, which must include concrete suggestions for handling the said matter.
The results of an investigation conducted by a juvenile investigation officer shall not constitute the sole source of evidence for the purpose of establishing the facts.
Where a juvenile investigation officer is summoned to appear before the court to give evidence on the results of an investigation or suggestions for handling a matter, the juvenile investigation officer that conducted the investigation referred to in paragraph 1 shall appear before the court in person, unless with a justifiable cause of excusing himself/herself.

A clerk shall make written records when the juvenile court questions related parties.

Article 20
The juvenile court may adjudicate a juvenile protection matter by a single judge.

Article 21
In conducting an investigation, a judge of the juvenile court or a juvenile investigation officer may, when necessary, summon the juvenile in question, his/her statutory agent, or a person who currently protects the juvenile to be present.
The defender of the juvenile shall be given due notice in advance regarding the date, time, and location of investigation in the foregoing paragraph.
Summon referred to in Paragraph 1 shall be made by a notification signed by a judge, with the following items specified; where a juvenile investigation officer issues a summon, the notification shall be signed by the juvenile investigation officer:
1. full name, sex, age, birth place and domicile or residence of the summoned;
2. the cause of the summon;
3. date, time, and place for appearance;
4. that the summoned may be forced to appear if he/she fails to appear without justifiable cause.
The summoned shall be served by a summon notification.

Article 22
Where a juvenile, his/her statutory agent or a person who currently protects the juvenile is legally summoned but fails to appear without justifiable cause, the judge of the juvenile court may, on his/her own initiative or upon request by the juvenile investigation officer, issue a companion letter to enforce the appearance; where a juvenile demonstrates one of the circumstances specified in the subparagraphs of Article 76 of the Code of Criminal Procedure and a judge of the juvenile court deems necessary, the said judge of the juvenile court may issue a companion letter to enforce the appearance without the summon.
A companion letter shall be signed by a judge and set forth the following:
1. the companion’s name, sex, age, birth place, national identification number, residence or domicile and other characteristics sufficient for identification; the age, birth place, national identification number, or domicile and residence, may be omitted if unknown;
2. the cause of the summon;
3. the place where the summoned shall be present in companion with the executor;
4. the duration for executing the companion.

Article 23

A companion letter shall be executed by a process-server, a judicial police officer, or a judicial police.

Three (3) copies of the companion letter shall be made, one delivered to the companion, and another to his/her designated relatives or friends upon execution; the execution shall take into consideration the companion's physical integrity and reputation.

Upon the execution of companion, the place, date, month and year of such an execution shall be recorded in the companion letter; where an execution may not be completed, the executor shall sign and specify the situation in the companion letter concerned, and submit it to the juvenile court.

Article 23-1

Where a juvenile is missing, the juvenile court may notify the district juvenile courts, prosecutors, and the judicial police agencies to assist with the search; the missing of the juvenile may not be announced, published in newspapers, or made public by any other means.

In assistance with the search for the juvenile, a letter of search assistance shall be signed by a judge and set forth the following:

1. the juvenile's name, sex, age, birth place, national identification number, domicile and residence and other characteristics sufficient for identification; the age, birth place, national identification number, or domicile and residence may be omitted if unknown;
2. details of the juvenile delinquency matter;
3. reasons for search assistance;
4. the place to which the juvenile shall be escorted when found.

After a juvenile is found, a juvenile investigation officer, a prosecutor, a judicial police officer or a judicial police may escort the juvenile to the place where he/she shall be present.

A request for search assistance shall be withdrawn where the reasons for the request no longer exist or the search assistance is clearly unnecessary. Paragraph 1 of this Article shall apply *mutatis mutandis* to the notice for the withdrawal of search assistance.

Article 24

Where the application of provisions regarding the witness, expert witness, interpreter, inspection, preservation of evidence, and search and seizure of the Code of Criminal

Procedure does not contradict the nature of juvenile protection, the said provisions shall applied *mutatis mutandis* to juvenile protection matters.

Article 25
The juvenile court, when performing its duties, may request necessary assistance from the police agencies, local self-governing bodies, schools, hospitals, or other institutions or organizations.

Article 26
The juvenile court may pronounce the following measures by ruling when necessary:
1. to order the custody of a juvenile to the juvenile's statutory agent, parents, closest relatives, a person who currently protects the juvenile, or other appropriate institutions, organizations, or individuals, and may send the juvenile to a juvenile investigation officer for consulting before the handling of the matter closes;
2. to order a juvenile to be sent to a juvenile detention center for assessment of physical and psychological conditions and behavioral observation, which shall file an analysis report. The foregoing shall apply only to cases where the juvenile cannot be ordered for custody or an order for custody is clearly inappropriate so that detention is necessary; the detained juvenile, his/her statutory agent, a person who currently protects the juvenile, or his/her assistant may at any time make an application for the juvenile court to pronounce a custody so as to terminate his/her detention.

Article 26-1
When detaining a juvenile, a detention letter shall be signed by a judge and set forth the following:
1. the juvenile's name, sex, age, birth place, national identification number, residence or domicile and other characteristics sufficient for identification; the age, birth place, national identification number, residence or domicile may be omitted if unknown;
2. details of the juvenile delinquency matter;
3. reasons for detention;
4. place of the detention.
Paragraph 2 of Article 23 shall apply *mutatis mutandis* to the execution of detention.

