

Guideline for the Review and Approval of Application for Transforming Non-Urban Land into Recreational Facility Area, Developing Such Area, and Establishing Enterprise therein.

Article 1.

The Guideline is promulgated by the Tourism Bureau of the Ministry of Transportation and Communications (henceforth the Tourism Bureau) to review business proposals for the establishment of recreational facility area involving the application for change in non-urban land use in accordance with Article 30 of the Regulation for the Control of Non-urban Land Use.

Article 2.

The term "recreational facility area" as referred to in the Guideline, shall mean an area in which recreational facilities and services are made available for tourists engaging in recreational activities.

Article 3.

The items of recreational facilities of a business proposal shall be limited to those recreational facilities, outdoor amusement facilities, water-front recreational facilities, and facilities for tourism and recreational services that are permitted on recreation land in accordance with the Regulation for the Control of Non-urban Land Use. In the event that any items are deemed to be under the jurisdiction of the administrative authority for industries other than that of tourism, the related laws and regulations shall apply.

Article 4.

A recreational facility area shall be comprehensively planned in terms of recreational resources, distribution of tourist visits and tourist destinations in the region, transportation, general resources, and recreation capacity of this area, and shall ensure the conservation of natural scenery and ecological resources. Within the area, roadways, parking spaces, green zones, wastewater treatment, trash management, water and electricity supply, and other necessary service facilities shall be made available.

Article 5.

The scope of a recreational facility area shall be no less than 5 hectares. In the event of provisions stipulating otherwise under the Statute for the Development of Off-shore Islands or the Regulation for the Development and Construction on Slope Land, the related laws and regulations shall apply.

Article 6.

Applicants shall submit the application for the establishment of a recreational facility area, alongside of the following documentation:

1. Application form (see appendix 1)
2. Documentation concerning the premises, including documentation verifying land use right, copies of land registration and land address map. The area concerning the application shall be marked out in a distinct color on the land address map.
3. Business proposal.

Article 7.

The contents of a business proposal shall include the following items:

1. Analysis of the tourism industry: demand analysis; feasibility analysis; compliance with governmental projects and policies; analysis of the regional industries; market assessment; and impact assessment of the industrial sector of the proposed business.
2. Proposal outlines: location and scope of the proposal; soil fitness analysis; proposed mode of development; expected development benefits; proposed schedule of development; business categories and business contents.
3. Operating and management plan: contents of operations and management; organizational structure; business strategy; marketing and promotions; program and facility management; safety management.
4. Financial plan: capital requirement; fund-raising methods; cost analysis.

Article 8.

In the event of any items of a business proposal deemed necessary to be submitted or modified after the review, the applicant shall be notified to make submittance and modifications within 6 months upon

receiving notification. An application shall be dismissed when the required submittance and corrections are not made within the required period.

The abovementioned period for submittance and modifications can be extended by an application with stated reasons. Extensions can be granted two times at most, and the total period of extensions shall not exceed one year. An application shall be dismissed when the required items are not submitted or modified within the extension period.

Article 9.

The Tourism Bureau may reject an application when the submitted documents fail to comply with provisions in Article 2 to Article 8 of this Guideline.

Article 10.

After the business proposal is approved by the Tourism Bureau, the applicant shall apply for change in land use with the governing county or municipal government in accordance with related land use laws and regulations. After the application for land development permit is approved and the permit issued by the administrative authority of land use, the applicant shall revise documents concerning the business proposal in accordance with the approved contents and apply for the issuance of the finalized version of the business proposal with the Tourism Bureau.

Article 11.

For an approved proposal for a recreational facility area, after the construction work is completed and the construction passes inspections by the governing county or municipal government, its business operations may be commenced after its application for business permit is approved and issued by the Tourism Bureau.

The following documents shall be submitted with the application concerned.

1. Documentation verifying the approval of the business proposal.
2. Photocopies of use permit for the recreational facility area and its affiliating architectures.
3. Configuration maps of the completed recreational facility area

and documents verifying the passing of safety inspection on amusement facilities

4. Photocopies of business registration
5. Basic information of the recreational facility area (see appendix II)

Article 12.

Changes in the contents of an approved business proposal for recreational facility area shall be regulated by the following provisions:

1. For an expansion of operation scale, an application for the changes in the business proposal shall be submitted in accordance with the pertinent provisions, and its procedure is the same as that of a new application.
2. Changes in building-to-land ratio, building volume ratio or facility items of an approved business proposal:
 - A. Adjustments in the facility configuration that do not require changes in building-to-land ratio, building volume ratio and facility items of the approved proposal shall be reported the Tourism Bureau for recordation.
 - B. For changes in building-to-land ratio, building volume ratio or facilities, an application shall be submitted in accordance with the pertinent provisions, and its procedure is the same as that of a new application.

Article 13.

When deemed necessary, the Tourism Bureau may set up an advisory committee to review applications for recreational facilities areas. The establishment of the advisory committee shall be regulated in accordance with a guideline made separately by the Tourism Bureau.