



Article Content

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## I General Provisions

Article 1 This Act is enacted to promote a well-planned urban land redevelopment, revitalize urban functions, improve urban living environments and landscape for the public interest.

Article 2 The authority as referred to in this Act shall be the Ministry of Interior of the Central Government; the Municipal Governments, and the County (City) Government.

Article 3 The definitions of the terminologies used in this Act are as follows:

1. Urban Renewal: Refers to the implementation of reconstruction, renovation, or maintenance within the urban plan area in accordance with the procedures instituted in this Act.
2. Renewal area: an area demarcated or changed to undergo urban renewal in accordance with procedures set forth in this Act or Urban Planning Law.
3. Urban renewal plan: a set of urban renewal business plan guidelines established in accordance with procedures set forth in this Act.
4. Urban renewal business: Refers to the implementation of reconstruction, renovation, or maintenance within the renewal unit.
5. Renewal unit: a specified area in which urban renewal business is conducted.
6. Implementer: A government agency (institution), designated juristic person or institution, urban renewal association or urban renewal business institution.
7. Rights transfer: the landowners and legal building owners in a reconstruction section in a renewal unit, holders of other rights, the implementer or parties entering agreements with the implementer on provision of needed funds providing land, buildings, other rights or capital to participate in or implement an urban renewal business to be allocated land, buildings or royalties after the completion of the urban renewal business plan according to the percentages of their value of rights before the renewal implementation.

Article 4 The processing of the urban renewals are divided into the following three methods:

1. Reconstruction: Refers to the demolishing of the former buildings within the renewal unit, and their resettlement of the tenants, improvement of public facilities within the area, and change the usage characteristics of the land or its usage density.
  2. Renovation: Refers to remodeling, renovating the buildings or to improving equipment within the renewal unit, and improvement of the public facilities.
  3. Maintenance: Refers to the strengthening of management within the renewal unit, improvement of the public facilities, and the maintenance there of in good condition.
- An urban renewal business may be conducted in two or more of the abovementioned methods.

## II Designation of the Renewal Area

- Article 5 The municipal and county (city) authority should conduct an overall investigation and evaluation for the urban development situation, residents' willingness, existing society, economic relations and human characteristics and the overall landscape before demarcating the renewal area and establishing or changing the corresponding urban renewal plan according to the actual condition.
- Article 6 Under one of the following circumstances, the competent authority of a municipality or county (city) may set priorities and demarcate or change the renewal area and also establish or change the corresponding urban renewal plan:
1. Buildings that are deteriorated and not having a fireproof structure or the space between neighboring buildings is insufficient, and the building is hazardous to the public safety.
  2. Buildings those are in a dilapidated, dangerous condition that have been badly built or roads that are curved and narrow or in any way hazardous to public safety.
  3. Buildings that do not meet the urban function.
  4. Buildings those are not coordinated with important development projects.
  5. Buildings that have historical, cultural, artistic, or other memorable value that urgently require preserving and maintaining, or it is incongruous with the buildings in the surroundings.
  6. Buildings which have a bad living environment as to constitute a hazard to public health or peace and order in society.
  7. There are buildings inspected and confirmed as having been contaminated by radioactivity.
  8. There are special industry facilities likely to cause harm to public safety.
- Article 7 Under any of the following circumstances, the municipal, county (city) authority should demarcate or change the renewal area at the earliest time in accordance with the actual situation and also establish or change the urban renewal plan accordingly:
1. Destruction or damage due to war, earthquake, fire, flood, storm or other major incidents.
  2. To prevent a major disaster occurred.
  3. There are buildings in conditions meeting the descriptions set forth in Subparagraphs 1 and 2 of Paragraph 1 of Article 3 of the Statute for Expediting Reconstruction of Urban Unsafe and Old Buildings.
- The higher-level authority can determine a time limit for the municipal, county (city) authority under its jurisdiction to designate or change the renewal area mentioned in the above paragraph or to outline a draft, to change urban renewal plans, and if necessary, may directly involve itself.
- Article 8 Under one of the following circumstances, the competent authorities at different levels may demarcate or change an area to be a strategic renewal area according to the actual needs and also establish or change the corresponding urban renewal plan:
1. The area is situated within a certain distance from a train station, MRT station or an airport.
  2. The area is situated near the waterfront of a metropolis or a harbor and high-level redevelopment is an appropriate choice.
  3. An overall urban renewal business is needed for urban disaster.
  4. Urban renewal is needed to accommodate an important public construction project.
- Article 9 The regulations and procedures for detailed plans set forth in the Urban Planning shall apply mutatis mutandis in demarcation or change of renewal areas or establishment or change of urban renewal plans that do not involve establishment or revision of urban plans. If establishment or revision of the principal plan or detailed plans of an urban plan, the regulations and procedures specified in the Urban Planning Law shall apply, and the principal plan or detailed plans may be established or revised at the same time.
- In situations where renovation or maintenance is adopted throughout the entire area or the demarcation or change of a renewal area is conducted according to Article 7, the competent authority may publicly announce and implement

the demarcation or change of the renewal area as well as establishment or change of the urban renewal plan without being subject to the preceding paragraph.

An urban renewal plan as described in Paragraph 1 shall include the following information to be the urban renewal business plan guidelines:

1. Range of the renewal area
2. Basic targets and strategies
3. Outline of actual redevelopment
  - (1) Concepts behind the land utilization plan
  - (2) Concepts behind the public facility improvement plan
  - (3) Concepts behind the transportation system
  - (4) Concepts behind the space for disaster prevention and relief
4. Other information to be specified

In addition to the information specified in the preceding paragraph, the following information shall also be indicated in the urban renewal plan for a strategic renewal area demarcated or changed according to Article 8:

1. Necessity of demarcation and expected benefits
2. Concepts behind review of the urban plan
3. Outline of the financial plan
4. Concepts behind development and implementation
5. Concepts behind determination of project periods and progress
6. Items that require support and cooperation of related units

Article 10 In situations described in Article 6 or 7, land and legal building owners may present proposals for demarcation of renewal areas to the competent authority of the municipality or county (city).

The competent authority of the municipality or county (city) shall handle the proposals described in the preceding paragraph in the following approaches and may notify the proponents to present their statements:

1. Where demarcation is deemed unnecessary, notify the proponents the decision with reasons attached.
2. Where demarcation is deemed necessary, proceed in accordance with the procedures set forth in Article 9.

The local competent authority shall define the requirements for presentation of proposals specified in Paragraph 1 as well as the documents to be submitted.

### **III Urban Renewal under Government Guidance**

Article 11 The competent authority at each level may create an urban renewal promotion task force to supervise and promote urban renewal policies as well as coordinate and provide government guidance for urban renewal operations.

Article 12 Unless otherwise stipulated in this Act, the competent authority of a municipality or county (city) may adopt one of the following renewal approaches for an area demarcated or changed to undergo renewal without establishing the business summary and begin the urban renewal business in accordance with Article 32.

1. The competent authority implements the urban renewal business institution itself or has chosen through public selection an urban renewal business institution to be the implementer.
2. The competent authority has given approval for another agency (institution) to conduct the renewal or has chosen through public selection an urban renewal business institution to be the implementer.

With the renewal area demarcated or changed to undergo renewal according to Paragraph 1 of Article 7, the competent authority of a municipality or county (city) may consolidate several adjacent or not adjacent renewal units to carry out the urban renewal business in accordance with the approaches specified in the preceding paragraph.

With the renewal area demarcated or changed by the central competent authority to undergo renewal according to Paragraph 2 of Article 7 or Article 8, the central competent authority may conduct the urban renewal business by citing the two preceding paragraphs *mutatis mutandis*.

Article 13 The competent authority at each level another agency (institution) shall serve as the organizing agency to carry out the public selection described in the preceding article and make a public announcement to solicit applications from urban renewal business institutions. The competent authority shall also create a selection committee to review the applications according to the principles of fairness, justice and transparency. The central competent authority shall establish regulations to govern the announcement and reviewing procedures, organization of the selection committee and committee member qualifications, and other related matters.

Before making the public announcement to solicit applications from urban renewal business institutions, the organizing agency shall hold presentations in the area where the urban renewal business to be implemented.