Article 26-2
The duration a juvenile detention center detains a juvenile may not exceed two (2) months during the phase of investigation or trial. Where the juvenile court finds it necessary to continue the detention, it may extend the period of detention by ruling before the said period lapses. The extension of detention may not exceed one (1)

month and may only be made once. When the reasons of detention ceases to exist, the juvenile court shall, on its own initiative or upon request by the juvenile concerned, his/her statutory agents, the persons who currently protect the juvenile, or his/her assistant, revoke the ruling ordering the detention.
Where an interlocutory appeal is filed, the detention period for the court before which the interlocutory appeal is filed shall start from the day it receives the case file and exhibits.
Where a case is remanded, the period of detention or extended detention shall start anew.
The period of detention after the ruling is made and before the transfer is made shall be counted against the detention period allowable for the original trial court.
The personnel of a juvenile detention center shall receive pre-service and in-service training in the fields relevant to juvenile protection. The director, deputy director, and supervisors who perform duties of identification and teaching of a juvenile detention center shall be selected among persons who are equipped with knowledge, experience and enthusiasm in juvenile protection.
The organization of a juvenile detention center shall be stipulated by laws.

Article 27
The juvenile court shall transfer a juvenile to a prosecutor in the prosecutors' office of a competent court by ruling upon finding that the said juvenile violated criminal law and has one of the following situations in accordance with the results of the investigation:
1. Where the juvenile commits an offense for a minimum punishment of five (5) years of imprisonment;
2. Where the juvenile reaches the age of twenty (20) after the matter is pending before the court.
Besides the circumstances specified in the foregoing paragraph, the juvenile court may transfer a juvenile to a prosecutor in the prosecutors' office of a competent court by ruling if the court, based on results of investigation, finds the offense serious and a criminal disposition appropriate, taking into account circumstances such as the juvenile's character, personality and experience.
The two foregoing paragraphs shall not apply where the juvenile in question is less than fourteen (14) years old at the time of committing the offense.

Article 28
The juvenile court, based on results of investigation, shall deliver a ruling not to submit a matter to hearing upon finding no reasons for submitting a matter to

protective measures or finding the said matter should not be submitted to hearing based on other grounds.
The court may order the juvenile to be treated at an appropriate facility where a ruling in the foregoing paragraph is pronounced based on a finding that the juvenile concerned is insane.

Article 29
The juvenile court, upon finding the delinquency inconsequential or finding it appropriate not to submit the matter to hearing based on results of investigation by a juvenile investigation officer, may deliver a ruling not to submit a matter to hearing and order the following dispositions:
1. giving him/her a reprimand;
2. sending the juvenile to his/her statutory agent or a person who currently protects him/her for strict discipline;
3. transferring the juvenile to a welfare, cultivation, or health care institution or an institution that implements transitional education or other appropriate measures for appropriate tutoring.
Dispositions in the foregoing paragraph shall be executed by the juvenile investigation officer.
Prior to delivering a ruling in accordance with Paragraph 1, the juvenile court may, with the consent of the juvenile in question, his/her statutory agent and the victim, transfer the juvenile in question to an appropriate organization, institute, group, or individual for his/her restoration, or order the juvenile to perform the following:
1. to apologize to the victim;
2. to write a repentance letter;
3. to make reparations to the victim.
A juvenile’s statutory agent shall be jointly liable for the reparation provided for in Subparagraph 3 of the foregoing paragraph, and such liability may constitute a title for civil compulsory enforcementre.

Article 30
Where a juvenile court, based on results of investigation, finds it appropriate to submit a matter to hearing, it shall make a ruling to the effect of initiating the hearing of the said matter.

Article 31
A juvenile, his/her statutory agent, or a person who currently protects the juvenile may select an assistant for the juvenile at any time.

Where a juvenile commits an offense for a sentence more than three (3) years of imprisonment and has not selected an assistant, the juvenile court shall appoint an appropriate person to assist the said juvenile; the same rule shall apply to other circumstances where the court deems it necessary.
Where an appointed assistant fails to appear before the court without justifiable cause in the hearing of a case specified in the foregoing paragraph, the juvenile court may appointed another assistant to take his/her place.
Where the juvenile court appoints an assistant in accordance with the two forgoing paragraphs in a region where a public assistant is not available, the court may instead appoint an appropriate person to assist the juvenile.
Relevant rules in the Act of Public Defender shall apply *mutatis mutandis* to matters related to a public assistant.
Relevant rules in the Code of Criminal Procedure shall apply *mutatis mutandis* to matters related to an assistant in a matter as long as it does not contradict the nature of juvenile protection.

Article 31-1
When an assistant is to be appointed among non-lawyers, such an appointment shall be approved by the juvenile court.

Article 31-2
Besides protecting a juvenile's procedural rights, an assistant shall support the court in facilitating the sound growth of the juvenile.

Article 32
The juvenile court shall set the date of hearing. The juvenile, his/her statutory agent, or a person who currently protects the juvenile shall be summoned on the date of hearing, and the assistant of the juvenile shall be notified.
When appointing the date of hearing, the juvenile court shall take into consideration the amount of time needed for the juvenile, his/her statutory agent, a person who currently protects the juvenile, or an assistant to prepare for the hearing; where the juvenile, his/her statutory agent, or a person who currently protects the juvenile consents to the date of hearing, the court may start the hearing in a timely manner.
Paragraphs 3 and 4 of Article 21 shall apply *mutatis mutandis* to the summons provided in Paragraph 1.

Article 33
On the hearing date, a clerk shall accompany the judge to make hearing records.

