To achieve net-zero emissions by 2050, the National Development Council has set a goal of an electricity mix where renewables will account for 70%, a significant increase from the 5.5% it represented in 2020. For Copenhagen Infrastructure Partners (CIP), this ambitious goal is a welcomed development, as the pioneering fund management enterprise aims to deploy EUR100 billion (more than NT$3 trillion) into green energy investments globally by 2030.

“Although we are still waiting for a more concrete blueprint and involvement from the Ministry of Finance, the Taiwan government is ahead of many others in announcing a net-zero goal,” says Marina Hsu, managing director of CISC Taiwan, the service company owned by CIP-managed funds. “This is really something we should applaud. Now, it’s time to incorporate constructive criticism and advice from the public and get to work.”

In Taiwan, CIP is building two offshore wind projects totaling 900 MW capacity, which will soon be able to power nearly one million Taiwanese households. But even with another 6.3 GW in the pipeline, the company’s hunger for offshore wind on the island is not yet sated. “We are deeply dedicated to all sorts of new technology that supports each market’s net-zero initiatives,” says Hsu.

But building offshore wind on the island is not without its challenges. Taiwan’s game rules for offshore wind projects differ from many other markets, mainly in terms of its strict localization requirements. While localization efforts allow Taiwanese enterprises to invest in equipment, facilities, and personnel, Hsu points out that when developing a local sector, pragmatic flexibility is essential for reducing the hazards of a potential domestic supply shortage.

“Because of the localization initiatives, offshore wind has created solid job opportunities in Taiwan,” she says. “It’s a transformation of society, and we’re enabling Taiwan to manufacture high-value green products. But we need a more pragmatic approach to localization. Since the companies are all new, they should be allowed room to mitigate risks because if they delay supply to developers, they will face liquidated damage.”

To ease the localization process, CIP has assisted its local suppliers with experts and project management teams. The company also supports corporations that wish to buy green energy for production purposes through corporate power purchase agreements (PPAs). Hsu notes that demand is soaring as Taiwan’s behemoths, as well as numerous small and medium-sized enterprises (SMEs), seek to meet client demand for green production.

“Our green energy is a highly coveted product, and it’s really a seller’s market at the moment,” she says. “We aim to produce the best possible product, but also to carefully choose our customers and develop a diverse portfolio. Many buyers are unaware of the price, purchasing process, and legal interface of buying green energy. A corporate PPA is a twenty-year deal, which means credit-worthiness is of paramount importance to banks.”

To advise and educate potential clients, CIP has invited its legal counsel, its main loan provider, and esteemed...
accounting firms to hold seminars on corporate PPAs and offshore wind. But Hsu stresses that private initiatives are not enough – the government must also play a role in ensuring that SMEs that need enough – the government must also meet external requirements.

Another issue facing green energy customers is the price of offshore wind energy. The cost of localization is significant, and with raw material prices rising due to the pandemic and the war in Ukraine, developers are under pressure to keep pricing low in order to win government contracts. Ultimately, notes Hsu, it is the consumers who bear the penalty of these inconsistencies. However, the industry is working hard to provide a cost-effective solution. “It’s an interesting game, and it’s full of challenges,” Hsu explains. “But we take pride in being a part of it and daring ourselves to do better.”

The fruits of CIP’s extensive efforts in Taiwan became tangible when the company’s order of the first domestically built wind turbine blade was unveiled in April. The Made-in-Taiwan blade will be installed at CIP’s Changfang and Xidao offshore wind project on a 9.5MW turbine later this year. The blades offer a spectacular sight for anyone passing by at 85m, or roughly 26 floors. But CIP’s vision for the future is for projects like these to be deemed ordinary rather than extraordinary, says Hsu.

“I hope that in a decade from now, we’ll see green energy at a lower cost, supported by a resilient and robust grid, and that green power is so normalized that it has lost its glamour. It should be part of everybody’s life, something we almost take for granted. That’s our vision for bringing renewables to Taiwan.”

**哥本哈根基礎建設基金：在淨零的路徑上與台灣同行**

为了在2050年前達到淨零碳排，台灣國家發展委員會訂下目標，屆時要將再生能源佔總發電量的比重增加至2020年的5.5％。對此，走在上海端的基礎建設基金公司哥本哈根基礎建設基金（Copenhagen Infrastructure Partners，下稱CIP）樂見其成。CIP於2030年，計畫在台鐵投資238億美元，投資金額至少將達1,000億歐元（逾3兆新台幣），是協助台灣達成碳中和目標的重要夥伴。

“雖然還有待政府提出更細部的減碳執行路徑，但台灣政府已比許多國家都更早宣布淨零目標。”CIP董事總經理許文飛說：“這是實現低碳的，也是期待政府為將來社會的具體建議與具建設性的資助，一起開始動起來。”

CIP早在台灣興建離岸風場，裝置容量合計900 MW（千瓦），不久將可供電給台灣近300戶家庭。CIP亦已於第三階段開發區域規劃在台灣增設6.3 GW（百萬千瓦）的裝置容量，「我們致力於投人各類綠能新技術，參與並協助世界上每個國家達成淨零計畫。」許文飛說。

在台灣興建離岸風場不無挑戰。台灣離岸風場的碳化要求尤其嚴格，儘管國外離岸電力企業得以投資於裝置、設施與人員，但許文飛指出，扶植在地產業必須務實並即時給予彈性空間，才能降低國際供應短缺與學習曲線陡峻不下的造成綠能無法準時併網供電的風險。

「離岸風電政策與國化產之關，離岸風場為台灣創造出數千個優質的工作機會。」她說：「這是一種社會轉型，我們跟政府一起協助台灣產生高價值的綠能與綠能產品。但國化產必須由工程規劃、準時施工、銀行融資和準時併網的角度來審視，缺一不可。因為幾乎所有本土企業都是第一次從事離岸風電產業，如果他們延創作業供給開發商，免不了會面臨的賠償罰款，也將導致綠能無法如期如質發電。」

為求於準時併網的條件下最大化國化產，CIP指派專家與專家管理團隊遠赴至在地供應商的廠房提供協助。對於希望購買綠能用於生產的企業，CIP亦協助其了解綠能購買合約的複雜度和風險評估。許文飛指出，台灣產業鏈與中小企業方因應RE100客戶的要求，帶動綠能併網合約需求翻騰。

「綠電現在正是賣方市場。」她說：「我們目標要生產最好的產品，同時也希望謹慎選擇客戶，打造出多元化的客戶陣容。許多買家對購買綠能的價格、過程與相關法規並不熟悉。企業的購合約

約一筆就是20年，因此融資銀行非常重視企業信用評比與永續性。」

為了陪伴潛在綠電客戶群，CIP邀請國內知名的律師事務所、最大型的本土銀行行庫與知名會計事務所，以企業綠電購售合約與離岸風場為主題舉辦說明會。許文飛強調，由民間力量出發來形塑市場機制是很重要的，政府亦必須確保有綠能需求的中小企業能夠獲得足夠支援，以期達到共好。

綠電客戶面臨的另一項議題將是未來購入離岸風電之價格。因國家化產成本上，設備與風場推進升前鹹料價格的狀況下，離岸風電的運作成本最終會轉嫁給綠電的買家。她說：「如提供具有成本效益的解決方案來創造開發商、綠電買家、本土產業鏈跟政府的多贏，確是很大的考驗。我們對於身為其中一環深感自豪，期許自己要精益求精。」

CIP深耕台灣市場的用心，一路不停開花結果，其下包商的台首支國化產離岸風場葉片正式亮相，今年底前將安裝於CIP位於彰化芳苑離岸風場的9.5 MW風機，這是全台最大也是全球希望的商業化機種，單一葉片長達64.5公尺（約20層樓），已在台中港港區的一大亮點。許文飛說，CIP的願景是希望助於技術成熟並預期風力，不再只是地方奇景。

展望未來10年，希望綠能的成本持續降低，納入具有剛性和穩定性的智慧城市，我會離岸風電的產業發展能夠正常化，成為大家生活的日常。」
Copenhagen Infrastructure Partners Doubles Down on Renewables

31 Through Collaboration, Education, and Innovation, Gilead Helps Safeguard Public Health

32 wpd is a Committed Partner in Realizing Taiwan’s Energy Ambitions

34 SRE is Building a Legacy of Sustainability for the Next Generation

36 Abbott Makes Scientific Innovations to Help People Live Healthier, Fuller Lives

38 Standard Chartered Invests to Help Solve the 150-Trillion-Dollar Problem

40 Taoyuan City Demonstrates the Importance of Resilient Cities in Meeting Global Challenges

42 Microsoft's Sustainability Commitments: Two Years Into Our Ten-Year Journey

20 President's View
U.S. and Taiwan: 2022's Reverberations from 1979
By Andrew Wylegala

28 U.S.-Taiwan Patient Care Innovation Forum
Elevating Patient Care with Access to Innovative Technology

SPONSORED CONTENT
CREATING POSSIBLE

We are committed to a better, healthier world for everyone.
One of the key lessons of the ongoing COVID-19 pandemic for both governments and societies is the importance of strengthening and promoting public health systems and initiatives to eradicate infectious diseases and safeguard populations. Taiwan, whose pandemic management has arguably been among the best in the world, has also made significant strides in fighting illnesses that have long plagued the island’s healthcare system and citizens. Among its achievements are a significant reduction in the prevalence of hepatitis B through newborn vaccination.

Taiwan has also pledged to eliminate hepatitis C (HCV) in Taiwan by 2025, five years in advance of the United Nations’ 2030 target.

Critical to these efforts is the input, assistance, and continuous innovation of the healthcare industry. In particular, multinational firms such as Gilead, a global research-based biopharmaceutical company with 35 years of experience developing products that help combat infectious diseases around the world, can provide their collective knowledge and expertise to the Taiwan government through collaborations and partnerships tackling different public health challenges.

One such area, says Gilead Taiwan General Manager Pongo Peng, is Taiwan’s ambitious HCV elimination goals. He emphasizes the progress Taiwan has made in meeting those objectives, including providing National Health Insurance coverage for HCV direct-acting antivirals (DAA) for chronic HCV infections. In addition, Taiwan’s health authorities have expanded HCV screening and linkage to care, including expanding eligibility for free HBV & HCV screening and granting prescription rights to treatment providers other than hepatologists.

In 2018, Gilead Taiwan donated HCV DAA treatment to the Ministry of Health and Welfare to be distributed to patients in aboriginal communities, with the intention of supporting the government’s program of addressing health inequities and eliminating HCV.

Nevertheless, Peng points to Taiwan’s dire situation in terms of liver cancer, the fifth most prevalent cancer in Taiwan and the one with the second-highest mortality rate. Given that one of the leading risk factors for liver cancer is chronic infection with HBV, it is imperative that Taiwan accelerate its efforts to fight HBV, developing a national HBV management policy, and eventually eliminate the disease in Taiwan.

Gilead has striven to assist Taiwan in those efforts through education and other programs. Its Asia Pacific ALL4LIVER Grant, launched in 2020 with an initial focus on hepatitis B, has provided more than US$1 million in grant funding to support initiatives led by community-based organizations across Asia. In Taiwan, Peng says, two projects stood out and received funding through the grant.

Another pressing public health challenge in Taiwan is the continuous spread of HIV, a disease for which Gilead is uniquely suited to lend their assistance.

“Taiwan is one of the only advanced
countries to achieve and surpass the 90-90-90 UNAIDS goal,” Peng says, referring to the global body’s three HIV targets (by 2020, 90% of those living with HIV would know their status, 90% of all people diagnosed with HIV would receive sustained antiretroviral treatments, and 90% of all those receiving those treatments would achieve viral suppression). In addition, he notes, “Taiwan was the first place in Asia to provide reimbursement for HIV treatments, and it subsidizes pre-exposure prophylaxis (PrEP) to prevent HIV transmission.”

Despite this progress, Peng concedes, the stigma associated with being diagnosed HIV positive persists in Taiwan. “The scientific data until this point has shown that undetectable equals unintransmittable (U=U),” he says, “This is a very important concept that the public be made aware of in order for the stigma to begin being lifted.” Another key issue for HIV patient care is continuing to improve screening and linkage to care.

Gilead’s Asia Rainbow Grant for HIV is one channel through which the company is seeking to resolve these issues. Since its launch in 2018, the grant has awarded around US$4.5 million to organizations across the Asia Pacific. In Taiwan, it has been able to reach through education or direct services more than 1.3 million people, with around 30 projects started by Taiwan community-based organizations.

The company has also provided consistent support to Taiwan in its fight against COVID-19, working diligently with the government to accelerate access to treatments and stabilize their supply in times of fluctuation. These actions demonstrate Gilead’s dedication to putting patients first.

Beyond its external efforts, Peng highlights the welcoming work culture Gilead has fostered in its operations around the world through its diversity, equity, and inclusion initiatives. “It is essential that we maintain a work environment in which we listen to our employees, encourage them to speak up about their concerns and share their opinions,” he says, “We thrive on a diversity of backgrounds and ideas.”
Made for today, tomorrow and for what’s needed next

Anticipating your needs is how we help you and the world of health stay ahead. For 125 years, BD has known one thing to be true—for healthcare professionals to be at their best, they need the best. That’s why we’re continually advancing the quality of care delivery by pioneering new technologies that address healthcare’s most pressing needs, often before they arise.

Visit bd.com to learn more.
Hernan loves electric vehicles.
We do too.

All over the world, people are falling in love with electric vehicles. At BASF, we feel the same – we’re making them even more sustainable by innovating around EV battery materials.

Read Hernan’s story at WeLoveEVs.basf.com
For many international investors, Taiwan represents something of a ground zero for renewable energy development. In fact, the seed of this market has been germinating for over two decades in Taiwan, and it now represents a multi-billion-dollar industry. Among the pioneers of Taiwan’s renewable energy renaissance is German developer wpd, who had entered Taiwan’s market in 2000, and built the first wind farm in Taiwan in 2005. wpd reached milestone after milestone in moving Taiwan toward a cleaner energy future.

As one of the first foreign renewable energy firms to penetrate the Taiwan market, wpd took a leading role in promoting the transformation of Taiwan’s energy mix to include more green forms of power generation and fewer fossil fuels, which later became one of the Tsai Ing-wen administration’s core policy aims.

wpd was also instrumental in developing the legal framework for renewable energy in Taiwan, providing the first draft of what would eventually become the Renewable Energy Development Act. And the company helped open the door for green energy trading. Whereas previously, renewable energy firms were only allowed to sell power to state-owned Taiwan Power Company to be subsequently dispatched to end users, thanks to the efforts of wpd and others, it can now be sold directly to private companies.

According to wpd Taiwan Chairperson Yuni Wang, it was only after these ideas the company had seeded were picked up by the government that the industry really started to take off, with offshore and onshore wind and solar energy developers and investors rushing in to take part in the booming business.

wpd’s current assets in Taiwan include around 450 megawatts of onshore wind power and 16.4MW of installed photovoltaic capacity. In addition, the company is currently developing offshore wind capacity in Taiwan as well. Its Yunlin offshore wind farm, currently under construction, will account for most of that capacity. A significant feature of this project is that 50% of the components used in its construction are made by local Taiwanese manufacturers.

Wang notes that wpd is the only renewable energy firm in Taiwan to have completely fulfilled its commitment to using local content, but notes that meeting that goal has not always been particularly easy. She points to wpd’s experience contracting a local engineering firm to produce the transition pieces (TP) – tubular structures that are fastened to the foundation of the wind turbine – for Yunlin.

Wang says the local firm did not have a lot of experience with producing the TPs, and wpd needed to bring in an outside expert from Europe to help them revise their production plan to meet international standards. The suggestions caused some friction, she says, as “changing up the workflows meant investing more money.”

Fortunately, the local company was very committed and professional, and wanted a long-term plan to enter the renewables industry,” Wang says. “In the end, they accepted our suggestions and produced high-quality TPs on time. This was a very great achievement.” She adds that despite the increased time, expenses, and manpower foreign firms must invest upfront to meet local content requirements, over a sustained period, it saves companies on transportation costs and provides them with some flexibility in case anything goes wrong. “In the long term, everyone benefits from this localization policy,” she says.

Fulfilling its local content commitment is far from the only challenge wpd has surmounted during its nearly 20 years of operating in Taiwan. Wang also describes the stigma and misconceptions the company has encountered regarding renewable energy, including concerns
about turbine noise and shadow flicker – the effect of the sun shining through wind turbine blades and causing a moving shadow.

She says that to break through some of these issues, “public education and communication are the most important actions a company can take.” Before the wpd’s first onshore wind farm was built, the company had visited villages near the wind farm. “We tried to answer all their questions and make them feel more comfortable about our project,” Wang says, noting that those actions help to build goodwill and support for renewable energy among local residents.

Last December, wpd signed a renewable power purchase agreement with a local Taiwanese company for more than 1GW of wind capacity (with around half coming from offshore wind and the other half from onshore wind assets), the largest such contract in Asia. Wang, for her part, views this as strong symbol of the self-reliant nature of Taiwan’s renewable energy industry. “Also, it shows that Taiwan’s green energy market is very big, and more companies have a large demand for renewable power,” she says.

The production of 40 transition pieces at CTCI Machinery Corp. (CTCI) in Kaohsiung.
Taiwan’s aspirations to become an island powered by green energy heavily depend on the efforts of wind power developers. And although the bustling industry now consists of many local and international firms, the first company to accelerate the island’s wind power transformation was Swancor Renewable Energy (SRE), a leading offshore wind developer.

SRE has been at the forefront of Taiwan’s offshore wind market for more than a decade. When building Taiwan’s first-ever offshore wind project, the company acknowledged the importance of responsibly incorporating environmental and social considerations into the project’s management. It therefore committed to implementing the Equator Principles, a risk management framework adopted by financial institutions to assess and manage environmental and social risk in lending decisions.

“Offshore wind is very capital-intensive and requires equity support and financial support from the banking industry,” says SRE chief executive officer Anna Su. “We collaborate with financial institutions that comply with the Equator Principles. This means we are raising the bar for green financing in Taiwan, which we are proud of and will continue doing.”

