

Administrative Guidelines of Applying for Approval of Green Building Label

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1. The Ministry of the Interior (hereinafter referred to as the MOI) has formulated the guidelines herein to encourage the adoption of green building of ecology, energy saving, waste reduction, and health, so as to achieve a comfortable, healthy, and environmentally-friendly living environment.
2. Terminology and definition:
 - (1) Green Building Label: The label certified by the MOI as in compliance with the green building indicators to a building that has obtained an occupancy permit, a building that has been recognized by the municipal government as legal, or a specific building or community has completed construction.
 - (2) Green Building Candidate Certificate: The certificate certified by the MOI as in compliance with the green building indicators to a building that has obtained a building permit, a specific building still under construction, or an existing legal building or community.
 - (3) Applicant: The building developer, owner, occupant, managing agency, or the management committee or manager stipulated under the Condominium Administration Act Building Administration Division.
 - (4) Designer: The architect who has designed the building.
 - (5) Green Building Evaluation Manual: One of the versions of Green Building Evaluation Manuals (hereinafter as the "Evaluation Manual") published by the MOI Architecture

and Building Research Institute (hereinafter as the ABRI), including Basic, Residential, Factories, Renovation, Eco-Community and any other subsequent ABRI-produced versions.

(6) Rating: Green building rating determined in accordance with the rating methods outlined in the Evaluation Manuals as one of five levels: Certified, Bronze, Silver, Gold and Diamond.

3. These guidelines apply to the following subjects:

(1) Any buildings or communities required by the specific competent authorities for building affairs to obtain the Green Building Label or Green Building Candidate Certificate, where the preceding authorities have been designated by the competent authorities, municipal governments or the MOI to have such mandate.

(2) Other buildings or communities stipulated in the Building Act to be located in the applicable areas.

4. To apply for the Green Building Label or Green Building Candidate Certificate, the Applicant shall submit to the MOI a completed application form and a valid evaluation report issued within six months prior to the application date. The Label or Certificate will be conferred as the application passes the examination.

With regard to the evaluation report for Green Building Label or Green Building Candidate Certificate set forth in the preceding paragraph, the applicant shall apply to the Professional Evaluation Organization for Green Building Label designated by the MOI (hereinafter referred to as the PEO) with necessary documents for green building evaluation.

As regards the certified application that may need further supplementation and rectification, the applicant shall provide

supplementary documents within ten (10) days from the date of receiving the notice. In case of being unable to provide supplementary documents within ten (10) days, the applicant may request the extension with relevant statements. The extension may be granted for a period not exceeding ten (10) days. With no supplementary documents received at the expiry date, the application will be rejected.

5. The following items shall be specified in the application for certification:

- (1) Where the Applicant is a natural person, the name, address, contact number and signature of the Applicant shall be specified. Where the Applicant is a juridical person or organization, the name, uniform invoice number, address, contact number, signature and name of the representative of the juridical person or organization shall be specified.
- (2) The name, address, contact number and architect's business license number (waived if Paragraph 2 of Article 13 of the Building Act is applicable) and signature of the Designer. This requirement may be waived for the Community category and Improvement on Existing Buildings category in the case where there is no Designer. For an extension of certification, a signature from the original Designer may be waived if there have been no changes to the indicators and green building rating.
- (3) Building name, site area, total floor area and site divisions. The name, area and extent of the community shall be specified for the Community category. The area and extent of the interior space shall be specified for the Improvement on Existing Buildings category.
- (4) The certification category and version of Evaluation Manual

being applied and the green building rating.

(5) Name and contact number of the PEO.

6. The following items shall be specified in the evaluation report:

(1) Number and evaluation date of the evaluation report.

(2) Name of the PEO and names and signatures of its legal representative and evaluation committee members.

(3) The name and a brief description of the building/community.

(4) Green building category and rating.

(5) Evaluation report summary of the application case.

(6) Evaluation criteria, evaluation results and minutes of the evaluation meeting(s).

(7) Precautions.

(8) Other supplementary documents.

7. The following documents shall be submitted for the evaluation application:

(1) Summary of green building evaluation documents.

(2) Score chart for green building rating.

(3) Summary of contact person information.

(4) Affidavit by the Applicant and the Designer. Where the Applicant is the management committee or manager stipulated under the Condominium Administration Act Building Administration Division, proof of the homeowners commissioning the management shall be attached.

(5) Letter of authorization for the public viewing or duplication of the documents.

