

# **Act for the Establishment and Administration of Technology Industrial Parks**

- Article 1** This Act is laid down to promote investment, develop economy and trade, and boost innovation.
- The competent authority may, in accordance with the provisions of this Act, select suitable sites, delimit the scopes, and report to the Executive Yuan to set up science and technology industrial parks (hereinafter referred to as “the Parks”).
- Article 2** The competent authority of this Act is the Ministry of Economic Affairs (“MOEA”).
- Article 3** The establishment and administration of the Parks shall be governed by the provisions of this Act. Where situations are not covered by the provisions of this Act, the provisions of other relevant laws shall apply. However, when the provisions of other relevant laws are more favorable than those stated in this Act, the most favorable law shall prevail.
- Article 4** The term “businesses in the Parks” used in the Act refers to those approved businesses of manufacturing, processing, assembling, research and development, trade, consulting, technical services, warehousing, transportation, loading and unloading, packaging, repairing, and other related businesses approved by the Ministry of Economic Affairs, the competent authority.
- The term “businesses operating in the Parks” used in the Act refers to businesses in the Parks and other businesses that are approved to set up operation offices or liaison offices in the Parks.
- Article 5** The Parks’ affairs shall be handled by the Export Processing Zone Administration, MOEA (hereinafter referred to as “the Administration”) which is in charge of the following matters related to the Parks:
1. Matters concerning the review and approval of applications for investments in businesses operating in the Parks;
  2. Matters concerning the preparation of various facilities;

3. Matters concerning financial planning, scheduling and auditing;
4. Matters concerning business planning, research and development;
5. Matters concerning planning for investment attraction and external promotion;
6. Matters concerning the establishment and operation of bonded warehouses;
7. Matters concerning the establishment, management, and operation of storage and transshipment units;
8. Matters concerning the administrative management of the processing export business;
9. Matters concerning the management of public properties and earnings therefrom;
10. Matters concerning land use control and construction management;
11. Matters concerning the approval and issuance of certificates of business registration, management, and construction;
12. Matters concerning the setting up of factories and occupational safety and health inspections;
13. Matters concerning the affairs of industrial and commercial organizations and labor administration;
14. Matters concerning the issuance of certificates of origin and certificates of re-export;
15. Matters concerning certificates of import and export of goods;
16. Matters concerning management of foreign exchange and trade;
17. Matters concerning smuggling prevention measures and patrol inspections;
18. Matters concerning public welfare; and
19. Other matters authorized by law.

Where a Branch office is located in a Park, matters mentioned in Subparagraphs 8 to 19 above shall be undertaken by the Branch office and also subject to the supervision and command of the Administration.

Rules for managing the business of the Administration and the Branches shall be prescribed by the competent authority in consultation with relevant agencies.

**Article 6** The types of businesses operating in the Parks shall be determined by the competent authority according to the economic development policies as well as the location, area, and other situations of the Parks.

**Article 7** Bonded goods of the businesses in the Parks shall be handled in the same way as imported goods if such bonded goods are transported to the taxation zones.

**Article 8** The disposal of wastes and scraps of the businesses in the Parks shall be prescribed by the competent authority.

**Article 9** The following matters in the Parks shall be handled by the branch units set by, or the staff assigned by, the competent authority of the respective target business under the guidance of and in coordination with the Administration or its Branches:

1. Tax levy and collection;
2. Customs inspections for import and export goods and supervision and inspection during the transportation;
3. Post and telecommunications business;
4. Electricity, water supply, and other business matters related to public utilities;
5. Business matters related to credit institutions; and
6. Business matters related to quarantines and inspections.

In principle, the aforesaid branch units mentioned in the preceding paragraph shall base their offices in the Administration or its Branch.

**Article 10** Those who apply for the setup of businesses in the Parks shall fill in an application form, with relevant materials attached, and submit them to the Administration directly or to a Branch to be transferred to the Administration, for review and approval by the Administration in consultation with relevant agencies.