Su adds that SRE hopes to invite more international banks and domestic and state-owned financial institutions to initiate offshore wind project financing as part of their ESG efforts. “Taiwan’s wind power pipeline will only grow, and we want to extend the positive collaborations we have built with international and local financial institutions to also include state-owned banks investing in the island’s future.”

After taking part in two major offshore wind projects in Taiwan, SRE in 2019 initiated the planning and development of two large-scale projects, Formosa 4 and 5, both located in Miaoli County. The new wind farms, notes Su, are strategically located to conserve the natural habitat of endangered species and protect artificial reef areas. SRE also maintains continuous communication with the local community and stakeholders.

“We’ve already accumulated over 10 years of experience building offshore wind in Miaoli County,” she says. “We’re very happy to have built up solid relationships and trust with local stakeholders in the area, especially the fishermen’s association.”

SRE has dedicated itself to environmental education by engaging in campus activities and holding forums and seminars on offshore wind power and renewable energy. To get children acquainted with the scientific aspects of offshore wind power and related socio-cultural issues, SRE last year cooperated with Ecus Publishing to create Taiwan’s first-ever illustrated popular science book about offshore wind power. The company donated copies to all 119 elementary schools in Miaoli County to be used as teaching material.

“The students in Miaoli can physically see the wind turbines, and we want them to understand the technology behind the constructions and take pride in the fact that Taiwan is building green energy,” says Su. The next step is to extend the book program to include most schools and public libraries across Taiwan.

Early education is also a way to pique more people’s interest in the industry. Finding offshore wind staff is a challenge as the technology is still new, and the company competes for talent with other projects around the world, not just in Taiwan.

SRE therefore aims to cultivate a robust talent pool in Taiwan through continuous training and strategic recruitment. The company was recently invited
by Cheers Magazine to participate in its “TALENT, in Taiwan” campaign, where it joined 100 other companies in advocating workforce and workplace sustainability for local talent. SRE was the only offshore wind developer in Taiwan nominated to participate in the campaign.

This long-term vision is what permeates SRE’s work, where each endeavor is another step toward creating a sustainable environment for future generations, notes Su. As an example, she says that for every 500-megawatt project, the company reduces Taiwan’s carbon emissions by 0.39%. By itself, the number might seem small, but SRE’s real impact is the result of a convergence of efforts.

“We will continue to dedicate ourselves to offshore wind and other renewable energy options to realize our vision of being a leader in renewable energy across Asia,” she says. “Our market-leading position enables us to continue developing and constructing new offshore wind and renewables projects, helping Taiwan achieve its energy transition goals by 2050 and bringing about an energy revolution for the next generation.”

上緯新能源為下一代打造永續資產

台湾怀抱成为绿能岛的远大抱负，这项目标需要离岸风电开发商的积极参与。离岸风电是现今百花齐放，有众多本地与国际公司。在这其中，上緯新能源（SRE）始终扮演着领头羊的角色，为台湾风电发展与能源转型的进程做出重大贡献。

过去十年，上緯新能源一直在台湾离岸风电市场最前线。建置台湾首座离岸风电示范场时，该公司就秉持负责任的态度，将环境与社会因素纳入专案管理的重要考量，并遵循了赤道原则（Equator Principles），亦即金融机构评估专案融资时，用於衡量和管理环境与社会风险的赤道原则架构。

上緯新能源执行长苏容仪表示：「离岸风电是资本密集产业，因此来自银行端的支持极为重要。我们选择与参与赤道原则的金融机构合作，我们深感自豪并将继续将赤道原则应用於后续风场开发，此外，也期许这项抉择能为台湾的绿色金融带来正面影响。」

苏执行力长表示，上緯新能源希望邀请更多跨国银行以及本地民营和公营金融机构参与离岸风电资产的融资。携手落实 ESG（环境、社会与公司治理）。

“台湾的离岸风电产业肯定会长期成长，我们与国际和本地民营金融机构已建立良好的合作关系，期盼公营金融机构也能参与其中，一起投资台湾的未来。”

继续参与两座离岸风电专案后，上緯新能源於 2019 年开始规划及开发北海（Formosa 4）与南疆（Formosa 5）两座大型专案。苏执行力长指出，为保障渔业物种的自然栖息地和人工礁区，新风场的地理位置皆经过审慎策划，而上緯新能源也会与当地民众等地方利害关系人保持良好沟通。

苏执行力长表示：「上緯新能源在苗栗县已累积了近十年的离岸风电建置经验，我们很高興与地方人士，特别是台湾渔民，建立了稳固的關係与信任。」

上緯新能源长期致力於環境教育，除了ám积极参与校园活动，也举办离岸风电与再生能源的论坛与研讨会，为了解孩子们了解离岸风电的科学和相關社会文化議題，上緯新能源每年与木兰文化合作，创作了台湾第一本有關离岸风电的科普繪本，並向苗栗县全境共 119 所小学捐赠了繪本，為緯新能源教育使用。

苏执行力长表示：「苗栗的学生可以親眼看到風機，我們希望學生了解風機背后的科技知識，並可为台湾努力打造綠能家园而感到为此感到自豪」。上緯新能源的下一步将是环境教育计划推廣至台湾其他地区的学校与公共圖書館。

推廣学童綠能教育也是激发更多人对此行感兴趣的方式，寻找离岸风电人才并非易事，其因為該产业在台湾不仅是新的技术领域，招聘时還须与世界各地的專業精采人才。

因此，上緯新能源希望透過持续培训和策略性招培为台湾打造强大的人才库。该公司最近應《Cheers 杂志》邀请參加「TALENT, in Taiwan 台湾人才永續行動聯盟」活动，与其他一国际公司一起推動本地人才的勞动力与職場永續發展，在這當中，上緯新能源是台湾唯一一家获提名參与該長期活動的离岸风电开发商。

苏执行力长指出，永續的長期願景体现在上緯新能源的日常工作中，每一分努力，都是為子孫後代創造永續環境所邁出的一步。她举例，公司专案每达成3000兆瓦的建置容量，便可為台湾减少0.39%的碳排放量，這個數字乍看之下也许微乎其微，但卻力圖一點一点积聚起来的成果，便是上緯新能源的真正影響力。

苏执行力长说：「我們將持續深耕離岸风电与其他类型的再生能源，朝着成为亚洲再生能源领导者的愿景邁進。我们在市场的领先地位，将能够让我們继续开发与建置新的离岸风电和其他再生能源专案，帮助台湾达成 2050 年前能源转型的目标，并为下一代实现能源革命。」
For nearly four decades, Abbott has been making science-based nutrition products, innovative medical devices, diagnostics with advanced health technologies as well as branded generic medicines available to the people of Taiwan to help them live healthier and fuller lives. “Our 2030 Sustainability Plan is intentionally designing access and affordability into many of our life-changing technologies and products, and breaking down barriers that prevent people from getting the care they need,” says Arnaud Renard, Abbott Taiwan Affiliate Managing Representative and GM of Nutrition. The company’s contribution has demonstrated its role in the past several years in meeting the various unprecedented healthcare challenges facing this society.

The biggest challenge came from the sudden, global spread of COVID-19 two years ago. In response to the pandemic, Abbott developed a full range of tests, ranging from antigen, PCR antibody testing, and rapid testing (for home and professional use) to laboratory testing. Abbott’s tests have been instrumental in fighting the pandemic in Taiwan and elsewhere around the world. Abbott has been intently monitoring the COVID-19 mutations to ensure the tests can detect them, and the network of research, academic, and public health collaborators strategically placed around the world are actively sequencing viruses to look for the next viral threat, including COVID variants.

As soon as the Omicron variant emerged, Abbott’s dedicated team of scientists started working non-stop to evaluate it – and determined that the company’s rapid and PCR tests remained effective in detecting the mutation. The mission continues. Abbott keeps analyzing newer variants as they emerge around the world and remains vigilant in ensuring that their tests can detect them as support in combatting the pandemic.

A longer-term but no less severe challenge for Taiwan’s healthcare system is the rapid aging of the population. By 2025, 20% of Taiwanese are expected to be 65 or over, an age bracket that is particularly vulnerable to health risks. “For a long time one of Abbott’s top research focuses has been the correlation between nutrition and healthy aging and disease management, enabling the company to develop nutrition supplements based on medical evidence,” says Arnaud. Globally and in Taiwan, the company’s Ensure brand is the nutrition product most recommended by doctors to their patients to help prevent disease or facilitate recovery.

An example of Abbott’s research was a largescale 2019 study of nutrition in Asia that highlighted the need for the elderly to pay more attention to muscle health and immune systems. Afterward, Abbott launched the Stand4Strength Challenge in the Asia-Pacific to encourage people to self-examine their muscle loss status. To encourage a healthy lifestyle, Abbott developed partnerships with Real Madrid Football Club and the Real Madrid Foundation and also sponsors the world’s six biggest marathons, as well as the Sun Moon Lake Marathon in Taiwan.

In addition to address the aging issue, Abbott is well-known for its efforts to enable patients with chronic diseases to better manage their health and live fuller lives through its breakthrough medical devices and solid partnership with communities and other stakeholders.

Diabetes, which affects more than 2.2 million people in Taiwan – or nearly 10% of the population – is another area where Abbott makes a major contribution. For people with diabetes, nutrition with a tailored diet is the key. “Abbott cooperates with global and Taiwanese medical associations to address how to help people with diabetes to stabilize their blood glucose management, enhance their physical strength, and achieve better blood glucose control,” says Arnaud. This year, Abbott will be introducing a new sensing technology, the FreeStyle Libre 2 system, to the Taiwan market that enables glucose levels to be measured continuously by means of an arm patch. It eliminates painful finger pricks and is more convenient to know your glucose level to make lifestyle decisions.

In line with the trend to transform the delivery of healthcare through digital technologies, Abbott is also supporting the government’s drive to promote telemedicine to bring improved care to patients in rural or remote areas that may be several hours’ drive away from the nearest hospital. Since cardiovascular care is one of the company’s specialties, it has come up with a medical device that the patient can use from home to monitor heart conditions through arrhythmia detection, with the data then shared remotely with the physician through a smartphone connection.

Abbott holds diversified businesses and all of them are active in the Taiwan market. “With nearly 39 years in Taiwan and more than 450 local employees, Abbott is deeply rooted in this society,” says Arnaud. “As outlined in our sustainability plan, we intend to improve the lives of one in every three people on the planet by 2030. We are gratified that we can do our part to help the people of Taiwan manage their health and enjoy their lives.”

For more information, please visit Abbott Taiwan at: www.tw.abbott
亞培科學創新 幫助人們活得更健康、精彩

40年來，亞培不斷生產具有科學基礎的營養產品、創新醫療器材、先進醫療科技診斷工具及品牌學名藥，無數台灣人因此活得更健康。

亞培台灣分公司管理代表人暨營養事業總經理黎阿諾（Arnaud Renard）說：「亞培2030永續計畫，是要讓我們改

變生命的前瞻科技及產品更容易取得及負擔，幫助人們排除障礙，獲得所需的健康照護。」過去幾年，台灣醫療照護領

域銳度邁過鉅鉅挑戰，亞培也扮演要角，貢獻卓著。

兩年前全球新冠疫情爆發，是最大挑戰之一。因為疫情，
亞培研發一系列檢測工具，包括抗原、PCR核酸檢測、抗體
檢測，應用於快篩（家用、醫護用）及實驗室檢驗。不管在
台灣或世界其他地方，亞培檢測工具都扮演關鍵抗疫角色。
亞培長期密切監測病毒變異，確保檢測試劑能測出病毒，並
策略性地與世界各地研究、學術及公衛夥伴單位通力合作，
進行病毒定序，偵測新冠病毒株等潛在的病毒威脅。

Omicron變異株一出現，亞培科學家團隊立即展開密集評
估，確認旗下快篩及PCR檢測對變異株仍然有效。這項任務
仍進行中，隨著新型變異株在世界各處出現，亞培持續分析
並保持警覺，確保檢測效力，以支援防疫工作。

台灣醫療體系長期的重大挑戰，是人口老化加速。2025
年，台灣65歲以上人口，將達總人口的20%，該年族群健
康風險更高。黎亞諾總經理表示：「長期以來，亞培重視研究
營養、健康老化、疾病管理之間的關聯，並研發具醫療證據之
營養補充品。」在全球及台灣，亞培安素系列營養產品為最廣
受醫師推薦給病患之品牌，用以預防疾病或幫助恢復健康。

亞培致力研究的另一例證，為2019年針對亞洲人口營養現
況進行之大規模研究，點出長者應重視肌肉健康與免疫系
統。亞培也在亞太區域推行Stand4Strength挑戰活動，鼓勵
民衆自我檢測肌肉流失狀況，為倡導健康生活型態，亞培與
皇家馬德里俱樂部和基金會結盟，亦贊助世界六大馬拉松賽
事，以及台灣日月潭湖馬拉松。

除了關注人口老化，亞培廣為人知的，還有在慢性病領
域的成就。亞培研發突破性科技之醫療器材，也強化與社區
及其他關係人之夥伴關係，一同幫助慢性病患更佳的健康管理
，並活得精采美好。

台灣有超過220萬人罹患糖尿病，佔人口近10％，亞培
在該領域也極具貢獻。對糖尿病患來說，個人化飲食之營養
管理，極其重要。黎亞諾總經理表示，亞培與全球及台灣的
醫學機構合作，以幫助患者穩定血糖管理、加強體力，達到
更好的血糖控制。今年亞培也將引進瞬間連續式葡萄糖監測
器至台灣，透過創新感應科技及手環上的貼片，持續監測葡萄
糖，可避免針扎手指的疼痛，病患更容易依據測出的葡萄糖
數值做出生活決定，更加輕鬆簡便。

亞培也積極投入數位科技輔助的醫療轉型，支持台灣政府
的遠距醫學計畫，為解決軍醫隊遠途難的偏遠病患，改善
照護品質。心血管疾病照護為亞培全球事業之一，已研發出
新式醫療科技，讓病患在家中即可監測心律，並透過智慧手
機把數據遠端分享給醫師。

亞培具多元事業群，皆積極活躍於台灣市場，黎亞諾總
經理指出：「我們在台灣市場深耕將近39年，員工超過450
位。公司的永續目標，是在2030年前幫助改善全球三分之一
人之生活。我們很高興在台灣能幫助民眾管理健康，並享受
人生。」

欲了解更多亞培相關資訊，請至亞培官網：www.tw.abbott
Standard Chartered’s vision to be the world’s most sustainable and responsible bank includes considerable climate change obligations. The bank’s ambitious targets to reach net-zero emissions in its own operations by 2025 and in its financing by 2050 have sparked a wide array of initiatives impacting stakeholders and operations.

“Everyone has a role to play in limiting global warming to well below two degrees,” says Ian Anderson, CEO of Standard Chartered Taiwan. “The bank’s role is that of catalyzer in that it provides financing. As for Standard Chartered, we operate in 59 markets with a pronounced presence in areas that are expected to be the most impacted by climate change, and potentially also the ones that need the most help in making climate-friendly transitions.”

Between US$100-150 trillion of climate-aligned finance will be required until 2050 to achieve a scenario of limiting global temperature rise to 1.5°Celsius, an annual investment of US$3–5 trillion. Last year’s global sustainable financing of around US$1.6 trillion fell far short of that target.

To help accelerate the green transition of countries and companies, Standard Chartered has committed to mobilizing US$300 billion of climate-aligned financing globally until 2030. “These are big numbers that come with big commitments because the problem is massive,” says Anderson. He adds that building a net-zero client portfolio is a significant responsibility. “We need to enable companies to reach their climate goals through providing financing to decarbonization technology, wind, solar, relocation of plants and facilities, and much more.”

In a recent study, the bank found that 78% of multinationals are looking to transform their supply chains to align with sustainability targets and will remove suppliers that endanger their transition plans by 2025. Responding to this trend, Standard Chartered launched its sustainable supply chain financing scheme to help build climate-friendly supply chains to support the transition. Additionally, its sustainability-linked loan financing provides KPI-dependent incentives for companies to remove greenhouse gas emissions and score certain levels on sustainability indexes, completing multi-billion-dollar landmark transactions for leading Taiwan corporates.

These efforts are not limited to large corporates; the bank also provides innovative solutions for its retail and wealth management customers, such as green mortgages, time deposits, and sustainable investment products. “Customers want to invest in more sustainable solutions, and we are innovating to meet these demands,” says Anderson.

Standard Chartered works with several partners to achieve its climate ambitions. One of these is Imperial College London, which provides the bank with climate-related advice, thought leadership, and industry papers. The institution has also aided Standard Chartered in developing climate change, climate risk, and sustainability training for personnel through an online, interactive video platform. The bank has additionally signed a multi-year contract with consulting firm Baringa to model climate change-related transition risk and temperature alignment.

“When we make a risk assessment
of a client, we’re adding on a climate risk profile to the usual cash flow, balance sheets, and other indicators,” says Anderson. “We also undergo geo-coding and postal coding to risk-assess properties in the markets where we’re mortgage lenders.”

Standard Chartered also maintains high standards for its own properties. The bank has cut its carbon emissions by more than 30% since 2019 to roughly 6,000 metric tons per year, while its water usage decreased by the equivalent of three Olympic-sized swimming pools and its paper usage fell by 7.5 million pages. Meanwhile, the bank’s new headquarters in Taipei is undergoing LEED certification, and it is also looking at installing solar panels on a number of its properties in Taiwan to reduce its carbon footprint.

“But even with all these implementations, we have around 30% carbon emissions left to cut by 2025,” says Anderson. “We don’t simply want to mitigate these with carbon credits, so now we’re looking into sourcing green energy for our operations.” Anderson adds that Standard Chartered has already invested in five wind projects and one solar project in Taiwan, with a number of other renewable energy projects in the pipeline.

None of these advances would have been possible without the backing of an ambitious workforce, says Anderson, adding that he is fortunate to rally a passionate group of around 3,000 people with its own sustainability goals. The Taiwan team’s dedication to sustainability is so extensive that staff initiated a net-zero working group to speed up the bank’s green transition on the island.