Article 14 Applicants participating in a public urban renewal implementer selection considering the application and reviewing procedures in violation of this Act and related regulations and putting their rights or interests in jeopardy may file their objections with the organizing agency in writing within the following periods:

1. Those expressing objections to the regulations on the application documents required from applicants may file their objections within two thirds of the period from the day after the announcement to the application deadline, provided that such a length of time is no less than ten days. Any odd amount of time less than a day shall be calculated as one day.

2. Those expressing objections to the application or reviewing process, the decision or outcome may file their objections within 30 days after receiving the notification from the organizing agency or the announcement of the outcome. If there is no notification or announcement about the process, decision or outcome, objections may be filed within 30 days after the process, decision or outcome is known.

The organizing agency shall properly handle the objections within 15 days after receiving them and notify the objectors the handling outcome in writing. If the objection handling outcome involves changes or further solicitation of applications from urban renewal business institutions, it shall be publicly announced and the application timeline may be extended if necessary.

If finding the objection handling outcome unacceptable or the organizing agency failing to come to a conclusion within the established timeline, objectors may appeal to the competent authority in writing within 15 days after receiving the objection handling outcome or the end of the established timeline. A duplicate copy of the appeal and related documents shall also be presented to the organizing agency.

The central competent authority shall define the principles for filing of objections to application and reviewing procedures and handling of appeals.

Article 15 Depending on whether the organizing agency is a central or local agency, appeals regarding disputes over application and reviewing procedures for public selection of urban renewal implementers shall be handled by the committee on review of appeals against results of public selection of urban renewal implementers (hereinafter referred to as the urban renewal appeal committee) created by the central competent authority or the competent agency at the municipality or county (city) level.

The members of the urban renewal appeal committee shall be legal or urban renewal specialists recruited by the competent authority at each level or the positions may be concurrently taken by high-level personnel from the competent authority. The central competent authority shall establish the regulations on the composition of such committees, the number of members, the length of term, remuneration, operation and other related matters.

Article 16 If the appellant misfiles the appeal to any agency other than the urban renewal appeal committee in concern, the day the agency receives the appeal shall be considered the date of appeal.

The agency receiving the appeal as described in the preceding paragraph shall transfer the appeal to the urban renewal appeal committee in concern and also notify the appellant within three days after receiving the appeal.

The urban renewal appeal committee shall complete the review within two months after receiving an appeal and inform the appellant and the organizing agency of the decision in writing. If necessary, the period may be extended for one month.

Article 17 Appeals filed after the statutory period or inconsistent with the statutory procedure shall be rejected. However, if the situation may be corrected, the appellant shall be requested to make corrections within a given period. If the appellant fails to comply, the appeal shall be rejected.

After filing the appeal, the applicant may withdraw it before the review decision is delivered. Once an appeal is withdrawn, the same appeal may not be filed again.

Article 18 In principle, review of appeals shall be conducted in writing.

The urban renewal appeal committee may act according to its authority or the application and notify the appellant and the organizing agency to present their statements at a designated location.

When reviewing, the urban renewal appeal committee may delegate an agency, school, group or personnel with the corresponding expertise to make appraisals and the committee may also notify related personnel to present their statements or request the organizing agency and the appellant to provide related documents and information.

Before reviewing, the urban renewal appeal committee may collect a reviewing fee, an appraisal fee and other expenses from the appellant. The central competent authority shall define the charging standards and payment approaches.

Article 19 When considering the objection or appeal presented by an applicant justifiable, the organizing agency shall revoke or change the handling decision or suspend the public selection process, unless the selection is urgent or public interest is involved.

When deciding on the disposal described in the preceding paragraph, the organizing agency shall immediately inform the urban renewal appeal committee of the decision.

Article 20 An appeal review decision shall be regarded the final decision.

Where a review decision indicates the original public selection procedure is in violation of related regulations, the organizing agency shall make legally appropriate disposal, and the appellant may request the organizing agency to compensate for the expenses paid to file the application, objection and appeal.

Article 21 When an urban renewal business in Article 12 is implemented by the competent authority or an approved agency (institution), public solicitation of capital and assistance may be conducted. The provisions set forth from Article 13 to the preceding article shall apply mutatis mutandis to the announcement of the aforesaid public solicitation, review, procedures for filing of objections and appeals, and decision of review results.

#### **IV Implementation of Urban Renewal Business**

Article 22 The owners of the lands and legal buildings of an area that has been designated for renewal implementation may designate the renewal units by themselves as per renewal units defined by the authority, or based on the criteria for designating a renewal unit, conduct a public hearing. They may then present a business summary together with the public hearing records to the municipal, county (city) authority to apply for approval according to Article 29. After obtaining approval, the land and legal building owners may organize an urban renewal association to carry out the urban renewal business in the area on their own or delegate an urban renewal business institution to execute the operations. The same procedure shall apply when changes are made.

To file an application as described in the preceding paragraph shall require the approval of more than half of all the private land and private legal building owners in the renewal unit and the total land area and total floor space of the legal buildings such owners represent shall also be more than half of the entire area of the renewal unit.

Presentation of the business summary may be exempted if the ratio of approval achieves the threshold specified in Article 37 and the land and legal building owners may proceed with the planned urban renewal business in accordance with Articles 27 and 32.

Before the review described in Paragraph 1 is conducted, private citizens or groups may present their opinions in writing, along with their names or titles and addresses, to the competent authority of the municipality or county (city) for reference when conducting the review.

The competent authority of the municipality or county (city) shall announce the business summary approved as described in Paragraph 1 for 30 days and also notify the land and legal building owners in the renewal unit, holders of other rights, agencies for registration of restriction requests and holders of the right to registration of caution.

Article 23 In areas where urban renewal demarcation or changes are not yet made but urban renewal is deemed necessary and one of the situations described in Subparagraphs 1 to 3 or Subparagraph 6 of Article 6 exists, the land and legal building owners there in may demarcate the renewal units according to the renewal units demarcation standards established by the competent authority and apply for approval to implement urban renewal business s in accordance with the preceding article.

The renewal unit demarcation standards established by the competent authority as stated in the preceding paragraph shall clearly stipulate concrete approaches to define the building and environment condition therein according to the principles specified in Subparagraphs 1 to 3 or Subparagraph 6 of Article 6.

Renewal unit demarcation standards established or revised after enforcement of the amendment to this Act on Dec. 28, 2018 shall take effect after they are approved by the urban planning committee of the government in concern.

Those established before enforcement the amendment shall be revised within three years and take effect after they are approved by the urban planning committee of the government in concern. The competent authority shall review and modify renewal unit demarcation standards on a regular basis.

Article 24 The computation of the proportion between the number of persons and buildings owners applying to implement the urban renewal business do not include the following items:

1. Historical relics and villages that should be preserved in accordance with the law.
2. Ancestral shrines, temples, churches that have been approved and registered by the County (City) authority.
3. Buildings being managed by the government or listed for managed by land authorities as the regulations in article 73-1 of the Land Act.
4. Persons undergoing court procedures for sequestration ,provisional seizure, and provisional punishment or registering for bankruptcy.
5. Land or buildings belonging to worship group's that have not properly registered and issued lists of successors.
6. Land or buildings belonging to deity worship associations that have not properly registered and established lists of members or followers, system charts and land lists.

