NCC evaluation table for the determination of the Pecuniary Adjudication for the illegal conduct of Radio and Television Enterprises

(Table 1: for Radio enterprise(s) only)

Pa	rty to be fined:	1 ()			
Da	ate of filling:				
1.	law breached:	Subparagraph,	Paragraph,	Article, of	(ACT)
2.	penalty applied:	Subparagraph,	Paragraph,	Article, of	(ACT)

Items for consideration	2. penalty ap	plied:	Subpar	ragraph,I	Paragrapl	h,A	Article, of	(ACT)
illegality or type of operation (single choice) 50 points Serious	Items for consideration			Grading	5		Remarks	
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representative without significant: The content was revised without permission of the competent authority the competent authority. Significant: The content was revised without permission, was not amended after a warning from the competent authority, and was deemed to significantly influence		ch	nanged its	☐Serious30) points	Serious:	The content was revised without	permission
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permission of the competent authority permission, was not amended after a warning from the competent authority, and was deemed to significantly influence		re	epresentative				the competent authority.	
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authority and was deemed to significantly influence		ре	ermission of				permission, was not amended a	after a
		th	ne competent				warning from the competent at	uthority,
advarsaly		au	uthority				and was deemed to significant	ly influence
auversery.							adversely.	

1	The entermise	Mild 10 maints	Mild. The content was revised with out married.
4.	The enterprise	Mild10 points	Mild: The content was revised without permission.
	changed its	Serious30 points	Serious: The content was revised without permission
	business	Significant50 points	and was not amended after a warning from
	address		the competent authority.
	without		Significant: The content was revised without
	permission of		permission, was not amended after a
	the competent		warning from the competent authority,
	authority		and was deemed to significantly influence
			adversely.
5.	The enterprise	☐Mild10 points	Mild: The content was revised without permission.
	transferred the	☐Serious30 points	Serious: The content was revised without permission
	shares of the	☐Significant50 points	and was not amended after a warning from
	enterprise		the competent authority.
	without the		Significant: The content was revised without
	permission of		permission, was not amended after a
	the competent		warning from the competent authority,
	authority		and was deemed to significantly influence
			adversely.
6.	The enterprise	☐Mild10 points	Mild: The content was revised without permission.
	changed its	☐Serious30 points	Serious: The content was revised without permission
	operation plan	☐Significant50 points	and was not amended after a warning from
	without the		the competent authority.
	permission of		Significant: The content was revised without
	the competent		permission, was not amended after a
	authority		warning from the competent authority,
			and was deemed to significantly influence
			adversely.
7.	The enterprise	☐Mild10 points	Mild: The content was revised without permission.
	lost its radio	☐Serious30 points	Serious: The content was revised without permission
	license or	☐Significant50 points	and was not amended after a warning from
	revised the		the competent authority.
	contents in		Significant: The content was revised without
	license without		permission, was not amended after a
	applying for		warning from the competent authority,
	replacement or		and was deemed to significantly influence
	re-issuance		adversely.
			J.

8. The	☐Mild10 points	Mild: The content was revised without permission.
organization of	Serious30 points	Serious: The content was revised without permission
enterprise or	☐Significant50 points	and was not amended after a warning from
the legal		the competent authority.
representative		Significant: The content was revised without
is not		permission, was not amended after a warning
qualified.		from the competent authority, and was
quanneu.		•
0 0 1		deemed to significantly influence adversely.
9. Stations with	Mild10 points	Mild: The special mission or professional programs
special	Serious30 points	broadcasting time occupied less than 60 % but
missions or of	Significant50 points	not less than 50 % of the total broadcasting
a professional		time.
nature failed to		Serious: The special mission or professional
broadcast		programs broadcasting time occupied less
programs		than 50 % but not less than 20 % of the total
according to		broadcasting time.
regulations.		Significant: The special mission or professional
		programs broadcasting time occupied less
		than 20 % of the total broadcasting time
10.Advertisements	Mild10 points	NCC shall take the following situations into
in Programs	Serious30 points	consideration and submit suggested times of any
	☐Significant50 points	mention of the advertising elements such as name of
		specific products, components, characteristics,
		effectiveness, functions, method of use, price,
		promotion sale, complimentary information, telephone
		numbers, website, retail store(designated pharmacy),
		operation time, call-in order, or the percentage of
		illegal contents in the program.
11. The program	☐Mild10 points	The Consultation Meeting for Programs and
or	Serious30 points	Advertisements on Radio and
advertisements	Significant50 points	Television shall submit suggestions by weight of the
disrupted		circumstances
-		circumstances
public order, or		
adversely		
affected social		
behavior, or		
impaired the		
physical or		