“Climate-friendly action is an important value for our employees,” he says. “Of course, you want a competitive salary, but work becomes more meaningful when your organization also aligns with your own values and purpose, and it makes you want to excel. That’s why I feel confident that this is just the beginning of our sustainability advancement in Taiwan and globally.”

1. 成為永續、最負責任銀行的目標上，渣打銀行積極應對氣候變遷帶來的挑戰。為了落實2025年集團營運淨零排放、2050年投資資產淨零排放的宏遠目標，渣打也不斷推動多項計畫，期望為台灣創造其氣候變化發展的正向影響。

2. 「延續暖化，避免全球氣溫升高，我們責無旁貸。」渣打國際業務銀行總經理韓德聖說：「銀行的融資扮演著重要的功能。渣打所營運的93個市場，均位於氣候變遷高衝擊的區域，除了渣打自身努力之外，也發現這些地區在氣候變遷裡面極需協助。」

3. 據估計，要達成2050年全球升溫控制1.5度之內的目標，總計需要100至150兆美元的投資貨資規模來應對氣候變遷。換算每年投入的規模便須達3至5兆美元之譜。即便快速成長，2021年全球新擁有資產規模也僅約16兆美元，遠低於目標貨水準。

4. 為加快國家與企業層級的綠色轉型，渣打集團已承諾在2030年前在全球募集3,000億美元投資氣候融資專家。韓德聖強調，挑戰即便艱鉅，承認投資的金額也高，但也要建立淨零排放的客戶組合目標，任務刻不容緩。 「我們提供與企業投資，協助客戶部署減碳政策、推動風力及太陽能發電專案，或以發展設施遷移等各項計畫，來因應氣候變遷。」

5. 根據渣打集團近期的調查，已有達78%的跨國企業決定推動供應鏈的永續轉型，並計畫在2025年着手減少所有永續轉型的供應商數量。渣打積極推動永續供應鏈金融計劃、協助客戶推動永續轉型，重塑企業永續性的供應鏈。此外，渣打也推動永續績效連結貸款，為客戶建立包含關鍵績效指標的追蹤機制，透過財務績效鼓勵企業減少排放。在台灣，渣打也為台灣半導體龍頭客戶完成綠金額達數十億美元的永續績效連結貸款，帶動產業朝淨零排放的目標邁進。

6. 不僅企業金融，渣打也為消費金融以及財富管理客戶提供了創新理財方案，為永續發展貢獻心力，其中包括業界首創的綠建築房貸、美元永續定存及永續主題投資商品。韓德聖說：「客戶對永續理財方案的期待，也帶動渣打不斷創新，滿足需求。」

7. 為進一步明確氣候變遷對各領域帶來的挑戰，渣打更與許多領先夥伴跨界合作，例如倫敦帝國大學便舉辦氣候相關研討會。趨勢論述及研究報告供渣打建立應對氣候風險的框架。渣打也透過互動式線上影音平台，為渣打員工提供氣候變遷、氣候風險及永續相關主題培訓課程。渣打還與英國顧問公司Baringo簽約，未來幾年將持續投入氣候變遷與氣候風險的模擬，來協助評估企業實能適應風險。

8. 「我們對客戶風險評估時，除了分析常見的現金流量、資產負債表等財務指標，也會將氣候風險納入評估。」 韓德聖說：「我們採用地理位置、郵遞區號等方式，針對渣打承做貸款的房產地或物件，進行氣候變遷相關的風險評估。」

9. 不僅積極協助客戶轉型，渣打對自身也設立了更高的永續發展標準。2019年至今，渣打銀行在台灣的碳排放量已減少30%，達到6,000噸左右，每年一年約減少用水量，也相當於三座樂透規格的標準泳池，紙張用量也少了750張。剛進入的渣打銀行大樓，不僅正進行專注能源與環境影響的LEED認證，渣打銀行總部改裝在辦公室分裝設置太陽能板，以再生能源減少自身的碳足跡。

10.「不過，就銀行整體的實際到位，與2025年自身達成淨零排放的目標相比，我們仍有約30%的碳排放量需要進一步降低。」 韓德聖說：「我們不希望單純透過碳權交易來緩解氣候衝擊，而是針對營運需求，直接採用再生能源。」他說，渣打已在台北參與了購碳基金、一個太陽能電廠的投資計畫，也正籌備參加其他再生能源專案。

11. 韓德聖表示，團隊高層的企圖心，讓這些進展如順水推舟，他說，渣打已針對台灣9,000名同仁，不僅著重資源，也推動相關的永續發展目標攜手邁進。他很高興，同事們樂於投入永續發展工作，還在銀行內部啟動淨零工作組，加速銀行業務綠色轉型。

12. 「氣候友善行動，對渣打同仁有很大的價值。」 他說：「與有競爭力的薪資相比，公司的價值觀、目標若能與員工觀點契合，將更能創造工作的意義，激勵一起追求卓越。」渣打在台灣及全球永續發展已初見成果，我更確信未來發展將令人期待。」

JUNE 2022  •  TAIWAN BUSINESS TOPICS 17
Changing the practice of medicine

At Novartis, we harness the innovation power of science to address some of society’s most challenging healthcare issues. Our researchers work to push the boundaries of science, broaden our understanding of diseases and develop novel products in areas of great unmet medical need. We are passionate about discovering new ways to improve and extend people’s lives.
At Northland, we are enablers of change

United by our journey to transform the energy sector into the foundation for a sustainable future.

As global developers, builders and operators, we are motivated by a common vision of energy’s place on our planet. We believe in powering a better world for generations to come.

NorthlandPower.com

@northlandpower
President Biden’s declaration during his trip to Asia last month that the United States would defend Taiwan has put the nature of the U.S. relationship with Taiwan back at the center of American foreign policy concerns. This development has fueled further discussion about how, apart from military involvement, the United States can best assist Taiwan. We traversed some of this ground over 40 years ago.

In 1979 I set off from Buffalo, New York for a year’s immersion in Japan on a high school exchange. By chance, I was invited to tour the countryside with a group of adult Rotarians visiting from Keelung. We passed hours on a tour bus. Over a soundtrack of Judy Ongg music, we spoke of current events and Washington-Asian relations, including the Soviet invasion of Afghanistan and the start of formal U.S.-Peking ties. Much was beyond a high-schooler’s comprehension but still fascinated me.

By studying international relations and becoming a U.S. diplomat, I eventually came to appreciate just how significant 1979 was for our two countries, and the world. About the time the visiting Rotarians got back to Taiwan, Taipei-based attorney Robert Parker, then Chairperson of the American Chamber of Commerce in Taipei, was flying to Washington, D.C. His behind-the-scenes work and Senate testimony helped shape the Taiwan Relations Act, a legal framework to support the island’s physical security and international commerce, two prerequisites for Taiwan-American business and a stable society following the abrupt diplomatic derecognition of Taiwan.

For all the differences from 1979, a similar importance is in the air of 2022. Parker’s two prerequisites remain equally critical to the U.S.-Taiwan relationship, and a new campaign is underway to lobby Congressional action.

The 1979 framework worked. The economic, scientific, and people-to-people ties between the U.S. and Taiwan have flourished. Together we’ve perfected world-altering innovations and built up a trading relationship valued at over US$100 billion annually. According to the U.S. Department of Commerce, U.S. exports to Taiwan support some 208,000 American jobs. Investment in...
both directions is up sharply.

Our interdependence at the cutting edges of technology, best exemplified by trade in semiconductors, is remarkable. But alongside this prosperity, so too has grown the China challenge that was the crux of concerns in 1979. Also on display are the ruptures to the global trade order that made possible complex manufacturing supply chains and, we then believed, the equitable distribution of the benefits of that international division of labor. America’s trade-liberalizing momentum came to a full-stop in January 2017 with its withdrawal from the Trans-Pacific Partnership (TPP) accord, but even a decade earlier the progress in strengthening U.S.-Taiwan economic ties had slowed to a crawl.

Since June 2021, the Biden Administration has repeated or initiated four economic initiatives with Taiwan that hold promise for improving the bilateral relationship. But they simply do not go far enough. Without comprehensive scope, market access coverage, and a clear destination, these initiatives – from the Technology Trade & Investment Collaboration to the brand-new U.S.-Taiwan Initiative on 21st Century Trade – fall short in terms of binding integration and geopolitical signaling. A full-scale Free Trade Agreement (or Bilateral Trade Agreement, BTA) can best meet the challenges of instability in the Taiwan Strait and globally.

The case for bolstering American security by supporting Taiwan’s economy and reducing its international isolation was hammered home years ago. Now studies such as one just completed by the Heritage Foundation add the economic and business case for the BTA. The benefits of a far-reaching agreement are compelling; the case for acting now, equally so. Beyond the bilateral framing, a BTA will encourage like-minded countries to also conclude trade deals with Taiwan, furthering its international space in the process. A BTA would also position Taiwan to make an essential contribution to a separate, multi-party discussion to set rules for strategic trade and the management of technology with China, including a paradigm for coordinating multilateral investment screening and export controls.

Creative thinking and inspired leadership are needed to push a BTA to fruition against bureaucratic inertia and political drift. The times seem to call for Congress to take the lead in mandating trade negotiations. Despite all the partisan rancor in Washington, support for Taiwan is strong in both parties, and an FTA is one of the pieces of legislation that could likely generate wide bipartisan support. Business strategist and veteran diplomat Kurt Tong has called for Congress to re-assert its constitutional power through legislation requiring the start of BTA negotiations with Taiwan. This proposal also calls for Congress to provide funding, set a specific timeline, and establish a “trade promotion authority”-style legal basis for the pact.

Achieving a BTA will take political will and an all-hands campaign from the governments and private sectors in the United States and Taiwan. But as energy and commodity markets roil, inflation rises, and a sovereign border in Europe is breached, this is crunch time for Taiwan and American business and the U.S. Congress to drive home a BTA for the sake of economic prosperity and regional stability.

As Mark Twain is reputed to have said, “history doesn’t repeat itself, but it rhymes.” I hope we see resonance of 1979 in 2022... both in recognition of the stakes at hand and in a winning combination of U.S. business engagement and Congressional gumption.

Andrew Wylegala
President,
American Chamber of Commerce in Taiwan
Rentokil Initial

Business Grade Air Purifier
InspireAir 72
Your Business Air Purification Solutions

Breathe healthier air with InspireAir 72

- Highly efficient CADR: 600m³/hr
- Cleans room up to 72m²
- Cleans a 36m² room in under 10 minutes.
- HEPA 13 filter Traps over 99.95% particles above 0.3 microns.
- Noise less than 28db in sleep mode.

Our rental solution advantages:

- Full services include install/repair/maintenance by our experts, saving your time.
- Better overall cost efficiency, with a reduced initial outlay and filter costs.
- Reassure your employees, visitors and customers. Enhance your brand image.

0800-581-581
rentokil-initial.com.tw
The annual Taiwan White Paper is written and published by the American Chamber of Commerce in Taiwan (AmCham). It includes an overall assessment of Taiwan’s business climate, a review of the status of last year’s priority issues, and statements of the current priority issues identified by AmCham’s industry-specific committees. An additional section offers recommendations to the U.S. government.

The primary purposes of the Taiwan White Paper are information and advocacy. The document outlines AmCham’s suggestions to the Taiwan government and public on legislative, regulatory, and enforcement issues that have a major impact on the quality of the business environment. It is also used to inform government officials, elected representatives, and other interested parties in the United States about Taiwan’s business climate.

Although the Taiwan White Paper represents the immediate business interests of AmCham’s approximately 1,100 members, its ultimate goal is to foster the upgrading of Taiwan’s economic conditions to the benefit of both local and multinational businesses. It is also in the interest of the Taiwan public at large, as it encourages the growth of a broad spectrum of high-quality goods and services to improve the quality of life for all Taiwan residents.

The Taiwan White Paper can also be found online, where PDF files may be downloaded from the Advocacy section of the AmCham website at www.amcham.com.tw/.
Numerous changes have occurred in the economic environment since AmCham’s 2021 Taiwan White Paper was published last June. Some, such as Taiwan’s successful inoculation of over 80% of its population and economic growth in 2021 of 6.28% – its highest growth rate in 11 years – were positive. Others, including ongoing global supply chain disruptions caused by shutdowns in China and the war in Ukraine, have been unfavorable, to the point that a growing number of forecasts of Taiwan’s 2022 economic growth have been lowered to under 4%.

The position papers in this year’s White Paper reflect a sense of frustration among many of AmCham’s 26 industry committees. Our members feel that the momentum to mold Taiwan into a world-leading hub of technological and medical research and development, industrial innovation, and digital transformation, as well as an attractive location for foreign investment in a range of industry sectors, is waning or has even come to a halt in some cases. Now is not the time for Taiwan to rest on its laurels, our committees argue, especially as the island finds itself in a “golden moment” of international attention, support, and goodwill.

With this sense of urgency, the Chamber calls on officials in the Taiwan government to step up efforts to raise Taiwan’s international competitiveness. It must also do more to accelerate integration with close economic partners like the U.S., a message we repeat to the U.S. government in the following section, Requests to Washington. After all, AmCham’s aspirations for the future of the relationship rest on both governments working in tandem to continue carrying it forward.

We believe strongly in Taiwan’s capacity to continuously improve its regulatory system and accelerate digital transformation, but too much policymaking still involves creating industry regulations and standards that are unique to Taiwan and often more restrictive than those of international counterparts. This tendency makes it harder for Taiwan to become more globally connected and reduces its attractiveness to foreign investors, as well as to multinationals that would otherwise seek to enter the Taiwan market or expand operations here.

Other regulatory barriers are more industry-specific. For example, pharmaceutical and medical device manufacturers have for many years criticized the long review time needed for approval of new, innovative products, as well as the low reimbursement prices generally offered. As a result, parent companies are often discouraged from emphasizing the Taiwan market. On the other hand, we were heartened by the Taiwan Food and Drug Administration’s announcement last October that it would accept Medical Device Single Audit Program (MDSAP) reports for expedited licensing of new medical device products. We hope that this same spirit can be applied in the future to other issues impacting the regulation of healthcare industries.

There are numerous ways to address these regulatory concerns. Many of our committees view the increasing appetite for collaboration and progress through strategically formed public-private partnerships as a net benefit for Taiwan, and many of them urge expanding this approach to target both industry-specific and cross-sectoral issues.

Further, the more Taiwan is able to align its regulatory system with that of key partners like the U.S., the better positioned it is to negotiate trade and economic agreements with those partners. While AmCham acknowledges the benefit of a building-block approach to trade liberalization and integration and encourages the Taiwan government to pursue this channel as well, we continue to prioritize a comprehensive trade accord as our central advocacy goal. It is therefore critical that Taiwan continue removing outstanding barriers to trade and investment, or at least demonstrate its willingness to engage in negotiations that inevitably involve sensitive sectors.

Taiwan must act boldly and swiftly to position itself as an essential piece of the global economy that cannot be overlooked. In addition, it should not rely on the demand for products from only one industry or sector, but must diversify. Doing so will benefit both private and public sectors, as well as Taiwan’s economy and society as a whole.

Taiwan may experience some disappointment from not being included among the initial line-up of partners in the Biden administration’s new trade initiative, the Indo-Pacific Economic Framework (IPEF). However, there may be room for it at a later stage to participate in a less formal context, such as in individual working groups on secured supply chains and other relevant issues.

In addition, it now has an opportunity to re-center the pursuit of trade agreements with the U.S. and other partners
– in particular, a U.S.-Taiwan bilateral trade agreement (BTA) – as the cornerstone of its economic policy. The Tsai administration should immediately elevate this matter to the highest priority level, especially considering the deeply encouraging statement released following a May meeting in Bangkok between U.S. Trade Representative Katherine Tai and Taiwan’s chief trade negotiator, Minister Without Portfolio John Deng. That statement, while vague, left the door open to bigger possibilities for trade and economic cooperation between the two sides.

In addition, support for a BTA has in recent years received widespread and growing support from both sides of the aisle in U.S. Congress. And the increasingly positive U.S.-Taiwan relationship, especially with regard to bilateral trade and economic ties, gives Taiwan an opening to lock in ties with a BTA. Lastly, President Tsai’s commendable initiative in lifting Taiwan’s decade-long ban on the import of U.S. pork products containing the feed additive ractopamine signaled her administration’s dedication to resolving thorny trade issues.

Nevertheless, the continued hesitance in Washington to expand U.S. market access, and rather to focus on less traditional mechanisms like the IPEF, poses both hurdles to and opportunities for Taiwan’s BTA ambitions. Taiwan must make an extra effort to prove its credibility as a good trading partner and demonstrate that it is willing to accept the necessary conditions and leverage Taiwan’s generally admirable record on labor and environmental policies that are so central to U.S. resistance to international trade liberalization.

ENSURE ENERGY STABILITY

AmCham’s member companies are increasingly worried about the Taiwan government’s ability to meet its energy transition and carbon reduction goals in the next several years, while ensuring that Taiwan will have sufficient energy supply and a stable enough grid and power transmission and distribution systems. Both elements are required to achieve sustainability at home and contribute to the global climate effort even as Taiwan works to fulfill the current power needs of its manufacturing sector and allow for growth of the next high value-added industries.

The Chamber’s 2022 Business Climate Survey showed that Taiwan’s energy supply has become a front-and-center issue for our members, as 77.9% of respondents expressed a moderate-to-high degree of concern about power sufficiency, while 70.9% said they were concerned about grid resiliency. The severe power outages in March this year, following the two that occurred during the White Paper drafting process last May, only exacerbated this feeling of apprehension.

An article titled “How Can Taiwan Avoid an Energy Crisis?” in the May issue of AmCham’s TOPICS magazine explored the reasons behind the multiple power outages, as well as potential solutions offered by academics, specialists, and industry insiders. And in this year’s White Paper, the Energy Committee has put forward four clear and actionable suggestions for the government that help answer the main questions posed in the TOPICS report. In particular, the Committee’s ideas on how to build grid resilience through incentivization of load-balancing technologies and establishment of a power reserve market and pricing mechanism are important to consider as Taiwan begins allocating billions of NT dollars to upgrade its grid infrastructure.

