

Content

Title :	Regulation for the Organization and Administration of Agricultural Technology Parks <b>Ch</b>
Date :	2009.04.13
Legislative :	1.Promulgated on September 30, 2004. 2.Amendment to Articles 9, 10, 17 promulgated on April 13, 2009.
Content :	<p>Article 1</p> <p>The Regulation is enacted pursuant to Article 18 of the Act of Establishment and Administration of Agricultural Technology Parks (hereinafter referred to as “the Act” ).</p> <p>Article 2</p> <p>The Agricultural Technology Park Administration (hereinafter referred to as “the Administration” ) shall set up a review panel to review Park Enterprises’ enrollment applications. The director-general of the Administration shall, as the chair of the panel, convene meetings for case review at any time. When the case requires special approval of a competent authority, the representative of the authority shall be invited to join the review process.</p> <p>The review panel shall consist of eleven (11) to seventeen (17) members with the director-general of the Administration as the apparent member. The remaining members shall be engaged by the Administration. The quota of the external members engaged shall not be less than half of the members.</p> <p>When a meeting of the review panel is convened, at least two-thirds of the members shall be present, and more than half of which shall be the external members. Resolutions shall be adopted only by the consent of two-thirds of the attending members.</p> <p>Article 3</p> <p>The business plans submitted by the applicants shall contain the follows:</p> <ul style="list-style-type: none"><li>n abstract;</li><li>n operating objectives and schedule;</li><li>n outline of the core technology;</li><li>n market analysis;</li><li>n marketing strategy;</li><li>n pollution prevention;</li><li>n financial plan (including risk analysis and economic benefits); and</li><li>n research and development.</li></ul> <p>Article 4</p> <p>With regard to the operations in the Park, the accounting of the Park organizations shall set up independent books.</p> <p>Article 5</p> <p>The majority of the managerial personnel of the incubation centers shall</p>

have at least two (2) years of experience in the investment, research, development, manufacturing, marketing or technical service in the technology industry.

The applicants of incubation centers and research institutions shall only lease land or factory buildings for the establishment in the Park after the Administration grants its approval of residency.

#### Article 6

The business plans submitted by the incubation centers shall contain the following items:

1. abstract;
2. operating objectives;
3. operating strategy and approach;
4. operating schedule;
5. service functions and market status;
6. competency and risk analysis;
7. management team;
8. financial plan;
9. demands for space, facilities, public utilities and other resources;
10. ideas for collaborations and service partnership;
11. public safety, health and environmental protection work; and
12. qualifications of those who apply to become resident enterprises in the incubation centers.

#### Article 7

The incubation centers may engage in the following businesses:

1. provision of space and facilities along with administrative management support;
2. promotion, consultation and support of technology, research, development, and marketing;
3. exchange of information and intelligence along with promotion and support of the utilization of intellectual property rights;
4. consultation and support of business service and management;
5. provision and support of space and facilities for testing and verification work;
6. human resource training and promotion of industrial cooperation;
7. consultation assistance or participation in investment and fund raising;
8. publication and demonstration of new products and technology;
- or
9. other businesses as provided for in the laws and regulations.

#### Article 8

The incubation centers shall enhance the establishment of service partnership with corporations and institutions in and outside the Park, nearby universities and other incubation centers.

#### Article 9

Applicants to the incubation centers shall propose the operation plans to the incubation centers for approval.

The incubation centers shall report the businesses that have been received permission to reside in the incubation centers (hereinafter referred to as the "resident enterprises" ) and space and facilities to be furnished to the resident enterprises, ideas for allocating service resources, and the environmental management plan to the Administration for the record.

#### Article 10

The resident enterprises shall start their residency in the incubation centers within three (3) months from the next day of receiving the approval notice; failure to do so without a prior approval for extension of the aforesaid deadline shall be deemed as forfeiting their residency.

The resident enterprises must complete the business registration before starting the operation. The residency period shall last three (3) years; if deemed necessary, an extension of no longer than three (3) years may be granted once.

Upon actual requirement, the resident enterprises may apply for early moving out of the incubation centers.

The incubation centers shall, within one (1) month from the next day the resident enterprises move out of the centers, file the information with the Administration.

#### Article 11

Any alterations to the business items of those resident enterprises that have already moved in the incubation centers shall be approved by the incubation centers and filed with the Administration through the incubation centers.

If the resident enterprises operate in contrary to the approved plan, the incubation centers shall notify the said resident enterprises to make improvements before a prescribed deadline and report such a case to the Administration. If the resident enterprises fail to comply, the resident enterprises shall cease their operations. The incubation centers may also order the said resident enterprises to vacate the premises before a prescribed deadline.

#### Article 12

If the incubation centers intend to close down business, the incubation centers shall make proper arrangement for those resident enterprises with unexpired residency based on their wish prior to closing down business.

#### Article 13

For the establishment of the research institutions, the applicants shall submit the applications and business plans, which shall contain an outline of the core technology. Article 6 hereof shall apply mutatis mutandis.

#### Article 14

The Administration may establish a task force to review the cases regarding the applications of residency in the incubation centers and research institutions. Article 2 hereof shall apply mutatis mutandis.