Article 34
The investigation and hearing shall not be open to the public, but may be open to the audit of the juvenile's relatives, teachers, persons engaging in juvenile delinquency protection, or other relevant persons.

Article 35
The hearing shall be conducted in an amiable and sincere atmosphere. The judge may hear the case outside the courtroom after taking into account the nature of the matter, mental and physical condition of the juvenile and other relevant circumstances.

Article 36
On the hearing date, when the juvenile is being interrogated, the statutory agent, a person who currently protects the juvenile and the assistant shall be given opportunities to make statements.

Article 37
On the hearing date, the court shall investigate necessary evidence.
The reason and facts for a juvenile to be subject to protective measures shall be established by evidence.

Article 38
The juvenile court may order the following measures when necessary:
1. to prohibit persons other than the juvenile from being present when the latter is making statements;
2. to prohibit the juvenile from being present when persons other than the juvenile is making statements.

Article 39
A juvenile investigation officer shall appear before the court on the hearing date to express opinions regarding the investigation and the measure.
Where the juvenile court does not adopt the opinions of a juvenile investigation officer, the reasons shall be set forth in the ruling.

Article 40
Where the juvenile court, in accordance with the hearing results, finds circumstances of Paragraph 1 of Article 27 exist, the court shall deliver a ruling of transfer; where

the court finds circumstances of Paragraph 2 of Article 27 exist, it may deliver a ruling of transfer.

Article 41

Where the juvenile court, in accordance with the hearing results, finds protective measures ought not to be applied or are not appropriate, it shall deliver a ruling not to apply protective measures.

Paragraph 2 of Article 28, Paragraphs 3 and 4 of Article 29 shall apply *mutatis mutandis* where the juvenile court finds protective measures not appropriate and delivers a ruling not to apply protective measures in accordance with the foregoing paragraph.

Article 42

After hearing a case, the juvenile court shall, besides dispositions in the foregoing two (2) articles, deliver a ruling of the following protective measures:

1. to pronounce a reprimand, which may be supplemented by consultation during vacation;
2. to send a juvenile under probation, which may be supplemented by labor services;
3. to send a juvenile to an appropriate welfare or cultivation institution, health care institution or an institution that implements transitional education or other appropriate measures for placement;
4. to send a juvenile to a correction institute for corrective education.

The court may pronounce the following relevant dispositions before or at the same time it orders protective measures in accordance with the foregoing paragraph where a juvenile has one of the following circumstances:

1. where a juvenile is addicted to narcotics, anesthetic, or alcohol, he/she may be sent to a relevant treatment center;
2. where a juvenile is physically or mentally ill, he/she may be sent to a relevant treatment center for rehabilitation.

The duration of a disposition pronounced in accordance with Paragraph 1 does not need to be specified.

Paragraphs 3 and 4 of Article 29 shall apply *mutatis mutandis* where a juvenile court delivers a ruling of protective measures in accordance with Paragraph 1.

Prior to delivering a ruling in accordance with Paragraph 1, where necessary, the juvenile court may consult the opinions of appropriate agencies or institutions, schools, organizations, or individuals, as well as convene or integrate relevant meeting on welfare services, placement counseling, health care, schooling, vocational

training, employment services, family treatment programs, or other resources and services that meets the needs of the juvenile concerned.
The forgoing paragraph shall apply *mutatis mutandis* to situations of Article 26, Article 28, Article 29 Paragraph 1, Article 41 Paragraph 1, Article 44 Paragraph 1, Article 51 Paragraph 3, Article 55 Paragraphs 1 and 4, Article 55-2 Paragraphs 2 to 5, Article 55-3, Article 56 Paragraphs 1 and 3.

Article 43
Rules regarding confiscation in the Criminal Code or other laws shall apply *mutatis mutandis* to rulings made in accordance with Articles 28, 29, 41, and the foregoing article.
A juvenile court may confiscate items used or acquired for acts listed in Article 3, Paragraph 1, Subparagraph 2 where if deems those items not suitable to be returned.

Article 44
A juvenile court may, if necessary, deliver a ruling to send a juvenile to a juvenile investigation officer for observation for a duration not exceeding six (6) months in order to determine whether the application of protective measures is appropriate and which protective measures should be applied.
In order to conduct the observation in the above paragraph, a juvenile court may, after consulting the opinions of a juvenile investigation officer, send the juvenile to an appropriate institution, school, organization, or individual under instruction of the juvenile investigation officer.
A juvenile investigation officer shall file a report detailing the results of the observation, to be accompanied by concrete suggestions.
A juvenile court may change the duration of observation or terminate the observation on its own initiative or upon request by the juvenile investigation officer.

Article 45
Where a person subject to protective measures is further sentenced of imprisonment or heavier punishment by a final judgment, the juvenile court that imposed the protective measures concerned may revoke the disposition of protective measures by ruling.
Where a person subject to protective measures is further subject to rehabilitative disposition by a final ruling, the juvenile court that imposed the protective measures concerned shall pronounce the disposition to be executed by ruling.

Article 46

Where a person subject to protective measures is further subject to protective measures in another case, both of the disposition has been finalized, the juvenile court that imposed the latter disposition may determine the disposition to be executed by a ruling.
Upon pronouncing the ruling for execution in accordance with the foregoing paragraph, the other disposition shall be deemed revoked whether they have been executed or not.

Article 47
Where a juvenile court, after pronouncing a disposition of protective measures, finds itself devoid of jurisdiction, it shall revoke the disposition of protective measures in question by ruling and transfer the case to a competent court which has jurisdiction to hear the said case.
An institution that executes the protective measures shall notify the juvenile court upon discovering information that sufficiently shows the circumstances provided in the foregoing paragraph.