After the applications for business setup in the Parks are approved, the Administration or its Branches may send staff to inspect the businesses in the Parks. Where the business is not implemented according to its investment plan, or the business is not operated according to its operation plan after its investment plan is duly implemented, the Administration or its Branches may request the business in the Park to propose improvement or change plans within a certain period of time. Failing to propose the improvement or change plans within the required time, or failing to have such plans approved by the Administration, or

failing to implement such plans as approved, the business may be ordered to revoke such investment and move itself out of the Park within a time limit. Rules for the review of applications for business setup in the Parks, the implementation, completion, extension, modification, and revocation of the investment plans, and other related matters shall be prescribed by the competent authority.

**Article 11** Businesses that apply for setting up operation offices or liaison offices in the Parks shall fill in an application form, with relevant materials attached, and register with the Administration or its Branches.

Where any registered business items associated with the operation offices or liaison offices set up in the Parks are false and untrue, the Administration or its Branches may withdraw its business registration.

The Administration or its Branches may withdraw or revoke the registration of a business with operation office or liaison office in the Parks under any of the following circumstances:

1. The business fails to operate in accordance with its registered business items;
2. The business has voluntarily suspended its operations for more than three months;
3. The business fails to register for its business change by the expiry date;
4. The Administration or its Branches have ordered the business to move out of the Park in accordance with the provisions of Article 38 under the circumstances provided in Articles 32 to 36;
5. The business fails to renew the existing lease or enter into a new lease upon the expiry of the current lease; and
6. The qualifications of the business, its operations, registered legal person, or professional technical personnel have been withdrawn or revoked by the relevant competent authority.

Businesses with operation offices or liaison offices set up in the Parks shall apply to the Administration or its Branches for the cancellation of their registration when they terminate their operation in the Parks.

Those who have been ordered to leave the Parks in accordance with Article 38 by the Administration or its Branches shall not reapply for registration within two years.

For businesses that have operation offices or liaison offices set up in the Parks, measures for the application conditions, procedures, withdrawal or revocation, change or cancellation of the registration, and other compliance matters shall be prescribed by the competent authority.

**Article 12** All other application matters other than the preceding two articles for businesses operating in the Parks shall be approved by the Administration or its Branches or transferred to the relevant agencies for approval.

**Article 13** The central competent authority in charge of labor affairs may entrust the Administration or its Branches to handle the licensing of businesses that employ foreigners for professional or technical work in accordance with Subparagraph 1, Paragraph 1, Article 46 of the *Employment Service Act*, where the Administration or its Branches shall handle the matters in accordance with the relevant provisions of the *Employment Service Act*.

**Article 14** The Administration may develop the land in the Parks (hereinafter referred to as “the Park Land”) by itself or by entrusting private enterprises, and shall handle such developments in the following manners if the land is privately owned:

1. Expropriation of the land according to law; and
2. The landowner sets up superficies for the Administration to handle such developments.

The Administration may enter into a cooperative development agreement with a public enterprise that provides the land for development by the Administration.

The aforementioned cooperative development agreement shall include development methods, land provision, distribution, use, and lease, rent collection, taxation, legal dispute settlement, and other rights and obligations.

Where the land required for the development as mentioned in preceding paragraphs is publicly owned, the management agency of such publicly owned land may provide such land for the development without being subject to the relevant provisions of Article 25 of the *Land Act*; Articles 7, 28, and 66 of the *National Property Act*; Articles 25, 26, and 86 of the *Budget Act*; and property management laws and regulations of governments at all levels.

**Article 15** A part of the area in the Parks may be designated as communities which shall be developed and managed designedly by the Administration according to the needs of the Parks. The planning, zone designation or modification of land use shall be handled in accordance with the provisions of the *Urban Planning Law* or the *Regional Plan Act*.

The development and leasing management of the communities mentioned in the preceding paragraph and their land rental and fee standards shall be prescribed by the competent authority.

