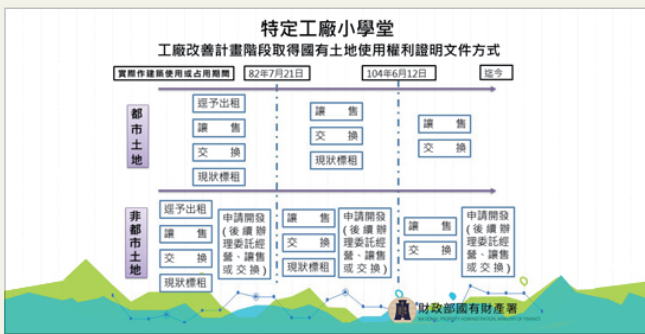




## 焦點專欄 / Focal columns

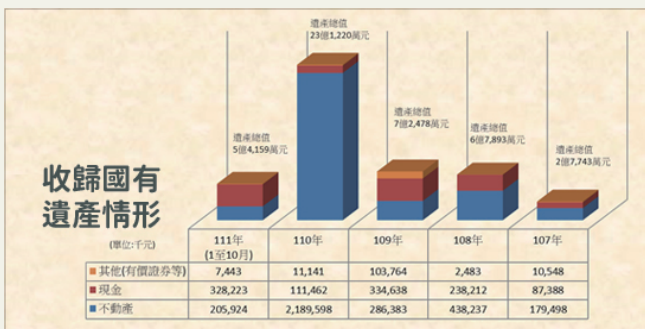


### 配合經濟部輔導納管未登記工廠 取得國有土地合法使用權源

伴隨我國經濟逐步發展，產業用地需求漸增，進而與農業生產用地產生競爭，為兼顧產業發展、保護農業生產環境及加速處理未登記工廠占用國有非公用土地，本署與經濟部中部辦公室(下稱經濟部中辦)合作政令宣導，由本署製作申請納管未登記工廠取得國有非公用土地可行方式宣導資料，提供經濟部中辦通函向地方政府及產業協會、團體加強宣導，期望達成保護農業生產環境、輔導產業永續發展及加速處理被占用國有土地三贏之目標。

### In line with the Ministry of Economic Affairs (MOEA), guiding unregistered factories not administered by the Ministry of Economic Affairs (MOEA) to obtain the legal right to use national lands

With the gradual development of Taiwan's economy, the demand for industrial land has increased over the years, along with more competition over lands for industrial use vs for agricultural or production use. Taking into account the needs of industrial development, to protect the agricultural production environment, and to accelerate the processing of unregistered factories occupying national non-public use lands, the National Property Administration (NPA) cooperates with the Central Region Office (CRO) of the Ministry of Economic Affairs (hereinafter referred to as the CRO of MOEA) on the publicity of government decrees. The NPA has prepared publicity materials on feasible ways for unregistered factories to apply to obtain national non-public use lands. Such materials are also provided to the CRO of the MOEA, which in turn provides the materials to local governments, industry associations, and groups, to spread the awareness of government decrees. It looks to achieve the goal of a "triple-win," protecting the agricultural production environment, guiding the sustainable development of industries, and accelerating the processing of illegally occupied national lands.



### 清理代管無人承認繼承遺產，近5年逾千件

本署及所屬分署擔任遺產管理人案件，近5年清理逾千件，收歸國有總值45.3億。

### Clearing up unrecognized / non-inherited properties under administration, totaling over 1,000 cases in the past five years.

In the past five years, more than 1,000 cases of unrecognized/non-inherited properties which are under the administration management of the NPA and its subordinate Regional Branches, which act as estate administrators, have been cleared up, with a total value of NT\$4.53 billion nationalized into the national treasury.





## National Property Administration actively promotes the reconstruction of its own office building and dormitory

To speed up the reconstruction of its own office building and dormitory, the National Property Administration adopted the model of "Cooperative Development Project for the Financial Personnel Training Institute of the Ministry of Finance and its Surrounding National Lands", and applied to reward development rights in accordance with the Statute for Expediting Reconstruction of Urban Unsafe and Old Buildings, to construct its own office building and dormitory. During the period of 2021 to 2022, all four open tenders in this regard have been unsuccessful. The reasons for the unsuccessful tenders have been reviewed, and the tender conditions have been adjusted. It is estimated that another open tender will be announced in 2023.

