



財政部國有財產署

NATIONAL PROPERTY ADMINISTRATION, MINISTRY OF FINANCE



國產E化 快速便利  
服務民眾 提高效益

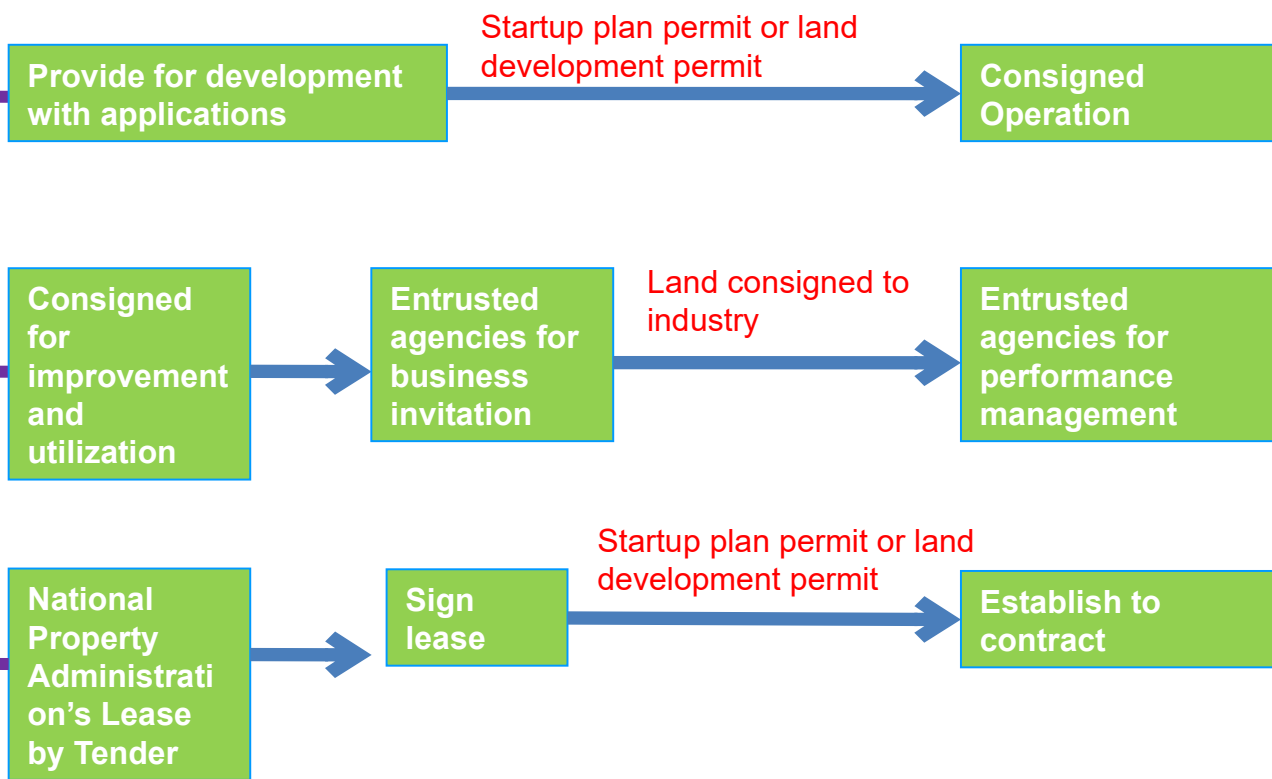
# The Provision of National Non-public Use Land for the Installation and Applications of Solar Power