For many years running, the Energy Committee has also been making concrete recommendations for accelerating renewables projects and expanding Taiwan’s capacity to accommodate natural gas-fired power plants. Faster progress on these issues will be crucial in whether Taiwan can meet its energy goals and significantly decrease its carbon emissions.

Taiwan has little time to spare in implementing these measures. As the Committee’s paper notes, robust economic growth in the years ahead is likely to increase electricity demand by 2.5% annually. Unless handled adroitly, the continuing move from fossil fuels to mainly clean energy sources will inevitably strain the electric system’s capacity to consistently provide power to residences, businesses, and industry.

PROMOTE A SUSTAINABLE FUTURE

Taiwan’s leaders have set ambitious goals to transform the island’s energy mix to incorporate more renewable sources over the next decade, as well as to achieve carbon neutrality by 2050. As the devastating effects of climate change intensify, such targets become ever more important for both Taiwan and the rest of the world. While we applaud Taiwan’s drive to carry out such progressive aims, both our Energy and Sustainable Development Goals Committees highlight the urgent need to begin adopting decarbonization technologies such as carbon capture, utilization, and storage (CCUS) solutions to meet that challenge.

This effort, as well as many other sustainability-related causes, could benefit greatly from the input of industry through regular communication, consultation, and PPPs. The recently formed Taiwan-U.S. CCUS Industries Alliance could and should be a starting point for building public and private sector support for creating a viable CCUS ecosystem in Taiwan. At its first forum in April, the group emphasized that although Taiwan possesses the technological capabilities to develop CCUS solutions, a lack of a regulatory framework and differing policies regarding carbon storage between central and local environmental agencies pose
major hurdles to the development of this potentially game-changing endeavor. We strongly urge the government to engage more deeply with industry on such initiatives as we work together to reduce carbon emissions.

FAST-TRACK DIGITALIZATION

AmCham looks forward to the establishment of the Ministry of Digital Affairs (MODA) and recognizes the government’s continued efforts to usher in Taiwan’s digital transformation. Despite significant signs of progress on this front, it is clear that for Taiwan to keep up with regional competitors like Singapore and South Korea, it must seriously accelerate its digitalization of industries and government.

For an economy as advanced and innovation-oriented as Taiwan’s, it is odd that so much daily activity, particularly in the banking and finance sector, still involves the in-person exchange of paper documents. While consumers are provided with an ever-growing selection of domestic and overseas digital services, as well as e-payment and online-only banking options, many businesses are unable to open bank accounts or apply for corporate loans online.

For its part, the public sector has taken steps to modernize its functions, notably by migrating more of its operations to the cloud. However, the Technology Committee notes that rather than produce a single, concise set of guidelines for cloud adoption for all agencies and vendors to follow, the government has opted for several – sometimes conflicting – sets. The result, the Committee states, “hinders the development of the government’s digitalization policy and uses up many administrative resources.”

Also critical in Taiwan’s digitalization process will be the adoption and refinement of sensible cybersecurity policies to safeguard the sensitive data of government, industry, and individual users without creating an additional burden on legitimate businesses.

IMPROVE THE TALENT MARKET

Taiwan benefits from a strong pool of well-educated, highly motivated, and hard-working talent, many of whom have received education and training overseas. This talent base is one of the island’s most valuable economic assets, yet Taiwan suffers from shortages of talent in certain key industries, as well as of less-skilled labor. Low salaries and inferior working environments in which long hours and overwork are the norm increase the attractiveness of well-paying job opportunities outside of Taiwan for a growing number of young professionals.

While our members continuously laud Taiwan’s workforce for its trustworthiness, business ethics, and dedication, they often lament the lack of international mindset and lagging English skills among local employees. One way to improve this situation, raised as a suggestion in our Talent Circulation Alliance position paper in 2020, would be to vastly expand Taiwan’s efforts to attract foreign talent, including better promotion of existing scholarship and internship programs, visa options, and recruitment platforms. In addition, AmCham continues to support the NDC’s Bilingual 2030 initiative as a way to boost the English skills of local Taiwanese talent. These programs should also be regularly evaluated to ensure that they are reaching the desired target audience and recruiting the kind of current and future foreign professionals necessary to meet Taiwan’s talent needs.

As the Semiconductor, Technology, and Travel & Tourism Committees note, cultivating a large, diverse talent pool through modernized labor laws, relaxed hiring restrictions, industry-academia cooperation, and improved recruitment and incentive programs would help fill personnel gaps in their industries and further internationalize Taiwan’s workforce.

ENABLE SAFE REOPENING

AmCham Taiwan recognizes the challenge the Taiwan health authorities have faced in setting pandemic control policy in recent months in light of the rapid spread of local infections. We commend them for their tireless work in ensuring that Taiwan can move from a “pandemic” approach of heightened virus restrictions to an “endemic” one of living with COVID-19.

Of particular interest to the Chamber was the decision in March to allow people from low-risk countries to enter Taiwan for short-term business travel, something we had expressly called for in previous months. The shortening of the quarantine period for overseas arrivals, close contacts of confirmed cases, and even those who test positive for COVID-19 is another encouraging step. We look forward to a continued gradual easing of restrictions on daily life in Taiwan.

In terms of economic impact, the most significant steps for Taiwan to take now would be lifting border restrictions on overseas visitors and ending its ban on the sale of outbound travel packages to Taiwanese consumers. Considering that over 80% of Taiwan’s residents are fully vaccinated (with another 65% boosted) and the vast majority of new cases are now associated with community spread, maintaining tight controls on international travel puts Taiwan out of step with other countries that have already reopened. We therefore call on the government to begin the transition to a fully reopened Taiwan and send more definitive signals that a reopening is effectively underway for Q4 2022.
DOUBLE TAXATION CONCERNS

As both our Tax and Semiconductor Committees make clear, Taiwan’s current tax rules on drop-shipping – a logistically efficient approach to dispatching finished goods to end-customers that potentially could help alleviate the current global chip shortage – pose a barrier to Taiwan’s business competitiveness vis-à-vis regional trade rivals like China and South Korea. Under the current regulations, drop-shipping transactions are deemed Taiwan sales and taxed as such, resulting in the risk of double taxation of the drop-shipped goods. As demand for drop-shipping continues to rise, a change in approach deserves increasing attention.

Another issue related to double taxation is the 30% withholding rate currently levied on Taiwanese securities investment trust enterprise-issued funds that invest in securities issued by U.S. corporations and receive dividends. According to our Asset Management Committee, this rate is three times the 10% withholding required in countries that have concluded double taxation treaties with the U.S. Such a disparity makes such funds less attractive to Taiwanese investors seeking to invest in the U.S. stock market. It also presents another reason for Taiwan to seek to quickly conclude a double taxation agreement (DTA) with the U.S.

While we continue to urge our partners in the U.S. government to begin laying the groundwork for a U.S.-Taiwan DTA, we consider it equally important for the Taiwan side to increase its own efforts to prepare for such an agreement. One of the many benefits afforded by a DTA would be to make direct investment in both countries more attractive, which under current conditions would meet Taiwan’s interests in diversification and enhanced competitiveness.

CONCLUSION

AmCham Taiwan highly values our cordial working relationship with the Taiwan government, and we look forward to continuing collaboration with the National Development Council and other relevant bodies in the year ahead. Although we appreciate the increased government engagement we’ve received on White Paper issues over the past several years, we also wish to stress that decisive action on a host of pressing issues is greatly needed. Progress on the issues in the AmCham White Paper will also enhance the prospects of Taiwan meeting its other international economic policy goals, such as entry into the Comprehensive and Progressive Trans-pacific Partnership Agreement (CPTPP).

Through increased industry involvement in policy development as well as productive dialogue and partnerships between AmCham members and the relevant government authorities, Taiwan can make meaningful progress on surmounting some of its toughest challenges. As always, the Chamber stands ready to help with facilitating these efforts in any way it can.

A Note on This Year’s Scores

The main purpose of the White Paper is to provide the Taiwan authorities with practical and constructive suggestions on how Taiwan’s economic prosperity, income equality, and international integration can be enhanced through improvements in the business climate – and to stimulate public discussion of those issues. In total, the 2022 White Paper contains 96 different issues (excluding sub-issues) raised in position papers presented by 26 formal committees and two other industry groups.

The Chamber understands that not all of these issues will be acted on, at least not immediately, but we appreciate that all will receive due consideration. We recognize the government’s attention to our issues in the regular meetings held between our industry committees and their relevant government agencies, as well as the detailed responses we receive to each issue that appears in the publication.

This year, reviewing the status of the 87 issues (and some sub-issues) submitted in 2021 and rated for their progress a year later by the various committees, we find to our concern that only five items have been marked as “solved” – less than half those that were reported as such last year. In addition, the number of issues deemed to be making good progress fell from 23 last year to 13 in 2022. Finally, a much larger number of issues received a score of “under observation” (41), “stalled” (19), or “dropped” (9) than in the previous few editions of the White Paper. It is for this reason that the tone of our Overview section this year is more urgent and direct than in the past. Not only do we need to see Taiwan maintain its pace of reform and development, but to redouble it. Otherwise, we fear the people of Taiwan may miss the golden opportunity before them in the post-pandemic world.

Considering that senior officials are making a concerted effort to increase government efficiency in a wide range of areas, and that the government has consistently been stepping up efforts to attract foreign investment, AmCham believes that in the coming year the progress in tackling the White Paper issues should see substantial improvement.

For a detailed breakdown of the full set of scores for the 2021 White Paper issues, please refer to p. 18.
2022 台灣白皮書：總論

掌握奮進轉型的黃金機會

自台灣美國商會（下稱美國商會）去年六月發表《2021台灣白皮書》以來，台灣經濟環境發生諸多變動，有些變動是正面趨勢，例如台灣COVID-19確診率僅為0.01%，且簽署雙邊投資協定（BIA）及自由貿易協定（FTA）的國家中，台灣的確診率最低。在2022年新上台的國民黨政府，將在與大陸的經貿合作上作出積極的努力，以推動台灣的經濟發展。

《2022台灣白皮書》係由台灣美國商會26個產業委員會的政策提案，從中可感受到許多委員會對於在台投資的企業的意見。台灣有著良好的投資環境，擁有完善的法治體系、豐富的勞力資源、開發的產業技術和現代化的交通體系，這些都是投資台灣的優勢。台灣美國商會希望能夠加大投資台灣的力量，以促成台灣的經濟發展。

台灣有著良好的投資環境，擁有完善的法治體系、豐富的勞力資源、開發的產業技術和現代化的交通體系，這些都是投資台灣的優勢。台灣美國商會希望能夠加大投資台灣的力量，以促成台灣的經濟發展。

有些法規障礙則與產業相關，舉例而言，製藥與醫療器材製造商多年來在藥物審核過程冗長，廠商無法及時推出創新產品，且健保給付價值偏低，導致母公司不願深耕台灣市場。另方面，食品藥物管理署去年10月公布新製藥品申請審核標準（MDSAP）報告，加速新醫療器材產品的審查流程。我們對此樂見其成，也期盼主管機關未來能針對其他醫療保健法規的企業實踐，亦能秉持同樣的精神。

因應上述法規障礙的方式不一而足，各界對於策略性成立公私夥伴關係（PPP）的意願日增，亦有所展現。許多委員會認為這對台灣是利多還是利空，更呼籲進一步拓展合作管道，回應特定產業及跨產業議題。

此外，台灣的法規體系愈能與美國等主要夥伴接軌，進行貿易與經濟協商時便愈有籌碼。台灣政府與美國自由化與貿易整合採取「堆積木」(building block)的策略，美國商會認為其有實益，亦鼓勵台灣政府持續尋求此路線，於達成全面性的貿易協議仍是我們的主要建言。因此，台灣必須持續消除既有貿易及投資障礙，或至少在高敏感度的產業展現協商意願。

政府必須採取積極且迅速地行動，將台灣定位為全球經濟不容忽視的關鍵節點。此外，台灣亦應重新考量其產業的優勢，必須多元發展，除公私部門皆能從中受惠外，亦能裨益台灣經濟與社會。

積極爭取貿易合作

拜登總統近日宣布啟動印太經濟架構(IPEF)，並未將台灣納入首輪名單，或許並非台灣所欣賞。然而，台灣亦有機會在後續以非正式的方式參與，例如個別的供應鏈工作小組及其相關議題。

此外，台灣的經濟政策有機會重新聚焦於台灣及美國及其他貿易夥伴的經貿協議，特別是作為經濟政策基石的台美雙邊貿易協定。近來，台灣雙邊貿易協定逐漸成為美國國會兩黨的支持。美國商會建議蔡英文政府立即將此事列為第一要務，特別是考量美國貿易代表戴琪(U.S. Trade Representative Katherine Tai)與台灣相關委員會及行政院經貿談判代表辦公室常務代表鄭國元等10月在曼谷召開協商，會前亦公布一項正向貿易的聲明，聲明內容固然未提供具體細節，亦不排除雙方進一步推動貿易與經濟合作的可能性。

此外，近來美國雙邊貿易協定逐漸受到美國國會兩黨的支持。美台關係日益堅定，特別是雙邊貿易與經濟合作，將台灣在二國貿易政策的基礎上，促進台灣與美國的經貿合作。

儘管如此，政府持續積極擴大開放市場，轉而聚焦印太經濟架構等非傳統機制，對於台灣爭取雙邊貿易協定之路是障礙，也是機會。台灣必須再接再勵，證明自己是優異的貿易夥伴，並表達願意接受必要條件，善用台灣在就業與環境政策的亮點成績，化解美國對雙方貿易自由化的疑慮。

JUNE 2022 • TAIWAN WHITE PAPER
確保穩定能源供給

台灣政府未來幾年能否實踐能源轉型與減碳目標，同時確保有充足的電力供給與穩定的電網及輸配電系統，成為美商會會員企業越來越擔心的議題。唯有兼顧兩者，台灣才能達到永續發展，在全球接打氣候變遷之際貢獻己力的同時，又足以因應製造業目前的用電需求，進而發展次世代高科技之產業。

美國商會《2022商業景氣調查》顯示，台灣的能源供給已成為會員企業關注的重點議題，77.9%的受訪企業對電力供應表示高度擔憂，70.9%的企業則擔心電網動性。去年五月正逢《2021台灣白皮書》起草階段，兩度發生全台大停電，今年三月再度發生停電事故，皆加深企業顧慮。

美國商會五月號工商雜誌（台灣如何避免能源危機？）一文，探討台灣歷次發生停電的原因，亦列舉學者專家與業界人士提出之可能解決之道。今年的《台灣白皮書》中，能源委員會亦向台灣政府提出四項明確可行的建議，回應政府所關之主要問題。根據能源委員會的建議，台灣積極發展升級電網基礎設施之際，也應考慮就採用負荷平衡（load-balancing）技術提出誘因，建立電力儲備市場與定價機制，藉此強化電網動性。

多年來，能源委員會亦提出其他具體建議，協助台灣加速推動再生能源計畫，並擴大發展天然氣發電廠的能力。台灣要實現其能源政策與目標並有效降低碳排放量，取決於是否能加速推動相關議題。

對台灣而言，落實上述措施刻不容緩。正如能源委員會所持，台灣未來幾年經濟成長可期，台灣電力需求年增率預計達1.25%。倘若處理不當，台灣從化石燃料轉型至乾淨能源的過程中，勢必會對電力系統造成壓力，導致無法穩定供給住家、企業與產業。

促進永續未來

台灣政府設下遠大的永續發展目標，期許在未來10年達到能源目標，運用更多再生能源，亦計畫在2050年達到碳中和。隨著氣候變遷的衝擊日益加劇，上述目標對於台灣與全球的重要性更勝以往。維護我們政府的積極目標表示肯定，能源委員會與長效發展委員會亦同時指出，台灣迫切需要採取減碳技術，例如碳捕捉、再利用與封存（CCUS），以因應氣候挑戰。

台灣政府若能透過定期對外溝通、諮詢與公私夥伴關係，廣納產業意見，預計能裨益許多永續發展計畫。對此，近期成立的台美碳捕捉、再利用與封存產業推動聯盟預計有極其重要的意義，未來可望凝聚政府與民間的支持，在台灣打造一個確實可行的CCUS生態系。在四月舉辦的第一屆論壇中，該聯盟強調，台灣擁有研發CCUS技術的實力，然缺乏法規框架與中央與地方碳儲存政策分歧，成為這項有機會突破現況的計畫難以發展的絆腳石。我們強烈建議台灣政府就相關計畫與產業密切合作，聯手降低碳排放量。

加速數位轉型

美商會商會期待數位發展的基礎，亦肯定台灣政府持續推動數位轉型的努力。儘管取得重大進展，但台灣若要趕上新加坡與南韓等區域競爭對手，必須加速產業與政府的數位化。

為進步且重視研究創新的經濟體，在台灣，仍有許多日常活動需要紙本文件，銀行與金融業尤其如此，令人費解。對消費者而言，國內外數位服務的選擇愈來愈多，亦有電子支付與網路銀行可供選擇，反觀許多企業仍舊無法線上開設銀行帳戶或申請企業貸款。

對此，公部門已經陸續將許多職能數位化，包含將更多業務轉移到雲端。然而，財政委員會指出，台灣政府並未針對雲端應用制定一套簡單明瞭的方針，讓所有政府機關與合作廠商有所遵循，反而提出多套規範，有時甚至彼此抵觸。財政委員會表示，這些規範不僅阻礙台灣政府推展數位化政策，更占用許多行政資源。

在台灣數位轉型過程中，採取與優化合理的資訊安全政策是另一個關鍵，在保護政府、產業及個人敏感資料的同時，又不會增添合法企業的負擔。

改善勞動市場

台灣擁有強大的人才庫，教育程度高、具有衝勁、刻苦耐勞，許多人擁有海外求學或受訓的經驗。人才是台灣最重要的資本之一，但部分關鍵產業卻面臨人才短缺的現象，亦缺乏低階勞動力。礙於國內薪資低落與工作環境不佳，特別是工時長且加班成為常態，使越來越多年輕人才尋往海外的高薪工作。