(6) Building permit, occupation permit, proof of legal building occupation or specific building permit. The preceding may be waived for the Community category where unavailable.

(7) A brief description of the building (including the floor plans of all levels, all facades and sections) or the community

(including current status of the community and a brief description of the surroundings).

- (8) Evaluation of and explanations for the indicators.
- (9) For the Improvement on Existing Buildings category, where the occupancy permit must amended or interior renovations must be conducted, the permits for such work shall be attached.

8. The evaluation criteria and required indicators for the application of Green Building Label or Green Building Candidate Certificate shall be handled according to the version of Evaluation Manual applicable on the date of building permit application or evaluation application. However, where the date of laws and regulations is otherwise stipulated in the building permit, or where otherwise stipulated in the environmental impact assessment or urban renewal or urban design review, such stipulations may apply.

Where any of the following situations applies to a project that has already obtained the Green Building Label or Green Building Candidate Certificate, the version of Evaluation Manual applicable to the original Label or Candidate Certificate may apply :

- (1) Having obtained the Green Building Candidate Certificate and applying for the Green Building Label.
- (2) Applying for an extension of the Green Building Label.
- (3) Applying for re-certification of the Green Building Label or Green Building Candidate Certificate.
- (4) Having obtained the Green Building Candidate Certificate or Green Building Label prior to the amendment of the Guidelines herein on May 1, 2012, passed more than four indicators including "Energy Conservation" and "Water Conservation" and applying for certification, certification

extension or re-certification.

For items not required in the Evaluation Manual, the PEO evaluation committee may formulate a conclusion and submit to the MOI for record.

9. The processing time of the application case for the PEO is prescribed as follows:

- (1) Basic and Residential: Upon registered receipt of the application, the evaluation shall be completed and an evaluation report provided within twenty-two (22) days for Green Building Candidate Certificate and fifty (50) days for Green Building Label.
- (2) Factories: Upon registered receipt of the application, the evaluation shall be completed and an evaluation report provided within thirty (30) days for Green Building Candidate Certificate and sixty (60) days for Green Building Label.
- (3) Renovation: Upon registered receipt of the application, the evaluation shall be completed and an evaluation report provided within fifty (50) days for Green Building Candidate Certificate and sixty (60) days for Green Building Label.
- (4) Eco-Community: Upon registered receipt of the application, the evaluation shall be completed and an evaluation report provided within sixty (60) days for Green Building Candidate Certificate and one hundred and twenty (20) days for Green Building Label.
- (5) For applications where the Green Building Candidate Certificate or Green Building Label had been obtained prior to the amendment of the guidelines herein on May 1, 2012 and being handled in accordance with the original Evaluation Manual, the processing time shall be as prescribed in

Paragraph 1 herein.

The processing time is within twenty-five (25) days for a building that has obtained the Green Building Candidate Certificate per the preceding Paragraphs 1 and 5, has applied, due to building modifications, to the original PEO for amendment and has attached the relevant drawings for record and documents, and has completed construction according to the approved drawings and is applying for Green Building Label upon inspection and acceptance of the building.

Where an application requires further supplementation and rectification, the Applicant shall be notified to provide such documents within thirty (30) days from the date of receiving the notice. If unable to provide such documents within thirty (30) days, the Applicant may apply for an extension prior to the deadline by submitting the relevant explanatory documents. An extension may be granted for a period not exceeding thirty (30) days. If the supplementary documents are not submitted prior to the deadline, the application shall be rejected and returned. The time required for the Applicant to supplement and rectify the application shall be excluded from the processing time.

A building/community that has completed construction but has not obtained an occupancy permit may apply to be evaluated for the Green Building Label, and may only apply to the MOI for certification after submitting the occupancy permit to the PEO within three months of receipt of the notice of evaluation approval and obtaining the evaluation report. If the submission is not made prior to the deadline, the application shall be rejected and returned. A building/community that has not obtained a building permit may apply to be evaluated for the Green Building Candidate Certificate, and may only apply to the MOI for certification after submitting

the building permit to the PEO within three months of receipt of the notice of evaluation approval and obtaining the evaluation report. If the submission is not made prior to the deadline, the application shall be rejected and returned.

10. The valid period of the Green Building Label is five years. Within six months of its first expiry date, an extension of the Label valid for five years may be granted by the MOI, provided the PEO has notified the Applicant to attend a joint on-site inspection conducted according to the simplified Green Building Label extension checklist and has sent a letter to the MOI for approval, and one of the following requirements is met :

- (1) The inspection results conform to the requirements.
- (2) The results of the inspection did not conform to the requirements but have come to do so upon improvement.