- Article 25 A trust method can be set up to implement urban renewal business. The proportion of the number of owners to be calculated according to Paragraph 2 of Article 22 and Paragraph 1 of Article 37 shall be calculated according to the number of trustors.
- Article 26 The urban renewal business institution should be a corporation established in accordance with the Company Act. However, if an urban renewal business uses the renovation or maintenance method to process, it will not be restricted by this regulation.
- Article 27 Owners of the lands and legal buildings exceeding seven persons may implement the urban renewal business by themselves in accordance with the regulations in Articles 22 and 23. They should organize a urban renewal association and institute byelaws indicating the following items and apply with the municipal, county (city) authority for approval:
1. Title of the urban renewal association and office location.
  2. Implementing area.
  3. Members' qualifications, number of legal officers, terms, job responsibility and methods of selection.
  4. Relevant operational affairs.
  5. Relevant sharing of expenses, public announcements and methods of notifying.
  6. Other necessary items.
- The urban renewal association in the preceding paragraph should be juristic person and the regulations regarding establishment should be enacted by the central authority.
- Article 28 An urban renewal association may act according to related regulations in the Civil Code to delegate an institution with professional urban renewal knowledge and experience to consolidate the operations of an urban renewal business.
- Article 29 To review business summary, urban renewal business plans and rights transfer plans and to handle disputes between implementers and related rights holders, competent authorities at different levels shall recruit scholars, specialists, fair and impartial individuals and representatives from related agencies (institutions) to form committees and handle such issues through open approaches. The number of specialists, scholars and representatives from private groups may not be less than half of the total members and the number of members of each gender may not be less than one third.
- If necessary, the competent authority at each level may commission professional groups or institutions to provide technical advice when reviewing operational outlines or handling disputes as described in the preceding paragraph. . The central competent authority shall establish regulations to govern the responsibilities and composition of the review committee stated in the first paragraph, recusal for conflicts of interests and related matters.
- Article 30 The competent authority at each level shall designate personnel to be responsible for urban renewal operations and may also set up a designated juristic person or institution to help promote or implement urban renewal business with the delegation or approval of the competent authority.
- Article 31 The competent authority at each level may establish an urban renewal business fund to promote or implement urban renewal business.
- Article 32 The implementer shall establish the urban renewal business plan and present it to the competent authority of the municipality or county (city) for approval before implementation. Plans regarding urban renewal business in renewal areas demarcated or changed by the central competent authority according to Paragraph 2 of Article 7 or Article 8 may be presented to the central competent authority for approval before implementation. The central competent authority shall publicly announce such plans for 30 days and also notify the land and legal building owners in such renewal units, holders of other rights, agencies for registration of restriction requests and holders of the right to registration of caution. The same procedure shall apply when changes are made.
- A public hearing should be conducted during the period of drafting or revising the urban renewal business plan to obtain people's comments.
- After drafting or revising the urban renewal business plan and before sending it to competent authority for review, it should be not only to publicly exhibit the business plan for 30 days at each municipal, county (city) government or township (village, city) hall, but also to conduct a public hearing. The date of public exhibit can be shortened as 15 days when the implementers have already obtained the consents from all owners of private lands and private legal buildings within renewed unit.
- The date and place of exhibition and public hearing mentioned in second paragraph should be published in the newspaper for the public and people who are party to the business should be notified, including owners of lands and legal buildings within renewed unit, ownership of other legal rights, relative authorities of registration of request or restriction and obligees who make preliminary announcement. Within the exhibition period, any citizen or group

can submit written suggestions with their names or titles and addresses to competent authority. Then competent authority should review the suggestions. After revision by competent authority, there will be no need to conduct another public exhibition.

When the implementers has obtained consents from all the owners of the private lands and private legal buildings within the renewal area, in the urban renewal area which has been designated or change in accordance with Article 7 or the renewal units using the process of renovation or maintenance, implementers can draft or revise the urban renewal business plans directly without conducting a public exhibition and public hearing. Those are not restricted by the regulation stated in the above three paragraphs.

After an urban renewal business plan is established or changed, if there is any inconsistency with the business summary, changes to the business summary shall not be required.

**Article 33** Except in one of the following situations, the competent authority at any level shall hold public hearings before approving and announcing an urban renewal business plan is to be implemented. It shall also refer to the public hearing records when deciding on the approval and explain the reasons why the opinions indicated in the records are adopted or not adopted:

1. No disputes exist before the plan is approved.
2. The plan is to be implemented by way of reconstruction or maintenance and all the land and legal building owners in the renewal unit have given their consent as described in Subparagraph 2 or 3, Paragraph 1 of Article 4.
3. The situation complies with Subparagraph 2 or 3 of Article 34.
4. The plan is to be implemented through joint construction by agreement or other approaches and all the land and legal building owners in the renewal unit have given their consent as described in the second section of the proviso in Paragraph 1 of Article 43.

Parties finding the administrative disposition decided after public hearings as mentioned in the preceding paragraph may take the administrative remedy procedure without filing petitions or undergoing the preliminary procedure.

**Article 34** Procedure of altering urban renewal business plan can be simplified and conducted as the following regulations:

1. When changes are to be made under one of the following circumstances, the public hearings and public exhibitions specified in Article 32 need not be held:
  - (1) The plan is to be implemented by way of reconstruction or maintenance and all the land and legal building owners have given their consent as described in Subparagraph 2 or 3, Paragraph 1 of Article 4.
  - (2) The plan is to be implemented through rights transfer as described in Paragraph 1 of Article 43 while the condition specified in Article 60 does not exist and all the private land and legal building owners in the renewal unit have given their consent.
  - (3) The plan is to be implemented through joint construction by agreement or other approaches and all the land and legal building owners in the renewal unit have given their consent as described in the second section of the proviso in Paragraph 1 of Article 43.
2. When changes are to be made under one of the following circumstances, the public hearings and public exhibitions specified in Article 32 need not be held:
  - 1) The implementer specified in Subparagraph 2, Paragraph 1 of Article 36 is changed and the consent of the land and legal building owners has been obtained according to Article 37 while both the original and the new implementers have also acquired notarization.
  - (2) The changes involved the items specified in Subparagraphs 12 to 15, 18, 20 and 21, Paragraph 1 of Article 36 and the all the land and legal building owners in the renewal unit have given their consent. However, any change made to the item specified in Subparagraph 13 shall not jeopardize the rights and interests of households to be resettled.
3. If the changes are made to the items specified in Subparagraphs 7 to 10, Paragraph 1 of Article 36 and the competent authority has confirmed the original urban renewal business plan approved will not be affected, or the changes are made to the information to be indicated as specified in Paragraph 2 of Article 36, the public hearings and public exhibitions specified in Article 32 need not be held and acquisition of consent as specified in Article 37 shall also be unnecessary.

**Article 35** Based on Article 32, if the drafting or the revising of urban renewal plan involves the revision of the master urban plans, it should revise only the part involving the master plan in accordance with the regulations stipulated in the above article by not defying its original objectives. If it involves only drafting and revising certain details of the plans, the urban renewal business plan can be announced first for implementation according to the procedures set out in Article 32. With regard to the deployment of renewal works, the relevant urban planning will later be coordinated in line with drafting or revising it.

**Article 36** The urban renewal business plan should consider the existing situation and specify the following items:

1. Planning area for renewal.

2. The implementers.
3. Analysis of the current status.
4. Planning objectives.
5. Relationship with urban planning.
6. Management methods and the block division.
7. Construction and improvement plans of the public facilities within the area, including the layout and design drawings.
8. Renovating or maintaining the reconstruction, repair, and maintenance of the buildings within the areas, or the standards of design specifications for improving the facilities.
9. Land uses plan of the reconstruction block, including the building layout and design specifications.
10. Urban design or landscape plans.
11. Cultural assets to be preserved or plan for preservation or maintenance of buildings worthy of preservation
12. Methods of implementation and the relevant sharing expense.
13. Removing and settlement plans.
14. Financial plans.
15. Implementation schedule.
16. Evaluation of benefits
17. Incentives to apply for and amounts
18. Allocation of rights to be transferred, selection and distribution principles, and allocation ratio if the percentage of original owners to be allocated to is certain
19. Handling of public property and principle for allocation and use after renewal
20. Risk control and management measures to be taken
21. Maintenance, management and warranty
22. Matters needing cooperation of related units
23. Other information to be indicated

If the implementer is an urban renewal business institution, its total capital or paid-in capital, the person in charge, business items and performance at the time the urban renewal business plan is presented for approval shall be indicated under Subparagraph 2 of the preceding paragraph. If reconstruction is the approach adopted for an urban renewal business plan, the risk control and management specified in Subparagraph 20 of Paragraph 1 shall be conducted through one of the following approaches:

1. Real estate development trust
2. Capital trust
3. Continuous construction mechanism
4. Joint and several guarantees from businesses of the same trade.
5. Joint and several guarantee agreements from related business associations.
6. Other approaches approved by the competent authority.

**Article 37** An implementer presenting an established or changed urban renewal business plan for approval shall acquire the consent of a certain percentage of the private land and private legal building owners that together account for a certain percentage of the total land area. The percentage calculation shall be conducted according to the regulations below. However, if the private land and private legal building owners giving their consent account for over 90% of the total land area, the number of owners need not be calculated.

1. Where an urban renewal business institution is delegated through public selection according to Article 12, the consent of more than half of both the private land and private legal building owners in the renewal unit shall be acquired and the total land area and the total floor space such private land and private legal building owners shall account for more than half of the entire land area and floor space. If the public land exceeds half of the land of the renewal unit, acquisition of the consent of the private land and private legal building owners shall not be required. The implementer shall guarantee the value of the rights of private land and private legal building owners after rights transfer is not lower than the standard stipulated in related urban renewal regulations.

