



Press release from the Administrative Enforcement Agency (AEA), Ministry of Justice

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Continue to establish diversified, accessible payment environments whilst caring and providing convenience to the public

Defend justice and actively enforce against malicious overdue payment incidents

As the only competent authority under public laws to enforce compulsory execution of obligatory payments, AEA is responsible for the collection of overdue taxes, fines, and fees owed by obligors to pay debts raised from public laws and advance the public interest. Among all the cases related to the compulsory execution of obligatory payment under public law, the payment quantum for most cases (about 90%) was under NTD 30,000, with most of these cases either due to obligors' negligence or other factors which resulted in failing to make timely payment, hence referred to for compulsory enforcement action. In view of this, AEA is actively and continuously establishing a diversified and friendly payment environment to enhance the quality of services for the public, so as to strengthen the willingness of the obligors to make payments on their own and improve efficiency in execution, thus creating a win-win situation for both parties.

I. Establishing multiple payment methods, providing convenience to the public, and enhancing service quality

In order to pay debts raised from public laws, AEA actively enforces the law through developing modern technology and continues to improve multiple payment services to enhance convenience in making payments, hence facilitating the obligors' willingness to make overdue payments. The following measures are adopted:

i. Optimize payment methods by raising the payment limit at four major convenience stores to NTD 30,000.

With effect from June 1, 2008, AEA began to promote payments for administrative enforcement cases at convenience stores. From January 2011,

payments for all national and local tax arrears under NTD 20,000 can be made at the four major convenience stores chains: President Chain Store, Family Mart, Hi-Life, and OK Mart. Payment notices sent by the respective Branches include barcodes to facilitate payment, and all payments must be done before the payment deadline. In addition to the above measure, payments of fines at convenience stores have been expanded to include fine payments for other cases which are related to automobile and motor fuel use fees (and the fines derived from it), health insurance premiums, traffic violation fines, labor insurance premiums, environmental protection fines, etc. From November 1, 2019, fines related to the Electronic Toll Collection (ETC) System, Freeway Bureau, MOTC, can be paid at nationwide convenience stores. These measures have effectively increased the rate of voluntary payment by obligors.

Recently, to further improve the convenience members of the public enjoy when making payments, the maximum amount of the collection of tax, health insurance premiums, administrative fines, and various fees by convenience stores has been raised to NTD 30,000 since September 16, 2020. This measure further improves the convenience public enjoys when making payments.

Since October 20, 2021, after the abovementioned promotions, the maximum fine arising from administrative execution cases which can be paid for at convenience stores has been raised to NTD 30,000. From June 2008 to May 2022, the total number of fines collected reached 9,445,487, and the total amount of fines paid at convenience stores reached NTD 56,035,380,712. These are indeed significant achievements.

ii. Addition of credit card payment and mobile payments as new payment methods

To enhance service quality, the Branches have joined the "Credit Card Payment Platform for Public Offices" since January 4, 2016. By joining this platform, the Branches seek to provide the public with the service of paying fines for cases by credit card at the counter. Also, in response to new trends in mobile payment, mobile payment services such as "Apple Pay", "Samsung Pay", "Google Pay (Android Pay)" and "Taiwan Pay" have been adopted since January 2018. On April 3, 2018, mobile payment was offered as a means of paying for the winning bid at an auction for the first time. This significantly

increased the public's willingness to purchase, creating an outstanding performance. As of the first quarter of 2022, the total number of credit card payments stood at 54,070, with the total amount of credit card payments standing at NTD 1,436,759,953. The total amount of credit card payments for winning bids at auctions is NTD 51,020,972.

iii. Adding virtual account payment as a new payment method

Since November 1, 2020, the Pingtung Branch has been offering "virtual account" payment services on a trial basis. By sending a payment notice using a virtual payment account, the public can pay their fines at the four major convenience stores during the payment period and also use ATMs to make remittances, voice banking, and internet bank transfer services to pay their payments without facing time and space constraints. These will further increase the rate of voluntary payment by obligors. AEA has also amended the case management system to allow banks to automatically upload payment information through the system, hence quickly updating the obligors' payment status. Due to good results from the trial, since June 1, 2021, five branches, including Yilan, Hsinchu, Chiayi, Hualien, and Pingtung will adopt these measures. Four more branches, including Taipei, Shilin, Kaohsiung, and Changhua have begun to provide these measures since June 8, 2022. These measures are expected to be fully implemented in August 2022 to provide more convenient payment methods and choices for the public.

iv. Establishing a one-click payment certificate return service

For those obligors whose deposit or salaries have been seized by the respective Branch, and they have already paid the overdue amount of the fine and urgently require the revocation of the execution decree as soon as possible, the Branch has been providing the "Online Return of Payment Certificate" service since June 8, 2021. This service allows obligors to return the electronic file or photo of the payment certificate to the Branch's special official mail address after making payment. To facilitate using this service, each branch has set up a quick service link on its website, allowing easy access to the service and the return of the certificate with one click. This service also allows the public can to be assisted by an officer when handling the revocation of the execution decree, hence the public neither has to visit the Branch counter in

person to handle the matter nor send the payment certificate to the Branch by mail or fax.

