



焦點專欄 / Focal columns

國有財產的範圍 (國有財產法第3條)

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|-----------------|---|
| 不動產 | 土地、土地改良物、房屋建築及設備 |
| 動產 | 指金額 1 萬元以上且使用年限在 2 年以上之機械及設備、交通運輸及設備及其他雜項設備 |
| 有價證券 | 股份、股票、債券 |
| 權利 | 地上權、...礦業權、漁業權、專利權、著作權、商標權及其他財產上之權利 |
| 減量額度 | |

國有土地產生溫室氣體「減量額度」定義及屬性之探討

為推動 2050 淨零轉型政策，行政院 112 年度召開淨零議題研商會議時，農業部於會中提出「國有土地產生之碳權歸屬」議題，為釐清碳權定義及是否屬國有財產法（下稱國產法）第 3 條第 1 項第 4 款規定之權利財產等事宜，財政部召開會議確認「碳權」即氣候變遷因應法第 3 條第 13 款規定之「減量額度」，且非屬國產法第 3 條第 1 項第 4 款規定之「權利」財產，並於本署網站建立因應氣候變遷國有土地減量額度問答專區供外界參考。

Discussion on the Definition and Properties of "Reduction Credits" for Greenhouse Gases Generated from National Land

In order to promote the 2050 Net-Zero Transition policy, the Ministry of Agriculture raised the issue of "the attribution of carbon rights generated on national land" during the Net-Zero Conference held by the Executive Yuan in 2023. In order to clarify the definition of carbon rights and whether they are considered property rights as specified in Paragraph 1, Article 3 and Article 4 of the National Property Act (hereinafter referred to as the Property Act), the Ministry of Finance held a meeting to confirm that "carbon rights" refer to "reduction credits" as stipulated in Paragraph 13, Article 3 of the Climate Change Response Act, and are not property "rights" as stipulated in Subparagraph 4, Paragraph 1, Article 3 of the Property Act. In addition, a Q&A section on national land reduction credits in response to climate change has been established on the website of the Ministry of Finance for external reference.



簡化中央管河川用地移交程序，提高效率又便民

本署與經濟部水利署（下稱水利署）於 112 年 7 月 6 日召開雙首長會議達成共識，為明確劃分中央管河川國有土地之管理權責，讓民眾可依法申請使用國有土地，本署經管中央管河川區域內國有非公用土地及水利署各河川分署經管河川區域外國有公用土地，可依現狀辦理管理機關變更移交對方接管。透過快速簡便之現狀移交程序，能大幅節約人力和行政作業時間，提高國有土地管理效能，同時保障民眾申請使用國有土地權利。

Simplifying the procedures for the transfer of river land administered by the central government in order to improve efficiency and provide convenience to citizens

The Directors-General of the NPA and the Water Resources Agency, Ministry of Economic Affairs (hereinafter referred to as the WRA), held a meeting on July 6, 2023, and reached a consensus. In order to clearly divide the management rights and responsibilities of national river land administered by the central government and allow the public to apply for the use of national land in accordance with the law, the NPA will manage national non-public use land in river areas administered by the central government and the WRA will manage national non-public use land outside river areas administered by its affiliated agencies. Depending on the circumstances, the agency in charge could be replaced and the management transferred to the other party. This quick and simple status transfer procedure can effectively reduce manpower and administrative workload, enhance the effectiveness of national land management, and safeguard the rights of citizens to apply for the use of national land.





免緊張！移請國產署標售之逾期未辦繼承登記不動產權益保障報你知！

內政部統計，截至 111 年底，地政機關移由本署標售之逾期未辦繼承登記土地及建物（下稱未辦繼承不動產），共土地 16 萬餘筆、建物 2 千餘棟，其中 107 年至 111 年，平均每年移交土地 9,540 筆、建物 212 棟，數量龐大。這類已移由本署標售之未辦繼承不動產，如未標出或 5 次未標出完成登記為國有前，繼承人可向地政機關申辦繼承登記；如已標出或 5 次未標出登記為國有後，繼承人仍可申請領回應有繼承價金，確保權益。

No need to stress! Protect your rights and interests regarding real estate that has not been registered for inheritance by the due date and transferred to the National Property Administration for sale

According to statistics from the Ministry of the Interior, as of the end of 2022, the Department of Land Administration has transferred land and buildings that have not been registered for inheritance by the due date (hereinafter referred to as uninhaerited real estate) to the NPA, with a total of more than 160,000 pieces of land and more than 2,000 buildings, of which an average of 9,540 pieces of land and 212 buildings were transferred annually from 2018 to 2022, a significant amount. For this type of uninhaerited real estate that has been transferred to the NPA for sale, if it has not been bid on, or prior to being registered as national property after failure of sale by tender for the fifth time, the heirs can apply to the Department of Land Administration for inheritance registration; if it has been bid on, or has completed registration as national property after failure of sale by tender for the fifth time, the heirs can still apply to receive the due inheritance amount to ensure their rights and interests.