2. According to Article 22:

(1) The renewal area demarcated or changed to undergo urban renewal according to Article 7 shall require the consent of more than half of the private land and private legal building owners in the renewal unit and the total land area and floor space of the legal buildings of such owners shall also account for more than half of the entire land area and floor space.

(2) Other renewal areas to undergo renewal shall require the consent of more than three quarters of the private land and private legal building owners in the renewal unit and the land area and floor space of the legal buildings of such owners shall also be more than three quarters of the entire land area and floor space.

3. According to Article 23: The consent of more than four fifths of the private land and private legal building owners in the renewal unit shall be required and the land area and floor space of the legal buildings of such owners shall also account for more than four fifths of the entire land area and floor space.

The computation of the proportion between the number of persons and the ownership's of the lands and buildings mentioned in the preceding paragraph can be done to the regulations in Article 24.

When an urban renewal business is conducted in two or more approaches, the percentages of number of people and land area and floor space shall be calculated separately. The same principle shall apply when the ratio of consent described in Paragraph 2 of Article 22 is calculated.

Competent authorities should verify the proportion of agreement by the end of the exhibition, except the affairs ruled in Article 88, Article 89 and Article 92 in civil law or both of the two ends agree to revoke. If the value of allocated rights or the percentage allocated is lower than the rate when the letters of consent are issued, the owners may revoke their consent before the public exhibition comes to a conclusion.

- Article 38 When an urban renewal area is demarcated or changed according to Article 7 or Subparagraphs 2 and 3, Paragraph 1 of Article 4 and some of the buildings on jointly owned land or some of the buildings on the same building base undergo reconstruction, renovation or maintenance, the ratio of consent may be calculated according to the number of owners of the buildings to undergo reconstruction, renovation or maintenance, the ownerships and the part of building base owned without changing the unit ownerships of the unit owners of other buildings and the part of the building base they own.
- Article 39 Unless ownership is acquired before registration through inheritance, compulsory execution, expropriation or court decisions and related proof documents can be presented with the application or presentation for approval and the ratio of consent calculated according to Paragraph 2 of Article 22 or Paragraph 1 of Article 37 may be validated according to the information recorded in such documents, the information recorded in the land register, building register and legal building certificates, or proof documents issued by the competent authority of the municipality or county (city) shall be adopted.  
If the properties are indicated in the registers and the proof documents described in the preceding paragraph as jointly owned, or inheritance is not yet registered and the properties are jointly owned by the inheritors before they are divided, the number of joint owners giving their consent shall be considered the number of people giving their consent and the ratio of such joint owners giving their consent to the total number of people shall be multiplied by the size of the jointly owned area, and the product shall be considered the consent representing such an area.
- Article 40 When finding abnormal increases of holders of land and legal building ownerships in a renewal unit during reviewing, the competent authority shall investigate, examine related evidence and make corresponding decisions or handle disputes in accordance with Article 29.
- Article 41 In order to draft the urban renewal business plan, the implementers can appoint persons to enter into public lands or buildings within the renewal area for investigation or survey. The persons should notify the owner(s), manager(s) or the user(s) before entering the land or buildings.  
It should be approved by municipal, county (city) authority while conducting the investigation or survey as mentioned in the preceding paragraph. But, it is not restricted by this regulation if municipal, county (city) authority is conducting it.  
When conducting the investigation or survey as stated in the first paragraph, and if there is a need to remove obstacles on that land, the owner, manager or the user should be informed, otherwise if the owner, manager or the user suffers losses, they should be compensated; the compensation amount is negotiated by both parties, but if negotiations fail, it shall be determined by the municipal, county (city) authority.
- Article 42 After the renewal area is designated, the municipal, county (city) authority can consider the existing needs in order to make a public announcement that reconstruction, extensions, new constructions, taking gravel/soil or changing the terrain within the renewal area is prohibited. However, implementation that does not affect urban renewal is not restricted by this regulation.  
The duration of the prohibition mentioned in the preceding paragraph cannot exceed two years.  
Anyone violating the regulation stated in the first paragraph will be ordered to demolish, reconstruct, stop using or restore to its original state by the municipal, county (city) authority.
- Article 43 The rights transformation method can be used to reconstruct the area within urban renewal business plan area; however, the authorities or relevant authorities can conduct land compulsory collecting, sectional expropriation or urban land re-plotting methods to implement it. Those are governed by the regulations in other laws or as agreed by all the owners of the lands and legal buildings can use the method of joint construction agreement or other methods to implement it.  
When using zone expropriation to implement urban renewal business, the authority shall prescribe to the percentage between the total area of the offset price land and the total area of the sectional expropriation land after considering the actual situation.

Article 44 When using the method of joint construction agreement to implement urban renewal business, if the implement is not agreed by all the owners of the lands and legal buildings but the agreement is over 80% of private land area and private floor area of legal buildings, joint construction agreement can be carried out partially. In that part in which owners agreed to participate in joint construction agreement can implement by the way. In another part, for those land and legal buildings which disagreed to participate in joint construction agreement, the rights transformation can be applied.

The implementer shall guarantee the value of the rights of those participating in rights transfer is not lower than the standards specified in related urban renewal regulations after rights transfer.

Article 45 After an urban renewal business plan is approved by the competent authority to be implemented, the implementer shall work on the buildings requiring renovation or maintenance in the area according to established schedules and the owners or managers shall pay the implementer the expenses incurred.

If the owners or managers fail to pay the expenses stated in the preceding paragraph after they are urged to make the payments, the implementer may request the competent authority to issue an administrative disposition in writing to order the owners or managers to make the payments within a given period. If any owner or manager fails to comply, the competent authority may transfer the case for compulsory execution by the local branch of the Administrative Enforcement Agency, Ministry of Justice. Afterwards, the competent authority shall pay the amounts owed to the implementer with the funds obtained from the execution.

Applications for building permits required for renovation or maintenance of buildings may be filed in the name of the implementer and presentation of land ownership documents shall not be required.

Article 46 Unless there are other plans for reasonable use and inclusion in urban renewal business is deemed unlikely, public land and buildings shall be included in urban renewal business without being subject to Article 25 of the Land Act, Articles 7, 28, 53 and 66 of the National Property Act, Articles 25, 26 and 86 of the Budget Act, and the public property regulations of local governments.

The title of public lands and buildings are changed to a nonpublic owned property should be coordinated with the urban renewal plan, and the non-public owned property managing authority at each level of the government can directly change the title to a non-public owned property and be processed together. This is not applicable to the Article 33 to Article 35 of the Nation-owned Property Act and the relevant regulations stipulated in all government property management regulations.

The public owned property mentioned in the above two paragraphs must be processed according to the following methods:

1. The local government agency responsible for administration of non-public properties may conduct the urban renewal business on its own, or delegate the project to another agency (institution), an urban renewal business institution or a trust institution.
2. The municipal, county (city) authority or other authorities use the methods of compulsory, block compulsory to implement urban renewal business, it should be appropriated for use or facilities shall be provided to expedite project implementation.
3. When rights transfer is adopted in an urban renewal business, in addition to choosing rights of certain value to participate in allocation of land, buildings and land royalties or accepting compensation, concerned parties may also sell the allocated land and buildings to the implementer.
4. When joint construction by agreement is adopted in an urban renewal business, concerned parties may choose to participate in allocation through rights transfer, put up the properties for sale or sell the properties to the implementer. When such properties are put up for sale, besides certain parties statutorily given priority to make purchases, the implementer may also have the priority to make purchases on the same conditions.
5. Participation in or implementation of the project by creating rights of superficies.
6. Methods regulated by other laws.

If an urban renewal business plan established for an area demarcated or changed to undergo renewal and presented for approval after enforcement of the amended provisions of this Act on Dec. 28, 2018 and the area or percentage of public land therein achieves over a certain scale, unless there are special reasons, such a plan shall be implemented in accordance with one of the approaches specified in Paragraph 1 of Article 12. The aforesaid certain scale and special reasons shall be defined by the competent authority at each level.

Unless it is otherwise stipulated in Subparagraph 1, Paragraph 3, when urban renewal business institutions are delegated to implement urban renewal business on public properties, Articles 13 to 20 shall apply *mutatis mutandis* to announcement of solicitation of applications from urban renewal business institutions, review of such applications, objection and appeal filing procedures, and deliberation and decision.