Buildings in the communities may be constructed by the businesses operating in the Parks upon request or by the Administration for leasing. When necessary, such investment, construction, and leasing may be open to private enterprises.

The buildings mentioned in the preceding paragraph shall be limited to leasing to people working in the Parks, where the rental standards shall be drawn up by the investors and constructors and submitted to the Administration for approval without being subject to the provisions of Article 97 of the *Land Act*.

Buildings, in the communities, invested and constructed by the businesses operating in the Parks or private enterprises may be offered for sales, if such businesses are under any of the following circumstances; transferees of such buildings shall be limited to those businesses operating in the Parks and such offers for sales shall be reported to the Administration for approval:

1. The company registration, business or legal person registration, or qualifications for investment and construction have been withdrawn or revoked by the relevant competent authority; or
2. The business shall move out of the Park in accordance with the provisions of Article 38.

**Article 16** The businesses operating in the Parks may lease the Park Land according to their needs, where construction costs of the public facilities shall be borne by the lessees in addition to the rents for such land.

The rental and fee standards for the land mentioned in the preceding paragraph shall be formulated by the competent authority.

The Administration or its Branches shall terminate the leases and recover the leased lands, if any lessees leasing the buildings on the Park Land in Paragraph 1 have rent in arrears for more than four months; this is not subject to the provisions

of Article 440 of the *Civil Code* and Paragraph 4, Article 103 of the *Land Act*.

**Article 17** The construction, leasing, and sales of buildings in the Parks (hereinafter referred to as “the Park Buildings”) shall be handled in the following manners:

1. Constructed by the businesses operating in the Parks;
2. Constructed by the Administration for lease and sales; or
3. Constructed for lease and sales upon approval through the investment by public or private enterprises.

Where the Park Buildings are constructed for lease and sales by the Administration as described in Subparagraph 2 above, the measures for lease and sales of such buildings shall be prescribed by the competent authority and shall not be subject to the provisions of Articles 7, 28, and 66 of the *National Property Act* and Articles 25, 26, and 86 of the *Budget Act*.

Where the Park Buildings are constructed for lease and sales by public and private enterprises as described in Subparagraphs 1 and 3 above, the regulations governing the approval procedures and review of the construction applications, and the leasing and sales of such buildings shall be prescribed by the competent authority.

**Article 18** The land, buildings, and facilities in the Parks developed by the Administration for public use shall be registered as “state-owned”, and managed by the Administration of Export Processing Zone (EPZ). However, the Park Land developed by an entrusted management enterprise shall still be registered as managed by the original entrusting agency.

**Article 19** The transferees of the private land or buildings in the Parks shall be limited to the businesses operating in the Parks.

The Administration or its Branches may offer to purchase, via mutual consultation, the land or buildings mentioned in the preceding paragraph in any of the following circumstances; the *Government Procurement Act* shall not apply to such purchase. Such land and buildings may be expropriated if the owners thereof refuse to participate in the consultation or an agreement cannot be reached through the consultation:

1. Not intended for use by the businesses operating in the Parks;

2. Improper usage;
3. Transfer price is rigged up;
4. Business has been suspended voluntarily for more than six months or ceased to operate;
5. The land is needed to accommodate any updated plans; or
6. The business shall move out of the Park in accordance with the provisions of Articles 10 and 38.

Where private land or buildings are acquired in accordance with the provisions of Subparagraphs 1 to 4 in the preceding paragraph, the Administration or its Branches may request the owners or the occupants thereof to remove any materials stored inside or outside of such land or buildings within a time limit. Failing to comply with such requirement within the time limit, the owners of the properties shall bear all expenses and damages incurred thereof for transferring such materials to another storage location or cashing out of such materials on the owner's behalf, or petitioning to the court for auctioning such materials; in such case the net proceeds, if any, after deducting the relevant costs shall be dealt with in accordance with the law.

