

電業法第 71 條之 1 修正案英譯草案條文對照表

中文條文	英譯條文
<p>第七十一條之一 以竊取、毀壞或其他非法方法危害裝置容量一百萬瓩以上之水力發電廠、一百二十萬瓩以上之火力發電廠之主要發電設備、燃料輸儲設備、控制室、開關場、資通訊機房，或特高壓以上輸電、變電設備、<u>調度室，或海底電力電纜</u>之功能正常運作者，處一年以上七年以下有期徒刑，得併科新臺幣一千萬元以下罰金。</p> <p>意圖危害國家安全或社會安定，而犯前項之罪者，處三年以上十年以下有期徒刑，得併科新臺幣五千萬元以下罰金。</p> <p>前二項情形致釀成災患者，加重其刑至二分之一；因而致人於死者，處無期徒刑或七年以上有期徒刑，得併科新臺幣一億元以下罰金；致重傷者，處五年以上十二年以下有期徒刑，得併科新臺幣八千萬元以下罰金。</p> <p><u>因過失毀壞或以其他非法方法危害海底電力電纜之功能正常運作者，處六月以下有期徒刑、拘役或科新臺幣二百萬元以下罰金。</u></p> <p>第一項及第二項之未遂犯罰之。</p> <p><u>供第一項至第三項及前項犯罪用之工具、船舶或其他機械設備，不問屬於犯罪行為人與否，沒收之；其經</u></p>	<p>Article 71-1</p> <p>Any person who, through theft, sabotage, or other methods, endangers the proper operation of major Power Generation Equipment, fuel storage and delivery equipment, control rooms, switching stations, information and communication rooms, in any hydropower plant with an installed capacity of 1,000,000 kilowatts or higher or any thermal power plant with an installed capacity of 1,200,000 kilowatts or higher, or ultra-high voltage and above transformation and distribution facilities, system operator, <u>or submarine power cables</u>, shall be sentenced to imprisonment between 1 and 7 years; in addition thereto, a fine not more than NT\$10,000,000 may be imposed.</p> <p>Any person who commits an offence under the preceding paragraph with the intention to endanger national security or social stability shall be sentenced to imprisonment between</p>

裁判沒收確定者，得視個案情節需要拍賣或變賣，或專案報准依下列方式之一處置之：

一、無償留供公用。

二、廢棄。

三、為其他適當之處置。

3 and 10 years; in addition thereto, a fine not more than NT\$50,000,000 may be imposed.

Any person who commits the offences specified in the preceding two paragraphs resulting in a disaster shall have their sentence increased by up to one half; if the offence results in death, the offender shall be sentenced to life imprisonment or imprisonment for more than 7 years, and in addition thereto, a fine not more than NT\$100,000,000 may be imposed; if the offence results in serious physical injury, the offender shall be sentenced to imprisonment between 5 and 12 years, and in addition thereto a fine not more than NT\$80,000,000 may be imposed.

Any person who, through negligence, destroys or otherwise unlawfully endangers the regular operation of the functions of submarine power cables shall be sentenced to imprisonment for not more than 6 months, detention, or a fine of not more than NT\$2,000,000.

Any person who attempts without success to commit an offence

specified in paragraphs 1 and 2 shall also be subject to penalty.

The tools, vessels, or other machinery or equipment used for committing the offenses specified in paragraphs 1 through 3 and the preceding paragraph, regardless of whether they belong to the offender, shall be confiscated. Where confiscation is finalized by judgment, such items may, as required by the circumstances of the individual case, be auctioned or sold, or, upon special approval, disposed of in one of the following ways:

1. Retained for public use without compensation.

2. Destroyed.

3. Otherwise appropriately disposed of.