耕地續租當地換 免除奔波熊蓋讚

國產署經管土地遍布全國各地，南部耕地租約數量大，南區分署為服務廣大承租戶，每年主動通知即將屆期租約的承租戶辦理續約，提供在地換約服務，讓承租戶能在當地完成續約手續。112 年度南區分署為方便高雄地區承租戶辦理續約，針對相對偏遠的行政區辦理了 16 個場次的在地換約服務，並就行動不便者派人到府協助簽約，提供溫馨服務，亦保障承租戶續約權益。

Dedicated and personal service for farmland lease renewal and local exchange!

The National Property Administration manages land all around the country, with a significant number of farmland leases located in the south. In order to serve the vast number of tenants, the Southern Region Branch takes the initiative to notify tenants whose leases are about to expire to renew their leases every year and provides local lease exchange services so that tenants can complete the renewal procedures locally. In 2023, in order to facilitate tenants in the Kaohsiung area to apply for contract renewal, the Southern Region Branch organized 16 sessions of local lease exchange services targeting relatively remote administrative districts and sent staff to assist those with reduced mobility with lease signing, providing an attentive service that also protects the rights and interests of tenants in renewing their leases.



法令宣導 / Announcement of legal amendments

113.03.07 修正「國有非公用土地設定地上權作業要點」

增訂配合國家政策指定產業公開招標之辦理方式及程序；放寬指定產業及專案提供設定地上權適用中央目的事業主管機關主管法規計收權利金與地租之優惠規定及適用時點；放寬專案提供設定地上權依其他法令申請審查案件時點。提高民間廠商或相關團體配合政府推動相關政策之意願。

The "Operation Directions for Establishment of Superficies on National Non-public Use Land" was amended

The amendments added methods and procedures for public tendering of designated industries in line with national policies; relaxed the preferential provisions and applicable timeline for the calculation and collection of royalties and land rents in designated industries and projects that provide for the establishment of land rights subject to the regulations of the central competent authority; and relaxed the timeline for the application of the provisions of land rights for projects to be examined in accordance with other laws and regulations. These amendments will increase the willingness of private manufacturers or related organizations to cooperate with the government in promoting relevant policies.

112.11.27 修正「國有非公用不動產被占用處理要點（第 6 點第 1 項第 12 款）」

增訂 112 年 11 月 27 日修正生效前屬學產地之公共工程拆遷戶遷建基地讓售案件，奉准簡化程序免辦理勘查，嗣經執行機關查明使用遷建基地讓售範圍外毗鄰國有土地上方空間情事，屬讓售當時未併同辦理讓售者，得予免收使用補償金。

Subparagraph 12 of Paragraph 1 of Article 6 of the "Disposal Directions for Occupied National Non-public Use Real Estate" was amended

Added: "The cases of the transferred or sold relocation bases of demolition households for public construction on scholastic land before the effective date of the amendment of these Directions on November 27, 2023, were approved to simplify the procedures and exempted from investigation. The use of the space above the adjacent national land outside the scope of the relocation bases, which is found to be a case of transfer or selling that had not been included at the time of transfer or selling, is exempted from paying the use charge."

112.10.19 修正「國有非公用邊際土地提供認養促進環境保護案件處理原則」

為協助環境保護團體（下稱環保團體）推動認養國有非公用邊際土地業務，修正環保團體申請擴大認養鄰近原認養範圍土地或認養期間經評審 2 次（含）以上績效優良，於期限屆滿前重新申請認養者，得簡化審查程序；及於符合認養目的及非營利使用前提下，環保團體辦理維護環境等事宜，得依當地建築法規，申請設置臨時性建築物

The "Principles for Provision of National Non-public Use Marginal Land for Adoption for Environmental Protection Purposes" was amended

In order to assist environmental protection groups (hereinafter referred to as EPGs) in promoting the adoption of national non-public use marginal land, the amendment simplifies the examination procedures for EPGs applying for adopting the land adjacent to the original scope of the adoption, or reapplying for the adoption of land before the expiration of the deadline after having passed two or more appraisals of outstanding performance during the period of the adoption. On the premise of conforming to the purpose of adoption and non-profit use, EPGs may apply for the establishment of temporary structures in accordance with the local building regulations when handling environmental protection matters.



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



標售不動產
Sale of real estate by tender



標租不動產
Lease of real estate by tender



招標設定地上權
ITT for the establishment of superficies

政令宣導 / Announcement of decrees



本署防範詐騙宣導專區官網網址

Webpage for the specialized anti-fraud education zone on the NPA's official website
<https://www.fnp.gov.tw/multiplehtml/a4918260e376415c8cf1ad59c8f487e8>



國產署 v.s. 專案設定地上權

NPA vs the Establishment of Superficies Regarding a National Non-Public Use Land Project



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

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



宣導環保團體認養國有非公用邊際土地

Promotion of National Non-public Use Marginal Land for Adoption by Environmental Protection Groups