

法規名稱：志願服務法

修正日期：民國 109 年 01 月 15 日

## 第一章 總則

### 第 1 條

- 1 為整合社會人力資源，使願意投入志願服務工作之國民力量做最有效之運用，以發揚志願服務美德，促進社會各項建設及提昇國民生活素質，特制定本法。
- 2 志願服務，依本法之規定。但其他法律另有規定者，從其規定。

### 第 2 條

- 1 本法之適用範圍為經主管機關或目的事業主管機關主辦或經其備查符合公眾利益之服務計畫。
- 2 前項所指之服務計畫不包括單純、偶發，基於家庭或友誼原因而執行之志願服務計畫。

### 第 3 條

本法之名詞定義如下：

- 一、志願服務：民眾出於自由意志，非基於個人義務或法律責任，秉誠心以知識、體能、勞力、經驗、技術、時間等貢獻社會，不以獲取報酬為目的，以提高公共事務效能及增進社會公益所為之各項輔助性服務。
- 二、志願服務者（以下簡稱志工）：對社會提出志願服務者。
- 三、志願服務運用單位：運用志工之機關、機構、學校、法人或經政府立案團體。

## 第二章 主管機關

### 第 4 條

- 1 本法所稱之主管機關：在中央為衛生福利部；在直轄市為直轄市政府；在縣（市）為縣（市）政府。
- 2 本法所定事項，涉及各目的事業主管機關職掌者，由各目的事業主管機關辦理。
- 3 前二項各級主管機關及各目的事業主管機關主管志工之權利、義務、招募、教育訓練、獎勵表揚、福利、保障、宣導與申訴之規劃及辦理，其權責如下：
  - 一、主管機關：主管從事社會福利服務、涉及二個以上目的事業主管機關之服務工作協調及其他綜合規劃事項。
  - 二、目的事業主管機關：凡主管相關社會服務、教育、輔導、文化、科學、體育、消防救難、交通安全、環境保護、衛生保健、合作發展、經濟、研究、志工人力之開發、聯合活動之發展以及志願服務之提昇等公眾利益工作之機關。

### 第 5 條

- 1 主管機關及各目的事業主管機關應置專責人員辦理志願服務相關事宜；其人數得由各主管機關及各目的事業主管機關視其實際業務需要定之。為整合規劃、研究、協調及開拓社會資源、創新社會服務項目相關事宜，每年至少應召開志願服務聯繫會報一次。
- 2 對志願服務運用單位，應加強聯繫輔導並給予必要之協助。

#### 第 5-1 條

中央主管機關應至少每五年舉辦志願服務調查研究，並出版統計報告。

## 第三章 志願服務運用單位之職責

### 第 6 條

- 1 志願服務運用單位得自行或採聯合方式招募志工，招募時，應將志願服務計畫公告。
- 2 集體從事志願服務之公、民營事業團體，應與志願服務運用單位簽訂服務協議。

## 第 7 條

- 1 志願服務運用者應依志願服務計畫運用志願服務人員。
- 2 前項志願服務計畫應包括志願服務人員之招募、訓練、管理、運用、輔導、考核及其服務項目。
- 3 志願服務運用者應於運用前，檢具志願服務計畫及立案登記證書影本，送主管機關及該志願服務計畫目的事業主管機關備案，並應於運用結束後二個月內，將志願服務計畫辦理情形函報主管機關及該志願服務計畫目的事業主管機關備查；其運用期間在二年以上者，應於年度結束後二個月內，將辦理情形函報主管機關及志願服務計畫目的事業主管機關備查。
- 4 志願服務運用者為各級政府機關、機構、公立學校或志願服務運用者之章程所載存立目的與志願服務計畫相符者，免於運用前申請備案。但應於年度結束後二個月內，將辦理情形函報主管機關及該志願服務計畫目的事業主管機關備查。
- 5 志願服務運用者未依前二項規定辦理備案或備查時，志願服務計畫目的事業主管機關應不予經費補助，並作為服務績效考核之參據。

## 第 8 條

主管機關及志願服務計畫目的事業主管機關受理前條志願服務計畫備案時，其志願服務計畫與本法或其他法令規定不符者，應即通知志願服務運用單位補正後，再行備案。

## 第 9 條

- 1 為提昇志願服務工作品質，保障受服務者之權益，志願服務運用單位應對志工辦理下列教育訓練：
  - 一、基礎訓練。
  - 二、特殊訓練。
- 2 前項第一款訓練課程，由中央主管機關定之。第二款訓練課程，由各目的事業主管機關或各志願服務運用單位依其個別需求自行訂定。