儘管會員企業就台灣員工的可信賴度、職場自信與認真態度表示肯定，也認為本地員工缺乏國際視野，英語能力亦不足，相當可惜。正如2020年「人才循環大聯盟計畫」所建議的一項解決之道，台灣應擴大外籍人才來台的政策，包含獎勵雇主在勞工獎勵金與實習計畫、簽證項目與人才平台。美國商會也持續支持國家發展委員會的「2030雙語國家政策」，提高在地人才的英語能力。此外，政府亦必須定期評估這些計畫，確保成效及目標受眾，招募適合的現有與潛在外籍人才，以期符合台灣人才需求。

正如主導委員會、科技委員會、旅遊與觀光委員會指出，透過修訂勞動相關法規，鬆綁僱傭限制、促進產學合作與啟動完善的招募與獎勵計劃，台灣將可打造出龐大且多元的人才庫，有助於填補上述產業的人力缺口，進一步帶動台灣勞動力的國際化。
安全重啟邊境

近期本土確診人數激增，公共衛生主管機關在制訂防疫政策上面臨考驗。對於相關人員的努力不懈，力求帶領台灣走出先前嚴格管控的階段，邁向與病毒共存，美國商會在此深表讚許。

特別值得關注的是，三月時政府決定允許低風險國家入境者來台從事短期商務活動，這點亦是美國商會過去幾個月的明確訴求。縮短入境者、密切接觸者，甚至是確診者的隔離天數，亦是正向發展。我們期待台灣持續逐步鬆綁防疫限制，讓民眾重拾生活常態。

就疫情造成的經濟衝擊，現今台灣可以採取的重要措施包含取消於海外遊客的人入境限制，並重新允許旅遊業者向台灣消費者銷售境外團體旅遊行程。逾80％台灣民眾已完全接種COVID-19疫苗，且觀察計畫亦達67％，且近期因疫情的確診案例多為社區傳播，顯示台灣若持續嚴格禁止國際旅遊，將與其他已經開放國境的國家脫節。有鑑於此，我們呼籲台灣政府採取行動，逐漸開放邊境，並釋出更明確的訊號，對外表明將於今年第四季啟動相關邊境開放計畫。

消除雙重課稅

正如稅務委員會與半導體委員會明確指出，台湾現行的直運（drop-shipping）稅務法令已改善空間，強弱兩國企業相對於中國與南韓等區域經貿對手的競爭能力，直運意指將製成品直接運至終端客戶，提升物流效率，亦有助於減緩現下全球晶片短缺問題。然根據現行法規，直運交易被視為台灣銷售來源所得，政府亦據此課稅，導致商品有遭到重複課稅之嫌。隨著直運需求持續攀升，政府應進一步檢視與調整相關稅務法規。

另一項雙重課稅的議題在於台灣證券投資信託企業所發行的基金，若投資由美國企業發行的證券與領取股息，目前扣稅稅率達30％。資產管理委員會指出，投資美國達成雙重課稅協定(DTA)的國家中，相關扣稅稅率僅為10％，是台灣的三分之一，差距甚大，因此對有意投資美國上市的台灣投資人而言，投資相關基金的吸引力降低。有鑑於此，台灣需與美國迅速簽訂雙重課稅協定。

我們除了持續呼籲美國政府中的夥伴展開籌備工作，為美台雙重課稅協定奠下基礎，也認為台灣需加大力，就簽訂相關協議做好準備。雙重課稅協定其中一個優點是於兩國中的直接投資將更具吸引力，有助於台灣吸引未來投資與競爭力，接近台灣當前利益。

結論

美國商會高度重視與台灣政府的友好合作關係，亦期待未來一年與國家發展委員會等相關部會持續交流與合作。過去幾年，政府針對《台灣白皮書》所提議題，加強與美國商會互動交流，雖然我們所期待，但是我們亦認為部分議題具有急迫性，台灣政府亟需採取果斷行動。

若能推進白皮書中相關議題，台灣亦能提升實現其他國際貨幣政策目標的機會，包含簽署跨太平洋夥伴全面進步協定(Comprehensive and Progressive Trans–Pacific Partnership Agreement, CPTPP)。

若產業能進一步參與政策研擬過程，並促進美國商會會員企業與政府單位的對話與夥伴關係，台灣將能取得實質進展，克服重大考驗。一但既往，美國商會將與台灣攜手合作，朝共同目標邁向邁進。
Annually since 1996, AmCham has produced our Taiwan White Paper bilingually to convey our members’ concerns about the bilateral business environment and specific regulations in Taiwan to policymakers in Taipei and Washington. The publication results from a process of back-and-forth over an entire year between Chamber and government authorities and stakeholders.

On the Taiwan side, we are endlessly appreciative of the National Development Council for serving as a window to begin issue discussions. Likewise, we appreciate the counsel and support of the American Institute in Taiwan (AIT) and U.S. government home agencies in echoing our White Paper requests through official channels, including the Trade and Investment Framework Agreement (TIFA). When the “tri-dialogue” works best, as it did for the Medical Device Single Audit Program, for example, we achieve results like Taiwan’s formal acceptance of that accelerated product licensing framework in October 2021. Together with the more than 90 specific recommendations put to the Taiwan government in this year’s White Paper, the following eight proposals to Washington represent AmCham Taiwan’s best advice on how the U.S. government can support U.S. business interests in and with Taiwan and drive our bilateral relationship forward. The second half of this section serves as our scorecard on our 2021 Requests to Washington.

Summary of 2022 Requests to Washington:
1. Accelerate economic integration with Taiwan via a bilateral trade agreement (BTA) and harness bipartisan, bicameral support to initiate it.
2. Begin negotiations on a bilateral semiconductor supply-chain agreement.
3. Vigorously support the USDOC-MOEA Technology Trade & Investment (TTIC) framework.
4. Reinvigorate AIT’s instrumental role in the Talent Circulation Alliance.
5. Pass and fully fund the Taiwan Fellowship Act this year.
7. Stay the IPEF course and look to Taiwan’s eventual inclusion.
8. Build on the progress made on our 2021 requests by 1) continuing to explore a double taxation agreement (DTA), 2) supporting Taiwan’s participation in plurilateral and multilateral economic arrangements (including the CPTPP and digital economy accords) and international organizations, and 3) rebuilding the political consensus to support a U.S. return to world leadership of trade liberalization and institutional rules maintenance, beginning with CPTPP reentry.

Harness bipartisan, bicameral support to initiate a U.S.-Taiwan BTA: We call urgently on the Biden administration to build upon the pledge by the U.S. and Taiwan chief trade negotiators in Bangkok in May to find “concrete ways to deepen the U.S.-Taiwan trade and investment relationship” by beginning talks on a BTA. Such a trade pact is the most effective and expeditious means to further open and streamline Taiwan’s markets for U.S. goods (including agricultural products) and investment, as well as to harmonize industrial standards, regulations, and practices with those of the U.S. The strategic importance of Taiwan’s semiconductor industry has both economic and security implications that could be effectively addressed under a BTA.

Second, a comprehensive agreement will facilitate greater investment in the U.S. at a time when Taiwanese firms need to invest overseas in the high-tech, high-salary industries of the future. Third, signing a BTA with Taiwan demonstrates U.S. confidence in Taiwan and encourages like-minded partners to broaden Taiwan’s international space through similar agreements. In addition to these strategic trade elements with their clear implications for U.S. defense preparedness, a BTA would bolster both the U.S. and Taiwan’s economic and thus overall security vis-à-vis an assertive China.

AmCham Taiwan is far from standing alone in our advocacy of a BTA. Scores of politicians from both major parties and from both houses of Congress have made the case for a BTA, and their numbers are growing. Their support is evident in the multiple resolutions and letters sent to the former and current U.S. Trade Representative (USTR) and the former President. Meanwhile, passage of Taiwan-supportive legislation such as the Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 recommend measures to create forward momentum on a BTA. Should the
administration lack the willingness and/or resources to carry out negotiations expeditiously, we call on Congress to reassert its constitutional power to push forward a BTA by passing legislation requiring that negotiations for such an agreement begin this year, with a completed text presented for passage by early 2024. Such a mandate could also establish a rough trade promotion authority-style scope for the pact, modeled on the most recent trade agreement Congress approved, the USMCA with Canada and Mexico.

Begin negotiations on a bilateral semiconductor supply-chain agreement: Globally, much attention is rightfully being placed on strengthening critical supply chains, beginning with the foundational and strategic semiconductor sector. Given Taiwan’s qualitative and quantitative predominance in the sector, Taiwan is a natural counterpart for a comprehensive bilateral semiconductor supply-chain agreement, which could be taken up within a BTA or as a standalone chapter for later incorporation in a comprehensive accord. Additionally, Taiwan has unparalleled trade and investment experience in this and other tech sectors in China, notwithstanding an increasingly competitive and at times confrontational relationship.

Thus, the norms and rules worked out with this “front line” economy could help the U.S. set a framework for competition and coexistence with China in the technologies of the future. AmCham’s newly founded Semiconductor Committee, with representation along the value chain and including American, Taiwanese, and European firms, is well placed to support a public-private dialogue of this nature by helping to represent the Taiwan contribution.

Moreover, Taiwan is geographically close to and commercially well integrated with the world’s number-three and number-four chip production leaders by volume – Korea and Japan. Completion or solid progress on a U.S.-Taiwan chip supply-chain accord would greatly facilitate a combined approach with those two treaty allies of the U.S. in an Asian Chip framework. Such a crucial U.S.-Taiwan agreement could also serve as a functional on-ramp to Taiwan’s participation in certain multilateral agreements (IPEF, CPTPP, DEPA, etc.).

Stay the IPEF course and look to Taiwan’s eventual inclusion: AmCham warmly welcomed the launch of the Biden administration’s Indo-Pacific Economic Framework (IPEF) in late May. IPEF symbolizes and institutionalizes the commitment of the U.S. to be constructively present across the Indo-Pacific, home to the world’s most dynamic economies. The return of U.S. leadership in Asia is good news for Taiwan and good news for our Chamber’s 535 corporate members. IPEF also promises a creative new mechanism to advance infrastructure, sustainability, supply chain resilience, and anti-corruption efforts, among other priorities. Such an important economy and impactful society as Taiwan deserves to be brought into that framework as early as possible.

Vigorously support the USDOC-MOEA Technology Trade & Investment (TTIC) framework: AmCham Taiwan applauds this joint initiative by the U.S. Department of Commerce and Taiwan’s Ministry of Economic Affairs and has been impressed by the efforts being undertaken to enhance supply chains in both countries through two-way investment in four sectors: semiconductors, sustainable energy, electric vehicles, and 5G/cybersecurity. We believe that one of the quantum advances in this model is its embrace of public-private partnership as the organizing principle. AmCham has been pleased to participate in the working group for semiconductors and seeks the opportunity to similarly support the other three working groups.

Build resilience into the supply chain through Congressional passage of the Joint Conference version of the Senate’s U.S. Innovation and Competition Act/ House’s America Competes Act: This legislation will provide US$52 billion to fund the CHIPS Act and support increasing domestic semiconductor capacity as a prerequisite to rebalancing global supply chains, with an instrumental role played by Taiwan-capital semiconductor leaders who seek to invest in the U.S.

Launch the Taiwan Fellowship Act this year through Congressional passage and funding and Presidential signature: Doing so will set the stage for the first cohort of fellows to be welcomed to Taiwan in 2023. This important legislation will lay the foundation for the successful implementation of all the agreements discussed above over the long term. The fellowships will improve mutual understanding and public policy alignment by providing U.S. civil servants with Mandarin-language study and detail assignments in Taiwan. A companion program funded by the Taiwan side, in which Taiwanese fellows are sent to the U.S., would be the natural follow-on to this initiative.

Reinvigorate AIT’s instrumental role in the Talent Circulation Alliance (TCA): Talent attraction and retention has been identified by AmCham Taiwan’s members as a top need for business growth for several years, vying with concerns over energy supply as major
preoccupation. Talent is also a prerequisite for realizing virtually all of Taiwan’s economic policy objectives, including transitioning to an innovation-based economy, internationalizing Taiwan’s workforce, and becoming a digital nation. To help reach those goals, the TCA was launched in 2020 by AIT and the Taiwanese authorities as a public-private partnership. AmCham Taiwan is a member of the Alliance and looks forward to contributing its share through additional programs.

Build on impressive U.S.-Taiwan momentum from the 2021 White Paper: A staple of the White Paper has been an annual scorecard that tracks the Taiwan government’s progress on committee issues under its control. This year, we offer a similar assessment of the progress on our requests from the 2021 Requests to Washington. Of the eight points raised in that edition, six comprised a roadmap for building economic harmonization and resilience with Taiwan that we dubbed the Taiwan Commercial Initiative (TCI). As an addendum to those core requests, we also asked for continued support for Taiwan to obtain then-scarce COVID-19 vaccines and for the passage and funding of the Taiwan Fellowship Act.

Of the first six requests, we are pleased to report that our first two – to restart TIFA talks and to hold a second round of the State Department’s Economic Prosperity Partnership Dialogue – were both realized shortly after publication of the White Paper in June 2021. Our third request – to establish a two-way, investment-centered initiative involving the U.S. Department of Commerce and the Ministry of Economic Affairs – was answered in a December 2021 meeting between the ministers. The initiative became the Technology Trade and Investment Collaboration (TTIC). AmCham was pleased to be brought into a formative session of the TTIC Semiconductor Working Group in April, a demonstration of how a smart government-to-government framework can be fortified as a public-private partnership.

The fourth workstream of the TCI entitled U.S. government inclusion of Taiwan in multi-country agreements, such as potential understandings on digital trade or strengthening critical supply chains. In addition to our request above to initiate a bilateral supply chain initiative with Taiwan – and in line with the logic of embracing a world leader in chip manufacturing when discussing global supply chain resilience and security – it is essential that Taiwan be included as interlocutor in any Asian or global undertakings for this sector. We also note encouraging efforts outside the economic realm, such as the U.S.-led campaign to have Taiwan admitted into the World Health Assembly, a development we strongly endorse given Taiwan’s record of contributions to global public health.

AmCham was encouraged to see Taiwan’s September 2021 application to join the CPTPP. Not only would Taiwan’s accession further its integration into rule-abiding regional and global trading communities, but it would also accelerate several of the reforms we have called for over the years in our White Papers. We invite support and technical assistance from the U.S. for Taiwan’s entry into the CPTPP. Furthermore, we once again join our colleagues from the U.S. Chamber of Commerce, AmChams of the Asia Pacific, and scores of other business groups in strongly urging the U.S. government to return to the CPTPP, a foundational trade agreement for the region, at the earliest opportunity.

The fifth TCI workstream called for exploration of a DTA to facilitate trade and the two-way investment that is so important to supply-chain strengthening. Double taxation is also an issue we have raised with the Taiwan government in the main section of this White Paper, given its potential to boost economic efficiency and integration. The Chamber notes that the State Department previously indicated support for such an agreement. However, we are unaware of subsequent movement on this eminently practical and achievable recommendation.

The sixth workstream called for a comprehensive U.S.-Taiwan trade deal, or BTA. Here we have seen a long-term stall continue, one reason for making a BTA our top request.

As for the Taiwan Fellowship Act, we were pleased to see its passage through both the House and Senate and give it a top score, pending the launch of the fellowship.

Lastly, we give the U.S. very high marks on the “vaccine diplomacy” topic raised by the Chamber last year. The overwhelmingly successful and critical role played by the U.S. government in providing vaccines to Taiwan last summer helped it overcome the challenge of securing sufficient supplies to inoculate and protect its population. Critically, that effort helped keep Taiwan’s production lines running, and as over 80% of Taiwanese are now vaccinated, it will make possible a phased resumption of international travel from the third quarter of 2022.

Overall, the scorecard for AmCham’s requests to the U.S. government last year is quite strong. Of the eight requests we made, we consider half to be fully resolved or making good progress. For the remainder, while we have seen some very encouraging developments, we urge prompt action from Washington, especially on our request to begin work on a BTA.