Article 48
The juvenile court shall serve the original copies of its ruling to the juvenile concerned, his/her statutory agent or a person who currently protects the juvenile, his/her assistant, and the victim, as well as notify the juvenile investigation officer.

Article 49
Unless otherwise prescribed in this Act, provisions of the Code of Civil Procedure regarding the service of documents shall apply to the servicing of legal documents of this Act.
Service of documents in accordance with the forgoing paragraph may not be done by constructive notice to the juvenile, his/her statutory agent, a person who currently protects the juvenile, his/her assistant, the victim or his/her statutory agent whose personal information sufficient for identification is prohibited to be disclosed in accordance with the law.
Service of documents may not disclose personal information sufficient for the identification of the juvenile or other persons whose identity shall be kept secret in accordance with the law on an envelope, service certificate, service notice or other documents that is disclosed to the public.

Section II Execution of Protective Measures

Article 50

By ordering a reprimand for a juvenile, the juvenile court shall specify his/her delinquencies, inform him/her of things to comply with in the future, and may order the juvenile to write a repentance letter.
In giving a reprimand, the court shall notify the juvenile's statutory agent or a person who currently protects the juvenile, and his/her assistant to be present.
Consultation during vacation a juvenile must attend may consist of three (3) to ten (10) sessions, to be prescribed by the juvenile court and conducted by a juvenile protection officer during holidays for individual or group character education, tutoring studies or other homework, and may include labor service in order to cultivate diligence and obedience of the law. A juvenile protection officer may determine the number of sessions depending on the effects of the consultation.
In conducting the consultation during vacation in accordance with the foregoing paragraph, a juvenile court may, taking into account the opinions of a juvenile protection officer, send a juvenile to an appropriate institution, organization or individual, and to place him/her under the instruction of a juvenile protection officer.

Article 51
The juvenile protection officer shall be in charge of the probation of the juvenile; such an officer shall notify the juvenile the matters to comply with, keep in touch with the juvenile, pay attention to his/her activities and provide instructions anytime; a juvenile protection officer shall also advise the juvenile on his/her education, medical care, job search, and improvement of personal circumstances.
When carrying out functions in the foregoing paragraph, the juvenile protection officer shall conduct necessary consultations with the juvenile's statutory agent or a person who currently protects the juvenile.
The juvenile court may, taking into account opinions of a juvenile protection officer, send a juvenile to an appropriate welfare or cultivation institute, charitable organization, juvenile's closest relative or other appropriate individuals for probation, and to place him/her under the instruction of a juvenile protection officer.

Article 52
When a juvenile is put under placement counseling or corrective education, the juvenile court, based on classification it made by the nature of delinquencies, the juvenile's physical or mental conditions, educational levels, and other relevant factors, may send the juvenile to an appropriate welfare or cultivation institution, health care institution, an institution that implements transitional education or other appropriate measures, or a corrective education institution, and to place him/her under the instruction by the juvenile court.

The organization and education program of a corrective education institution shall be stipulated by laws.

Article 53
A probation or corrective education may not be executed for more than three (3) years.

Article 54
Transferred guidance and protective measures may only be executed until a juvenile reaches the age of twenty-one (21).
The central authority for youth and child welfare institutions shall stipulate regulations for the establishment and management of welfare and cultivation institutions executing placement counseling.

Article 55
Where the probation have been executed for more than six (6) months and with good effects, rendering its continuation unnecessary, or upon finding further execution not appropriate based on factual reasons, a juvenile protection officer may file relevant evidence in its application of the juvenile court for waiving the execution of the probation.
Where the execution of probation shows circumstances in the foregoing paragraph, the juvenile, his/her statutory agent, or a person who currently protects the juvenile may petition to the juvenile protection officer to request for an application for waiving the execution of the probation in accordance with the foregoing paragraph; unless the petition is manifestly without good cause, the juvenile protection officer may not refuse the request.
Where a juvenile violates regulations and disobeys instructions for more than two (2) times during the probation and where observation is necessary, a juvenile protection officer may apply to the juvenile court for a ruling of sending the said juvenile to a juvenile detention center for observation for not more than five (5) days.
Where a juvenile seriously violates regulations during the probation period or has been put under observation in accordance with the foregoing paragraph but violates regulations again, and that the probation is obviously ineffective, a juvenile protection officer may apply to the juvenile court for a ruling of revoking the probation order and sending the juvenile to a correction institution for corrective education for the rest of the execution period; where the time remaining is less than six (6) months, the corrective education shall be executed for six (6) months.

Article 55-1
Labor service under the probation shall be ordered for a duration between three (3) and fifty (50) hours; it shall be executed by the juvenile protection officer at a length depending on the effects of its performance.

