

Content

Title :	Offshore Islands Development Act Ch
Date :	2015.06.10
Legislative :	Amended and promulgated per Presidential Order Hua-Zong-(1)-Yi-Zi No. 10400067461 on June 10, 2015
Content :	Article 9-3 An original obligee before laying mines on April 30, 1971, or a possessor or his/her heir(s) by adverse possession according to Civil Code, of a land that locates within a minefield in the areas of Kinmen and that is registered as public land without following a remunerative procedure such as expropriation or procurement may, within five years after the amendment of this Article coming into force on May 26, 2015, apply to local Land Administration for the return of the land. Those applying for the return in accordance with the preceding Paragraph should present one of the following relevant certified documents that demonstrate the ownership of the land, or acquisition of the land by adverse possession in accordance with Civil Code, prior to laying landmines: 1. Certified documents of the land title prior to laying mines. 2. A certificate issued by the local township office or other government authorities. 3. Certified documents provided by at least two surrounding neighbors, or a certificate issued by the chief of the village (li, or neighborhood). The neighbor attestors or the chief described in the Subparagraph 3 of preceding Paragraph should have, during the period of occurrence to be proved, had registered as permanent residents at address(es) located in, or the village adjacent to, the land to be returned and had the capacity of a natural and juridical person. In addition, they should in conjunction with the obligee be present at the scene to survey and verify the limits. The application for the return of the land should be dismissed, if any certifier did not present after being notified twice by the local land administration. The certificates described above should specify that the area of the land has been approximately measured and that the results are facts of each attester's personal observation, rather than speculations. If an attester's household register had been relocated to other place during occupancy certified by the attester, the applicant should seek another attester to make up the deficiency. If certified documents to support the application for return of land described in Paragraph 1 are insufficient, the local land administration who supervises the related land should give notices to the applicant and request the applicant to provide amendment and complement to the insufficiency within three months. If the applicant cannot, or does not, provide amendment and complement to the insufficiency, the application should be dismissed. After having been verified by the local land administration, announced to the public for six months, and notified land managing authorities, without anyone raising any objection by the expiration of the announcement, the ownership of the land should be transferred by the local land administration supervising the related land. If the original land managing authorities have the need to continue using the land, the managing authorities should, according to law, apply to the landowner for a land tenure, procurement, or expropriation. The local land administration should review the case described in preceding Paragraph in conjunction with the local county government, the land managing authorities, and relevant authorities. During the period of announcement, if someone raises an objection, the matters should be mediated, mutatis mutandis, in accordance with Paragraph 2, Article 59 of the Land Act.

The application for the return of land specified in Paragraph 1 is not subject to the restrictions of Article 52 and 53 of the Urban Planning Law, Article 25 of the Land Act, Article 28, 33, and 35 of the National Property Act, or administrative legislation of public property specified by the local government.

An applicant when he applies for the first registration of an unregistered land that he had acquired to the real property by adverse possession but later lost the possession due to being enclosed in a minefield described in Paragraph 1 should be deemed to have uninterrupted possession of the land. The provisions of Paragraph 3 and 4 should apply, *mutatis mutandis*, to the requirements of the registration, such as the amendment and complement to insufficient evidence for review, the period of announcement, attester's eligibility, etc.

Article 12-1

A teacher who has entered into initial employment to teach at a senior secondary school, or a lower level, on any outlying islands should serve at least actual six years in such a position before the teacher may apply for a teaching engagement on the mainland Taiwan, in order to guarantee the right to education of students who inhabit on outlying islands.

The actual year limits of service described in the preceding Paragraph should deduct each the seniority in a position retained without pay, in addition to the seniority during parental leave without pay or a position retained without pay due to being conscripted. The seniority is limited to actual years of service at the school the teacher is currently serving.

Data Source : National Development Council Laws and Regulations Retrieving System