### 國產署積極推動自有辦公廳舍改建案

國產署為加速自有辦公廳舍改建，參採「財政部財政人員訓練所及其周邊國有土地合作開發案」模式，並依「都市危險及老舊建築物加速重建條例」申請獎勵容積，興建政府辦公廳舍。本案 110 年至 111 年間辦理 4 次公告招標皆流標，已檢討流標原因繼續調整招標條件，預計 112 年再次辦理公告招商作業。

《土地法》111 年 6 月 22 日總統府公布修正第 37 條之 1 規定

土地法 第 73 條之 1	標售公告期	優先購買期
修法前	30 天	10 天
修法後	3 個月	30 天

## Inherited real estate auction has not been held, the announcement and preferential purchase periods are both extended

With the amendment of Article 73-1 of the Land Act, the following situation shall apply: Those lands remaining as non-inherited real estate, after having been listed and managed by the land administration agency for 15 years, are to be handed over to the National Property Administration (NPA) for sale through tendering. The "announcement period of sale through tendering" and the "period for claiming the right of first refusal" shall be extended to three months and 30 days, respectively, so as to further protect the rights and interests of the people.

### 未辦繼承不動產標售，公告及優買期間均延長

土地法第 73 條之 1 規定經修正後，未辦繼承不動產經地政機關列冊管理 15 年期滿，移請本署標售時，其「標售公告期間」與「表示優先購買權期限」，分別延長為 3 個月以及 30 日，民眾權益更有保障。



## 法令宣導 / Announcement of legal amendments

### 111.10.18 修正「國有非公用不動產交換辦法」第 5 條之 1、第 6 條、第 9 條

放寬都市計畫範圍內之國有不動產，得與同一都市計畫內，可供單獨建築使用之他人所有土地辦理交換，及中央機關為公務或公共需要辦理交換之私有不動產所有權人，對查估評定價值得提出異議之機制。

#### **Amendments of Articles 5-1, 6, and 9 of the Regulations for Exchange between National Non-public Use Real Estate and Other Real Estate**

As a relaxed measure, national real estate within the scope of urban planning may be exchanged with lands owned by other individual(s) within the same urban planning area, that can be used for independent buildings. Also, for those owners of private real estate who exchange properties with the central agencies for needs in public affairs or for the public, a mechanism is set up, allowing those private owners to contest the valuation determined by the assessment.

### 111.09.16 修正「國有非公用不動產標租作業要點」第 24 點、第 27 點、第 36 點之 1

增加承租人確實無力一次繳清欠繳之年租金者，標租機關得於加計違約金後，准予分期繳納，及於租賃期間標租機關收回部分標租不動產者，履約保證金得按比例無息退還，與標租機關於租期屆滿前重新標租之不動產得由原承租人得標或優先承租者，承租人免附第 14 點之 1 規定有關檢測土壤污染報告等文件。

#### **Amendments of Articles 24, 27, and 36-1 of the Operation Directions for Leasing National Non-public Use Real Estate through Open Tender**

For those lessees who are unable to pay off the outstanding annual rent in one payment, leasing authorities of open tenders may allow the lessees to make payments in installments, after adding interest charges. Where, during the lease period, the leasing authorities of open tenders recover part of the real estate already leased through tendering, the performance bond may be returned to the lessees, without interest, on a pro rata basis. Prior to the lease expiry of the lands leased through tendering, where the same lessees are awarded a new tender to lease the same real estate, or with priority rights to lease the same real estate, as approved by the leasing authorities of open tenders, the lessees are exempted from attaching documents, such as soil contamination inspection report, etc. in accordance with the provisions of Article 14-1.

### 111.08.22 修正「國有非公用土地設定地上權作業要點」第 14 點、第 22 點

放寬專案提供設定地上權之地上權人將地上建物出租或出借他人作非建築使用情形，增加地上權人規劃樓地板空間使用之彈性。

#### **Articles 14 and 22 of the Operation Directions for Establishment of Superficies on National Non-public Use Land were amended**

The conditions that allow above-ground buildings to be leased or lent by holders of superficies to others, for purposes beyond the buildings underlying projects, are relaxed. Hence, the increase of flexibility for holders of superficies in planning the use of floor spaces.



## 招標訊息 / ITT ( Invitation to tender ) related information



### 標售不動產

Sale of real estate by tender



### 標租不動產

Lease of real estate by tender



### 招標設定地上權

ITT for the establishment of superficies

## 政令宣導 / Announcement of decrees



### 國有土地漁電共生複合使用新制上路囉

The new system of compound use of national lands for fishery and electricity production synergy ( FEPS ) goes live



### 參與標租、標售投標應如何準備投標保證金及申請貸款流程

How to prepare a bid bond related to leasing and sale of national properties through tendering, and the process for loan application



### 不小心使用到國有土地怎麼辦？國有非公用土地已終止占用列管且欠繳使用補償金額為新臺幣 300 元以下案件處理方式

What should I do if I accidentally use a national land? Handling methods for cases where the occupancy of the national non-public land is terminated (with such land being released from the tracking list) and the amount owing owed for use compensation is less than NT\$ 300



### 國有出租造林地承租人防範森林火災宣導

Promotion of Forest Fire Prevention for Lessees of Leased National Afforestation Forestlands