If illegal buildings on public land are included in an urban renewal business plan by agreement and the building use compensation and other expenses are already paid to the management agency, the management agency may achieve settlement of action with the parties using the illegal buildings.

Article 47 When the competent authorities at different levels, other agencies (institutions), or township (town, city) offices acquire land, buildings or rights through urban renewal business they implement or by serving as the organizing agency to select urban renewal business institutions through open approaches to implement urban renewal business, the disposal of or profit from such land, buildings or rights shall not be subject to Article 25 of the Land Act, Articles 28 and 53 of the National Property Act and the property management regulations of governments at different levels.

When competent authorities at different levels or township (town, city) offices acquire land, buildings or rights by participating in urban renewal business or promoting urban renewal and processing urban plan changes, the disposal of or profit from such land, buildings or rights shall not be subject to Article 25 of the Land Act or the property management regulations of local governments.

## **V Rights Transformation**

Article 48 When using the rights transformation method to implement urban renewal, the implementers should draft a rights transformation plan after the urban renewal business plan has been approved and announced. The implementers should also engage the reviewing process, public exhibition, approvals and announcement of implementation in accordance with the regulations in Article 32, Article 33.

The same for revising the plan. If necessary, the drafting of the rights transformation plan for approval can be processed together with the urban renewal business plan.

If the implementers must enter into public or private lands or buildings within the rights transformation area for investigation or survey in order to draft or change the rights transformation plan, it can apply the regulations in Article 41 for processing.

The Central Authority enacts the specified items in the rights transformation plan and the regulations for implementing the rights transformation.

Article 49 To modify rights transformation plans can follow the simplified procedures:

1. When changes are made because of one of the following situations, the public hearings, public exhibitions, hearings and review specified in Articles 32 and 33 shall not be needed:

- (1) Rectification of the content of plan which had been written or computed wrong or other obvious mistakes.
- (2) Variation on the allocation of units or parking lots are agreed between allottees or implementer.
- (3) Trust registration conducted in accordance with Article 25.
- (4) Transferring, dividing, setup obligations of land and building or revoking collateral rights, lien rights or defacement of restricted register during the period of rights transformation.
- (5) Rectifying drawings in accordance with the results of surveying lands or building conducted by land administration.

(6) Alteration designated by Subparagraph 2, Paragraph 1 in Article 36 shall require a notarization between original and new implementers.

2. When changes are made because of one of the following situations, the public hearings, public exhibitions and hearings specified in Articles 32 and 33 need not be held.

(1) The original allottees indicate that they are not willing to participate in allocation anymore. Or on the other hand, the people who showed they are not willing to participate in but change their minds. If authorities presume that the changes do not affect the variation of other people's rights and profits, there is no necessary to hold exhibition publicly and public hearing to declare the changes.

(2) As far as the alterations listed in Subparagraph 7 to 10, Paragraph 1 of Article 36 are concerned, if the changes are presumed by competent authorities to make no influences on the original verified urban renewal business plan, there are no needs to conduct public exhibition and hearing.

(3) Changes made to the items in Subparagraph 1 involve changes to the contents of other plans and the competent authority is sure the rights transfer plan originally approved will not be affected.

Article 50 The value of rights of different pieces of land before rights transfer and the value of rights of land and buildings and the value of rights of other land inside areas covered by rights transfer on the valuation date after renewal shall be appraised by at least three professional appraisers commissioned by the implementer before such value of rights is rated.

The appraisers described in the preceding paragraph shall be jointly appointed by the implementer and landowners. If joint appointment cannot be achieved, the implementer shall appoint one appraiser as well as openly and randomly select the two other appraisers from the lists of recommended appraisers provided by competent authorities at different levels.

When deliberating on rights transfer plans, competent authorities at different levels may, if necessary, delegate other professional appraisers or professional groups to review the appraisal reports from the implementer and provide their opinions, and such opinions may serve as references in review of rights transfer plans.

Competent authorities at different levels shall consult with related professional groups to obtain the lists of recommended appraisers described in Paragraph 2.

- Article 51 At the time of rights transfer, the land needed for public facilities, including roads, gutters, playgrounds, neighborhood parks, squares, greeneries and parking lots, shall be provided by using the original public facility land, unregistered land and public land for roads, gutters and riverbanks. The funds needed to cover land shortage and engineering costs, rights transfer fees, loan interest, taxes, management expenses and costs of urban plan changes indicated in the urban renewal business plan, and fees required to apply for various building floor space incentives and floor space transfer shall be paid by the implementer first. After the competent authority approves the aforesaid amounts, the expenses to be jointly shared by land owners inside areas covered by rights transfer shall be calculated in accordance with the ratio of value of rights of each landowner, urban planning regulations and the investment put in and benefits received by each landowner. The amounts owed to the implementer shall be paid with land and buildings allocated after rights transfer at a discount. If the land and buildings allocated are smaller the area of minimum allocation unit due to the discount, such payments may be made in cash. Competent authorities should consider the actual situations to determine the proportion of common shared areas required for landowners within the rights transformation area mentioned in the preceding paragraph. Regarding the public facility within the rights transformation area that was not enlisted for common sharing mentioned in the first paragraph, in addition to the original landowners applied for allocation, original public lands should have the first priority to allocate. If this turns out to be insufficient, the discounted price of the land and buildings commonly shared used to offset the payment can be used for allocation. However, the publicly owned lands and buildings management institution (organization) or the implementer can request such public utilities management institution (organization) to share the required expenses. Basic standard of the minimal allocation area unit mentioned in first paragraph shall be determined by the municipal and county (city) authority. Landowners shall give the implementer the amount to be paid in cash as described in Paragraph 1. If any landowners do not pay the amount after they are urged by the implementer, the implementer may request the competent authority to issue written administrative dispositions to order the landowners to pay within a given period. If any landowner fails to comply, the competent authority may transfer the case for compulsory execution by the local branch of the Administrative Enforcement Agency, Ministry of Justice. Afterwards, the competent authority shall pay the amount of jointly shared expenses owed to the implementer with the funds acquired through the compulsory execution.
- Article 52 After deducting the common sharing of the discounted price substitute payment of the land and buildings after the rights transformation, the remaining lands and buildings shall be allocated to the original landowners according to the rights value proportion before each piece of land rights was transformed. For those who are not willing to participate allocation or the land and buildings being allocated have not reached the minimum area unit, cash can be used to compensate them. Based on the result of the required allocation mentioned in the preceding paragraph, if the allocated area of the lands and buildings is more than the required area allocation, the difference of the amount should be paid. On the contrary, if the allocated area of the lands and buildings is smaller than the required area allocation, the difference in the amount should be released. After compensatory cash ruled in the first paragraph was released or deposited, implementer should make a volume and submit it to competent authorities which should request competent departments to conduct the registration of ownership transferring. Based on the cash compensation mentioned in the first paragraph and the released difference amount mentioned in the second paragraph, the compensated persons should be periodically notified to claim the compensation after approval by competent authorities. If the compensation is not claimed before the deadline, it will be deposited in accordance with the law. Landowners obliged to pay the amount of difference specified in Paragraph 2 shall pay it to the implementer. If any landowners do not pay the amount after they are urged by the implementer, the implementer may request to competent authority to issue written administrative dispositions to order the landowners to pay within a given period. If any landowner fails to comply, the competent authority may transfer the case for compulsory execution by the local branch of the Administrative Enforcement Agency, Ministry of Justice. Afterwards, the competent authority shall pay the amount of difference owed to the implementer with the funds acquired from the execution. Those who have not paid the required difference in the amount payables cannot transfer the land and buildings that they have obtained from the allocation or set up an obligation. For any person violating this regulation, the transferring or the setup obligation will be invalid. If the transfer is processed because it was an inheritance, it does not come under this regulation.

Article 53 Landowners that disagree with the rights value after the rights transformation plan is approved, announced and executed shall apply to competent authorities with written statement within the two months since the date of executing the proposal. The competent authorities shall manage the dissension and deliberate for decision making within three months. Extensions for the deliberation period are permitted under the circumstance that technical assistance or consultation from professional association or institute is required by the competent authorities .The extension period is another three months. The party could file administrative remedy procedures by law if the party does not comply with the results.

During the period of disagreement inspection or administrative remedy procedure, the implementers must continue the urban renewal business unless have the approval from the authority.

If the results of disagreement handling or administrative remedy in first paragraph are different from the original appraised price; both parties must settle the price difference in cash.

