

行政院消費者保護處簡介

Introduction to the Executive Yuan's
Department of Consumer Protection
Taiwan (Republic of China)

為了滿足食、衣、住、行、育樂等

To meet food, clothing, living, travel, recreational

各項生活需求

And various life needs

人人都需要進行各種消費活動

Everyone needs variety of consumer activities.

隨著商品的多樣化

Along with the diversification of commodities

網路交易與創新服務大量出現

Internet transactions and innovative services are appearing en masse.

消費者權益

Consumer rights

成為社會各界重視的議題

Have become main topic of concern to all parts of society.

政府必須根據

The Government must follow the

國內外產業與法規發展趨勢

Developing trend of domestic and foreign industries and regulations

研訂消保政策

To develop a consumer protection policy;

與有關機關

Cooperate with the authorities,

企業及民間團體合作

Enterprises and private groups;

有系統地推動消費者保護業務

Systematically drive consumer protection tasks

臺灣在 1970 年代

In the 1970s, Taiwan experienced

經濟成長快速

rapid economic growth;

國民所得提高

Citizens' incomes increased,

消費問題逐漸受到重視

Consumer issues were gradually becoming emphasized

1979 年

In 1979,

發生食用油遭多氯聯苯污染事件

PCB contamination of edible oil occurred,

加速消費者保護運動的發展

Which sped up the development of the consumer protection movement.

在相關政府部門

With government departments

民意代表

Public representatives and private groups,

和民間團體努力推動下

Driving this forward.

1994 年

In 1994

消費者保護法公布施行

The Consumer Protection Act was promulgated.

同年行政院消費者保護委員會成立

In the same year, the Consumer Protection Commission, Executive Yuan (CPC) was established.

2012 年

In 2012

行政院消費者保護委員會

The Consumer Protection Commission

配合政府組織再造

Cooperated with the reform of government organizations,

在員額及預算不減原則下

Under the principle of not reducing posts and budgets,

改制成為

CPC was changed to the

行政院內部之消費者保護處

Department of Consumer Protection, Executive Yuan.(DCP)

依據我國消費者保護法

According to the Consumer Protection Act,

消費者保護業務的主管機關

The competent authority of consumer protection affairs

在中央為各目的事業主管機關

In the Central Government is the competent authority of each business function,

在地方則為地方政府

Locally, it is the local government.

為了監督與協調

For supervision and coordination,

全國消費者保護事務

Of national consumer protection affairs,

行政院設有「消費者保護會」

The "Consumer Protection Committee" was built under Executive Yuan,

由副院長擔任召集人

The Vice Premier is the convener.

邀請中央相關部會首長

It invites the chiefs of central ministries,

全國性消費者保護團體代表

Consumer protection groups representatives,

全國性企業經營者代表

Business operators' representatives

及學者專家等擔任委員

And scholars and experts as members

提供相關諮詢

To provide consultancy services and advice,

定期召開會議

holding regular meetings;

針對議案進行意見的徵詢與討論

And makes consultations and discusses the motion opinions.

經主席裁示後

After the chairman's decisions,

請主管機關根據會議結論落實執行

The competent authorities are requested to implement the conclusion.

消保處

The DCP

對於新興

Reviews the emerging

及權責不清之消費態樣進行檢討

consumption situations with unclear rights and responsibilities,

並督導協調主管機關

And supervises the coordination authority in

建立消保機制

Establishing a consumer protection mechanism;

如：無動力飛行傘

Such as: no power flying parachutes,

刺青、紋身、紋眉等

body-tattoos or eyebrows-tattoos, etc.

並釐清

Clarifies

指定美甲、美睫

or specifies the competent authorities

及露營之主管機關與權責分工

And division of duties of nail art, beauty eyelashes and camping;

辦理主管機關消保業務執行情形之考核

Handles the assessment of the competent authority conducting consumer protection affairs;

提出建議供各機關檢討改進

And makes suggestions for improvement by various agencies.

對於成效優良者

For those who achieved good results,

於保護會議中頒獎

Awards them in the committee meeting.

編列預算

Budgeting

補助消保團體辦理研討會等消保活動

Assists consumer groups handling seminars and other similar activities

以及評定優良消保團體

And assesses excellent consumer groups

定期召開

Regularly holds

與全國消保團體之聯繫會議

Contact meetings with consumer protection groups,

加強彼此間的意見溝通

To enhance mutual communication and

與經驗分享

Share experiences.

目前已公告之消保團體

There are over ten consumer protection groups

計有十餘個

currently announced.

消保法於 1994 年公布施行

The Consumer Protection Act was promulgated in 1994.

為與時俱進

To keep up with the times,

於 2012 年著手進行修正

The Act was revised in 2012

並於 2015 年完成修法並公布施行

And completed and announced into practice in 2015.

修正重點包括：

The revised highlights include:

違反定型化契約規範罰則。

Penalty for violating the standardized contract specification.

通訊交易合理例外情事

Reasonable exception to communication transactions.

例如

For example:

透過網路購買易腐敗商品

Buying perishable commodities online,

影音商品

Audio and video commodities

或個人衛生用品

Or personal hygiene products

不適用 7 日猶豫期。

Are not applicable to the 7 DAY cooling-off period.

