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Laws Compendium

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資料提供／海巡署法規會

Information courtesy of Regulatory Committee,
Coast Guard Administration

我國第一部 「海洋事務法典」正式問世

The First Taiwanese Laws Compendium on Marine Affairs Debuts

我國第一部以海洋事務為編輯主軸的「海洋事務法典」，在行政院海岸巡防署投入相當人力，歷經近一年的時間努力催生之下，終於在 93 年 12 月正式問世。

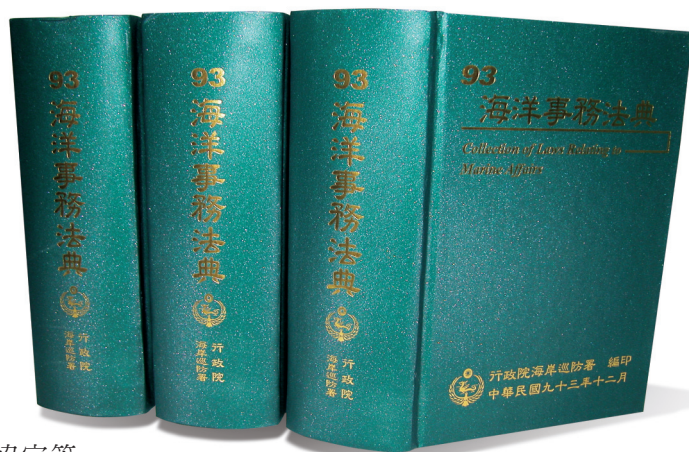
為了配合政府推動海洋事務的施政方針，從 93 年年初便積極規劃「海洋事務法典」的編纂事宜，希望藉由這部法典的誕生，喚醒國人對於海洋事務的重視，促使我國早日與世界海洋事務發展趨勢契合，從而提昇我國在國際海洋社會中的地位，有效維護我國權益。為了使這部法典在內容上達到質量俱佳的理想，海巡署不僅在資料闡整與編排上精心策劃，更邀集國內編修法典深具實務經驗的專業人士、國內海洋事務知名學者，以及目前海洋事務相關主管機關代表，於該署召開編輯諮詢會議，針對該法典編輯方向提出具體建議，以強化其內容與紳度。

該法典總計收錄法規資料 427 則，在內

The first-ever “Laws Compendium on Marine Affairs”, taking to an editing focus revolving around marine affairs in Taiwan has finally been debuted in December 2004, following the Coast Guard Administration’s yearlong painstaking efforts and the infuse of significant manpower.

In support of the government’s promoting the marine affairs administration, active efforts have been sought since early 2004 in planning for the compilation and editing of a “Laws Compendium on Marine Affairs” which is intended to awaken the local population’s awareness toward marine affairs, excel Taiwan to bridge with global marine affairs that would in turn excel Taiwan’s footing in the global marine community and effectively maintain Taiwan’s sovereignty. To instill the content of this legal compendium with ideology both in quality and quantity, the Coast Guard Administration has not only diligently gathered the data and painstakingly arranged the layout, but has further invited domestic professional experts on compendium editing, renowned domestic marine affairs scholars, and representatives from the relating marine affairs government agencies to stage editing consultation meetings at the administration, anticipating to solicit for tangible recommendations in the direction of editing the compendium that will strength its content and depth.

The legal compendium has excerpted a total of 427 laws and



容上，除將國內法規納編之外，並精心選輯國際公約、條約及協定等

重要海洋事務資料，使得該法典在編排上，呈現「國內法」與「國際公（條）約、協定」兩大主題併列的新風貌。

國內法部分，主要收錄目前海洋事務有關機關的主管法規、重要函釋及公告。內容區分為海域法規、海域管轄、海上治安與災難救護、海洋保育與科學研究、漁業法規、航運及港埠發展管理、海域觀光遊憩管理、海洋環境保護等 17 類。

國際公（條）約、協定部分，收錄具備基本性、重要性且有中文譯本的文件，中文譯本主要參照聯合國網站及相關部會提供之資料，並依國際慣例，於編輯時一併將中國大陸之中文譯本列入參考。至於單一公約、條約篇幅過長者，則以節錄方式處理，並註明資料參考來源，以利讀者查考。內容計區分為海域規範、海事組織、海上交通、船舶碰撞、海港管理、海難救助、漁業事務及環境保護等 8 類。

這部法典在體例上也改變了傳統六法全書直式編印的格式，將法規條文改以橫列方式呈現，令人耳目一新。此外，為了普及海洋事務相關知識，同時對我國海洋法學的發展有所助益，該法典除了在政府出版品展售地點銷售外，行政院海岸巡防署另將委託國內大型書商代為經銷，以促進本法典的有效流通，便於民眾選購參考。

provisions, and for its content, not only domestic laws and provisions will be compiled and edited, but

there would also be significant marine data to include international agreements, treaties, protocols and so on, bringing the layout of the legal compendium with a brand-new look encompassing the two major subjects of domestic laws and international agreements, treaties and protocols.

In the domestic law segment, it primarily excerpts the governing laws, crucial interpretation and general announcement concerning marine affairs administration agencies, and its contents are divided into seventeen categories, which include navigational laws and regulations, navigational jurisdiction, maritime law enforcement and disaster rescue, maritime conservation and scientific studies, fishery laws and regulations, navigational and harbor development management, navigational and tourism recreational management, ocean environment conservation and so forth.

In the international agreement, treaty and protocol segment, it excerpts rudimentary and important documents that come with Mandarin transcripts, where the Mandarin transcripts are largely derived from UN web site and departmental data, and taken into account mainland Chinese Mandarin transcripts as references in the editing process, mirroring the international customary practice. As to individual agreements, those that come with extended contents are condensed yet citing the source of references to facility the readers to look up. The contents are divided into eight categories to include navigational guidelines, maritime organizations, sea transportation, vessel collision, harbor management, maritime distress rescue, fishery affairs, and environmental protection.

The legal compendium in its physical layout has deviated from the upright layout format of the conventional concise compendium of the six major laws by presenting legal articles in a laterally arranged manner to bestow a brand-new look. In addition, to avail marine affairs related knowledge, and to bring awareness to the development of Taiwan's maritime law, the compendium is not only sold through government publication venues, the Coast Guard Administration, has also commissioned sale through major bookstores island-wide, intended to excel the circulation of the legal compendium, and convenient the general public to purchase it for references.