## 第 10 條

志願服務運用單位應依照志工之工作內容與特點，確保志工在符合安全及衛生之適當環境下進行服務。

## 第 11 條

志願服務運用單位應提供志工必要之資訊，並指定專人負責志願服務之督導。

## 第 12 條

- 1 志願服務運用單位對其志工應發給志願服務證及服務紀錄冊。
- 2 前項志願服務證及服務紀錄冊之管理辦法，由中央主管機關定之。

## 第 13 條

必須具專門執業證照之工作，應由具證照之志工為之。

## 第四章 志工之權利及義務

### 第 14 條

志工應有以下之權利：

- 一、接受足以擔任所從事工作之教育訓練。
- 二、一視同仁，尊重其自由、尊嚴、隱私及信仰。
- 三、依據工作之性質與特點，確保在適當之安全與衛生條件下從事工作。

四、獲得從事服務之完整資訊。

五、參與所從事之志願服務計畫之擬定、設計、執行及評估。

## 第 15 條

1 志工應有以下之義務：

一、遵守倫理守則之規定。

二、遵守志願服務運用單位訂定之規章。

三、參與志願服務運用單位所提供之教育訓練。

四、妥善使用志願服務證。

五、服務時，應尊重受服務者之權利。

六、對因服務而取得或獲知之訊息，保守秘密。

七、拒絕向受服務者收取報酬。

八、妥善保管志願服務運用單位所提供之可利用資源。

2 前項所規定之倫理守則，由中央主管機關會商有關機關定之。

## 第五章 促進志願服務之措施

### 第 16 條

志願服務運用單位應為志工辦理意外事故保險，必要時，並得補助交通、誤餐及特殊保險等經費。

### 第 17 條

1 志願服務運用單位對於參與服務成績良好之志工，因升學、進修、就業或其他原因需志願服務績效證明者，得發給服務績效證明書。

2 前項服務績效之認證及證明書格式，由中央主管機關召集各目的事業主管機關及直轄市、縣（市）政府會商定之。

### 第 18 條

各目的事業主管機關得視業務需要，將汰舊之器材及設備無償撥交相關志願服務運用單位使用。

### 第 19 條

1 志願服務運用單位應定期考核志工個人及團隊之服務績效。

2 主管機關及目的事業主管機關得就前項服務績效特優者，選拔楷模獎勵之。

3 主管機關及目的事業主管機關應對推展志願服務之機關及志願服務運用單位，定期辦理志願服務評鑑。

4 主管機關及目的事業主管機關得對前項評鑑成績優良者，予以獎勵。

5 志願服務表現優良者，應給予獎勵，並得列入升學、就業之部分成績。

6 前項獎勵辦法，由各級主管機關及各目的事業主管機關分別定之。

### 第 20 條

1 志工服務年資滿三年，服務時數達三百小時以上者，得檢具證明文件向地方主管機關申請核發志願服務榮譽卡。

2 志工進入收費之公立風景區、未編定座次之康樂場所及文教設施，憑志願服務榮譽卡得以免費。

3 依其他法律規定之民防、義勇警察、義勇交通警察、義勇消防、守望相助、山地義勇警察、災害防救團體及災害防救志願組織編組成員，自本法修正施行後，其服務年資滿三年，服務時數達三百小時以上者，準用第一項及第二項規定，予以半價優待。

### 第 21 條

從事志願服務工作績效優良並經認證之志工，得優先服相關兵役替代役；其辦法，由中

央主管機關定之。

## **第六章 志願服務之法律責任**

### **第 22 條**

- 1 志工依志願服務運用單位之指示進行志願服務時，因故意或過失不法侵害他人權利者，由志願服務運用單位負損害賠償責任。
- 2 前項情形，志工有故意或重大過失時，賠償之志願服務運用單位對之有求償權。

## **第七章 經費**

### **第 23 條**

主管機關、志願服務計畫目的事業主管機關及志願服務運用單位，應編列預算或結合社會資源，辦理推動志願服務。

## **第八章 附則**

### **第 24 條**

志願服務運用單位派遣志工前往國外從事志願服務工作，其服務計畫經主管機關及目的事業主管機關備查者，適用本法之規定。

### **第 25 條**

本法自公布日施行。



## Article Content

**Title :** Volunteer Service Act CH  
**Amended Date :** 2020-01-15  
**Category :** Ministry of Health and Welfare ( 衛生福利部 )

### Chapter 1 General Provisions

- Article 1 This Act is enacted to integrate the human resource of the society, and effectively utilize the civil forces that are willing to participate in volunteer service, so as to carry forward the virtue of volunteer service, promote social constructions, and improve the life quality of the citizens. Volunteer services shall be performed in accordance with this Act unless otherwise prescribed in other laws.
- Article 2 The scope of application of this Act covers the service plans sponsored by the competent authorities or the regulating departments of objective undertakings, or examined and deemed by them as confirmed with public interests. The above-mentioned service plans don't include the volunteer service plans executed solely, occasionally, or due to family or friendship reasons.
- Article 3 The terms used in this Act are defined as follows:
1. Volunteer service: various assistant services provided by the public, not at their obligations or legal liabilities but at their own free will, and based on their heartiness, knowledge, physical ability, labor, experience, skill and time, to make contributions to the society without aiming to acquire rewards but just aiming to improve the efficiency of public affairs and enhance the public interests of the society.
  2. Volunteer servants (hereinafter referred to as "volunteers"): those who offer volunteer service to the society.
  3. Volunteer service exercisers: departments, institutions, schools, corporations, or organizations registered at the government, which exercise volunteer service.