對企業經營者故意所造成的損害

Increase punitive penalties

提高懲罰性賠償金

For intentional damage to business operators

另外

In addition,

定型化契約範本

The standardized contract models

暨其應記載及不得記載事項

And their mandatory and prohibitory provisions

亦為消費者保護法制重要項目

Are also important items for a legalized consumer protection system.

為促進業者使用定型化契約的公平化合理化

To promote the fair use of standardized contract models,

主管機關歷年來

Over the years, the competent authorities

依消費生活的發展

Had followed the development of consumer life

頒訂了許多行業的定型化契約範本

To create standardized contract models for many industries

作為行政指導

As administrative guides.

於範本實施一段時間後

After the models are implemented for a period of time

即檢討將其位階

their level are reviewed and

提升為法規命令

They are promoted into regulatory order

研擬定型化契約應記載及不得記載事項

Since the standardized contract mandatory and prohibitory provisions are studied,

於報請本處審查

Which are reported to the DCP for review,

並經行政院核定後公告施行

And announced by Executive Yuan

例如

For example

健身中心契約規範

The fitness center contract

規定消費者出國

Specifies that when consumers go abroad

身體受傷

And are physically injured,

可申請會籍暫停

They can apply for membership suspension,

契約可轉讓

With a transferable contract, and

以及業者不可片面調高費用等

The vendor shall not unilaterally increase the cost, etc.

迄 2019 年為止

Up to 2019,

消保處共審定 99 種範本

The DCP had approved 99 standardized contract models

以及 84 種應記載及不得記載事項

And 84 mandatory and prohibitory provisions.

我國消保行政體系中

In our consumer protection administrative system,

最具特色的

The most distinctive one

就是「消費者保護官」制度

Is the "Consumer Protection Ombudsmen" system

這個制度源自於北歐

which is derived from the Nordic one,

在我國同樣發揮在地功能

and also plays a local function in Taiwan.

行政院消保處及全國各縣市

The DCP and every counties

皆設有消保官

Have Consumer Protection Ombudsmen;

本處消保官

Consumer Protection Ombudsmen of DCP

主要任務為跨部會之聯合稽查與檢驗

Mainly work on cross-ministry joint investigations and inspections;

地方消保官

Local consumer protection Ombudsmen

則負責個案申訴及調解

Are responsible for case appeals and mediation

聯合稽查與檢驗

The DCP's joint investigations and inspections

項目涵蓋食衣住行育樂

Cover various goods and services ;

針對各產品之材質

Such as Labeling or qualitis of

標示

Product,

衛生及各場所之消防、建管等

Health and fire protection and construction control, etc...

近年配合新興的消費態樣

Nowadays, in line with emerging consumer attitudes,

除實體項目外

In addition to physical items,

查核對象亦擴及至網路項目

DCP's inspections are also extended to internet transaction.

重大消費案件之處理

In handling of major consumer cases,

則有連鎖補習班倒閉

There were cases of bankruptcy for cram schools chain,

負離子床墊含輻射等

And radioactive negative ion mattresses, etc.

各項查驗及重大案件

For inspections and major cases,

皆提報本院消費者保護會後

After reporting to the Consumer Protection Committee,

請各主管機關

The competent authorities are asked

依會議決議落實執行

To implement the meeting resolutions

並召開記者會或發布新聞稿

Then the DCP hold press conferences or issue press releases

將資訊充分揭露予消費大眾知悉

To fully disclose the information to the public

為提升消費者自我保護意識

To enhance consumers' awareness of self-protection,

消保處每年都規劃宣導活動

The DCP plans annual activities.

透過戶外活動

There are outdoor activities,

文宣

Writing propaganda,

網路及座談會等方式

Internet and workshops, etc...

對消費者

For consumers,

尤其是老人與偏鄉之特定族群

They offer education and information, especially to

進行教育宣導。

The elderly and vulnerable groups.

除了全國各地方政府

There are Consumer Service Centers in each local governments

設有消費者服務中心外

消保處也設有消費者中心

The DCP also has a Consumer Center.

當消費者遇到消費問題

When consumers encounter issues,

可以使用電話或手機

They can call

撥打 1950 專線

1950

就會直接撥通到當地縣市的消費者服務中心

To connect directly to the Consumer Service Center of the local county

提供諮詢服務

Which will provide consultation services.

消保處

The DCP

一向積極主辦並參與國際消保會議或活動

Always actively hosts and participates in international conferences and events,

如國際消費者保護執行網絡(ICPEN)

Such as the International Consumer Protection and Enforcement Network (ICPEN),

OECD 消費者政策委員會議

OECD Consumer Policy Committee

及國際消費者法會議等

And international consumer laws conferences, etc.

面對網路交易時代的來臨

In the era of online transactions,

消保處更強化國際合作交流業務

The DCP strengthens international cooperation and exchanging operations;

期盼與各國共同努力

And works together with all countries;

兼顧消費者權益

With the approach of caring both about consumer rights

與企業經營經營者利益的理念

And business operators' interests,

致力建置公平、合理、安全的消費環境

And is committed to building a fair, reasonable and safe consumer environment.