The period of disagreement inspection in first paragraph shall deduct the time spending on technical consultation made by technical group or institution that are authorized by competent authority and on rights value re-evaluation made by technical group or institution that are authorized by implementers.

Article 54 When implementing the rights transformation area, the municipal, county (city) authority can publicly announce the prohibition of the following matters after the right transformation plan has been approved. If it does not affect the implementation of the rights transformation, it is not restricted by this regulation:

1. Transferring, dividing or setup obligations of land and building.

2. Remodeling, additional construction or new construction of buildings, taking gravel/soil or changing the terrain.

The duration of the prohibition mentioned in the preceding paragraph should not exceed a maximum of two years.

In the case of violation of the regulation stipulated in the first paragraph, the municipal, county (city) authority can order demolition, reconstruction, forbid use or restoration to its original state within a given time limit.

Article 55 Base on the rights transformation plan, the implementer's name (title) can be used to apply for a building license without submitting the land, building and other rights certifications.

Where an urban renewal business is implemented by the competent authority or an approved agency (institution) in accordance with Article 12 after public solicitation of capital and assistance for implementation of the urban renewal business is conducted, and the responsibilities and division of labor and contents of assistance are also specified in the urban renewal business plan, the corresponding building permit application may be filed in the names of the capital providers and the implementer without presentation of the other rights certificates.

Before the land improvements inside areas covered by rights transfer are dismantled or relocated, sales of land and buildings after renewal may not be conducted.

Article 56 After the rights transformation, the former owners of the allocating land and buildings are considered the original owners starting from the day the allocation result is confirmed.

Article 57 Land improvements inside areas covered by rights transfer to be dismantled or relocated shall be dismantled or relocated by the owners within 30 days after the owners, managers or users are notified by the implementer according to the rights transfer plan publicly announced by the competent authority. Such properties shall be handled according to the following procedure if they are not dismantled or relocated within the given period:

1. The implementer shall dismantle or relocate the properties.

2. The implementer shall request the competent authority of the municipality or county (city) to dismantle or relocate the properties.

Before dismantling or relocating the properties as specified in Subparagraph 1 of the preceding paragraph, the implementer shall negotiate the dates and approaches of dismantling or relocation, the resettlement or other related matters with the owners and set the deadline for the dismantling or relocation to be conducted. If the negotiations fail, the implementer shall act according Subparagraph 2 of the preceding paragraph and request the competent authority of the municipality or county (city) to conduct the dismantling or relocation. After accepting the request presented according to Subparagraph 2 of the preceding paragraph, the competent authority of the municipality or county (city) shall negotiate again. If the negotiations fail again, the competent authority of the municipality or county (city) shall set the deadline for the dismantling or relocation to be conducted. However, if the dismantling or relocation is to be implemented by the competent authority of the municipality of county (city) in the first place, the deadline for the dismantling or relocation to be conducted may be determined after negotiations fail and the regulation calling for further negotiations to be conducted shall not apply.

In situations where the land improvement to be dismantled or relocated are in the custody of or seized by the government or placed under compulsory execution or administrative enforcement, the implementer shall notify the custodian agency, the seizing agency, the court ordering the compulsory execution or the agency responsible for the administrative enforcement to take necessary measures before dismantling or relocating such properties.

The value or residual value of land improvements shall be compensated when they are dismantled or relocated as a result of rights transfer. The implementer shall commission professional appraisers to assess the value before determining the amount of compensation and also notify the indemnitees on a regular basis to collect the compensation. Amounts that are not collected within the given period shall be lodged according to law. Article 53 shall apply mutatis mutandis when indemnitees find the amount of compensation unacceptable.

If dismantling or relocation of land improvements as a result of rights transfer as stated in Paragraph 1 is not conducted by the owners, managers or user, the expenses incurred from dismantling or relocation by others shall be deducted from the amount of compensation.

The competent authorities of municipalities or counties (cities) shall define the application conditions, the documents to be presented and the approaches of negotiation or assessment or the operating procedures for dismantling of land improvements and other related autonomous regulations in order to provide the guidelines when implementers file applications according to Subparagraph 2 of Paragraph 1 and when the competent authority of the municipality or county (city) conducts negotiations or dismantling or relocation of land improvements.

**Article 58** For leased lands and buildings within the rights transformation area that cannot be used for its leasing purpose due to the rights transformation, the lessee can request compensation from the landlord based on the following regulations after the leasing deeds expire. But, if there have other agreements in the deeds, those agreements apply:  
1.If the leased land is used for building houses, the lessee can request a compensation equivalent to one year rentals from the tenant, if the remaining leasing period is less than one year, he/she can request a compensation equivalent to the rentals of the remaining leasing period.

2.For leased land or buildings besides those mentioned in the preceding subparagraph, the lessee can request compensation equivalent to two months rentals.

Lessees of lands within the rights changing area that have cultivated land 375 Leasing Deeds should process it in accordance with the regulations in Articles 60 and 17 of the 375 Leasing Deduction Act, and is not applicable to the regulation stated in the preceding paragraph.

**Article 59** Any servitude of real property created over land or buildings inside areas covered by rights transfer shall cease to exist.

If an servitude of real property created as described in the preceding paragraph is defined as requiring monetary rewards, the servitude of real property creator may request the land or building owner for certain compensation. Article 53 shall apply mutatis mutandis when disputes occur over the amount of compensation.

**Article 60** Legal Buildings and lands that have been set up with superficies rights, tenant farmer rights or cultivate land 375 leasing deeds within the rights transformation area should let the landowners and legal building owners, superficies rights owner, tenant farmer rights owner, agricultural rights ,or the lessee of the cultivate land 375 Leasing Deeds reach an agreement among themselves before drafting the rights transformation plan by the implementer.

If the agreement mentioned in the preceding paragraph is not reached, or the landowners are not willing or cannot participate in allocation, the implementer can estimate the rights price value of the ownership of the legal building and the price value of the superficies rights, tenant farmer rights, agricultural rights, or the cultivated lands 375 leasing deeds. He then allocate them to the owners of land, superficies rights, tenant farmer rights , agricultural rights or the cultivated land 375 leasing deed within the rights area of the land and buildings, then include them into the rights transformation plans.

The formerly owned legal building ownership, superficies rights, tenant farmer rights, agricultural rights or cultivate land 375 leasing deeds will be revoked or terminated. If owners of land, legal building, superficies rights, tenant farming rights , agricultural rights or the lessee of the cultivated land 375 leasing deeds have objections over the price value of the legal building ownership estimated by the implementer and the price value of the superficies rights, tenant farmer rights , agricultural rights, agricultural rights or the cultivated land 375 leasing deeds, the regulation stipulated in Article 53 can be applied .The allocations mentioned in the second paragraph are considered as transferred without compensation after the landowners obtain the distributed lands. The land value increment tax can be reduced by applying the regulations in Subparagraph 4 of Paragraph 1 of Article 67 and can also allow to be recorded. The land value increment tax shall be paid together by the legal building owner, superficies rights owner, tenant farming rights owner, agricultural rights or the lessee of the cultivate 375 leasing deeds when re-transferred after the rights changed.

**Article 61** If the land and buildings within the rights area have been set for collateral rights, lien rights or registration of restriction, unless being revoked of the agreement among themselves, the implementer will list it as deleted and send it to the competent authorities. The land and buildings will then be allocated to the former owners of the land

and buildings according to the recorded sequence. During the allocation of land and building after the rights transformation; if it is a combined allocation, the recording of collateral rights, lien rights or registration of restriction shall use the right value of each piece of land or each building before the rights transformation to compute its rights value.

When lands and buildings are conducted compensation by Subparagraph 3 of Article 52 and Subparagraph 4 of Article 57, for those are statutory under mortgage, lien rights or registration of restriction, implementers shall redeem, solve or lodgment without exceeding the amount of compensation which offered to original landowners or buildings owners. Then those rights would be abolished or terminated. Furthermore, implementers shall make a volume and submit it to competent authorities that should ask competent departments to conduct registration of cancellation.

Article 62 The implementer should present a proposal to manage squatters occupying the land owned by others within the area of the rights transformation. The proposal should be accompanied with the rights transformation plan for approval. If there has any objection, the regulations in Article 53 can be applied.