### Chapter 2 Competent Authorities

Article 4

The competent authorities referred to in this Act are the Ministry of Health and Welfare at central government level, the municipal governments at the municipality level, and the county (city) governments at the county (city) level. The affairs specified in this Act that associate with the authority of regulating department of each objective should be governed individually by each regulating department.

The competent authorities and regulating department of each objective named above shall govern the planning and implements of the rights, obligations, recruitment, education and training, commendations and rewards, welfare, security, promotion and appeal of volunteer workers. The authorities and responsibilities are as followed:

1. Competent Authorities: Govern the coordination of two or more regulating departments that conduct social services, and also other integrated planning affairs.

2. Regulating Departments: Govern fields of public interests such as social services, education, counseling, culture, science, physical education, fire rescue, disaster rescue, traffic safety, environmental protection, hygiene and health care, cooperation and development, economy, research, exploitation of volunteers' workforce, development of joint cooperation, and improvement of volunteer services, etc.

Article 5 The competent authorities and industrial competent authorities shall dedicate personnel to handle matters with respect to voluntary service; the number of such personnel shall be determined by the respective competent authority and industrial competent authority in accordance with each of their actual business needs. The coordination task of the voluntary service for the integration of related matters in planning, researching, coordinating and developing community resources and innovating community service projects shall be held at least one (1) time per year.  
For units employing volunteer service, communicative counseling shall be strengthened and necessary assistance shall be offered.

Article 5-1 The central competent authority shall conduct a research survey of voluntary service at least every five years, and publish statistical reports.

### **Chapter 3 Responsibilities of Volunteer Service Exercisers**

Article 6 A volunteer service exerciser may recruit volunteers independently or jointly with other exercisers, and shall publicize a volunteer service plan upon recruitment.  
The public or private-operated institutions collectively engaged in volunteer service shall sign service agreements with the volunteer service exercisers.

Article 7 A volunteer service exerciser shall exercise the volunteers according to the volunteer service plan. The above-mentioned volunteer service plan shall include the recruitment, training, management, exercise, support and evaluation of volunteers as well as service items. To exercise volunteer service, an exerciser shall submit a volunteer service plan and the photostat copy of the registration certificate to the competent authority and the regulating department of the objective undertaking involved in the volunteer service plan for recording, and shall, within 2 months commencing from termination of exercise, report by letter the proceedings of the volunteer service plan to the competent authority and the regulating department for review. Where the period of exercise is 2 years or longer, the exerciser shall, within 2 months commencing from termination of each year, report the proceedings to the competent authority and the regulating department for review. Where the volunteer service plan conforms to the purpose of existence described in the constitution of government department, institution, public school, or volunteer service exerciser, the exerciser need not to apply for registration before to exercise, but shall, within 2 months commencing from termination of each year, report the proceedings to the competent authority and the regulating department for review. Where a volunteer service exerciser doesn't submit the necessary documents for recording or review pursuant to the above two paragraphs, the regulating department of the objective undertaking involved in the volunteer service plan shall not provide fund support, and as it as a reference for evaluating the service performance.

Article 8 Upon recording a volunteer service plan pursuant to Article 7, where it is found that the volunteer service plan doesn't meet this Act or other laws and decrees, the competent authority and the regulating department of the objective undertaking involved in the volunteer service plan shall immediately notify the volunteer service exerciser to make supplementation or correction prior to recording.

Article 9

To improve the work quality of volunteer service and ensure the rights and interests of the served persons, volunteer service

exercisers shall provide their volunteers with the following trainings:

1. Basic training.
2. Special training.

The courses of the training referred to in Subparagraph 1 shall be determined by the central competent authority, and the courses of the training in Subparagraph 2 shall be determined by the regulating departments of the objective undertakings or the volunteer service exercisers depending on the individual requirements.

**Article 10** Volunteer service exercisers shall, according to the work contents and characteristics of the volunteers, make sure that the volunteers provide services under environments of appropriate safety and hygiene conditions.

**Article 11** Volunteer service exercisers shall provide necessary information on the volunteers, and designate dedicated personnel to supervise volunteer services.