The foregoing improvement shall be made within thirty days of written notice; in the case where improvement cannot be completed, the Applicant may submit the relevant drawings and documents to apply for an extension; the extension is limited to thirty days. However, an exception may be granted where approved by the PEO evaluation committee due to special circumstances and reported to the MOI for record.

An extension of the certification will not be granted where the inspection specified in Paragraph 1 herein is rejected or the inspection results do not conform to the requirements and improvement is not made in accordance with Subparagraph 2 of Paragraph 1 herein.

A re-application for certification extension conducted in accordance with the foregoing three paragraphs, with the exception of the first application for certification extension, shall be made by the Applicant in accordance with Article 4 herein by

attaching an application and the evaluation report issued according to the version of Evaluation Manual applicable to the original Label within six months of the application date; each extension is valid for five years.

The Green Building Candidate Certificate is valid for five years. Where any of the following situations applies, the Applicant may attach an application, specify the extension period and supporting drawings and documents to apply to the MOI for an extension of the valid period; each extension is limited to five years maximum:

- (1) The construction period approved by the competent building authority exceeds five years.
- (2) An alteration of design conducted in accordance with Article 39 of the Building Act results in an increase of the construction period.
- (3) An occupation permit has been applied via registered mail.
- (4) Other circumstances not attributable to the Applicant.

The Green Building Candidate Certificate for a building or a community becomes invalid as soon as its Green Building Label takes effect.

11. Should a project that has obtained the Green Building Candidate Certificate change the status of its indicators or green building rating during construction, the Applicant of the Candidate Certificate may submit the relevant documents and drawings to the PEO to apply for evaluation, and then file to the MOI for re-certification after passing such evaluation.

Should a building/community that has obtained the Green Building Label change the status of its indicators or green building rating during its operation, the owner, occupant, managing agency, or the management committee or manager stipulated under the Condominium Administration Act Building Administration

Division of the building/community may submit a consent form from the original Applicant of the Label and the relevant documents and drawings prescribed in Article 4 herein to the PEO to apply for the evaluation and then file to the MOI for re-certification after passing such evaluation.

12. The PEO may invite scholars, experts, relevant organization, and the applicant to carry out an on-site investigation while evaluating relevant documents of Green Building Label applications.

For the application of the Label set forth in the preceding paragraph, the MOI may conduct a checking/verification work as needed.

13. The MOI or the PEO may conduct a random check or inspection aperiodically on the building/community with the Green Building Label or Green Building Candidate Certificate. Should the results of check or inspection not conform to the indicators specified on the Label or Candidate Certificate, improvement must be made within thirty (30) days; in case where improvement may not be completed within thirty (30) days due to special circumstances, the owner, occupant, or Applicant of the building/community may submit the relevant explanatory documents and an affidavit to apply for an extension; an extension may be granted for a period not exceeding thirty (30) days.

Where the situation described in the preceding paragraph has not been improved or still does not conform to the passed indicators and green building rating after improvement, the MOI may rescind the Label or Candidate Certificate, publish such action on the MOI Green Building Label website (<http://www.abri.gov.tw>), copy the local government where the building is located and notify the original Applicant of the Label or Candidate Certificate or the owner or occupant of the building/community.

14. The logo of the Green Building Label has been registered and announced by the MOI according to the applicable laws and regulations. For the tort or unauthorized copyright infringement of the Green Building Label or Green Building Candidate Certificate, the MOI shall announce the tortfeasor and the name of the building or community and claim the damage compensation in civil litigation and the doer shall be prosecuted for criminal responsibility in accordance with the law.
15. The Green Building Label or Green Building Candidate Certificate shall specify the name and a brief description of the building/community, valid period, the version of Evaluation Manual used and the green building rating. For a Green Building Label or Green Building Candidate Certificate issued prior to Jan. 1, 2007, the green building rating shall be specified according to the conforming indicators.
16. In case of the loss or breakage, the applicant can apply to the MOI for the reissuance with the reason statement.
17. The application case is certified by the MOI according to the application form and evaluation report submitted by the application. The MOI may cancel the certified Label or Candidate Certificate in following cases:
 - (1) The building permit is terminated or revoked by the local authority.
 - (2) Forgery.
 - (3) Submission of false information or evidence.
 - (4) Trespassing another's property or causing dangers or injuries.