We look forward to working with both the U.S. and Taiwan governments in the year ahead to support achievement of the ambitious – yet achievable – requests in this White Paper.
對華府的期待

自1996年起，台灣美貿商會（隨商會）每年舉辦中英文的《台灣白皮書》，向台灣及美國政府表達會員業者對兩貿易環境及台灣特別法規的看法。本白皮書係商會與政府部會、各方關係人之溝通一整年度的成果。

商會誠摯感謝國家發展委員會就白皮書議題，擔任溝通橋樑，積極協助商會與政府展開對話。同樣地，商會亦特別感謝美國在台協會（AIT）及美國政府各部會，通過台美「貿易暨投資架構協定」(Trade and Investment Framework Agreement, TIFA) 等正式管道，回應商會白皮書的訴求。台灣在2021年10月，通過「醫療器材單一稽核計畫」，加速產品查驗登記流程，此係「三方對話」的成果。今年，商會在白皮書內，向台灣政府提出超過90項具體建議，同時，我們也向華府提出以下8項建言，期待美國政府支持美國企業在台或與台相關之利益，就台美關係更深更遠。本文後半段則將商會2021年對華府的期待，評估相關進展。

2022年商會對華府的期待：

1. 取得美國跨黨派、跨參眾兩院的支持，簽訂台美「雙邊貿易協議」(Bilateral Trade Agreement, BTA)，加速台美民間的經貿合作。
2. 就雙邊半導體供應鏈協定，展開協商。
3. 強力支持美國國務商務部與台灣經濟部的「科技貿易暨投資合作架構」(Technology Trade & Investment, TTIC)
4. 讓AIT在「人才循環大聯盟」中更加活躍，扮演關鍵角色。
5. 今年通過《台灣獎學金法》草案，提供充足經費。
6. 參議院通過《美國創新與競爭法》，眾議院通過《美國競爭法》。
7. 持續推動「印太經濟架構」(Indo-Pacific Economic Framework, IPEF)，並最終納入台灣。
8. 在2021年提出訴求所取得的進展上，我們建議：
   (1) 持續尋求簽訂「雙重課稅協定」(DTA)；
   (2) 支持台灣加入跨與多邊貿易協定【包含「跨太平洋夥伴全面進步協定」(Comprehensive and Progressive Agreement for Trans-Pacific Partnership, CPTPP)】
5. 取得美國跨黨派、跨參眾兩院的支持，簽訂台美BTA：

取得美國跨黨派、跨參眾兩院的支持，簽訂台美BTA：
台灣美國商會迫切呼籲拜登政府，以美、台貿易談判代表5月於曼谷達成的承諾為基礎，展開BTA相關的協商，探求「深化台美貿易投資關係的具體途徑」。BTA能進一步開
持續推動「印太經濟架構」（IPEF），期待台灣最終能加入：台灣美國商會熱烈歡迎拜登政府5月25日提出的IPEF。IPEF象徵美國做出承諾且具體化之舉，期許在世界經濟蓬勃發展的亞太區域，有積極正面的作為。美國在亞洲重返領導地位，對台灣與商會535個會員企業都是好消息，IPEF也承諾建立新機制，將優先在基礎設施、永續發展、供應鏈韌性及反抗貪腐等方面有所進展。台灣作為具影響力的重要經濟體，應早日獲IPEF接納並加入。

大力支持美商務部、台經部之間的「科技貿易暨投資合作架構」（TTIC）：美國商務部和台灣經部攜手促成TTIC架構，商會深表讚賞。雙方努力透過TTIC在半導體、永續能源、電動車及5G／資訊安全等四個產業促進雙向投資、強化供應鏈，令人印象深刻。商會認為，竭力以公私夥伴關係作為運作原則，是TTIC所代表的台美合作重大進展之一。商會很高興能參與半導體工作小組，並期待有機會支援其他3個工作小組。

敦促國會通過參議院《美國創新與競爭法》(U.S. Innovation and Competition Act)及眾議院《美國競爭法》(America Competes Act)聯署議案版本，使供應鏈更具韌性：此立法將撥款520億美元，以落實《晶片法案》，支持提升美國國內半導體產能，重新平衛全球供應鏈。有意投資美國的台資半導體領導廠商，將扮演重要角色。

敦促國會審議通過、確立經費並送交總統簽署，推動《台灣獎學金法》：這項建議將為2023年首批美方研究員來台做好準備。長遠來看，該重要立法將為實現上述所有協議奠定基礎。獎學金計畫旨在補助美國公務員在台學習中文，進行短期任務，以增進雙方交流理解，促成雙方在公共政策上更多協調合作，後續台灣官方後續亦應補助相關計劃，讓台籍研究員赴美交流。

重啟AIT在「人才循環大聯盟」（TCA）的關鍵角色：近年，商會會員企業已將人才留為業務拓展所需最重要之要素。對人才議題的關切，不論對能源供應的關注，人才是實現台灣及台灣經濟政策目標的先決條件，這涉及驅動轉型成為創新型經濟，勞動力國際化，以及邁向數位國家。為實現上述目標，2020年AIT與主管機關合作成立人才循環大聯盟，發展公私夥伴關係，商會為聯盟成員之一，期待參與相關計劃並有所貢獻。

以2021年《台灣白皮書》為基礎台灣相關訴求的異進展為基礎：《台灣白皮書》每年都列舉追蹤政府在商會各委員會提議議題上的回應進度，並提出評價。今年我們針對2021年向華府提出訴求的最新進展，做出類似評估。當時於商會8項訴求中，6項涉及與台灣共同建立推動經貿合作與加強韌性的政策藍圖，我們稱為「台灣商業計畫」(Taiwan Commercial Initiative, TCI)。除了這些核心訴求，我們也期待美國政府持續支持台灣取得當時稀缺的COVID-19疫苗，以及通過《台灣獎學金法》並撥出執行經費。

在接收到訴求中，我們很高興看到兩項訴求，包含重啟TIFA談判及舉行第2輪國務院台美經濟繁榮夥伴對話，在2021年6月《台灣白皮書》發表不久後即獲實現。2021年12月舉行的部長級會議中，商會的第三項訴求（建立由美國商務部與台灣經濟部共同參與的雙向並以投資為主軸的談判）也獲得主管機關正面回應，此計畫後來延伸成為構TTIC。商會非常高興四月有機會參與TTIC半導體工作小組的初步討論，這次會議亦提出台灣政府之間的溝通架構，可進一步促成公私夥伴關係。

TCI第四個工作路徑呼籲美國政府將台灣納入多國協定，例如數位貿易或關鍵供應鏈的協同合作議題。締結美國與台灣合作啟動雙邊供應鏈計畫；我們也認為，就確保全球供應鏈韌性與安全，作為晶片製造領域的全球領導者，台灣不應被忽視。在半導體產業相關的區域或全球計畫中，台灣應有發言位置。在經濟之外的場域，我們也見到令人欣慰的進展，例如由美國主導和支持台灣加入世界衛生大會的倡議，商會樂見此類正向發展，因為台灣對全球公共衛生貢獻卓越。

商會亦樂見台灣2021年9月申請加入CPTPP。台灣加入此協定，不僅有助台灣進一步融入遵循規範的區域及全球貿易社群，也能加速商會透過《台灣白皮書》疾呼多年的幾項改革。我們希望美國政府支持台灣加入CPTPP，並提供技術支援。此外，如同美國商會(U.S. Chamber of Commerce)、亞太地區各國的美國商會及其它多國商業團體，台灣美國商會要再次強烈呼籲美國政府，儘早重返為區域貿易發展基礎的CPTPP。

TCI第五個工作路徑是探索簽訂台美雙重課稅協定(DTA)的可能性，促進貿易和對供應鏈強化其重要的雙向投資。雙重課稅也是今年商會透過《台灣白皮書》向台灣政府重申之議題，期以能提升經濟效率，深化經濟整合。美國國務院曾表示對此協定的支持，然而商會不清楚此實際立場應可實現之提案的進展。

第六個行動路徑是呼籲台美簽訂DTA。相關進展已遙遙在前，因此我們希望促進DTA作為首要訴求。

此外，我們樂見參眾兩院通過《台灣獎學金法》並予其最高評價，也期待獎學金計畫盡早啟動。

最後，商會給予美國政府在去年所提之「疫苗外交」的努力，給予高度肯定。

去年夏天，美國政府設法援助提供台灣COVID-19疫苗。針對關鍵問題，讓疫苗數量影響民眾防疫保護力的台灣克服疫情挑戰，來自美國的支援也使台灣廠商營運不致中斷。如今，超過8成的台灣民眾已接種疫苗，也讓台灣有機會在2022年第3季，階段性恢復國際旅遊。

總括來說，商會去年提出的建言，大致都得到美國政府的正面回應。8項訴求中，半數已完全獲得解決或有所進展，於其餘訴求的後續發展，儘管我們看到部分貢獻人心的發展，商會仍建議華府盡速採取行動，積極推動DTA。展望未來一年，商會仍期盼與兩府政府密切合作，貫徹今年《台灣白皮書》中的企圖心及可實踐的建言。
2022 TAIWAN WHITE PAPER
AmCham’s annual official assessment of Taiwan’s business environment, including in-depth analysis of the business climate. Includes position papers from AmCham’s Industry Committees.
In the June 2022 issue of TOPICS.
- Taiwan: NT$300
- Asia: US$13
- U.S./Europe: US$15

TAIWAN BUSINESS TOPICS MAGAZINE
AmCham’s bilingual business monthly magazine, delivering news, features, and analysis of the current business environment in Taiwan.
- Taiwan: NT$1500 (2 Years: NT$2700)
- U.S., Europe: US$90 (2 Years: US$170)
- HK/PRC: US$68 (2 Years: US$130)
- Elsewhere in Asia: US$75 (2 Years: US$140)

EMAIL BROADCASTING
Use AmCham’s office email broadcasting system to reach AmCham’s members (1,000+ business executives and 500+ companies).
- Member: NT$10,000 (US$335)
- Non-Member: NT$20,000 (US$670)

ONLINE BANNER ADS
AmCham has an array of banner ad positions to help your company gain exposure. Simply log on to www.amcham.com.tw and click on Advertising for more information.

For further information please contact the American Chamber of Commerce in Taiwan / Suite 706, 129 MinSheng East Road, Section 3, Taipei 10596
Tel: +886-2-2718-8226 / Fax: +886-2-2718-8182 / Website: www.amcham.com.tw
To purchase these publications, please complete the information below and return via fax or email to carolinelee@amcham.com.tw

Name: ____________________________________________ Tel: __________________
Company: _____________________________________________ Fax: __________________
Address: __________________________________________________________
Email Address: _______________________________________________________
Payment by  □Member’s Account  □Cash  □AMEX  □Diners  □Master  □VISA  □Check
Credit card number: ___________________________________________ Expiration date: __________________
Cardholder’s name: ___________________________________________ Amount (NT$): ___________ (US$): ___________
Signature: ___________________________________________________ Date: _____________

All publication prices include postage and handling fees.
### BY THE NUMBERS

**GRAPH 1: ECONOMIC GROWTH RATE**

![Graph](image1.png)

Source: DGBAS  
Note: p=preliminary

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Value</td>
<td>3.30%</td>
<td>3.41%</td>
<td>3.68%</td>
<td>3.70%</td>
<td>3.78%</td>
<td>3.71%</td>
<td>4.08%</td>
<td>4.46%</td>
<td>4.79%</td>
<td>5.82%</td>
</tr>
</tbody>
</table>

**GRAPH 2: GROSS DOMESTIC INVESTMENT**

![Graph](image2.png)

Source: National Statistics, R.O.C.  
Unit: NT$ billion

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Value</td>
<td>3,130</td>
<td>3,441</td>
<td>3,668</td>
<td>3,706</td>
<td>3,790</td>
<td>3,771</td>
<td>4,085</td>
<td>4,463</td>
<td>4,790</td>
<td>5,828p</td>
</tr>
</tbody>
</table>

**GRAPH 3: FOREIGN DIRECT INVESTMENT**

![Graph](image3.png)

Source: MOEA  
Unit: US$ billion

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Value</td>
<td>11.44</td>
<td>11.20</td>
<td>9.12</td>
<td>11.04</td>
<td>5.56</td>
<td>4.93</td>
<td>5.77</td>
<td>4.87</td>
<td>7.55</td>
<td>7.55</td>
</tr>
</tbody>
</table>

**GRAPH 4: TOTAL FOREIGN TRADE**

![Graph](image4.png)

Source: MOEA  
Unit: US$ billion

|------|------|------|------|------|------|------|------|------|------|------|

**GRAPH 5: KEY ECONOMIC INDICATORS**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemployment</td>
<td>4.24%</td>
<td>4.18%</td>
<td>3.96%</td>
<td>3.78%</td>
<td>3.92%</td>
<td>3.76%</td>
<td>3.71%</td>
<td>3.73%</td>
<td>3.85%</td>
<td>3.64%</td>
</tr>
<tr>
<td>Inflation (CPI)</td>
<td>1.93%</td>
<td>0.79%</td>
<td>1.20%</td>
<td>-0.31%</td>
<td>1.39%</td>
<td>0.62%</td>
<td>1.35%</td>
<td>0.56%</td>
<td>-0.10%</td>
<td>2.63%</td>
</tr>
</tbody>
</table>

Sources: DGBAS, CBC
Contact AmCham to order additional copies of the Taiwan White Paper. The price, including postage and handling, is NT$300 per copy in Taiwan, US$15 to the Americas and Europe, and US$13 within Asia.
REVIEW OF 2021 WHITE PAPER ISSUES

The progress of each issue is rated according to the following standards:

1—Solved: Conclusive action has been taken on the issue, with a fair and transparent record of implementation. It is no longer considered a problem.

2—In Good Progress: The issue is currently receiving satisfactory follow-up action from the government.

3—Under Observation: The government has given the issue some initial attention, but it is too early to assess the prospects for resolution.

4—Stalled: The issue is currently receiving satisfactory follow-up action from the government. It is no longer considered a problem.

5—Dropped: No substantial discernible progress has occurred. Although not resolved, the issue is no longer a committee priority.

Out of 87 issues raised in the 2021 White Paper, 5 are rated Solved, 13 In Progress, 41 Under Observation, 13 Stalled, and 9 Dropped.