Article 55-2
The placement counseling in accordance with Article 42, Paragraph 1, Subparagraph 3 shall be ordered for a duration between two (2) months and two (2) years.
Where the execution of the placement counseling in accordance with the foregoing paragraph have been executed for more than two (2) months and with good effects, rendering its continuation unnecessary, or upon finding further execution not appropriate based on factual reasons, a juvenile protection officer, the welfare or cultivation institution, health care institution, institution that implements transitional education or other appropriate measures in charge of the placement counseling, the juvenile, his/her statutory agent, or a person currently protecting the juvenile may file relevant evidence in their application to the juvenile court for waiving the execution of the placement counseling.
Upon the completion of the execution of placement counseling, a juvenile protection officer, the welfare or cultivation institution, health care institution, institution that implements transitional education or other appropriate measures in charge of the placement counseling, the juvenile, his/her statutory agent, or a person currently protecting the juvenile, upon finding the continuation of placement counseling necessary, may apply to the juvenile court for extending the placement counseling by ruling; such an extension may only be made once and its duration may not exceed two (2) years.
Where the execution of placement counseling in Paragraph 1 exceeds two (2) months and where changing of the welfare or cultivation institution, health care institution, institution that implements transitional education or other appropriate measures is necessary, a juvenile protection officer, the juvenile, his/her statutory agent or a person who is currently protecting the juvenile may file relevant evidence and state the reasons in their application to the juvenile court for changing the relevant institutions by ruling.
Where the juvenile seriously violates regulations during the placement counseling or where the juvenile has been pronounced a detention for observation in accordance with Article 55-3 and violates regulations again so that the placement counseling is ineffective, a juvenile protection officer, the welfare or cultivation institution, health care institution, institution that implements transitional education or other appropriate measures in charge of the placement counseling, the juvenile’s statutory agent, or a

person currently protecting the juvenile may file relevant evidence and state the reasons in their application to the juvenile court for revoking the placement counseling and sending the juvenile to a correction institution for corrective education for the rest of the execution period; where the time remaining is less than six (6) months, the corrective education shall be executed for six (6) months.

Article 55-3

Where a juvenile refuses to accept a disposition made in accordance with Article 29, Paragraph 1 or Article 42, Paragraph 1, Subparagraphs 1 or 3 without justifiable cause, a juvenile investigation officer, juvenile protection officer, the juvenile's statutory agent, or a person who is currently protecting the juvenile, the welfare or cultivation institution, health care institution, or an institution that implements transitional education or other appropriate measures may apply to the juvenile court for issuing an advice letter; where the advice is ineffective, the above-mentioned parties may apply to the juvenile court for detaining the juvenile in a juvenile detention center for an observation for not more than five (5) days.

Article 56

Where the corrective education has been executed for more than six (6) months and its continuation is found unnecessary, the juvenile protection officer or the execution authority may file relevant evidence in application to the juvenile court for waiving or suspending its execution by ruling.

Where the execution of corrective education shows circumstances in the foregoing paragraph, the juvenile, his/her statutory agent may petition to the juvenile protection officer to request for an application for waiving the execution of the corrective education in accordance with the foregoing paragraph; unless the petition is manifestly without good cause, the juvenile protection officer may not refuse the request.

Where execution of corrective education is suspended in accordance with Paragraph 1, the juvenile court shall pronounced probation by ruling for the remaining execution period.

Article 55 shall apply *mutatis mutandis* to probation in the foregoing paragraph; where in accordance with Article 55, Paragraph 4 the execution of corrective education shall continue, the suspended period shall not be counted against the period of execution.

Article 57

A disposition made in accordance with Article 29, Paragraph 1, a disposition made in accordance with Article 42, Paragraph 1, Subparagraph 1, and a disposition of detention for observation made in accordance with Article 55, Paragraph 3 or Article 55-3 shall be executed within 2 years from its pronouncement; the execution shall be exempted if such period lapses.
Where a disposition made in accordance with Article 42, Paragraph 1, Subparagraphs 2, 3, 4 and Paragraph 2 is not executed within 3 years from the day it shall be executed, such a disposition may not be executed unless a juvenile court delivers a ruling of execution.

Article 58
The execution period defined in Article 42, Paragraph 2, Subparagraphs 1 and 2 shall end when the juvenile is cured of abstinence or reaches the age of twenty (20). Where the continuation of the execution is deemed unnecessary, the juvenile court may waive the execution.
Where a disposition made in accordance with the foregoing paragraph is pronounced alongside probation, the two shall be executed in tandem. When such a disposition is pronounced alongside placement counseling or corrective education, such a disposition shall be executed first; where its execution does not affect the placement counseling or corrective education, the multiple dispositions may be executed in tandem.
Where in the case for the execution of a disposition of compulsory eradication or of treatment or, a juvenile court finds it unnecessary to execute protective measures, it may waive the execution of protective measures.

Article 59
The juvenile court may, when necessary, issue the juvenile a notice and\or companion letter, or request relevant institutes for searching assistance in order to execute the disposition of referral, protective measures or detention for observation.
A juvenile protection officer may, if necessary, issue the juvenile a notice to execute protective measures.
Article 21, Paragraphs 3 and 4, Article 22, Paragraph 2 and Articles 23 and 23-1 shall apply *mutatis mutandis* to the notice, companion letter and written request for searching assistance in the two foregoing paragraphs.

Article 60
After a pronouncement of protective measures by the juvenile court is finalized, the court may order the juvenile or the guardian of the juvenile to bear part or all of the

education cost for executing the protective measures, taking into account the financial conditions of the juvenile himself/herself and of persons who are responsible for supporting the juvenile; where the relevant persons cannot afford the costs concerned, such persons shall be exempted from bearing the cost.
The ruling made in accordance with the foregoing paragraph may constitute a title for civil compulsory enforcement. The juvenile court shall request the civil compulsory enforcement division of the district court to carry out execution with execution fees exempted.