**Article 12** Volunteer service exercisers shall grant volunteer service certificates and service record books to their volunteers. Regulations on management of the above-mentioned volunteer service certificates and service record books will be prescribed by the central competent authority.

**Article 13** The work that requires professional licenses shall be done by the volunteers who hold the licenses.

#### **Chapter 4 Rights and Obligations of Volunteers**

**Article 14** A volunteer has the following rights:

- 1.To accept education and training insufficient for assuming the work.
- 2.To be treated equally without discrimination, and his freedom, dignity, privacy and belief shall be respected.
- 3.To work under environments of appropriate safety and hygiene conditions guaranteed according to the nature and characteristics of work.
- 4.To acquire complete information on the work to be done.
- 5.To participate in preparation, design, implementation and evaluation of volunteer service plans.

**Article 15** A volunteer shall burden the following obligations:

- 1.To observe the moral rules.
- 2.To observe the regulations prescribed by the volunteer service exerciser.
- 3.To attend the education and training provided by the volunteer



service exerciser.

4. Use the voluntary service certificate properly.

5. To respect the rights of the served persons.

6. To keep confidential the information acquired in service

7. To reject the rewards paid by the served persons.

8. To appropriately store the usable resources provided by the volunteer exerciser.

The moral rules referred to in Subparagraph 1 shall be prescribed by the competent authority based on negotiation with the related departments.

## **Chapter 5 Measures for Promoting Volunteer Services**

**Article 16** Volunteer service exercisers shall effect accident insurance for their volunteers, and may subsidize traffic, dining and special insurance where necessary.

**Article 17** Where a volunteer who performs well in volunteer service needs a volunteer service performance certificate for entrance into a school of higher grade, advanced study, employment or other reasons, the volunteer service exerciser shall produce him/her a service performance certificate.

The central competent authority shall call the regulating departments of objective undertakings and the municipal or county

(city) governments together to negotiate on and determine the authentication and certificate format of the above-mentioned service performance.

**Article 18** Every industry competent authority may, depending on respective business needs, allocate old devices and equipment free of charge to relevant units which employ volunteer services for their use.

**Article 19** Volunteer service exercisers shall periodically evaluate the service performance of individual volunteers and teams. The competent authorities and the regulating departments of objective undertakings may select models from those who have performed excellently in volunteer service, and provide awards for them.

The competent authorities and the regulating departments of objective undertakings shall periodically handle volunteer service

appraisal for the departments promoting volunteer services and the volunteer service exercisers.

The competent authorities and the regulating departments shall provide awards for the departments and the exercisers that get excellent grades in the above-mentioned appraisal.

Excellent performance in volunteer service shall be provided with be listed as a part of performance for entering a school of higher grade or seeking employment. Measures of the above-mentioned awards shall be separately prescribed by the competent authority of each level and the regulating department of objective undertakings.

**Article 20** A volunteer who has served for more than three (3) years and accumulated more than three hundred (300) hours may submit documentary identification to the local competent authority to apply for the issue of a voluntary service honor card. Volunteers awarded a voluntary service honor card shall be admitted free of charge to public scenic spots, recreational venues, and cultural and educational facilities which require entrance charges. After the amendment and enforcement of this Law, the benefit of half price set forth under regulations of Paragraph 1 and 2 shall apply mutatis mutandis to members who have served for more than three (3) years and accumulated more than three hundred (300) service hours in civil defense organizations, volunteer police, volunteer traffic police, volunteer firefighters, neighborhood watch, mountain volunteer police, disaster prevention and relief groups, and disaster prevention and relief volunteer groups which are organized pursuant to regulations of other laws.

**Article 21** A volunteer who has performed well in volunteer service and has been confirmed may preferentially attend the related substitute service of military service; and the regulations shall be prescribed by the central competent authority.

## **Chapter 6 Legal Liabilities of Volunteer Service**

**Article 22** Where a volunteer illegally infringes the rights of someone else purposely or due to negligence during the process of providing volunteer service under the directions of the volunteer service exerciser, the liabilities for damages shall be assumed by the volunteer service exerciser. In the above-mentioned occasion, where the volunteer commits the action purposely or gross negligence, the volunteer service exerciser may claim compensation from the volunteer.

## **Chapter 7 Fund**

**Article 23** The competent authorities, the regulating departments of the objective undertakings involved in volunteer service plans, and the volunteer service exercisers shall list funds in budget or combine social resources to promote volunteer service.

## **Chapter 8 Supplementary Provisions**

Article 24 This Act is also applicable where a volunteer service exerciser sends volunteers abroad to provide volunteer service and the volunteer service plan has been reviewed and approved by the competent authority and the regulating departments of objective undertakings.

Article 25 This Act will take effect as of the date of promulgation.