	mental health		
	of children or		
	juveniles		
	12. Advertisement	□Degree 15 points	The length the advertisement overruns:
	overran the	Degree 210 points	Degree 1: within two minutes
	time regulation	Degree 315 points	Degree 2: two to three minutes
	allows.	Degree 420 points	Degree 3: three to four minutes
		Degree 525 points	Degree 4; four to five minutes
		Degree 630 points	Degree 5:five to six minutes
		Degree 735 points	Degree 6:six to seven minutes
		Degree 840 points	Degree 7:seven to eight minutes
		Degree 945 points	Degree 8: eight to nine minutes
		Degree 1050 points	Degree 9:nine to ten minutes
<u> </u>		Degree 1030 points	Degree 10: more than ten minutes
	13. The enterprise	☐Mild10 points	Mild: The percentage is less than 45% but not less
	violated	☐Serious30 points	than40%.
	regulations	☐Significant50 points	Serious: The percentage is less than 40% but not less
	concerning the		than 35%.
	time		Significant: The percentage is less than 35%.
	percentage of		Note: "Time percentage" means the total percentage of
	categories		time broadcasting programs of "News and
	broadcast per		publicity of government policies and orders",
	week		"Education and culture" and "Public service"
			per week.
	14. The enterprise	☐Mild10 points	Mild: The percentage is less than 70% but not less
	violated	☐Serious30 points	than 65%.
	regulations	☐Significant50 points	Serious: The percentage is less than 65% but not less
	concerning the		than 60%.
	percentage of		Significant: The percentage is less than 60%.
	locally		Note: "Percentage" means the total percentage of
	produced		"locally produced programs broadcast per
	programs		week.
 	15. Other illegal	☐Mild10 points	Other violations of laws or regulations concerning
	situation or	☐Serious30 points	radio, television or other aspects.
	type of	☐Significant50 points	
	operation (such		
	as violation of		
	Paragraph 1,		

	Article 23 of		
	the Radio and		
	Television Act		
	or the Sexual		
	Assault Crime		
	Prevention		
	Act, etc).		
2. The number of t	times the enterprise	times,	Time(s) means the actions contain illegal
has been punished	within last two	points	constitutive elements in the same class of crime
years (including th	e warning) 35		which have (has) been punished.
points			2. 3 points for once (including the warning), if the
			accumulated exceeds 35 points, treat as 35 points;
			35 points shall be the maximum
3. Other items fo	or consideration -15	☐Yes, add	The fine may be increased or reduced in the following
points		points (1-15)	circumstances:
		Fact:	appropriate adjustment of the program or
		☐Yes, minus	advertisement;
		points (1-15)	2. several obligations breached by a single action;
		Fact:	3. the degree of deserved criticism of action and the
		□No, 0 point	impact it causes;
			4. the illegal benefit gained from violation of the
			obligation of administrative laws or regulations;
			and,
			5. wealth of the person to be punished.
Suggestions on po	ints and amount of	Accumulated	If the currency of fine in the Radio and Television Act
fine submitted by t	the business unit	points, fine NT\$	is "silver dollar", it shall be recalculated in "New
		dollars.	Taiwan Dollar" (NT\$)
		Increase suggestion:	
		Illegal benefit equals to	
		NT\$dollars.	
		Total: NT\$	
		dollars.	
NCC may determ	ine an increasing or	☐Increase NT\$	
reducing fine		dollars.	
		□Reduce NT\$	
		dollars.	

	☐Unchanged from the	
	suggested fine	
Final amount of fine determined	Fine NT\$	If the currency of fine in Radio and Television Act is
	dollars.	"silver dollar", it shall be recalculated in "New Taiwan
		Dollar" (NT\$)