<table>
<thead>
<tr>
<th>Committee</th>
<th>2021 White Paper Issues</th>
<th>Rating 2021 WP</th>
<th>Notes on 2022 Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agro-Chemical</td>
<td>1: Update the methodology for calculating the ADI risk.</td>
<td>4</td>
<td>Changed to “Disclose and clarify the timetable for each government body and its advisory committee in the pesticide registration review process.”</td>
</tr>
<tr>
<td></td>
<td>2: Make public the schedule for establishing pesticide MRLs.</td>
<td>3</td>
<td>Changed to “Re-assess the reasonableness of data requirements for the registration of generic pesticides (formulated products) to ensure their safe and effective use by farmers.”</td>
</tr>
<tr>
<td></td>
<td>3: Amend the “Replacement Rules Concerning Pesticides Indication” for the Agro-pesticides Management Act.</td>
<td>4</td>
<td>Changed to “Re-assess the reasonableness of data requirements for the registration of generic pesticides (formulated products) to ensure their safe and effective use by farmers.”</td>
</tr>
<tr>
<td></td>
<td>4: Implement the 10-year protection period for new active-ingredient data.</td>
<td>5</td>
<td>Changed to “Re-assess the reasonableness of data requirements for the registration of generic pesticides (formulated products) to ensure their safe and effective use by farmers.”</td>
</tr>
<tr>
<td></td>
<td>5: Strengthen registration requirements for generic pesticides</td>
<td>4</td>
<td>Changed to “Re-assess the reasonableness of data requirements for the registration of generic pesticides (formulated products) to ensure their safe and effective use by farmers.”</td>
</tr>
<tr>
<td>Asset Management</td>
<td>1: Expand and improve the members’-choice pilot program for pension reform.</td>
<td>3</td>
<td>Changed to “Encourage Taiwanese citizens to prepare for their retirement as early as possible through long-term investments.”</td>
</tr>
<tr>
<td></td>
<td>2: Permit ESG funds to be launched in Taiwan and adopt a disclosure model.</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Banking</td>
<td>1: Promote digitalization by adopting more flexible regulations on online corporate banking services, establishing a national data repository, and enabling e-signing and e-submissions.</td>
<td>3</td>
<td>Changed to “Promote digitalization of the banking sector.”</td>
</tr>
<tr>
<td></td>
<td>2: Relax guidelines and the relevant Q&amp;A for foreign banks to outsource IT systems.</td>
<td>2</td>
<td>Changed to “Relax the current guidelines on outsourcing IT systems.”</td>
</tr>
<tr>
<td></td>
<td>3: Allow the proceeds of foreign bank branch-issued TW0 financial debentures to be used in sustainable finance.</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4: Begin regulatory planning for Taiwan’s sustainability-linked bonds scheme.</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Capital Markets</td>
<td>1: Ensure that FINI tax data can be accessed before the end of March.</td>
<td>2</td>
<td>Changed to “Take steps to improve the efficiency of Taiwan’s capital market.”</td>
</tr>
<tr>
<td></td>
<td>2: Establish an e-platform and paperless environment.</td>
<td>3</td>
<td>Changed to “Take steps to improve the efficiency of Taiwan’s capital market.”</td>
</tr>
<tr>
<td></td>
<td>3: Revise the Draft Outsourcing Rules for the Securities Industry to meet the nature and needs of the industry.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4: Further improve the efficiency of the investment environment for FINIs.</td>
<td>4</td>
<td>Changed to “Take steps to improve the efficiency of Taiwan’s capital market.”</td>
</tr>
<tr>
<td>Chemical Manufacturers</td>
<td>1: Improve the efficiency of the Existing Chemical Substance registration system.</td>
<td>1</td>
<td>Changed to “Refine the SDS ICSI review criteria.”</td>
</tr>
<tr>
<td></td>
<td>2: Address shortcomings in the SDS, labeling, and CBI withdrawing processes.</td>
<td>3</td>
<td>Changed to “Find a means to move forward with an effective plan to legalize the profession of chiropractic in Taiwan.”</td>
</tr>
<tr>
<td>Chiropractic</td>
<td>Develop and begin implementation of an effective plan to legalize the profession of chiropractic in Taiwan.</td>
<td>3</td>
<td>Changed to “Refine the SDS ICSI review criteria.”</td>
</tr>
<tr>
<td></td>
<td>2: Avoid non-transparent or arbitrary review standards for proof of claims for cosmetics products.</td>
<td>3</td>
<td>Changed to “Avoid non-transparent or arbitrary review standards for proof of claims for cosmetics products.”</td>
</tr>
<tr>
<td>Cosmetics</td>
<td>3: Relax regulations on the production and sale of customized cosmetics.</td>
<td>4</td>
<td>Changed to “Relax regulations governing the production and sale of customized cosmetics.”</td>
</tr>
<tr>
<td></td>
<td>4: Clearly rules regarding the refill of cosmetics product containers.</td>
<td>4</td>
<td>Changed to “Permit the refill of cosmetics product containers for the sake of waste reduction and environmental protection.”</td>
</tr>
<tr>
<td>Digital Economy</td>
<td>1: Provide the MOCD with a mandate to promote a more open, less restrictive digital economy.</td>
<td>3</td>
<td>Changed to “Harmonize regulations to create a consistent, cohesive, and digital-friendly regulatory environment.”</td>
</tr>
<tr>
<td></td>
<td>2: Continue the commitment to strengthening multi-stakeholder collaboration to combat digital disinformation.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Energy</td>
<td>1: Expand public-private dialogue to cover issues critical to Taiwan’s energy future.</td>
<td>3</td>
<td>Changed to “Build a resilient power grid to sustain Taiwan’s energy transition.”</td>
</tr>
<tr>
<td></td>
<td>2: Promote affordable energy while ensuring grid resilience.</td>
<td>4</td>
<td>Changed to “Build a resilient power grid to sustain Taiwan’s energy transition.”</td>
</tr>
<tr>
<td></td>
<td>3: Streamline the regulatory approval process for new energy projects.</td>
<td>4</td>
<td>Changed to “Remove regulatory barriers hindering Taiwan’s renewable energy development.”</td>
</tr>
<tr>
<td>Human Resource</td>
<td>1: Address safety and health issues for high-salary personnel and codify the principle of safe harbor for gig workers into law.</td>
<td>3</td>
<td>Changed to “Enable enterprises to meet legal quotas for employing people with disabilities by using recruitment and management services provided by third-party organizations.”</td>
</tr>
<tr>
<td></td>
<td>2: Count disabled people hired through third-party service providers in calculating the total number of disabled employees at a company.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3: Amend the temporary status quo injunction under the Labor Incidents Act to ensure the stability of the Taiwan labor market.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Infrastructure &amp; Engineering</td>
<td>Issue tender documents for major key projects in both Chinese and English.</td>
<td>4</td>
<td>Changed to “Actively encourage greater participation by international E&amp;C contractors to promote economic competitiveness and technological advancement.”</td>
</tr>
<tr>
<td><strong>Insurance</strong></td>
<td><strong>1.</strong> Provide more opportunities for e-commerce to help modernize and develop Taiwan’s insurance market.</td>
<td>2</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Permit insurers to exclude foreign investments backing foreign-currency-denominated traditional insurance products when calculating the limit on total foreign investment.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Adopt risk-based supervisory rules to facilitate differentiation by sales channel and product.”</td>
</tr>
<tr>
<td><strong>3.</strong> Adopt risk-based supervisory rules for differentiated sales channels.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Adapt risk-based supervisory rules to facilitate differentiation by sales channel and product.”</td>
</tr>
<tr>
<td><strong>4.</strong> Reduce the burden of frequent regulatory changes on stakeholders.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Further relax or remove the limit on total foreign investment.”</td>
</tr>
<tr>
<td><strong>5.</strong> Show flexibility regarding ESG reporting requirements for foreign insurers.</td>
<td>2</td>
<td>*</td>
<td>Changed to “Adapt risk-based supervisory rules to facilitate differentiation by sales channel and product.”</td>
</tr>
<tr>
<td><strong>Intelectual Property &amp; Licensing</strong></td>
<td><strong>1.</strong> Expand cross-agency cooperation to protect IP in the pharmaceutical industry.</td>
<td>2</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Relax the timing for filing divisional applications and increase the number of office actions during examinations.</td>
<td>2</td>
<td>*</td>
<td>Changed to “Continue to enhance measures to combat online piracy.”</td>
</tr>
<tr>
<td><strong>3.</strong> Find a way to effectively combat online piracy.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Continue to enhance measures to combat online piracy.”</td>
</tr>
<tr>
<td><strong>4.</strong> Remove serious shortcomings in the proposed Copyright Act during the legislative review process.</td>
<td>4</td>
<td>*</td>
<td>Changed to “Set fair reimbursement prices when re-reviewing products on the “non-reimbursed medical device list.””</td>
</tr>
<tr>
<td><strong>Medical Devices</strong></td>
<td><strong>1.</strong> Accept MSDAP audit reports as qualified substitutes for ERIS in GSD simplified regulatory pathway submissions.</td>
<td>1</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Maintain the simplified preclinical test substitution pathway while seeking premarket technical dossier exchange agreements with other countries.</td>
<td>5</td>
<td>*</td>
<td>Changed to “Establish a mechanism to grant a single license to medical device design owners with multiple manufacturing sites.”</td>
</tr>
<tr>
<td><strong>3.</strong> Regulate medical device manufacturers according to the identity of the design holder (the legal manufacturer).</td>
<td>3</td>
<td>*</td>
<td>Changed to “Establish a mechanism to grant a single license to medical device design owners with multiple manufacturing sites.”</td>
</tr>
<tr>
<td><strong>4.</strong> Expedite patient access to new technologies through more efficient NHI review processes.</td>
<td>4</td>
<td>*</td>
<td>Changed to “Establish a mechanism to grant a single license to medical device design owners with multiple manufacturing sites.”</td>
</tr>
<tr>
<td><strong>5.</strong> Improve the pricing mechanism for new-function medical devices.</td>
<td>4</td>
<td>*</td>
<td>Changed to “Establish a mechanism to grant a single license to medical device design owners with multiple manufacturing sites.”</td>
</tr>
<tr>
<td><strong>Pharmaceutical</strong></td>
<td><strong>1.</strong> Set bold goals for increasing the level of current health expenditure, embrace horizon scanning in budget planning, and improve MEA practices.</td>
<td>4</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Continue the DET pilot program to ensure patient access to innovative treatments.</td>
<td>4</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>3.</strong> Uphold patient safety by strengthening patient access to authentic medicines and accurate information on medications.</td>
<td>2</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>Private Equity</strong></td>
<td><strong>1.</strong> Establish a platform for biomedical collaboration between the Taiwan authorities and industry.</td>
<td>3</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Expand permitted investment by public pension funds in alternative assets like private equity to help meet national pension fund minimum return obligations.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>3.</strong> Regulate family offices (FOs) as professional institutional investors and create a regulatory environment that facilitates their efficient formation and operation.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>4.</strong> Promote Taiwan to become an Asia asset-management and project finance center.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>Public Health</strong></td>
<td><strong>1.</strong> Implement carbon-reduction strategies that include both “carbon fees” and “carbon credits.”</td>
<td>5</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Hasten the introduction into Taiwan’s food market of containers made from recycled plastics.</td>
<td>2</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>3.</strong> Increase osteoporosis screening and primary prevention of osteoporotic fractures.</td>
<td>2</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>Retail</strong></td>
<td><strong>1.</strong> Permit SDF-formula amendment instead of re-registration and remove the requirement to prove the ethnic compatibility of FSMPs.</td>
<td>3</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Revamp FDA’s existing product claim framework.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>3.</strong> Increase rule-making transparency and reduce inconsistencies in regulatory interpretations and related practices.</td>
<td>2</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>Sustainable Development</strong></td>
<td><strong>1.</strong> Implement carbon-reduction strategies that include both “carbon fees” and “carbon credits.”</td>
<td>3</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Redefine the introduction into Taiwan’s food market of containers made from recycled plastics.</td>
<td>1</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>3.</strong> Make regulations more transparent and persuasive by utilizing public policy assessment tools.</td>
<td>5</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>4.</strong> Establish a sustainable ecosystem for Li-ion battery recycling, clearance, and disposal (RCD) in Taiwan.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>5.</strong> Provide effective market incentives for greener products.</td>
<td>3</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>Tax</strong></td>
<td><strong>1.</strong> Relax the supporting documents requirements under the Customs Administration’s guidelines on one-time transfer pricing adjustments.</td>
<td>5</td>
<td>*</td>
</tr>
<tr>
<td><strong>2.</strong> Clarify the definition of “completion of sales” and reconsider taxing transactions involving drop shipping.</td>
<td>4</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td><strong>3.</strong> Abolish the Stamp Duty Act.</td>
<td>5</td>
<td>*</td>
<td>Changed to “Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.”</td>
</tr>
<tr>
<td>Committee</td>
<td>2021 White Paper Issues</td>
<td>Rating</td>
<td>2022 WP Notes</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>--------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Technology</td>
<td>1: Balance personal data protection with data-driven innovation.</td>
<td>3</td>
<td>Changed to “Amend the PDPA with an eye to balancing industrial development and personal data protection.”</td>
</tr>
<tr>
<td></td>
<td>2: Create an environment conducive to cloud adoption by the financial sector.</td>
<td>3</td>
<td>Changed to “Create a regulatory environment conducive to the use of cloud technology by government agencies, financial institutions, and telemedicine providers.”</td>
</tr>
<tr>
<td></td>
<td>3: Ensure that frequency spectrum policies for Wi-Fi applications are in accord with international developments.</td>
<td>3</td>
<td>Changed to “Open the full 6 GHz spectrum band for Wi-Fi 6E license-exempt use.”</td>
</tr>
<tr>
<td></td>
<td>4: Provide clearly defined cybersecurity guidelines for information products and services in public tenders.</td>
<td>2</td>
<td>Changed to “Adopt recognized standards to assess cybersecurity risks during government procurement of ICT products and services, and continue providing clear cybersecurity guidelines.”</td>
</tr>
<tr>
<td></td>
<td>5: Form public-private partnerships to face the challenges of the pandemic and ensure regular communication between the Taiwan authorities and industry.</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Telecommunications &amp; Media</td>
<td>1: Promote a healthy and robust environment for 5G development in Taiwan.</td>
<td>3</td>
<td>Changed to “Improve the environment for 5G application and development in Taiwan.”</td>
</tr>
<tr>
<td></td>
<td>2: Amend regulations on cable TV to allow it to remain competitive.</td>
<td>4</td>
<td>Changed to “Amend the Cable TV Act and the Satellite Broadcasting Act to maintain Taiwan’s competitiveness.”</td>
</tr>
<tr>
<td></td>
<td>3: Commit to transparency and the involvement of multiple stakeholders in determining how to proceed with the draft OTT Act.</td>
<td>4</td>
<td>Changed to “Commit to maintain conducive regulatory environment for OTT TV Services.”</td>
</tr>
<tr>
<td>Tobacco</td>
<td>1: Adopt a two-pronged approach – increased inspections and enhanced public awareness – to deal with new types of illicit trade in tobacco products.</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2: Construct a reasonable tobacco control policy to combat illicit trade.</td>
<td>4</td>
<td>Changed to “Formulate tobacco-control policies based on the conditions of reasonableness, gradualness, and predictability, and avoid excessive restrictions fostering the growth of illicit tobacco trade.”</td>
</tr>
<tr>
<td>Transportation &amp; Logistics</td>
<td>1: Announce the extension of the commodity tax exemption for BEVs as soon as possible.</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2: Create a user-friendly charging environment for EVs.</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3: Broaden the standards applied to airport taxes.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4: Relax NCC restrictions on products imported by R&amp;D centers for testing purposes.</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5: Reform the MPT system to strengthen the taxi industry, improve the general taxi experience, increase driver earnings, and fulfill the government’s digitalization goals.</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Travel and Tourism</td>
<td>1: Develop a unified, targeted marketing strategy for tourism through communication with industry and across government agencies.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2: Return OMOs to their original purpose as a marketing tool for reaching global markets.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3: Reimagine tourism possibilities in preparation for the post-COVID market.</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

Note: * indicates the issue has been raised again in 2022 White Paper
By Vivian Yang and Rosalyn Wu
Last Updated: June 01, 2022

---

**ONLINE ACCESS**

The full 2022 *Taiwan White Paper* is available in the Advocacy section on the AmCham Taiwan website (www.amcham.com.tw). Individual Committee position papers are also posted in each Committee’s section of the Chamber’s website.
《2021台灣白皮書》議題處理進度

以下為《2021台灣白皮書》優先議題的處理進度，各議題評估標準如下：
1-已解決：政府已針對議題達成結論性的決定並付諸實行，或已有公開、透明的執行績效。換言之，所提的議題已不再是問題。
2-有具體進展：該議題目前正由政府進行後續追蹤，其進度令人滿意。
3-一覧中：政府相關單位已注意到該議題，但後續發展仍待觀察。
4-一覧中：該議題無實質可見的進度。
5-已刪除：該議題雖未解決，但已不再是委員會優先議題。

<table>
<thead>
<tr>
<th>委員會</th>
<th>2021白皮書議題</th>
<th>預計</th>
<th>2022白皮書</th>
<th>2022年白皮書備註</th>
</tr>
</thead>
<tbody>
<tr>
<td>農化</td>
<td>建議一：更新各農藥成分每日可接受攝食風險值（ADI risk cup）的計算方法</td>
<td>4</td>
<td>*</td>
<td>今年改為：請各主管機關公開並明訂轄下各單位及其委外單位對農藥登記審查流程所需時程。</td>
</tr>
<tr>
<td></td>
<td>建議二：公開透明農藥最大殘留量（MRL）制訂的時程</td>
<td>3</td>
<td>*</td>
<td>今年改為：正視農藥學名藥（成品）登記資料要求的合理性，以確保農民用藥之安全性及有效性。</td>
</tr>
<tr>
<td></td>
<td>建議四：儘快實施新的十年有效期成分測試資料保留期</td>
<td>5</td>
<td>*</td>
<td>今年改為：正視農藥學名藥（成品）登記資料要求的合理性，以確保農民用藥之安全性及有效性。</td>
</tr>
<tr>
<td></td>
<td>建議五：強化農藥名單登記的合理性</td>
<td>4</td>
<td>*</td>
<td>今年改為：正視農藥學名藥（成品）登記資料要求的合理性，以確保農民用藥之安全性及有效性。</td>
</tr>
<tr>
<td>資產管理</td>
<td>建議一：擴大並改善退休準備平台之自選試辦方案</td>
<td>3</td>
<td>*</td>
<td>今年改為：為建立國人自主投資意識，鼓勵國人透過長期投資儘早為退休預作準備。</td>
</tr>
<tr>
<td></td>
<td>建議二：允許於台灣執行 ESG 基金並採用揭露模式</td>
<td>1</td>
<td>*</td>
<td>今年改為：推動金融數位化。</td>
</tr>
<tr>
<td>銀行業</td>
<td>建議一：確定具彈性之企業金融數位化相關規範，與建立政府開放資料庫並啟用電子簽章以促進數位轉型</td>
<td>3</td>
<td>*</td>
<td>今年改為：推動金融數位化。</td>
</tr>
<tr>
<td></td>
<td>建議二：放寬《金融機構作業委託他人處理內部作業制度及程序辦法》及相關開立之適用範圍</td>
<td>2</td>
<td>*</td>
<td>今年改為：推動金融數位化。</td>
</tr>
<tr>
<td></td>
<td>建議三：允許外國銀行在台分行在其發行之新台幣金融債券收益用於水庫資金</td>
<td>2</td>
<td>*</td>
<td>今年改為：推動金融數位化。</td>
</tr>
<tr>
<td></td>
<td>建議四：推動台灣水庫目標連結金融債券發行與監督制度</td>
<td>2</td>
<td>*</td>
<td>今年改為：推動金融數位化。</td>
</tr>
<tr>
<td>資本市場</td>
<td>建議一：確保密書商於三月底前取得外資業務資格</td>
<td>2</td>
<td>*</td>
<td>今年改為：增進市場作業效率。</td>
</tr>
<tr>
<td></td>
<td>建議二：建立電子化作業平台及無紙化環境</td>
<td>3</td>
<td>*</td>
<td>今年改為：增進市場作業效率。</td>
</tr>
<tr>
<td></td>
<td>建議三：訂定符合業界特性及需求之『證券商作業委託他人處理內部作業制度及程序辦法』（以下稱委外辦法）</td>
<td>2</td>
<td>*</td>
<td>今年改為：增進市場作業效率。</td>
</tr>
<tr>
<td></td>
<td>建議四：提升與外資投資環境之效率</td>
<td>4</td>
<td>*</td>
<td>今年改為：增進市場作業效率。</td>
</tr>
<tr>
<td>化學品製造業</td>
<td>建議一：環保署既有化學物質標準登錄相關建議</td>
<td>1</td>
<td>*</td>
<td>今年改為：確保「安全資料表」之商業機密揭示保留申請標準。</td>
</tr>
<tr>
<td></td>
<td>建議二：整合更新資料表、標籤及商業機密揭示保留相關建議</td>
<td>3</td>
<td>*</td>
<td>今年改為：增進市場作業效率。</td>
</tr>
<tr>
<td>輪船業</td>
<td>在台灣發展並開始執行一個能合法化脊骨神經醫學專業的有效計畫</td>
<td>4</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
<tr>
<td></td>
<td>建議一：使台灣化粧品標示法規對於英文字體的大小要求與多數化粧品進口國接軌，並考量中英文並列之標示的可讀性</td>
<td>5</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
<tr>
<td></td>
<td>建議二：避免對化粧品效能宣稱採用不透明或因人而異的不科學的評估判斷標準</td>
<td>3</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
<tr>
<td>數位經濟</td>
<td>建議一：推動數位發展部（MODD）推動一個更加開放、限制更少的數位經濟</td>
<td>3</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
<tr>
<td></td>
<td>建議三：持續強化多方利益關係人之合作，支持新創生態系合作並打擊數位不實資訊</td>
<td>3</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
<tr>
<td>水電</td>
<td>建議一：擴大公、私部門對話以解決台灣未來至關重要的能源議題</td>
<td>3</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
<tr>
<td></td>
<td>建議二：推廣可靠又可負擔的能源</td>
<td>4</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
<tr>
<td></td>
<td>建議三：簡化新能源計畫評核作業程序</td>
<td>4</td>
<td>*</td>
<td>今年改為：發展脊骨神經醫學專業合法化的有效計畫。</td>
</tr>
</tbody>
</table>
### 人力資源

| 建議一 | 就高薪人員採取更彈性勞動條件，並將零工從業人員之《安全港條例》納入法規 | 3 | 今年改為：允許企業可於第三方機構招募並管理依法所規定該適用之身心障礙者

| 建議二 | 企業可將該服務提供者所僱用之身心障礙者裁員，如符合《職場機會法》之規定，可不視為整體裁員 | 3 | 今年改為：積極吸引更多國際工程設計與營造公司加入參與，以促進經濟競爭力和技術進步

| 建議三 | 針對不同的行銷通路採取差異化的監理原則 | 3 | 今年改為：因應世界衛生組織(WHO) 2030 消滅肝炎目標

### 基礎建設與工程設計

| 建議一 | 開放更多電子商務銷售管道，推動台灣保險市場現代化與發展 | 2 | 今年改為：擴大跨部門合作，保護製藥產業的智慧財產權

| 建議二 | 為企業可將其服務提供者所僱用之身心障礙者裁員，如符合《職場機會法》之規定，可不視為整體裁員 | 3 | 今年改為：積極吸引更多國際工程設計與營造公司加入參與，以促進經濟競爭力和技術進步

### 保險

| 建議一 | 企業可將其服務提供者所僱用之身心障礙者裁員，如符合《職場機會法》之規定，可不視為整體裁員 | 3 | 今年改為：積極吸引更多國際工程設計與營造公司加入參與，以促進經濟競爭力和技術進步

| 建議二 | 針對不同的行銷通路採取差異化的監理原則 | 3 | 今年改為：因應世界衛生組織(WHO) 2030 消滅肝炎目標

### 智慧財產權與授權

| 建議一 | 重大或重點工程計畫案的招標文件雙語化 | 4 | 今年改為：擴大跨部門合作，保護製藥產業的智慧財產權

| 建議二 | 為企業可將其服務提供者所僱用之身心障礙者裁員，如符合《職場機會法》之規定，可不視為整體裁員 | 3 | 今年改為：積極吸引更多國際工程設計與營造公司加入參與，以促進經濟競爭力和技術進步