Article 63 After the allocation of rights transformation, the implementer should separately send the written notice to the land and building benefactors within the area of the rights transformation, and should process the turnover within a given time limit. If there is no turnover within the given time limit, it will be considered as having already turned over from the following day the time limit is due.

Article 64 Base on the results of rights transformation, the implementer should make a volume of the land and buildings which has been transformed and submit it to competent authorities that should ask competent departments to conduct registration of transferring or cancellation and issue new rights certificates. For those who do not apply to exchange new certificates before deadline, land authorities shall announce cancellation of their original rights certificates. If objections regarding urban renewal are filed when the announcement for registration of ownerships of the buildings described in the preceding paragraph is made the first time, the registration agency shall transfer such objections to be handled by the competent authority after the announcement period comes to a conclusion. After handling the objections in accordance with the regulations specified in this Act, the competent authority shall notify the registration agency to proceed with registration according to the handling results without following the regulation set forth in Paragraph 2 of Article 59 of the Land Act. With land and buildings already registered when rights transfer is implemented, participation in the rights transfer shall be registered in the names of such owners, and registration of requests for the land and buildings allocated shall also be conducted in the names of such owners.

## **VI Incentives**

Article 65 Building bases within the area covered by an urban renewal business may be given appropriate floor space incentives in accordance with the needs of the project. The floor space after the incentive is given may not exceed 150% of the floor space standard of each building base or 30% of the floor space standard of each building base plus the original floor space, provided that the total floor space does not exceed the threshold specified in the enforcement rules established in accordance with Article 85 of the Urban Planning Law. However, if a strategic renewal area is demarcated or changed by the competent authority according to Article 8 and the renewal is to be conducted according to Paragraph 1 of Article 12, and the area of the renewal unit achieves over ten thousand square meters, the total floor space after the incentive is given may not exceed 200% of the floor space standard of the building base or 50% of the floor space standard of the building base plus the original floor space without being subject to the upper limit on the total floor space after addition of floor space as specified in the enforcement rules established in accordance with Article 85 of the Urban Planning Law

When an urban renewal business is implemented, the building heights or building coverage ratio of an urban renewal area demarcated or changed according to Article 7 or 8 may be extended, and the competent authorities of municipalities or counties (cities) shall establish the standards. However, expansion of building coverage ratio shall be allowed for building bases in residential areas only and the original building coverage ratio may not be exceeded. The central competent authority shall establish regulations regarding the floor space incentive items, the calculation, amounts, application requirements and other related matters. According to the characteristics and needs of urban development, the competent authorities of municipalities or counties (cities) may establish autonomous regulations to govern the floor space incentive items, the calculation, amounts, application requirements and other related matters.

Floor space incentives given according to the autonomous regulations established by competent authorities of municipalities or counties (cities) as described in the preceding paragraph may not exceed 20% of the floor space standard of each building base. Floor space incentives given according to the proviso in Paragraph 1 may not exceed 40% of the floor space standard of each building base.

When establishing regulations or autonomous regulations according to Paragraph 3, the competent authorities at different levels shall take into consideration contributions to the urban environment, effects on the service standards of public facilities, contributions to preservation and protection of cultural assets, applications of new technologies and facilitation of implementation of urban renewal business.

The regulations before amendment shall apply to urban renewal business plans established and approved before enforcement of the amended provisions of this Act on Dec. 28, 2018.

**Article 66** In an urban renewal area, the floor space on land reserved for public facilities, sites and buildings to be preserved according to law or as specified in urban plans, buildings on sites deemed by the competent authority of the municipality or county (city) as worthy of preservation, land or street blocks with buildings reviewed and decided to be preserved according to Article 29, or land to be utilized to promote more effective use may be partially or entirely transferred to be used by other buildings in the building base. Regulations established according to Paragraph 2 or Article 83-1 of the Urban Planning Law with regard to approaches of floor space rights to be transferred out, the range of area for floor space rights to be transferred in, the upper limit on a building base floor space rights can be transferred in, the corresponding conversion formulas, transfer approaches and operating procedures shall apply *mutatis mutandis*.

The whole building bulk mentioned in the above paragraph that has been transferred to another building site for construction should register the original private-owned land as being publicly owned.

**Article 67** The taxes of the lands and buildings within the renewal unit are reduced/exempted in accordance with the following regulations:

1. Lands that cannot be used during the renewal are exempted from land value tax; and for those lands that can be continually in use; the land value tax is reduced to half. However for those that did not finish their renewals according to the planned schedule due to the owners' responsibilities, the land value tax will be collected in accordance with the law.

2. After the renewals, the land value tax and the house tax will be reduced to 50% for two years.

3. If legal building owners before renewal in a redevelopment zone acquire buildings after renewal and the properties are not transferred within two years during the two-year period of house tax reduction by half, the competent authority of the municipality or county (city) may extend the house tax reduction by half for up to ten years depending on the status of development of the area and whether the financial situation allows. The regulation shall not apply to buildings for which the two-year period of house tax reduction by half already expired before enforcement of the amend provisions of this Act on Dec. 28, 2018.

4. When land and buildings acquired through rights transfer are transferred the first time, the land value increment tax and deed tax shall be reduced by 40%.

5. The land value increment tax of those not willing to participate in the rights transformation and claim for cash compensation is reduced by 40%.

6. The allocated land received through the implementation of the rights transformation that did not reach the minimum unit of area distribution and had changed in order to claim for cash is exempted from land value increment tax.

7. If the lands and buildings are used to offset the payment sharing of rights transformation during the implementation of the rights transformation, the land value increment tax and the deed tax are exempted.

8. When original landowners and the implementer transfer property rights after joint construction by agreement, the competent authority of the municipality or county (city) may reduce the land value increment tax and deed tax by 40% depending on the status of development of the area and whether the financial situation allows.

The duration in which Subparagraphs 3 and 8 of the preceding paragraph are to be implemented shall be five years starting from the date of enforcement of the amended provisions of this Act on Dec. 28, 2018. The Executive Yuan may extend the duration once only for six months prior to the expiration of the period depending on the situation. Subparagraphs 3 and 8 of Paragraph 1 shall apply *mutatis mutandis* to urban renewal business plans for which are already presented for approval or approved but not yet completed before the implementation period stated in the preceding paragraph expires and building permit application are already filed within two years after the plans are approved or within one year after the rights transfer plan is approved and the project is completed according to established schedules.

**Article 68** If the land within the renewal area is used as a trust property and has instituted deeds of trust to specify the trust person as the beneficiary, the gift tax will not be collected. Transferring of ownership, because of the trust relationship, between the trust person and the beneficiary of the trust land mentioned in the preceding paragraph will not be collected for land value increment tax.

- Article 69 For those who use the land within the renewal area as a trust property and when the trust relationship continues to exist, the trustee will be the tax payer of the land value tax or the agricultural land tax.  
The land value taxes of the land mentioned in the preceding paragraph and the land owned by the trust person in the same municipal or county (city) jurisdiction should be combined in computing its total amount. A land value tax will be collected in accordance with the tax rate stated in the regulation stipulated in Article 16 of the Land Tax Act. The land value tax payable base on the proportion of such land value tax over the total land value tax amount will be separately computed. However, if the beneficiary of the trust benefits is not the trust person and is in line with the regulations stipulated in the following subparagraphs, the land mentioned in the preceding paragraph should combine with all lands owned by the beneficiary in the same municipal, or county (city) jurisdiction in computing its total amount:
- 1.The beneficiary is confirmed and entitled to all the trust benefits.
  - 2.The trust person did not reserve the rights to change the beneficiary.
- Article 70 If the implementer is an urban renewal business institution organized as a limited company, up to 20% of the total funds invested in an urban renewal business implemented in the renewal area demarcated or changed by the competent authority may be reduced from its business income tax of the year in which the urban renewal business is completed. If the business income tax to be paid in the year is less than the amount to be reduced, the reduction may be conducted in the four following years.  
Where an urban renewal business is implemented by the competent authority or an approved agency (institution) in accordance with Article 12 after public solicitation of capital and assistance from limited companies for implementation of the urban renewal business is conducted, and the responsibilities and division of labor and contents of assistance are also specified in the urban renewal business plan, the business income tax reduction .regulation stated in the preceding paragraph may apply mutatis mutandis to such companies.  
The off-set reduction total of the investment off-set reduction mentioned in the preceding two paragraph allowable each year is limited to no more than 50%of the business profit tax of such a company for that fiscal year. However, the last fiscal year's set-off reduction total is not restricted by this regulation.  
The applicable coverage of the investment set-off reduction mentioned in the paragraph 1 and 2 should be instituted by the Ministry of Finance after conferring with the Ministry of Interior.
- Article 71 If the implementer is a newly established company and has been operating an urban renewal business, it may publicly recruit corporate shares. The founders should include a development professional company of real estate investment development and owners of the real estate with the urban renewal business plan and owner of the superficies right. Their total share holdings cannot be lower than 30% of the total shares of the newly established company and they should report to the central authority for approval.  
The owners of the fixed properties within the urban renewal business plan and the owner of the superficies right should have priority when participating as the company founders in establishing a company mentioned in the preceding paragraph.  
If the implementer is a fixed property investment development listed company, it can publish a specific usage company's bond to raise funds for the urban renewal business plan, and Article 247 of the Company Act does not restrict it.  
When issuing corporate bonds with designated purposes, a listed real estate investment and development company as described in the preceding paragraph shall present certificates of approval by competent authorities at different levels to apply to and obtain the permission from the securities administration agency before it may begin operation.
- Article 72 Financial institutions giving loans to land and legal building owners, implementers or professional real estate investment and development companies participating in urban renewal business approved by the competent authority shall no be subject to Article 72-2 of the Banking Act.  
If necessary, the financial authority may stipulate the upper limit of loans described in the preceding paragraph to be given by financial institutions.
- Article 73 Important public facilities that need construction due to the implementation of the urban renewal business, except being stipulated in other regulation(s) of this Act, the implementer can request the management of such public facility to shoulder the whole or part of the expenses required for the construction . The expenses sharing should be specified in the urban renewal business plan.  
The authorities should coordinate with the renewal schedule and prioritize the construction and set out the management for the relative public facility required outside the renewal area.