Section III Interlocutory Appeal and Trial de Novo

Article 61
A juvenile, his/her statutory agent, a person who currently protects the juvenile or his/her assistant may file an interlocutory appeal if he/she disagrees with a ruling made by the juvenile court in the following categories; where an interlocutory appeal is to be filed by the assistant, the decision of whether to file the appeal may not contradict the express intent of the party who appointed the assistant:
1. a ruling that sends a juvenile to a juvenile investigation officer for consulting in accordance with Article 26, Subparagraph 1;
2. a ruling that orders a juvenile to be sent to a juvenile detention center or a ruling that denies the application of release to the custody of another party in accordance with Article 26, Subparagraph 2;
3. a ruling that extends the period of detention or denies the application to revoke the ruling ordering the detention in accordance with Article 26-2, Paragraph 1;
4. a ruling made in accordance with Article 27, Paragraph 1 or Paragraph 2;
5. a ruling made in accordance with Article 29, Paragraphs 1;
6. a ruling made in accordance with Article 40;
7. a disposition made in accordance with Article 42;
8. a ruling that orders detention for observation made in accordance with Article 55, Paragraph 3 or Article 55-3, and a ruling that revokes the probation so as to sends the juvenile to a corrective education in accordance with Article 55, Paragraph 4;
9. a ruling that extends the duration of placement counseling made in accordance with Article 55-2, Paragraph 3, or a disposition that revokes the placement counseling so as to sends the juvenile to a corrective education in accordance with Article 55-2, Paragraph 5;
10. a ruling that revokes the application for waiving or suspending the execution of corrective education in accordance with Article 56, Paragraph 1;
11. a disposition that orders the continuation of the execution of corrective education

in accordance with Article 56, Paragraph 4;
12. a ruling that orders the bearing of education cost in accordance with Article 60.

Article 62
A victim or his/her statutory agent of a juvenile case may file an interlocutory appeal against a ruling made by the juvenile court in the following categories:
1. a ruling not to submit a matter to hearing in accordance with Article 28, Paragraph 1;
2. a ruling not to submit a matter to hearing but to order transferred guidance, give reprimand, or strict discipline in accordance with Article 29, Paragraph 1;
3. a ruling not to apply protective measures in accordance with Article 41, Paragraph 1;
4. a ruling that orders protective measures in accordance with Article 42, Paragraph 1.
Where the victim is deceased or cannot file an interlocutory appeal for other reasons, his/her spouse, direct blood relatives, collateral relatives within the third degree of relationship, relatives by marriage within the second degree of relationship, family head or family members may file an interlocutory appeal in his/her place.

Article 63
The competent court for hearing an interlocutory appeal is the superior court of the juvenile court.
No interlocutory appeal may be filed against a ruling by the court hearing the interlocutory appeal.

Article 64
The period for filing an interlocutory appeal is ten (10) days from the service of ruling; however, an interlocutory appeal is also effective if made after the pronouncement but before the service of the ruling.
Provisions between Articles 407 to 414 of the Code of Criminal Procedure and in Section I of this Chapter shall apply *mutatis mutandis* to an interlocutory appeal filed in accordance with provisions in this section.

Article 64-1
After a disposition that pronounces protective measures is finalized and it is deemed that the protective measures concerned should not apply for any of the following reasons, a juvenile protection officer, the juvenile, his/her statutory agent, a person who currently protects the juvenile or his/her assistant may apply to the juvenile court that pronounced the protective measures for a trial *de novo*:

1. where the application of the law is clearly mistaken and the error is sufficiently significant to affect the ruling;
2. where newly established evidence is sufficient to show that the protective measures should not apply to the juvenile in question;
3. where circumstance for retrial in accordance with Article 420, Paragraph 1, Subparagraphs 1, 2, 4, or 5 of the Code of Criminal Procedure applies.
Provisions in Article 423, Article 429, the first part of Article 430, Articles 431 to 434, Paragraphs 1 and 2 of Article 435, and Article 436 shall apply *mutatis mutandis* to procedures of trial *de novo* in the foregoing paragraph.
Where the juvenile court which pronounced the protective measures finds one of the circumstances in the subparagraphs of Paragraph 1, it may deliver a ruling of trial *de novo* on its own initiative.
Where after the completion of the execution of protective measures, a finding is made to subject the juvenile to criminal prosecution due to the results of a trial *de novo*, the ensuing disadvantage shall apply to the juvenile, and a ruling of transferring the said juvenile to a prosecutor of the prosecutors' office in the competent court shall not be made.

Article 64-2
Where after a ruling not to apply protective measures is finalized one of the following circumstances appears so that it is deemed that the protective measures should have been pronounced, the victim or the juvenile's statutory agent may apply to the court that made the ruling not to apply protective measures for a trial *de novo*:
1. where circumstances for retrial in accordance with Article 422, Subparagraph 1 of the Code of Criminal Procedure exist;
2. where a confession made by the juvenile or newly discovered evidence is sufficient to show the existence of behavior specified in Article 3, Paragraph 1, which leads to the conclusion that the protective measures should have be pronounced.
Provisions in Articles 429, 431 to 434, Paragraphs 1 and 2 of Article 435, and Article 436 of the Code of Criminal Procedure shall apply *mutatis mutandis* to trial *de novo* in the foregoing paragraph.
Where the juvenile court that delivered a ruling not to apply protective measures finds one of the circumstances specified in Paragraph 1 above, it may make a ruling of trial *de novo* on its own initiative.
A trail *de novo* in accordance with Paragraph 1 or with the foregoing paragraph may not be initiated one (1) year after the finalization of a ruling not to apply protective measures.