Where private land or buildings are acquired in accordance with the Subparagraph 5, Paragraph 2 above, the original owners shall be given priority allocation of buildings or land for plant relocation, and compensations shall be offered for the losses caused by business relocation and suspension of work; the measures relating thereto shall be prescribed by the competent authority.

Any remaining materials left by the disbanded businesses that used to operate in the Parks shall be disposed of within one year. Otherwise, such materials shall be cashed out by the Administration or its Branches, or petitioned to the court for auctioning; in such case, the net proceeds, if any, after deducting the relevant costs shall be dealt with in accordance with the law.

The land or buildings acquired by the Administration or its Branches through purchase via consultation, expropriations, or petitions to court for auction, may be leased (in case of land) or leased or sold (in case of buildings), respectively, to other businesses operating in the Parks.

Regulations governing the land lease and the lease and sale of buildings as mentioned in the preceding paragraph shall be prescribed by the competent authority, without being subject to the provisions of Articles 7, 28, and 66 of the



*National Property Act and Articles 25, 26, and 86 of the Budget Act.*

**Article 20** The Administration or its Branches may conduct a compulsory auction of the private factories and related buildings in the Parks in any of the circumstances mentioned in Subparagraph 2 or 6, Paragraph 2 of the preceding article.

In case of the circumstance mentioned in Subparagraph 2, Paragraph 2 of the preceding article, when a compulsory auction is conducted in accordance with the provisions, the Administration or its Branches shall make a public notice and inform the owner of the building to rectify the improper use within a period of two years.

When the Administration or its Branches require such improvements within the time limit as mentioned in the preceding paragraph, it shall request the land administration authority to register an administrative lien on the property accordingly. The lien registration remains enforceable within two years, surviving any transfer of owner of the building, and remains applicable to any successors. In case of any delay due to causes not attributable to the owner, it shall not be counted towards the two-year period, which may be extended provided there are legitimate reasons.

Where improvement is duly made as prescribed in the preceding paragraph, the Administration or its Branches shall request the land administration authority to deregister the administrative lien. Where improvement is not completed by the time limit, the Administration or its Branch may fine the owner of the building in an amount less than 10% of the total assessed current value of the land associated with the building in the Park, and notify the owner of the building to propose an improvement plan within one month. Upon receiving the improvement plan, the Administration or its Branch may notify the owner of the building for negotiation, and the owner of the building shall complete the negotiation within one month from the date of receiving the notification for negotiation.

Where the owner of the building fails to propose an improvement plan in accordance with the provisions of the preceding paragraph, fails to complete the negotiation with the Administration or its Branch by the deadline, or in case of the circumstance described in Subparagraph 6, Paragraph 2 of the preceding article, the Administration or its Branch may make a written disposition specifying an assessed reasonable price of the factory and related buildings based on surveys of

current market values of the building before conducting a public and compulsory auction.

The compulsory auction mentioned in the preceding paragraph shall be carried out by branches of the Administrative Enforcement Agency, Ministry of Justice upon the entrustment of the Administration or its Branches. The procedures of the auction shall be governed by the provisions of the *Administrative Executive Act* unless otherwise provided in this Article.

Where the bidding is invalid in the compulsory auction of the factory and related buildings as described in the preceding two paragraphs, the auction shall not be settled if the highest price among the bids offered by the buyers falls below the assessed reasonable price based on surveys of current market prices, or other auction conditions are not met.

In case of the circumstance described above, the Administration or its Branch may re-commission the auction based on the same or newly-determined assessed reasonable prices, in accordance with the provisions of the preceding three paragraphs.

The factory and related buildings ultimately auctioned shall not be subject to the relevant provisions on the preemptive rights described in the *Land Act* or other laws, and the branches of the Administrative Enforcement Agency, Ministry of Justice shall notify the land administration authority to deregister the administrative lien, and other rights and restrictions against the subject property, and hand over the subject property to the successful bidder after the leases associated with the property are removed. When the Administration or its Branch finds that there is no need to continue the auction, the request made to the branches of the Administrative Execution Agency, Ministry of Justice shall be withdrawn, and the land administration authority shall be asked to deregister the administrative lien.