According to the Ministry of Justice, among all small amount cases, the cases related to administrative fines accounted for the largest proportion of cases. In the last five years (from 2017 to 2021), the total number of new cases of administrative enforcement was 57,673,000 cases, cases related to administrative fines were 27,318,000 cases (around 47.4% of the total cases), and cases of an overdue amount under NTD 5,000 were the most common cases (at around 93%). The payment situation for small amount cases has been gradually completed through the abovementioned diversified and convenient payment service which shows the effectiveness of the collection for these small amount cases. For instance, in 2021, the total amount of administrative fines paid through the diversified and convenient payment services reached NTD 220,000,000, and a very large proportion, around 94.4 %, of the abovementioned amount was collected by convenience stores. In addition, among the aforementioned cases of administrative fines, 22,744,000 cases (83.3%) were violations of the Road Traffic Management and Penalty Act, followed by 2,664,000 violations (9.8%) of the Highway Act and 785,000 violations (2.9%) of the Compulsory Automobile Liability Insurance Act. The above cases accounted for 96% of all administrative fines. In addition to active enforcement measures by administrative execution agencies such as the special project for the enforcement of traffic violations and the special project for strengthening the enforcement of the violations of driving under influence to protect the traffic safety of the public and maintain order in society, the enforcement measures - which include improving the diversification of payment measures, encourages obligors to pay fines out of their own volition. In fact, the top three fines paid for using diversified payment measures are the violations of the Road Traffic Management and Penalty Act (63.3%), the violations of the Compulsory Automobile Liability Insurance Act (13.0%), and the violations of the Highway Act (10.2%). These positively reflect the effectiveness of diversified and convenient payment measures pertaining to the collection of fines for such cases.

II. Active enforcement against malicious obligors, seeking justice for the public

Obligors who can well pay their fines but deliberately avoid payment, as well as those who maliciously hide or dispose of their property to avoid

enforcement, the administrative execution agencies will actively enforce the law through legal enforcement measures which include arrest and custody. In practice, when the respective branches find that the obligor has the circumstances provided in law, such as the obligor "apparently able to, yet intentionally does not perform", demonstrates "apparent risk of absconding" or has "concealed or disposed of the assets subject to compulsory execution" (Article 17, Paragraph 6 of the Administrative Execution Act), the Branch will notify the obligor. Should the obligor fail to appear following notification, the obligor may be requested to report to the court and request the court for permission to detain the obligor. When it is deemed that the obligor has met the above criteria and there is a need to take the obligor into custody, the Branch will apply to the court for a ruling to take the obligor into custody in accordance with the law. In this case, some obligors are willing to pay off their public law debts or make installment payments before the AEA's application to take him into custody at the stage of arrest or temporarily detain to avoid the court's ruling for the above measures (see Remarks). According to statistics, from 2020 to the end of May 2022, 152 obligors were temporarily detained and held in custody by various branches, and under the active investigation of the Branches, the total amount paid off or paid in installments was over NTD 116,440,000. In addition, if the obligors still refuse to fulfill their obligations after being temporarily detained or arrested, the Branch would further request the court to rule on taking such obligors into custody. During the abovementioned period, there were about 72 obligors, and the accumulated amount paid after the obligors were taken into custody reached NTD 189,980,000. These were not only highly effective in putting an end to malicious acts of delinquency and contempt of public authority, but also realized the debt raised from the violations of public law and safeguarded public interests.

In the future, AEA will continue to uphold the spirit of the rule in accordance with the law, heritage, innovation, leverage on statutory enforcement measures, and improve enforcement efficiency to provide appropriate care and assistance to disadvantaged obligors as it continues to fully exercise the core values of justice and cares for administrative execution agencies.

※Remarks

【Being Temporarily Detained】

According to Paragraph 7 of Article 17 of the Administrative Execution Act, the obligor may appear at the session on his/her own initiative or appear after being notified. After being examined by the enforcement officer, the obligor is considered to be apparently able to, yet intentionally does not perform, or the obligor has concealed or disposed of the assets subject to compulsory execution, the Branch can temporarily detain him/her as it makes a submission to the court to take the obligor into custody (the total time including examination and detention cannot exceed 24 hours).

【Arrest of Accused Persons】

According to Paragraph 3 of Article 17 of the Administrative Execution Act, if the obligors neither perform their obligation(s) nor provide securities according to the execution decree issued by the Branch, the obligors shall appear at the session for any of the following circumstances: apparent risk of absconding, or failure to appear at the session without just cause after legal notice is served. Should any of the above criteria be met, the Branch can make a submission to the court for arresting the obligor. Should there be a reason and necessity to arrest the obligor following detention and interrogation, the Branch may apply to the court for a ruling to arrest the obligor.