

Regulations of the Tobacco Health and Welfare Surcharge Distribution and Utilization

1. Promulgated on October 11, 2007
2. Amendment to Article 4, 5 promulgated on April 17, 2009
3. Amendment to Article 4, 5, 8 promulgated on December 30, 2009
4. Amendment to Article 4, 8 promulgated on September 5, 2011
5. Amendment on October 15, 2015, come into enforcement on September 1, 2015.
6. Amendment to Article 4, 5, 7 promulgated on October 7, 2016
7. Amendment to Article 4, 5, 7 promulgated on May 24, 2019 and come into enforcement on April 1, 2019.

Article 1 These Regulations are enacted in accordance with Paragraph 4 of Article 4 of the Tobacco Hazards Prevention Act (hereinafter referred to as “the Law”).

Article 2 The Tobacco Health and Welfare Surcharge shall be calculated and requisitioned in accordance with article 4 of the Law.

Article 3 In accordance with paragraph 4 of Article 4 of the Law, the collected surcharge shall be used exclusively for providing assistance to tobacco farmers and workers of relevant industries and for tobacco hazards prevention purpose only. And the payee shall previously engaged in the tobacco farming and relevant career.

Article 4 The distribution of the tobacco health and welfare surcharge shall be in accordance with subject’s actual needs, and previously distribute fixed-amount to the council of agriculture Executive Yuan. The amount for the distribution aforementioned shall not exceed 1 % of last year tobacco health and welfare surcharge, and shall be followed the annual designate budget proposed by central agricultural authority. Then the surcharge surplus shall be distributed as follows:

1. 50% of the amount is used for preparing for National Health Insurance and for subsidizing Insurance fee of economic difficulties people.
2. 27.2% of the amount is used for rare disorder treatment, cancer prevention, tobacco control, and health promotion.
3. 16.7% of the amount is used for promoting medical science and clinical treatment quality, subsidy for medical resources deficient areas, and childbirth accident emergency relief.
4. 5.1% of the amount is used for social welfare and long-term care service.
5. 1% is used for investigating smuggled or inferior tobacco products and preventing tax evasion of tobacco products.

Article 5 The tobacco health and welfare surcharge shall be used as follows,

1. For the distribution in paragraph 1 to 4 of the preceding article, the payee agency is Ministry of Health and Welfare and its subordinate.
2. For the distribution in paragraph 5 of the preceding article, the payee agency is Ministry of Finance and its subordinate.
3. For assistance and care to be provided to tobacco farmers and workers of relevant industries in the preceding article, the payee agency is council of agriculture, Executive Yuan and its subordinate.

The allocated fund to the receiving institute shall be clearly labeled or with other methods to indicate that the source of such fund is the tobacco surcharge. Every distribution in preceding article should be managed by its competent authority, or special funds managed by each organization. Every competent authority should establish a comprehensive management mechanism.

To effective allocate the percentage of the tobacco surcharges, to make the tobacco surcharge utilization open and transparent,

Ministry of Health and Welfare shall carry out the assessment to evaluate the effectiveness of utilization according to the effectiveness, administrative coordination and budget execution status.

The receiving institute shall disclose relevant information of the execution status of the annual budget, performance, amount, subsidization (donation) matters and the name of the unit receiving the subsidy (donation) as well as the amount thereof etc., on the website of each and every institute before next April.

Article 6 Accounting affairs of the Tobacco Health and Welfare Surcharge shall be implemented by each and every competent agency in accordance with pertinent laws and regulations.

Article 7 These Regulations come into enforcement on September 1, 2015.

Articles be amended on May 24, 2019, come into enforcement on April 1, 2019.