Regulations governing the matters mentioned in the preceding nine paragraphs, including the public notices and notifications, deduction of the delayed time due to non-attributable reasons and reasons for requests of extension, matters relating to the request for registrations, the methods, procedures, and matters of compliance for survey and assessment of market values, qualifications of the bidders and buyers in an auction, the conditions for the use of the factory and related buildings, the entrustments, and the procedures relating to the compulsory

auctions, the concurrence of proceedings relating to the execution of pecuniary credit, and the handling of the allocation of entitlements among the mortgagees, shall be prescribed by the competent authority.

**Article 21** Businesses in the Parks shall be exempted from the following taxes:

1. Import taxes, commodity taxes, and business taxes on machinery and equipment imported from abroad for self-use. However, if such goods are transported to the taxation zones within five years after importation, the relevant import taxes, commodity taxes, and business taxes shall be recovered in accordance with the provisions applicable to imported goods.
2. Import taxes, commodity taxes, and business taxes on imported raw materials, fuels, materials, semi-finished products, samples, experimental animals and plants, and goods for trade, storage and transshipment from abroad. However, if such goods are transported to the taxation zones after importation, the relevant import taxes, commodity taxes, and business taxes shall be recovered in accordance with the provisions applicable to imported goods.
3. The deed taxes on the acquisition of newly-built standard factories in the Parks or the buildings legally obtained from the Administration. When bonded products produced by the businesses in the Parks are transported to the taxation zones, custom duties shall be levied based on the net values of the factory prices of the goods minus the added values; also, commodity taxes and business taxes shall be levied in accordance with the provisions applicable to imported goods. Business taxes shall be levied against those businesses offering labor services to the taxation zones.

The calculation of the added values as mentioned in the preceding paragraph shall be determined by the competent authority in consultation with the Ministry of Finance.

Businesses enjoying tax exemption in accordance with the provisions herein shall not be required to apply for exemption, guarantee, accounting, and payment of security deposits, except that imported goods shall still be subject to customs clearance procedures.

**Article 22** Profit-seeking Enterprise Income Tax shall be levied against the domestic businesses in the Parks engaged in transshipment business based on 10% of their

transshipment income. However, this shall not apply to the branch offices of those businesses in the Parks when the headquarters of such businesses are located in the territory of the Republic of China.

The businesses mentioned in the preceding paragraph shall pay Profit-seeking Enterprise Income Tax in accordance with the provisions of Article 98-1 of the *Income Tax Act*. However, the provisions of Article 39 of the *Income Tax Act* shall not be applicable.

The operation methods for the application procedures, deadlines, and other compliance matters for the taxation of the businesses engaged in transshipment operations in the Parks in the preceding two paragraphs shall be determined by the competent authority in consultation with the Ministry of Finance.

**Article 23** The competent authority may delineate bonded areas within the Parks by reporting to and obtaining approval from the Executive Yuan, and hence offer the convenience of bonded service.

Businesses in the Parks may produce non-bonded products within the bonded areas mentioned in the preceding paragraph.

In order to ensure the convenience of bonded service in the Paragraph 1 above, regulations governing the customs clearance, processing, management, self-inspection import/export to and from the Parks, compilation of monthly reports, procedures of tax recovery on domestic sales of products, and other matters of compliance shall be prescribed by the competent authority in consultation with the Ministry of Finance.

**Article 24** For tax-free goods of the businesses in the Parks to be transported to taxation zones due to repair, testing, inspection, display, entrusted processing, or provision of labor services, approval shall be obtained from the Administration or its Branches and customs inspection shall be carried out, so that tax guarantee may be waived. However, such tax-free goods shall be transported back to the Parks within six months after exiting from the Parks and the procedures for closing case shall be completed. Customs clearance shall be made and duty shall be recovered if the goods are not returned to the Parks by the deadline.