National Property Administration,  
Ministry of Finance

November 5, 2019



The manners of the provision of national non-public use land





## ➤ Application for development

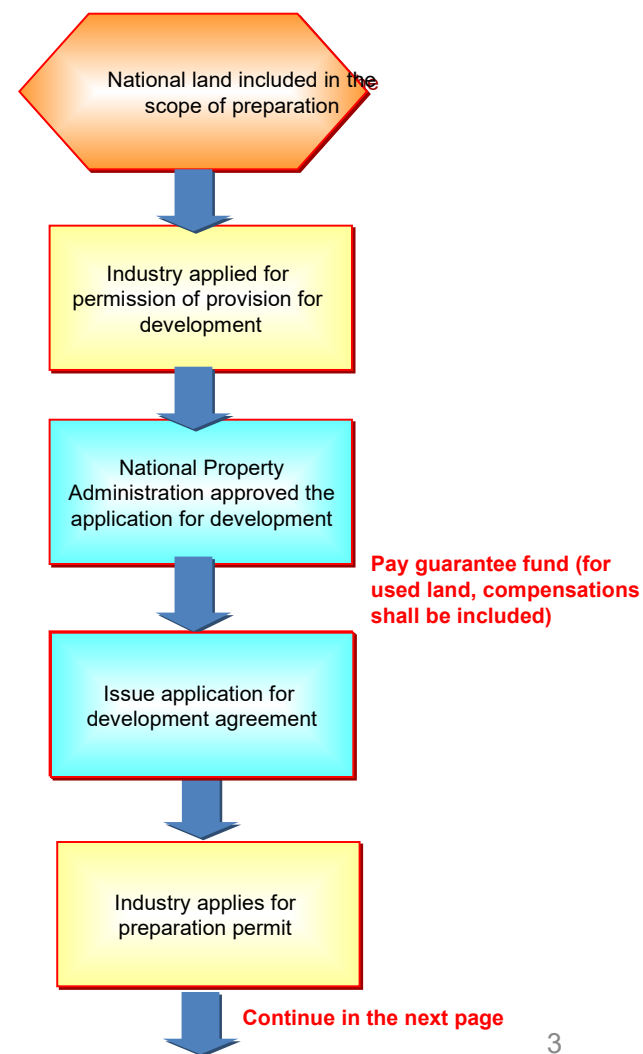
### ✓ Legal references

- ◆ Directions for the Application of National Non-public Use Land

### ✓ Execution

1. **Application requirements:** National land shall not have any disposition and utilization plan, application for appropriation or reservation for utilization by agencies, forest compartment land, application for additional reserved land for indigenous peoples, etc.
2. **Applications:** Applications shall present application for development plan, land list, registration transcription, cadastral map, and identification card and apply at the branch offices of National Property Administration for the development agreement.

## Flowchart





## ➤ **Consigned Operation**

### ✓ **Legal references**

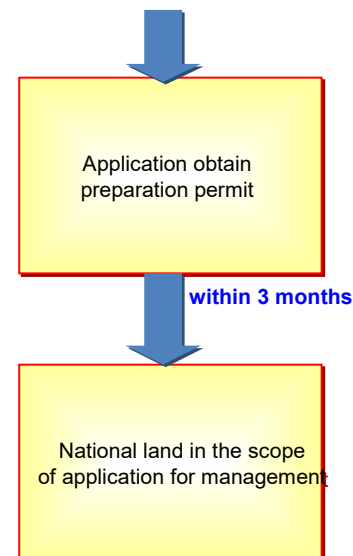
- ◆ Article 13 of National Property Act
- ◆ Implementation Directions for Consigned Operation Business of National Non-public Use Property.

### ✓ **Execution**

**Consigned Operation:** According to Article 4 of Scope for the Development of National Non-public Use Land and Consigned Operation and Subparagraph 2, Paragraph 1, Article 5 of Implementation Directions for Consigned Operation Business of National Non-public Use Property, application for consigned operation of national non-public use land in the scope of development shall be conducted.

## Flowchart

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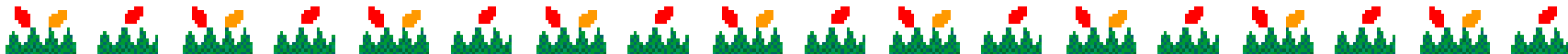
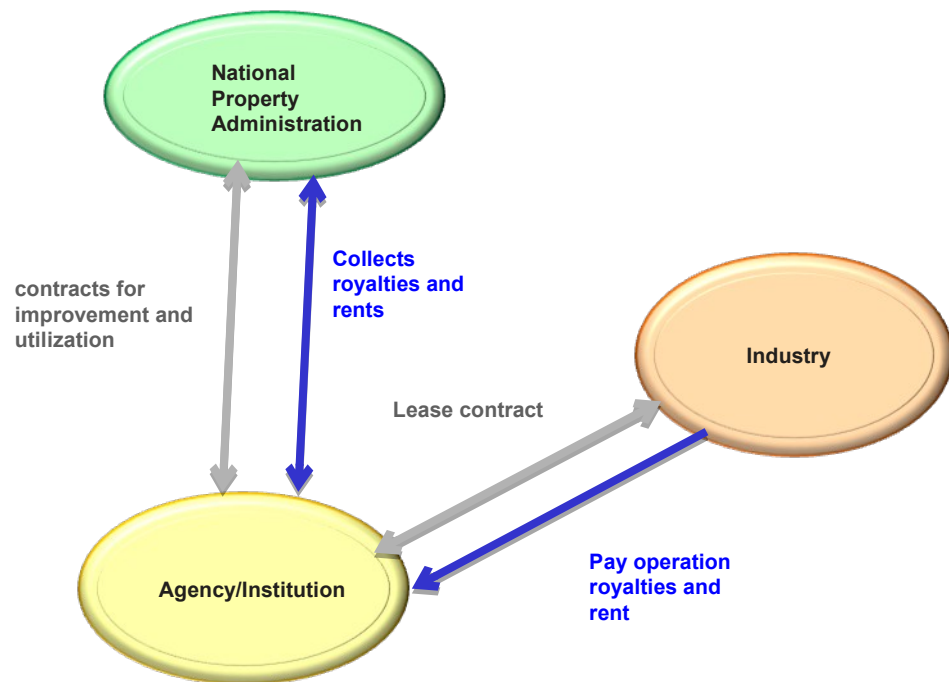


## ➤ **Consigned for improvement and utilization**

### ✓ **Legal references**

- ◆ Subparagraph 3, Paragraph 2, Article 47 of National Property Act of National Property Act.
- ◆ Article 48, Paragraph 1 of Article 48, and Paragraph 3 of Article 48 of Enforcement Rules of National Property Act.
- ◆ National Property Administration, Ministry of Finance collaborates with business authorities to execute Operation Guidelines for Real Estate Improvement for National Non-public Use Land.

