

## **Little reminders for new residents from South-East Asia about acquiring real estate in Taiwan**

### **I. For new residents who have not yet acquired ROC citizenship, how can they acquire real-estate in Taiwan?**

Before obtaining ROC nationality, a new resident having obtained an ARC (alien residence certificate) is still considered a foreigner. Therefore, acquisition of real estate depends on whether the foreign spouse is from a reciprocal country of the ROC, and follow-up procedures are all subject to official regulations for foreigners to acquire real estate.

### **II. How do we know if a new resident is from a reciprocal country of Taiwan?**

To find out whether a new resident is from a reciprocal country of Taiwan, please check the “List of Reciprocal Nations for Foreigners Acquiring Land in Taiwan, ROC”, provided by the Ministry of the Interior.

### **III. Is there any limit on the usage of land in Taiwan acquired by a new resident?**

Besides accordance with the principle of equality and reciprocity, foreigners may acquire land for the following usages: self use, investment and public welfare; these include: residences, business sites, office buildings, shops, factories, churches, hospitals, schools for children of foreigners, diplomatic and counselor buildings, buildings of organizations for the promotion of public welfare, and cemeteries. In addition, foreigners may be allowed to acquire land for investments helpful or useful in major infrastructure projects, overall economic development, or agricultural and animal husbandry industries that are approved by the competent authorities

### **IV. What documents and procedures are required when a new resident applies for registration of the real estate purchased?**

Except for special investments that require approval from the central competent authorities related to the business objectives, the basic procedures for a new resident to apply for a registration of his/her purchased land are roughly the same as the ones for general sales and purchases of land. In addition to the required

documents for general sales and purchases of land, the applicant shall provide a translation of his/her passport and the land use zoning certificate (which is not required for land not under urban planning). Upon verification after receipt by the Land Office, the documents are then sent to the municipal or county (city) government for approval. Upon ratification for future reference, the Ministry of the Interior issues a letter to notify the Land Office for processing the registration.

I. First, verify whether the foreign spouse is from a reciprocal country in accordance with Article 18 of the Land Act.

1. Currently, residents from Thailand and the Philippines are entitled to create rights over real estate. Singaporeans are allowed to acquire any floor of a building with 6 floors or more above ground for use as a residency, and they are allowed to obtain the ownership of a building site or the right of superficies.
2. For residents from other countries, please refer to the “List of Reciprocal Nations for Foreigners Acquiring Land in Taiwan, ROC”, or submit a “Certificate of Reciprocity” for further administrative processing; that is, the applicant provides documents of evidence issued by the relevant competent authorities of his/her native country (or administrative region) specifying that ROC nationals also enjoy the same rights in his/her native country (or administrative region), and such documents have been verified by overseas ROC consulates and embassies, representative offices, offices, and other agencies authorized by the Ministry of Foreign Affairs.

II. Procedures: Foreigners obtaining rights over land in accordance with relevant regulations shall submit the following documents to the local Land Office where the land is located; the Land Office will send the documents to the municipal or county (city) government for approval:

1. Application form for land registration.
2. Documents proving reasons of the registration: such as a sale and purchase contract, a gift contract, etc.
3. Land ownership certificate.
4. Identification documents of obligor and obligee of changes in land rights.
5. Tax payment or tax exemption documents (such as tax paid-up or tax exemption certificate for land value increment tax, deed tax, or gift tax).

6. Land use zoning certificate (not required if the land is considered non-urban).
7. Authorization document (must be attached if unable to apply in person)
8. Other documents of evidence required according to the provisions of the Central Land Administration.

## **V. Thoughtful reminders:**

1. Hong Kong residents applying for acquiring real estate in Taiwan must hold a Hong Kong Permanent Resident Identity Card, and have no other forms of legal travel documents from any other area or country other than overseas British passports or Hong Kong passports.
2. In Taiwan, Singaporeans and Filipinos may only acquire condominium buildings and may not obtain single-family houses.
3. Nationals or legal persons of Thailand may acquire rights over land in Taiwan for the purpose of residency or investment.
4. Nationals of Indonesia, Macao, Vietnam, and Myanmar may not obtain real estate in Taiwan.