The goods transported to the taxation zones for entrusted processing or under other special circumstances as mentioned in the preceding paragraph may be

directly exported or transported to the bonded zones without being sent back to the Parks upon approval of the Administration or its Branches, and procedures for closing case shall be done.

When it is necessary to extend the time limit for returning the goods to the Parks as described in Paragraph 1, a written request stating the reasons and attaching relevant supporting documents shall be submitted to the Administration or its Branches for approval before the returning deadline, and the extension period shall be limited to six months.

**Article 25** Goods sold by the manufacturers in the taxation zones to the businesses in the Parks shall be regarded as goods for export.

When the goods mentioned in the preceding paragraph enter the Parks, the application for tax reduction, tax exemption, or refund of import taxes, commodity taxes and business taxes, or for the goods to be returned to the taxation zone shall be submitted. The applications shall be approved by the customs, and relevant formalities for entry to the Parks shall be handled by the customs.

When goods are transported back to the taxation zones for which tax reduction, tax exemption, or refund of taxes has been applied as described in the preceding paragraph, relevant taxes and duties shall be levied or the previously reduced or reimbursed taxes shall be recovered based on the prices and tax rates of the taxation zones at the time when the goods are transported to the taxation areas. However, this does not apply to those businesses who have their machinery and equipment moved into the taxation zones more than five years ago.

**Article 26.** Businesses in the Parks may store, display, modify, process their goods, and perform other treatments. However, accounts shall be kept to record the quantities and monetary amounts of inbound and outbound goods in detail for auditing by the Administration or its Branches and the customs.

The goods mentioned in the preceding paragraph may be stored in the Parks indefinitely. If the goods are defective, a report shall be submitted to the Administration or its Branches for carrying out examination in conjunction with the customs and tax collection agencies. The goods may be deducted from the accounts once the case is confirmed and where this is a legitimate reason.

**Article 27** When importing and exporting goods, businesses in the Parks shall go through customs clearance procedures. Where the imported and exported goods are on the list of restricted items as specified by the competent trade authority, prior application shall be made to the Administration or its Branches for approval.

**Article 28** No one shall reside in the Parks, except for necessary management personnel, security guards, employees and their family members, and business staff on duty in the Park.

The businesses operating in the Parks shall submit their employee roster and photos to the Administration or its Branches for issuance of access cards.

People and vehicles entering and exiting the Parks shall enter and exit through locations designated by the Administration or its Branches, and undergo necessary inspections by the customs and security guards.

**Article 29** The Administration may choose appropriate academic research institutions for industry-university cooperation and undertake innovative cooperation with relevant agencies (institutions) for training of talents required by the businesses in the Parks, research and development of innovative technologies, startup incubation, and the exchanges and applications of technical personnel, instruments and equipment.

The implementation methods of the aforesaid industry-university cooperation and the regulations governing the exchanges and applications of technical personnel, instruments and equipment as mentioned in the preceding paragraph shall be prescribed by the competent authority.

**Article 30** The Administration or its Branches may collect management fees from businesses operating in the Parks for maintaining a healthy and safe environment, and working on public facilities. Regulatory charges or service charges may also be collected for handling matters provided in Article 5,. Businesses operating in the Parks shall pay such fees within the time limit.

The scope and charging standards for the management fees, regulatory charges, and service charges as mentioned in the preceding paragraph shall be determined by the competent authority.

**Article 31** The Parks shall set up operation funds for the exertion of the following matters:

1. Matters concerning the development, expansion, improvement, maintenance and management of the Parks;
2. Matters concerning investments or loans for the development of and related businesses of the Parks;
3. Matters concerning the research planning, design, and publicity related to the development and management of the Parks;
4. Matters concerning various operations and services; and
5. Other matters relating to projects approved by the Executive Yuan.

The rules for the safekeeping and application of the revenue and expenditure of the operational funds mentioned in the preceding paragraph shall be prescribed by the Executive Yuan.

