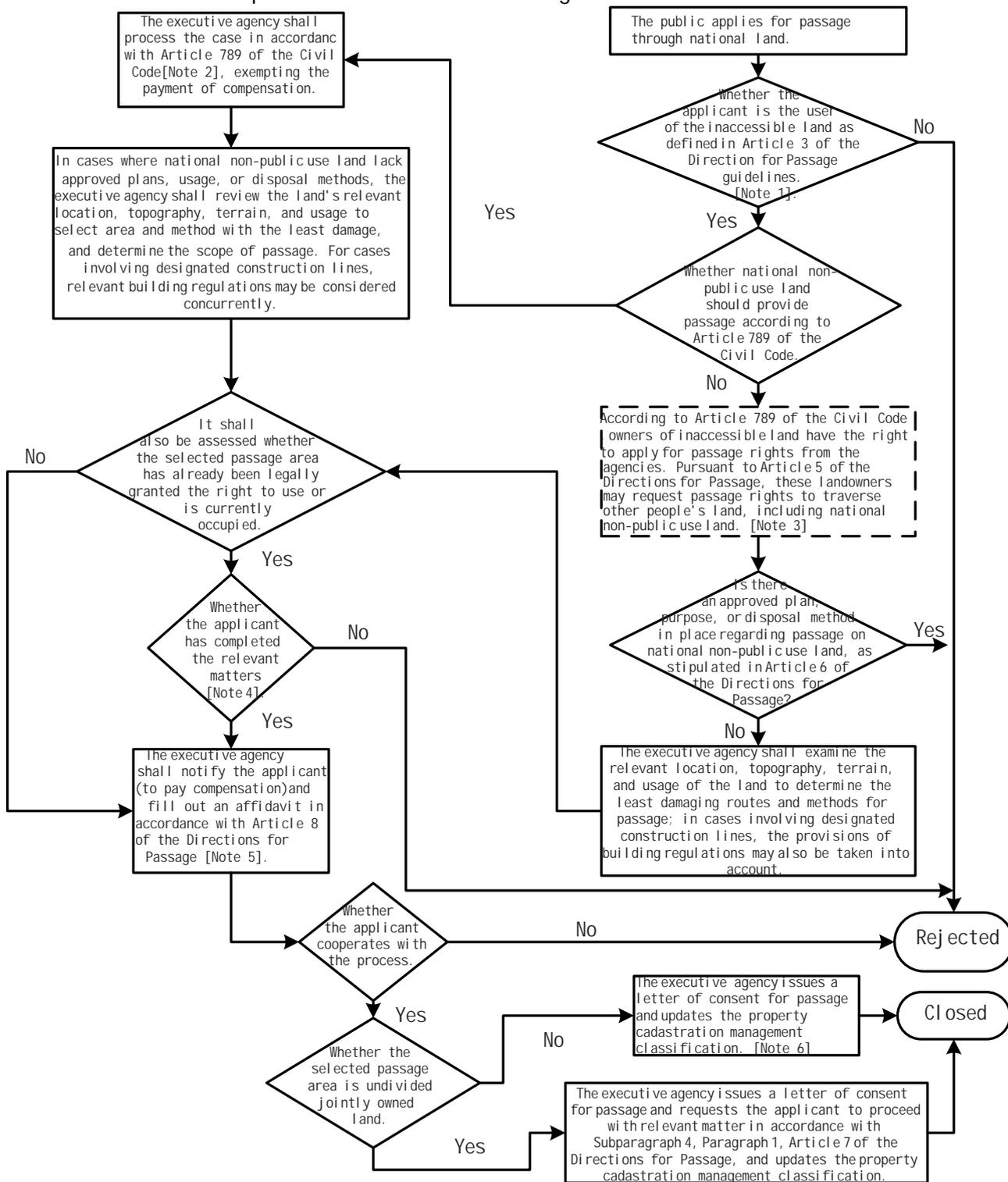


# Cases Operation Procedure under the Operation Directions for Provision of National Non-public Use Land for Passage of Inaccessible Land



Note 1: Article 3 of the Directions for Passage defines the rights holders of inaccessible land as including owners, superficies holders, agricultural land users, real property servitude holders, lessees, and other users. However, it does not include trustees or adopters of national inaccessible land.

Note 2: Paragraph 2, Article 4 of the Directions for Passage stipulates that the review of the transfer history of inaccessible land should adhere to the provisions of Article 789 of the Civil Code, with online inquiries of land and building information as the primary source. Applicants or stakeholders may also provide evidence on their own initiative.

Note 3: In cases of this nature, under any of the following circumstances, the applicant may enter into a separate agreement to provide access to national non-public use land for compensation, with differential treatment of compensation according to Paragraphs 1 and 2 of Article 9:

- (1) The land to be accessed is already built and used, leaving no space for passage.
- (2) The national non-public use land for which access is requested is currently used as a ditch, or it is not an existing alley but is used for passage.
- (3) The national non-public use land for which access is requested is residual land designated for public facilities such as roads or ditches, and it is irregular, small, and difficult to effectively utilize.

Note 4: According to Subparagraphs 1 to 3, Paragraph 1, Article 7 of the Directions for Passage, the applicant should handle the following matters if the selected passage area falls under the following circumstances:

- (1) If there are other rights holders: Except for providing access to national land for others, entrusting management, or adoption, the applicant should obtain written consent from the rights holder to apply for passage. If the inaccessible situation arises due to the transfer or division by the executive agency and it is difficult for the applicant to obtain written consent from the rights holder despite expressing intent to do so, the executive agency should assist in coordination.
- (2) If the applicant occupies the land: They should clear any surface items unrelated to passage.
- (3) If others occupy the land: In the case of indigenous peoples applying for the addition (or delineation) of indigenous reserve land, they should obtain written consent from the occupant for passage. For other land, they should undertake to commit to removing obstacles on their own.

Note 5: If passage is provided in accordance with Article 789 of the Civil Code, there is no need to notify the applicant to pay compensation. However, the applicant still needs to undertake relevant matters.

Note 6: The national non-public use land that agrees to provide passage should update its property cadastration management classification to "Reserved" and its sub-classification to "Consented Use." However, if the land that has already provided passage subsequently agrees to allow passage to others, or if the passage area involves other rights holders, occupants, trustees, or adopters, only add the code "XT01" in the other matters section, with the code name "Providing Passage or Use According to Civil Code Neighboring Relationship Regulations."

Note 7: According to Subparagraph 4, Paragraph 1, Article 7 of the Directions for Passage, if the selected passage area involves jointly owned land that has not been divided, when the executive agency agrees to provide passage, the passage rights holder should separately apply to the other co-owners for their consent.