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Title :	Directions Regarding the Review of Administration Requirements, Business Promotion, Public Interest Under the Directions for the Implementation of the Commission of Non-public Use National Property for the Industrial Development Administration, Ministry of Economic Affairs 
Date :	2024.02.23
Legislative :	1. Promulgated by Order No. Gong-Di-10200876610 of the Industrial Development Bureau, Ministry of Economic Affairs, on November 4, 2013, consisting of 7 points; effect on the date of promulgation. 2. Amended and promulgated by Order No. Chan-Chet-11300199880 of the Industrial Development Administration, Ministry of Economic Affairs, on February 23, 2024, consisting the title and 7 points; effect on the date of promulgation. (Former Title: Directions Regarding the Review of Administration Requirements, Business Promotion, Public Interest Under the Directions for the Implementation of the Commission of Non-public Use National Property for the Industrial Development Bureau, Ministry of Economic Affairs)
Content :	1.For the purpose of determining whether a case meets the needs of the administration, business promotion, and public interest, as provided in Subparagraph 1, Paragraph 1, Point 5 of the Directions for the Implementation of Entrusted Operation of National Non-public Use Property (hereinafter referred to as the “Implementation Directions”), the Industrial Development Administration, Ministry of Economic Affairs (hereinafter referred to as the “Administration”), hereby establishes these Review and Determination Principles. 2.The terms “policy implementation needs,” “promotion of government programs,” and “public interest,” as referred to in Subparagraph 1, Paragraph 1, Point 5 of the Implementation Directions, mean that the following eligibility requirements are satisfied: (1)The proposed investment enterprise characterized by high-value-added and low-pollution. (2)A certain number of employment opportunities for nationals of the Republic of China (Taiwan) will be created during the commissioned operation period. An applicant that satisfies the eligibility requirements prescribed in the preceding paragraph and also meets any one of the following conditions may be given preferential consideration for recognition: (1)The applicant has been recognized by the Ministry of Economic Affairs (hereinafter referred to as the “Ministry”) as an Outstanding Mittelstand Enterprise or designated as a key enterprise targeted for Mittelstand development assistance. (2)The applicant has obtained from the Ministry a letter confirming its eligibility as an overseas Taiwanese business under the Enhanced Action Plan for Welcoming Overseas Taiwanese Businesses to Return to Invest in Taiwan. (3)The applicant has obtained from the Administration an Operations Headquarters Recognition Letter in accordance with the Regulations Governing the Recognition of Operations Headquarters. (4)The applicant has obtained from the Ministry a project approval letter under the Program for Domestic and Foreign Enterprises to Establish Research and Development Centers in Taiwan. (5)The applicant has passed the review of a relevant Ministry subsidy or guidance program and has obtained the relevant supporting documentation. 3.An applicant satisfying the eligibility requirements prescribed in the preceding Point shall submit the following documents to the Administration when applying for recognition: (1)An application form. (2)Documents proving compliance with the eligibility requirements. (3)An investment and operation plan. 4.The Industrial Policy Division of the Administration (hereinafter referred to as the “Policy Division”) shall serve as the application receiving office and conduct the preliminary review.

5. The Administration shall reject an application in writing under any of the following circumstances:

- (1) The proposed operations violate the use restrictions prescribed in Point 6 or Point 18 of the Implementation Directions.
- (2) The required application documents are missing, the information provided is incomplete, or the handwriting is illegible and cannot be identified, and the applicant fails to make the required corrections or provide the missing information within the period specified by the Administration, or the application remains incomplete after correction.

6. For an application that has passed the preliminary review by the Policy Division, the industry division responsible for the applicant's industry sector (hereinafter referred to as the "Industry Division") shall establish a review committee and convene a meeting to review the following matters:

- (1) The eligibility requirements prescribed in Point 2.
- (2) The investment and operation plan prescribed in Subparagraph 3 of Point 3.
- (3) Other matters that are required to be submitted to the review committee for review or confirmation.

The review committee prescribed in the preceding paragraph shall consist of seven members. One member shall serve as the convener and shall be the director or deputy director of the Industry Division. The remaining members shall consist of:

- (1) One expert or scholar in a relevant field.
- (2) One representative of the National Property Administration, Ministry of Finance.
- (3) One representative of the Bureau of Industrial Parks, Ministry of Economic Affairs.
- (4) One representative of the Sustainable Development Division of the Administration.
- (5) One representative from each of the competent economic affairs authority and the competent environmental protection authority or unit of the special municipality, county, or city in which the national non-public-use property is located.

A meeting of the review committee prescribed in Paragraph 1 may be convened only when at least one-half of its members are present.

7. After the applicant's eligibility and investment and operation plan have passed the review, the Policy Division shall issue a written reply to the applicant and send a copy thereof to the National Property Administration, Ministry of Finance.