#### Article 15

The Park Enterprises, incubation centers, and research institutions shall commence with the implementation of the business plans within six (6) months from the next day when the residency is approved. If fail to comply after the prescribed deadline, the Administration may revoke the approval of residency.

The commencement of the implementation of the business plans as referred to in the preceding paragraph shall mean the situation where the Park Enterprises, incubation centers, and research institutions have finished the self-construction on rented land or leasing factory buildings after the residency is approved.

With regard to the duration prescribed in Paragraph 1 hereof, those with justified causes may apply for an extension of no longer than three (3) months to the Administration.

#### Article 16

The Park Enterprises, incubation centers, and research institutions shall operate in accordance with the business plans. Any alterations to the plans shall be approved by the Administration.

The Administration may dispatch personnel at any time to inspect the compliance status of the Park Enterprises, incubation centers and research institutions. The Administration shall notify those that fail to comply to make improvements before a given deadline.

The said Park Enterprises, incubation centers, and research institutions shall submit an improvement plan to the Administration within two (2) months from the next day of receiving the aforementioned notification. If fail to comply, the Administration may revoke the approval of residency. The Administration may request the review panel as set forth in Article 2 hereof to review the alteration plans as referred to in Paragraph 1 and the improvement plan as referred to in the preceding paragraph.

If the improvement plan is deemed infeasible by the review results as referred to in the preceding paragraph, the Administration may set a period of one (1) month requiring the concerned Park Enterprises, incubation centers, and research institutions to revise the said improvement plan. If the revised improvement plan is deemed infeasible again by the review results, or if there is no revised improvement plan filed by the deadline, the Administration may revoke the approval of residency.

#### Article 17

The resident enterprises shall, within two (2) months of approval, post a surety of 0.3% of the total approved capital in cash, promissory notes or checks issued by financial institutions, certified checks, postal money orders, pledged certificates of deposit by financial institutions, or government bonds.

If the resident enterprises fail to complete the company or branch office registration pursuant to Paragraph 2, Article 15 of the Act or fail to pay the surety as prescribed in the preceding paragraph, the Administration shall revoke the approval of residency; for those do not have on rented land or leased factory buildings, a refund with no interests of the originally paid surety shall be repaid to the resident enterprises. However, with justified causes, applications for an extension of no longer

than three (3) months may be granted.

Any Park Enterprises with the Park Enterprise Registration License for less than a year that requires further expansion due to business needs shall post a surety of 0.3% of the total approved capital increase as does the original investment.

#### Article 18

With regard to the examination of business business plans pursuant to Article 17, Paragraph 2 of the Act, the Administration shall organize an evaluation team to make an on-site evaluation that includes the follows:

1. Status of paid-in capital: The amount of paid-in capital required to complete the investment; and if the status of operation, profit/ loss and the debt ratio are satisfactory;
2. Production equipment: Whether the equipment are properly installed and meet the investment plan and if the test run has been successful;
3. Product items: Whether product items meet the original approved range and if the originally planned major product has been developed and sold in the marketplace;
4. Hi-tech personnel: The high-tech personnel ratio should meet the original investment plan;
5. Research and development: Whether the research and development plan has been fully implemented;
6. Safety, hygiene and working condition: That must meet the requirements as prescribed in related laws and statutes concerning safety, hygiene and working condition;
7. Environmental protection: Waste water and gas, waste and noise vibration, use of toxic chemical substances and recovery rate of water used shall all meet with the established requirements and the environmental impact assessment as well.

The members of the evaluation team as referred to in the preceding paragraph shall be appointed by the director-general of the Administration; experts and scholars may be recruited.

The Administration shall refund, with no interest, the guarantee fees to those deemed implementing in compliance with the business plans after the evaluation.

#### Article 19

The Administration may evaluate the business plan of an Incubation Center and research institution. Paragraphs 1 and 2 of the preceding Article shall apply mutatis mutandis.

#### Article 20

Once the approval of residency is revoked, the Park Enterprise, Incubation Center, and research institution shall, within two (2) months, move from the Park. The Park Enterprise shall, according to the Company Act, proceed with the formalities for relocation or cancellation of the company registration with the Administration.

#### Article 21

The guarantee fees shall not be refunded to those Park Enterprises that have their approval of residency revoked by the Administration or move from the Park on their own will while the business plans are incomplete.

#### Article 22

Living service businesses that establish service premises within the Park shall fill out the application forms and file the same along with an establishment plan and other relevant documents with the Administration.

The said establishment plan shall at least contain the follows:

1. organization structure;
2. operating functions;
3. service specialties; and
4. resource requirements.

Customs agencies, bonded goods transportations, construction businesses, periodical passenger transport businesses, and other businesses required the approval of the competent authorities pursuant to the laws and regulations shall establish their businesses in the Park with the documents of the approval issued by the competent authorities.

Those with no permanent operational premises established or personnel dispatched shall only enter the Park for business operations after a plan regarding the operations in the Park is filed with the Administration and the registration is completed.

#### Article 23

The approved living service businesses shall complete leasing land or operational premises and start the business operations within six (6) months from the day of approval. Failing to do so without an extension approved by the Administration, the approval of establishment may be revoked.

#### Article 24

The norms of the business plans or establishment plans of the Park organizations may be announced by the Administration.

#### Article 25

The Regulation shall be enforced as of the date of promulgation.