## **VII Supervision and Management**

- Article 74 When executing an urban renewal business according to Article 22 or 23, the implementer shall establish the corresponding urban renewal business plan according to the progress specified in the ratified business summary for approval. If the implementer fails to present the plan for approval before the deadline specified, the approved business summary shall lose its validity. The competent authority of the municipality and County (city) shall notify the land and legal building owners in the renewal unit, holders of other rights, agencies for registration of restriction requests and holders of the right to registration of caution.  
If the urban renewal business plan cannot be sent for approval within the given time limit mentioned in the preceding paragraph, an extension can be applied by clearly specifying the reason. Each extension period cannot be more than 6 months; and is limited to two extensions only.
- Article 75 After the approval of the urban renewal business plan, the municipal, county (city) authority can inspect the implementing situation of urban renewal business plans at any time or regularly based on the actual need.
- Article 76 If any of the following circumstances is discovered during the inspection mentioned in the preceding paragraph, the municipal, county (city) authority should order the relevant party to remedy the situation within a given time limit or order it to stop the operation and fix the problem within a given time limit. If necessary, it can assign a person to supervise, take over or take any other necessary measures by municipal, county (city) authority:
1. Violation or alteration of the byelaws, business plans or rights transformation plans.
  2. Business neglected.
  3. Serious deficiencies in business and finance.
- Implementers that do not obey the orders mentioned in the preceding paragraph, the municipal, county (city) authority can revoke its approved renewals, and can take it over compulsorily; the regulations for taking it over are instituted by the central authority.
- Article 77 If an implementer delegated through open selection is found with unlawful acts or critical defects after the urban renewal business plan is approved and the condition is apparently disadvantageous to the owners and stakeholders, the owners or stakeholders may request the competent authority of the municipality or county (city) to investigate according Article 75 and take necessary action according to Article 76.
- Article 78 Within six months after an urban renewal business is completed, the implementer shall present the as-built drawings, financial statement certified by accountants and renewal completion report to the competent authority of the municipality or county (city) in concern for reference.

## **VIII Penal Provisions**

- Article 79 An implementer found in violation of Paragraph 3 of Article 55 shall be fined no less than NT\$500,000 but no more than NT\$5 million and also ordered to stop selling. If the implementer continues the practice, the fine shall be imposed repeatedly until the practice is stopped.
- Article 80 Those who have not demolished, remodeled, stopped using or restored to its original state buildings or land according to the regulations stipulated in Paragraph 3 of Article 42 or Paragraph 3 of Article 54 will be fined between 60 Thousand NT Dollars and 300 Thousand NT Dollars any necessary measures. Such as cutting off water, or electricity, closing down the building demolishing it by force or returning it to its original state, with all associated expenses shouldered by the land or building owners or the management.
- Article 81 Any implementer, who refuses, obstructs or attempts to avoid the inspection of Article 75 without proper reason will be fined between 60 Thousand NT Dollars and 300 Thousand NT Dollars, and can also be fined according to the changes.
- Article 82 The fines mentioned in the above three paragraphs are enforced by municipal, county (city) authority, and should be paid after being notified within a given time limit. If still not paid upon expiration of the given time limit, the case will be sent to the court for strict enforcement.

## **IX Supplementary Provisions**

- Article 83 When implementer of urban renewal business applies for construction license, the law which can be applied is that implemented on the day when the urban renewal business plan was sent to revise. Furthermore, application for construction license should be conducted in two years after the approval of urban renewal business plan. If rights transfer is adopted in an urban renewal business stated in the preceding paragraph and the rights transfer plan and urban renewal business plan are presented separately for approval, application for the urban renewal business building permit shall be filed within one year after the rights transfer plan is approved. If the application is not completed before the deadline as former paragraph, the law which can be applied is that implemented on the day when the construction license is applied. If the municipal and county (city) governments are slack in their work or put the administration on hold after the summery or plan of urban renewal business or right transformation plan has been sent to revise, implementer can request central government to handle. Then central authority should invite relative association, implementer and those who own related rights to confer immediately. Furthermore, central authority can revise or deal with projects directly when it is necessary.
- Article 84 With economically or socially underprivileged people who comply with Paragraph 2 of Article 4 of the Housing Act are proven to be living in the area covered by an urban renewal business plan one year before the plan is approved and announced or one year before the rights transfer plan is approved and announced or they are not qualified for the minimum allocation unit and end up becoming homeless after their homes are dismantled or relocated, in addition to including them in the resettlement plan of the urban renewal business plan or the resettlement program in the rights transfer plan for handling dwellers in illegal buildings, the competent authority of the municipality or county (city) shall provide them with public housing or rent subsidization in accordance with the Housing Act before their homes are dismantled or relocated, or establish a special project to handle such matters. The central competent authority may provide necessary assistance. In addition to defining the status of economically or socially underprivileged people according to Subparagraphs 1 to 11, Paragraph 2 of Article 4 of the Housing Act, the competent authority of the municipality or county (city) may also assess the actual condition in the renewal unit and define the status according to Subparagraph 12, Paragraph 2 of Article 4 of the Housing Act.
- Article 85 The competent authority of the municipality or county (city) shall provide counseling services or necessary assistance with regard to related regulations, financing channels and likely disputes. With parties lacking financial means to seek legal protection, the competent authority of the municipality or county (city) shall take the initiative to help them apply for legal aid or litigation assistance according to the Legal Aid Act, the Administrative Litigation Act, the Code of Civil Procedure or other related laws and regulations.
- Article 86 The approval ratio, review and ratification procedure regarding urban renewal business outlines presented before enforcement of the amended provisions of this Act on Dec. 28, 2018 but not yet approved by the competent authority of the municipality or county (city) shall be subject to the regulations after amendment. The establishment, review and approval and change of urban renewal business plans or rights transfer plans for urban renewal business outlines presented for approval or already approved before enforcement of the amended provisions of this Act on Dec. 28, 2018 shall be subject to the regulations before amendment, except for the regulations regarding holding of hearings specified in Article 33 and Paragraphs 1 of Article 48. After a rights transfer plan is established, it shall be presented for approval within five years after the corresponding urban renewal business plan is approved. However, with urban renewal business plans already approved before enforcement of the amended provisions of this Act on Dec. 28, 2018, the corresponding rights transfer plans established shall be presented for approval within five years after enforcement of the amended provisions of this Act on Dec. 28, 2018. The regulations after amendment shall apply to establishment, review, approval and change of rights transfer plans if the corresponding urban renewal business plans are not presented for approval within the period specified in the preceding paragraph.
- Article 87 The central authority shall prescribe the enforcement regulations for this Act.
- Article 88 This Act shall take effect from the date of promulgation.