Chapter IV Juvenile Criminal Cases

Article 65
Criminal prosecution and punishment against juvenile offenses are limited to matters transferred in accordance with Paragraphs 1 and 2 of Article 27.
Rules regarding private prosecution in the Code of Criminal Procedure shall not apply to juvenile criminal cases.
Rules in this Chapter apply to a juvenile who has reached the age of 18 after committing the crime.

Article 66
The prosecutor shall promptly initiate investigations on a juvenile criminal matter once such a matter is transferred from a juvenile court.

Article 67
Where a juvenile commits an offense with a maximum punishment of five (5) years imprisonment, a prosecutor, after conducting the investigation and taking into consideration Article 57 of the Criminal Code, deems it appropriate not to subject the juvenile to criminal prosecution but to apply protective measures, the prosecutor may make a decision to exempt the prosecution and transfer the matter to the juvenile court to be handled as a matter of juvenile protection. Where the prosecutor is of the view that the matter should be subject to criminal prosecution, the prosecutor shall prosecute the case before the juvenile court.
Where a matter has been transferred to a juvenile court to be handled as a matter of juvenile protection but the juvenile court made a renewed transfer for criminal prosecution, the prosecutor may not make a decision to exempt the prosecution and transfer the matter back to the juvenile court again to be handled as a matter of juvenile protection in accordance with the foregoing paragraph.

Article 68
(Deleted)

Article 69
Where a juvenile offence has already be covered by the pronouncement of protective measures in accordance with Article 42, no criminal action or punishment may be charged against the same matter, unless such protective measures had already been revoked in accordance with Article 45 or 47.

Article 70

Relevant regulations in Sections I and III of Chapter III shall apply *mutatis mutandis* to the investigation and trial of a juvenile criminal matter.

Article 71
A juvenile defendant may not be detained unless there are no alternatives.
A juvenile defendant shall be detained in a juvenile detention center; once reaching twenty (20) years of age, he/she shall be sent to a detention center.
The detention during investigation of a juvenile criminal matter by the juvenile court shall be deemed as detention before sentencing, to that Article 46 of the Criminal Code regarding sentence deduction shall apply *mutatis mutandis*.

Article 72
(Deleted)

Article 73
The trial may be held in private.
The qualifying provisions of Article 34 shall apply *mutatis mutandis* to a private hearing.
The court may not deny a request to make the trial public by a juvenile, his/her statutory agent, or a person who currently protects the juvenile, unless there are statutory reasons for a private hearing.

Article 74
For a juvenile criminal matter in Article 27 where a juvenile commits an offence with a maximum punishment of ten (10) years imprisonment, if the court finds such a juvenile forgivable, that a sentence reduced in accordance with Article 59 of the Criminal Code is still too heavy, and that a disposition of protective measures would be more appropriate, the court may remit the punishment and pronounce protective measures in accordance with Article 42, Paragraph 1, Subparagraphs 2 to 4 and may also pronounce dispositions pursuant to subparagraphs of Paragraph 2 of the same article in tandem.
Relevant rules in Section II of Chapter III shall apply to the execution of the disposition made in accordance with the foregoing paragraph.

Article 75
(Deleted)

Article 76

(Deleted)

Article 77
(Deleted)

Article 78
A juvenile may not be sentenced to deprivation of citizen's rights or forced labor.
A juvenile shall be deemed to have never committed an offence when regulations related to citizen's rights apply, if he/she is sentenced and has completed the punishment or been pardoned.

Article 79
Article 74 of the Criminal Code regarding sentence suspension shall only be applied to juveniles sentenced with punishments of less than three (3) years imprisonment, detention or fine.

Article 80
Articles 3, 8 and Paragraph 2 of Article 39 of the Prison Act shall be complied with when enforcing the sentencing on a juvenile inmate.

Article 81
A juvenile may be bailed out if he/she repents after seven (7) years of serving for life imprisonment, or after serving for more than one-third of limited imprisonment.
Where a juvenile was under punishment of imprisonment before the promulgation of this Act, or where a juvenile received a final sentence of imprisonment before the promulgation of this Act but was executed after the promulgation of this Act, the foregoing paragraph shall apply *mutatis mutandis*.

Article 82
A juvenile protection officer in the juvenile court shall execute the probation during sentence suspension or bail period.
Where the person subject to probation is less than twenty-three (23) years old, the prosecutor shall entrust a juvenile protection officer of a juvenile court to execute probation in the foregoing paragraph.

Chapter V Supplementary Provisions

Article 83

No one may disclose in media, information, or make public records or photos related to juvenile protection or a juvenile criminal matter, so that a reader may have sufficient data to identity a juvenile being investigated or tried in a juvenile protection or as a defendant in a criminal matter.
The competent authority shall impose sanctions on any violations against the foregoing paragraph in accordance with applicable laws.