### Chart of the relationship and execution





## ➤ National Property Administration's Lease by Tender

### ✓ Legal references

- ◆ Paragraph 1, Article 42 of National Property Act
- ◆ Regulations Governing the Rental Management of National Non-public Use Real Estate (Approved and amended by Executive Yuan on March 19, 2019 and Amended and announced by Ministry of Finance on April 9, 2019)
- ◆ Regulations for the Lease by Tender of the Provision of National Non-public Use Land for the Installation and Applications of Solar Power (Effective upon the announcement of Ministry of Finance on April 25, 2019)

### ✓ Administration procedure

Select national land suitable for leasing by tender for the solar power purpose

Announcement of Lease by Contract (30 days in principle)

Tender opening (the firm with the valid bid form and the highest bid price will win the tender)

The firm pay performance bind (within 30 days of the tender award)

Sign the tenancy contract

The firm apply for the issue of land utilization agreement

(Apply for land coding alteration and permit for power industry preparation)

Lease contract management (pay annual rent)





## ➤ National Property Administration's Lease by Tender

### ✓ Public tendering

Item	Terms of tendering
Manners of tendering	<ol style="list-style-type: none"> <li>1. Tender with the product value of the Capacity of equipment of tender (A) and Feedback fund rate (B)</li> <li>2. The person with the highest product value of the valid tender form will be the successful tenderer</li> </ol>
Qualifications for tendering	<ol style="list-style-type: none"> <li>1. Registered company limited by share with the paid-in capital at certain amount or above and there shall be the item of power generation in its registered business items, holders of certification of Class B or above in electrical system business, energy technical service, and self-usage power generation equipment utilizing renewable energy industry</li> <li>2. Holders of official wholesale of renewable energy electric energy license with the abilities to supply Taiwan Power Co., or international firms with solar energy generation equipment with the accumulated amount at 3,000kW or above</li> </ol>
Capacity of equipment of tender (A)	Minimum limit: Not lower than the capacity of basic equipment (1,000kWp per 1.5 hectare) Maximum limit: Not exceed 2.5 times of the capacity of basic equipment
Feedback fund rate (B)	Not lower than 3%
Period of lease	20 years
Installation deadline	Shall complete the capacity of the equipment of tender within 915 calendar days (on 2 hectares of land or above) or 545 calendar days (less than 2 hectares of land) starting from the day of the commencement of the contract
Standard of performance bond payment	Capacity of equipment of tender (kWp)×NT\$4,000
Annual rent (feedback fund)	<ol style="list-style-type: none"> <li>1. For those unable to complete installation within the deadline, they shall pay land value tax, land management fees, and others at current rates</li> <li>2. For those complete installation within the deadline (including completion before the deadline, shall pay according to the feedback fund rate                          The feedback fund rate of successful tenderers (%) x electricity sales income (NT\$) (the electricity sold refers to the electricity generated from solar power generation x wholesale purchase price (NT\$))</li> </ol>



## ➤ National Property Administration's Lease by Tender

### ✓ Lease management

Item	Contents
Limits of land utilization	The land leased is limited to the use of solar power generation equipment only. No other utilization area allowed.
Annual rent payment	Pay annually. Leasing firm shall pay from January 1 to January 31 each year. Rent (feedback fund) payment list from January to December in each year shall be signed by an account and sent by registered mail (according to the stamp date) to the leasing agency.
Land use rights agreement	The leasing agency shall issue land use rights agreement to the leasing firm for the application of land coding change, electricity industry preparation permit, and startup permit, development plan permit, the installation of booster station, etc., at the business authorities.
Punitive damage	Other than issues not responsible by the leasing firm, the difference between the capacity of equipment of tender and actual capacity of the installed equipment – a punitive damage at NT\$ 10 per 1 kWp will be levied on the firms with capacity of equipment of tender not reaching the amount within the deadline.
Assignment of lease rights	If the leasing firm intends to assign the lease rights to a third person shall obtain approval from the leasing agent in advance and shall present the intended transferee the tender guidelines and qualification documents. With the approval of the leasing agency, it shall inform the transferee to apply for renewal and transfer of the lease contract within 1 month.
Limitation of sublease	Leased land shall not be subleased, loan or provide for use in other excuses of the third person.
Lease renewal	The leasing firm, with no major violation of the contract and with the intention of lease renewal, shall apply for lease renewal in writing 6 months prior to the expiration of the lease contract The period of lease renewal is limited to 20 years. The annual rent rate shall be levied at the rate of the pervious lease contract