**Article 32** Businesses in the Parks transporting goods into or out of the Parks, or failing to transporting goods back to the Parks by the time limit without submitting application to and getting approval from the Administration or its Branches, which violates the provisions of Articles 24 or 27 herein, shall be warned or fined in the amount between NT\$30,000 and NT\$150,000, or suspended from inbound and outbound transportation of goods for a period between one month and one year.

**Article 33** Businesses in the Parks failing to prepare accounts, keeping false or untrue records in the accounts, or refusing to be audited by the Administration, its Branches, or the customs in violation of the proviso in Paragraph 1 of Article 26 shall be ordered to make corrections within a time limit, and be fined in the amount between NT\$30,000 and NT\$150,000. Businesses failing to make corrections within the time limit may be punished per violation until they make the necessary corrections. In serious cases, such businesses may be suspended from inbound and outbound transportation of goods for a period between one month and one year.

Businesses in the Parks violating the regulations relating to the customs clearance, processing, management, self-inspection in inbound and outbound areas, compilation of monthly, the tax recovery procedures for domestic sales of

products as specified in Paragraph 3 of Article 23 shall be warned and ordered to make corrections within a time limit by the customs. Businesses failing to make corrections within the time limit shall be fined between NT\$6,000 and NT\$30,000 per violation, and those having been fined for 3 times but still fail to correct may have all or part of their bonding business suspended for up to 6 months.

**Article 34** Businesses under any of the following circumstances shall be fined between NT\$6,000 and NT\$30,000:

1. In violation of the provisions of Paragraph 1 of Article 28, someone residing in the Parks is not a member of the necessary management personnel, security guards, employees and their family members, and business staff on duty in the Park;
2. In violation of Paragraph 3 of Article 28, people and vehicles fail to enter and exit the Parks through locations designated by the Administration or its Branches, or refuse to undergo necessary inspections by the customs and security guards.

**Article 35** Businesses operating in the Parks failing to pay the management fees, regulatory charges or service charges as provided in Paragraph 1 of Article 30 shall be fined between NT\$6,000 and NT\$30,000 and notified to pay within a prescribed time limit. Businesses failing to make the payments by the time limit may be suspended from inbound and outbound transportation of goods for a period between one month and one year.

**Article 36** Businesses in the Parks engaging in smuggling or other illegal acts of tax evasion shall be dealt with in accordance with the provisions of the *Customs Anti-smuggling Act* or other relevant laws.

**Article 37** Businesses in the Parks declaring and transporting the non-bonded imported goods in the name of bonded imported goods shall fill out a declaration form within 30 days from the day of release of the goods and declare to the customs for recovery of the taxes and duties. Where the declaration is made beyond the time limit, such businesses shall not only recover the taxes and duties, but also be



charged a late payment calculated at 0.05% of the recoverable taxes and duties per day from the day of release of the goods to the day when the taxes and duties are settled. If the no declaration has been made at all by such businesses, such businesses, once identified by the customs, shall not only recover the taxes and duties and pay the late payment, but also be punished according to the relevant provisions of the *Customs Anti-smuggling Act*.

**Article 38** In case of any of the circumstances described in Articles 32 to 36, businesses operating in the Parks shall be subject to penalties in accordance with the provisions of the respective articles, and be ordered to move out of the Parks within a time limit.

**Article 39** The Administration or its Branches shall be entitled to check the export prices of any goods of any businesses in the Parks at any time. In case of any under-reported export prices, once identified, the businesses involved shall be punished in accordance with relevant laws and regulations.

**Article 40** In cases that criminal liabilities are also involved in the scenarios under which the businesses are penalized with fines, the cases shall be dealt with and penalized separately in accordance with relevant laws.

**Article 41** The enforcement rules for this Act shall be prescribed by the competent authority.

**Article 42** The effective date of the Act shall be determined by the Executive Yuan.