Article 83-1
Two (2) years after the completion of the disposition made in accordance with Article 29, Paragraph 1; or three (3) years after the completion of execution of the protective measures or sentence or being pardoned; or after the finalization of a ruling not to submit the case for hearing or to protective measures, the juvenile concerned shall be deemed to have never been pronounced such dispositions.
Where circumstances in the foregoing paragraph or one of the following circumstances apply to a juvenile, the juvenile court shall notify the institution which preserves the juvenile's criminal records and relevant data to remove such data:
1. where the time period of pronouncement of probation has been fulfilled and has not been revoked, or the judgments of not guilty, dismissal, or not to proceed have been finalized;
2. where the prosecutor's office notifies the juvenile court of the fact that the time period of deferred prosecution has been fulfilled and has not been revoked;
3. where the prosecutor's office notifies the juvenile court of the fact that the non-prosecutorial disposition has been finalized and there is no need to transfer the matter to the juvenile court to be handled as a matter of juvenile protection.
Unless otherwise provided in this Act or there exists one of the following circumstances, the juvenile court and any other agency, institution, organization or individual may not provide the records or data specified in the foregoing paragraph:
1. The provision of records or data is in the interest of the juvenile himself/herself;
2. The provision of records or data has obtained the consent of the juvenile, taking into account his/her age, degree of physical and mental development, and his/her opinions. Where necessary, consultations with the juvenile's statutory agent or a person who currently protects the juvenile should be made.
Regulations on the removal, use, keeping, provision, statistics and research on records and data of a juvenile's criminal matters shall be prescribed by the Judicial Yuan.

Article 83-2
A person who violates the foregoing article, by either failing to remove the records or providing the data relevant to a juvenile's criminal records without good cause, shall

be sentenced to a maximum of six (6) months of imprisonment, detention, or a fine under NT$ 30,000.

Article 83-3

A juvenile court may order the deportation of a juvenile of foreign nationality by ruling instead of subjecting him/her to a disposition of transfer, protective measures, or order the probation during the period of sentence suspension.

A juvenile investigation officer or a juvenile protection officer may apply to the juvenile court for a ruling in the forgoing paragraph; prior to making the ruling, the court should give the juvenile, his/her statutory agent or a person who currently protects the juvenile an opportunity to make their views heard, unless the relevant parties, being duly notified in accordance with the law, fail to appear before the court without justifiable cause.

An interlocutory appeal may be filed against a ruling in the foregoing paragraph, to which provisions of articles 61, 63, and 64 shall apply *mutatis mutandis*.

The deportation of a juvenile of foreign nationality shall be executed by a judicial police agency.

Article 84

Where a juvenile's statutory agent failed to nurture the juvenile and allowed the juvenile to develop circumstances listed in Subparagraph 1 of Article 3 so as to be subject to protective measures or a pronouncement of criminal offense, or rendering the execution of protective measures difficult to yield desirable results, the juvenile court may order the statutory agent to undertake parenting courses for eight (8) to fifty (50) hours by ruling, so as to enhance his/her capability in performing the parenting functions.

Prior to making the ruling ordering the undertaking of parenting courses, the juvenile court, when necessary, may order the juvenile investigation officer to file an investigation report on the neglect of nurturing in question, to be accompanied by concrete suggestions.

For the execution of the parenting courses, the juvenile court may assign to a juvenile protection officer, and may, taking into account opinions of a juvenile protection officer, delegate the tasks to an appropriate agencies, organizations, or individuals, which should perform the tasks under the instruction of a juvenile protection office.

The parenting courses shall be executed within three (3) years from the day of the ruling; once the period lapses, the execution should cease, or at maximum be executed until the juvenile reaches the age of twenty (20) years. Where it is inappropriate that the parenting courses not to be continued due to factual reasons, the juvenile

protection officer shall file relevant evidence in its application of the juvenile court for waiving the execution of the parenting courses.
Where the statutory agent refuses to partake the parenting courses or does not partake the courses in sufficient hours, the juvenile court may sentence him/her a fine of NT$ 3,000 to NT$ 10,000 by ruling; if he/she refuses to take the courses after receiving a second notice, the court may carry the fine on a recurring basis until the parties concerned takes the courses. Once the fine is imposed for more than three (3) successive times, the court may publicly announce the name of the statutory agent by ruling.
The ruling of fine in the foregoing paragraph may constitute the title for compulsory enforcement; the juvenile court shall request the civil compulsory enforcement division of the district courts to carry out execution with execution fees exempted.
Where a juvenile's statutory agent or guardian has demonstrated a situation prescribed in Paragraph 1 and the said situation is serious, the juvenile court may make a ruling for his/her name to be publicly announced.
A person being subject to a ruling made in accordance with Paragraphs 1, 5 and the foregoing paragraph may file an interlocutory appeal, to which Articles 63 and 64 shall apply *mutatis mutandis*.

Article 85
Any adult who instigates, helps or uses a person under the age of eighteen (18) to commit a crime or commit a crime together with a juvenile will be aggravated the conviction up to a half of the sentences.
The juvenile court may order the adult in the foregoing paragraph to bear the whole or part of education cost prescribed in Article 60, Paragraph 1 by ruling and may publicly announce the name of the said adult.

Article 85-1
(Deleted)

Article 86
Enforcement rules of this Act shall be prescribed by the Judicial Yuan in consultation with the Executive Yuan.
Rules for trying juvenile protection matters shall be prescribed by the Judicial Yuan.
Rules on the liaison between the juvenile court and relevant administrative agencies in dealing with juvenile protection shall be prescribed by the Judicial Yuan in consultation with the Executive Yuan.

Plans for counseling and prevention of juvenile delinquency shall be prescribed by the Executive Yuan in consultation with the Judicial Yuan.

Article 87

This Act shall come into effect on July 1, 1971.

Apart from amendments to Article 18, Paragraphs 2 to 7 done and promulgated on May 31, 2019, which shall come into effect on July 1, 2023, and amendments to Article 42, Paragraph 1, Subparagraph3 on sending a juvenile to an appropriate health care institution or an institution that implements transitional education or other appropriate measures for placement and deletion of Article 85-1 both of which shall come into effect one (1) year after their respective promulgation, the amended articles of the Law shall come into effective upon promulgation.