

Enforcement Rules of the AIDS Prevention and Control Act

The Regulations became legally effective after the Regulations were declared by the Center for Disease Control (of the Executive Yuan) on Sep 27, 1991

Amendment of the Regulations comprising the deletion of Article 5, the revision of Article 3, 7, 8 and 10 and the addition of Article 11 became legally effective after the amendment was promulgated by the Executive Yuan on Aug 14, 1998

Another amendment comprising the revision of Article 8 became legally effective after the Executive Yuan promulgated it on June 2, 1999.

Article 1. The Regulations are established in accordance with Article 21 of the Regulations Governing AIDS Prevention.

Article 2. In Article 2 of the Regulations Governing AIDS Prevention, the category of "HIV-infected individuals" includes individuals who have shown and have not shown symptoms of HIV.

Article 3. When a medical institution reports an HIV case to a health agency of the local government in accordance with Article 5 of the Regulations Governing AIDS Prevention, said medical institution shall handle it in the following manner:

1. Complete an infectious disease report form which will include the following: name, ID number, gender, date of birth and current address of HIV-infected individual; time and place of

HIV infection; treatment information.

2. After an individual has been verified as HIV-infected, an HIV case report form shall be submitted. The content of such form shall include name, ID number, gender, date of birth, address entered in census registration and current address of HIV-infected individual; time and place of HIV infection; clinical symptoms; time and result of testing; how the individual contracted HIV; source of infection; persons with whom that individual has had sexual contact.

Article 4. Health agencies of local governments shall place all HIV-infected individuals in its jurisdiction on file and monitor them. In addition, each of these health agencies shall visit these HIV-infected individuals periodically and arrange for these individuals to receive treatment and counseling.

Article 5. The time frame specified in Article 8 of the Regulations Governing AIDS Prevention, the time frame shall be 10 days for Article 8 Item 1 and shall be 20 days for Article 8 Item 2 and Item 3.

Article 6. Medical institutions described in Article 8 and Article 10 of the Regulations Governing AIDS Prevention will be selected and the list of their names will be announced by the government.

Article 7. The free test described in Article 8 of the Regulations Governing AIDS Prevention is an HIV test. All expenses for that HIV test shall be paid for by the corresponding local governmental

health agency and, if necessary, may be paid for by the health agency of the central government.

Article 8. When a police agency arrests a person committing pimping, molestation or prostitution as described in Article 9 Item 3 of the Regulations Governing AIDS Prevention, said police agency shall notify the corresponding health agency of the local government, and that health agency shall then ask said person to accept instruction about the prevention of HIV and STDs.

Article 9. Reasonable compensation described in Article 11 of the Regulations Governing AIDS Prevention include the following:

1. Persons who are infected with HIV or show symptoms of HIV:

Medical expenses, compensation for loss of income, and increase of living expenses and other non-material losses.

2. Persons who die due to HIV:

Financial support for that person's relatives as mandated by law, other non-material losses and funeral expenses. The financial compensation that person received from other regulations or sources shall be included in the aforesaid compensations.

Article 10. When the health agency of the central government orders a person to leave the country as described in Article 14 of the Regulations Governing AIDS Prevention, the health agency of the central government may notify the Ministry of the Interior, the local health agency, and the police to enforce the order. If that person is a foreign worker, the corresponding agencies governing

the employment of foreign workers or Council Of Labor affairs (of the Executive Yuan) may be notified to enforce such order.

Article 11. The range of high-risk sexual activities described in Article 15 Item 4 of the Regulations Governing the AIDS Prevention are defined as:

1. Having sexual contact with more than one partner;
2. Sexual contacts without proper protection, allowing direct contact of genital membranes and exchange of bodily fluids; excluding protected sex or safe sex.

Article 12. The Regulations will become effective after promulgation.