### 醫藥品

| 建議一 | 接受醫療器材市場一體化設計（Medical Device Single Audit Program, MDSAP）稽核 | 3 | 今年改為：擴大跨部門合作，保護製藥產業的智慧財產權

| 建議二 | 為企業可將其服務提供者所僱用之身心障礙者裁員，如符合《職場機會法》之規定，可不視為整體裁員 | 3 | 今年改為：積極吸引更多國際工程設計與營造公司加入參與，以促進經濟競爭力和技術進步

| 建議三 | 為企業可將其服務提供者所僱用之身心障礙者裁員，如符合《職場機會法》之規定，可不視為整體裁員 | 3 | 今年改為：積極吸引更多國際工程設計與營造公司加入參與，以促進經濟競爭力和技術進步

### 私募基金

| 建議一 | 允許特殊營養食品（SDF）以配方變更登記取代重新進行新案申請，並刪除特定疾病配方食品（FSMP）檢附無人種差異資料證明的要求 | 3 | 今年改為：擴大跨部門合作，保護製藥產業的智慧財產權

| 建議二 | 允許特殊營養食品（SDF）以配方變更登記取代重新進行新案申請，並刪除特定疾病配方食品（FSMP）檢附無人種差異資料證明的要求 | 3 | 今年改為：擴大跨部門合作，保護製藥產業的智慧財產權

| 建議三 | 拓展台灣成為亞洲資產管理及專案融資中心 | 3 | 今年改為：擴大跨部門合作，保護製藥產業的智慧財產權
<table>
<thead>
<tr>
<th>類別</th>
<th>建議一</th>
<th>建議二</th>
<th>建議三</th>
<th>建議四</th>
<th>建議五</th>
</tr>
</thead>
<tbody>
<tr>
<td>生態發展</td>
<td>制定「碳費用」及「碳信用」之相關法規，以落實減碳策略</td>
<td>儘快將再生塑料製成的容器引入台灣食品市場</td>
<td>為綠色環保產品提供有效的市場購買誘因</td>
<td>建立永續的鋰電池回收、清除、處理生態系</td>
<td>透過合理獎勵措施，促進產業使用再生塑膠</td>
</tr>
<tr>
<td>稅務</td>
<td>放寬針對《海關實施會計年度一次性移轉訂價核定完稅價格作業要點》所需申請文件之規定</td>
<td>釐清「完成銷售」的定義與重新考慮對直運交易的稅課合理</td>
<td>毀止《印花稅法》</td>
<td>放寬針對《海關實施會計年度一次性移轉訂價核定完稅價格作業要點》所需申請文件之規定</td>
<td>為綠色環保產品提供有效的市場購買誘因</td>
</tr>
<tr>
<td>科技</td>
<td>發展再生塑料制作物品</td>
<td>發展有利金融機構採用雲端技術的法規環境</td>
<td>建立公私協作模式面對 COVID-19 疫情挑戰，並確保台灣政府與科技產業間定期的溝通機制</td>
<td>發展再生塑料制作物品</td>
<td>建立公私協作模式面對 COVID-19 疫情挑戰，並確保台灣政府與科技產業間定期的溝通機制</td>
</tr>
<tr>
<td>電信及媒體</td>
<td>建立台灣 5G 發展環境</td>
<td>建立台灣 5G 發展環境</td>
<td>提升台灣 5G 應用發展環境</td>
<td>建立台灣 5G 發展環境</td>
<td>提升台灣 5G 應用發展環境</td>
</tr>
<tr>
<td>終品</td>
<td>傳統產業轉型及教育高以因應新創歷史制度</td>
<td>建立合理的通控政策以防止私菸販售</td>
<td>建立合理的通控政策以防止私菸販售</td>
<td>建立合理的通控政策以防止私菸販售</td>
<td>建立合理的通控政策以防止私菸販售</td>
</tr>
<tr>
<td>交通運輸與物流</td>
<td>儘早宣布延長純電動貨物車限載規定</td>
<td>建立電動車的使用者友善環境</td>
<td>放開機場跑道計程車規格</td>
<td>放開機場跑道計程車規格</td>
<td>放開機場跑道計程車規格</td>
</tr>
<tr>
<td>旅遊與觀光</td>
<td>建立觀光產業的業者自律</td>
<td>建立觀光產業的業者自律</td>
<td>建立觀光產業的業者自律</td>
<td>建立觀光產業的業者自律</td>
<td>建立觀光產業的業者自律</td>
</tr>
</tbody>
</table>

備註：* 號代表該 2021 年議題於《2022 台灣白皮書》中再度提出。
AGRO-CHEMICAL

Food safety issues have continued to be a problem in Taiwan in recent years, and the difficulty of communicating risks to the general public has hindered the establishment and enforcement of government policies to address them adequately. The Committee appreciates and affirms the efforts of the Taiwan Food and Drug Administration (TFDA) and the Ministry of Health and Welfare (MOHW) in considering the suggestions raised in last year’s White Paper.

Even in this challenging environment, the TFDA has continued to strive to make the Standards for Pesticide Residue Limits in Foods (the Standards) more transparent. In addition to publicly disclosing its meeting minutes, the TFDA has moved quickly to expand the inquiry system for applications submitted by the Council of Agriculture (COA) for domestic pesticide registration. Although the TFDA’s efforts to increase information transparency is a major step forward, in the paper below the Committee notes the room for improvement by other agencies involved in the pesticide registration process.

Our proposals this year also include two other issues. One repeat item from the past several White Papers is the need for the authorities to review the reasonableness of current data requirements for registering generic pesticides.

Another suggestion is for Taiwan to catch up with the many countries that have already implemented management policies for agricultural products derived from emerging precision-breeding technologies. Products based on those technologies have already been launched in those markets. We therefore urge the authorities to establish and enforce management regulations for such products.

We call on the responsible authorities to prioritize these issues and provide concrete plans for improvement.

Suggestion 1: Disclose and clarify the timetable for each government body and its advisory committee in the pesticide registration review process.

1.1 Although the COA has established a Pesticide Registration Application System, which allows companies to submit applications, reply to comments, and track the review process, the application review schedule remains uncertain. Usually, a delay of between six months and a year occurs between completion of the evaluation conducted by COA technical units and review by the Pesticide Advisory Committee. Following evaluation of an application by the Taiwan Agricultural Chemicals and Toxic Substances Research Institute (TACTRI), the Committee requests that the application be scheduled for the next review meeting of the Pesticide Advisory Committee. The timing of such review meetings should be recorded in the system for tracking purposes.

1.2 The Committee also notes that the COA has long had a backlog of applications that were already reviewed by the Pesticide Advisory Committee, since these applications are not being forwarded in a timely manner to TFDA for its further evaluation and use in establishing the Standards. For example, cases reviewed in sessions #110-115 of the Pesticide Advisory Committee in 2021 were not forwarded to TFDA until February 22, 2022, when they were all sent in one batch. The Committee requests that COA forward all applications to TFDA within three months of their review by the Pesticide Advisory Committee and that no supplementary documents be required. In addition, the progress of the applications should be recorded in the system for tracking purposes.

1.3 The Committee respects COA’s decision to utilize an “Advance Notice Announcement” process prior to announcing pesticide usage methods in order to collect comments from the public to facilitate risk communication. To avoid delays in the pesticide registration approval process, the Committee requests that COA provide advance notice of the pesticide usage method simultaneously with or within three days following the TFDA’s advance notice of amendments to the Standards. It also asks that COA publish said method immediately after TFDA makes an official announcement of the amendments. Ordering the process in such a way would fulfill the Executive Yuan’s commitment to synchronize pesticide registration with establishment of the Standards.

1.4 The Committee urges the TFDA to consider the needs of industry in its review of pesticide registration applications as well as the impact of maximum residue level-setting on imports, and to announce amendments to the Standards two or three times a year.

Suggestion 2: Reassess the reasonableness of data requirements for the registration of generic pesticides (formulated products) to ensure their safe and effective use by farmers.

The Committee has raised this issue for three consecutive years, but no action has yet been taken by the responsible authorities.

On August 5, 2019, COA revised the Pesticide Labeling Management Regulations, introducing the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) system and requiring that pesticide...
products include GHS labels to ensure their safe use by farmers. However, the license holders of generic pesticides do not possess the complete toxicity data for their registered products or any added ingredients, and the authorities do not check the accuracy of the information on the hazard labels. The Committee urges the authority to seriously reconsider the appropriateness of current hazard labeling requirements for generic pesticide products as inaccurate information could affect the safe use of these products by farmers.

In addition, submission of a field efficacy report for generic pesticides is currently not required before such products are registered and commercialized. Lacking information on the efficacy of different compositions, farmers may overuse pesticide products, defeating the purpose of policies meant to reduce pesticide usage.

The Committee requests that the government reconsider whether the current registration data requirements for generic pesticides are reasonable. Furthermore, we strongly recommend that the authorities require toxicity reports for these products (oral, skin, acute pulmonary toxicity, and eye irritation test data) and conduct at least one field trial of the efficacy and phytotoxicity of each product prior to its registration to assess performance and ensure the safety and control effects of the product.

Suggestion 3: Adopt management regulations for products derived from emerging precision-breeding technologies as quickly as possible.

Genome editing technology was the subject of the Nobel Prize in Chemistry in 2020, only a few years after its development. It has since been widely used in plant-breeding development to meet the needs of sustainable agriculture and confront climate change. Major food-exporting countries have invested huge resources in the development and innovation of this technology and in establishing relevant management regulations, and several genome-edited products have been launched.

For example, Japan, a key food-importing country with dietary habits similar to those of Taiwan, implemented management policies for genome-edited agricultural products in 2019. By the end of 2021, three such products had been determined by the Japanese authorities not to have been genetically modified after completion of a pre-consultation process, and they are now available for purchase by consumers.

Taiwan is a leader in agricultural technology, with the export value of its seedling industry exceeding US$2.5 million. Genome editing is the driving force behind this industry’s advancement, and it can assist in the development of eco-friendly products and the achievement of net-zero emissions goals. The government should thus shift more of its focus to the innovation and applications of genome editing.

The TFDA has been researching the management of genome-edited foods since 2018, but it has not yet announced any draft regulations. To increase the international competitiveness of Taiwan’s agriculture and reduce international trade barriers, the Committee calls on the authorities to establish and implement proper management regulations for genome-edited products.

**ASSET MANAGEMENT**

The Committee appreciates the Taiwanese government’s consistent dedication to fostering the development of the asset management industry in Taiwan, as well as establishing advanced regulations and an open market that aligns with current trends.

In addition, the Committee would like to thank the Financial Supervisory Commission (FSC) for accepting some of our 2021 White Paper suggestions, including permitting ESG funds to be launched in Taiwan and providing relevant ESG disclosure guidelines. We are also grateful for the FSC’s openness to feedback from asset management companies, which has helped in shaping the policies and regulations for this industry. To further develop the industry, the Committee this year proposes several commercial, legal, and regulatory changes, and looks forward to continuing its collaboration with the FSC to create a resilient and vibrant investment market in Taiwan that benefits both domestic and international investors.

We thank the government for its consideration of these five suggestions, all of which taken together would enhance investment opportunities for investors and promote the further development of the Taiwan asset management industry.

Suggestion 1: Maintain the current regulatory framework for investment in non-investment-grade bond funds through ILPs and ILPs managed as DIM accounts.

The Committee is concerned that the proposal to restrict investments in non-investment-grade bonds through ILPs and ILPs managed as discretionary investment management (DIM) accounts would be counterproductive to the intended purpose of such investment channels.

Non-investment-grade bond funds (NGBF), formerly called high-yield bond funds, are an important option for investment-linked insurance policy (ILP) holders’ long-term investment planning. Such funds are part of a holistic investment asset allocation and are essential to developing a diversified portfolio.

In major markets, general retail investors are able to subscribe to NGBFs as they are not considered a special type of fund in those markets. These funds have several characteristics that make them a sensible choice for ILPs and
In addition, NGBFs may hold hundreds or even thousands of bonds, which dilutes the impact of the default of any individual bond within the fund and differentiates its default risk from that of a single non-investment-grade bond.

In times of market turmoil, appropriate inclusion of NGBFs in policyholder portfolios can balance risks and increase returns. The proposal to exclude such bonds from being used as underlying assets of ILPs and/or ILPs managed as DIM accounts would materially affect the reasonable risk allocation and investment options of policyholders. Furthermore, such a proposal would not be conducive to long-term investment or risk diversification, as policyholders would instead pursue higher-risk investments.

Also, most DIM accounts opened by insurance companies for ILP investment are multi-asset and do not invest in bonds directly but rather in funds or exchange-traded funds (ETF). Most such accounts are equipped with risk-control mechanisms and follow asset investment ratio guidelines to diversify risk. NGBFs are only one investment instrument among many in a DIM account.

Lastly, we note that the issues with NGBFs that have been reported by the media have more to do with regulatory compliance with know-your-customer (KYC) obligations than with product design or investment risk.

Taking the investment performance and risk tolerance of policyholders into account, we suggest that as the government implements enhanced measures to protect the rights and interests of policyholders of ILP and ILPs managed as DIM accounts, it also ensures sufficient flexibility and the freedom to choose investment instruments through continuing to allow investment in NGBFs.

**Suggestion 2: Encourage Taiwanese citizens to prepare for their retirement as early as possible through long-term investments.**

The Securities Investment Trust and Consulting Association (SITCA) last year proposed the establishment of Taiwan Individual Savings Accounts (TISA) to encourage citizens to begin making mid- and long-term investments for the future. However, the proposed tax benefits for these accounts would only apply to Taiwan-domiciled equity funds (including Taiwan ETFs) for which domestic Taiwan securities (including those for listed and OTC companies) must constitute at least 70% of the fund’s net asset value.

The Committee proposes that the government instead consider a suggestion raised in its 2020 *White Paper* by granting each fund investor (including investors in both onshore and offshore funds) an income tax deduction of not more than NT$24,000 per year as a tax incentive to make investments for retirement, along the same lines as the tax deduction for life insurance premiums. This tax incentive will not only help the general public voluntarily prepare for retirement by encouraging them to start savings planning at an early stage but will also serve as a buffer for underfunding of relevant government pension funds, thereby benefiting the entire society. The tax incentive would also help promote the government’s recently launched retirement-focused fund platform.

**Suggestion 3: Increase efforts to sign a double taxation treaty with the U.S. to reduce the withholding rates on dividends received by SITE funds investing in the stocks of U.S. companies.**

Although Taiwan has signed tax treaties with approximately 30 countries, that list does not include the U.S., one of Taiwan’s top investment targets. As a result, Taiwanese companies (including domestic funds offered and issued by securities investment trust enterprises (SITEs) in Taiwan) that invest in securities issued by U.S. corporations and receive dividends are subject to 30% withholding, three times the 10% rate in countries that maintain tax treaties with the U.S. (such as Japan). This has caused a significant performance gap that could make Taiwanese SITE funds less attractive to Taiwanese who wish to invest in the U.S. stock market or intend to invest in U.S. stocks.

In view of the above, we recommend that the government step up efforts to sign a tax treaty with the U.S. as soon as possible. Such a treaty would not only enhance the competitiveness of products offered by Taiwanese SITEs but would also incentivize Taiwanese companies to invest in the U.S. and promote a friendly atmosphere in which the U.S. is also willing to invest in Taiwan. Further, it would facilitate industrial cooperation and technology exchange between the two sides, as well as encourage R&D and innovation and create job opportunities, thereby promoting mutual economic growth and leading to a reciprocal, win-win situation.

**Suggestion 4: Allow sub-mandating of third parties to manage overseas assets under DIM accounts.**

Clients of DIM businesses possess professional investment capabilities and judgment, and should therefore be accorded a lower level of supervision. However, unlike SITE funds, which are subject to stricter supervision but are permitted to sub-mandate third parties, DIM accounts are currently prohibited from sub-mandating third parties to handle their overseas investments. This is an unnecessary restriction from a policy perspective. Moreover, the laws of neighboring Asian countries (including Japan, Korea, Singapore, and Hong
Kong) do not prohibit such activity. Lifting the restriction would not only make the entire investment process for DIM accounts smoother and more efficient but would also be in line with international asset management standards.

**Suggestion 5: Exempt the subsidiaries or branches of foreign asset management firms in Taiwan from outsourcing regulations or simplify the application process.**

To develop a consistent approach to regulating the asset management industry’s outsourcing activity, the FSC has drafted “Regulations Governing Internal Operating Systems and Procedures for the Outsourcing of Asset Management Industry” (the Regulations). While the Regulations are well-intentioned, we note that foreign asset management firms in Taiwan share the same operational frameworks and computer systems with their headquarters/parent companies or group affiliates located overseas and need head office/parent company assistance to implement those systems. This practice is called “insourcing” and is very common at international firms.

The Committee therefore proposes that the subsidiaries or branches of international asset management firms that insource activity to their overseas headquarters/parent companies or affiliates be exempted from the Regulations. If exemption is not possible, we suggest simplifying the outsourcing application for such firms by, for example, allowing the relevant parent company/head office/group affiliate to submit only the following two documents: (i) a letter consenting to a Taiwan regulatory audit and (ii) a statement certifying that no infringement of customer interests or any personnel misconduct, information and technology security event, or other occurrence has had a negative impact on business operations in the last three years, in lieu of requiring all of the documents stipulated in the current draft Regulations.

The above approach would not only effectively encourage international asset managers to invest in Taiwan, protect the authority of the FSC’s previous outsourcing-related regulations, and reduce the negative impact on existing outsourcing matters, but would also avoid inconveniencing Taiwanese investors during the implementation phase of the Regulations.

**BANKING**

2020 was the most challenging year the world economy. The Committee wishes to thank the Taiwan financial authorities for paying extra attention to our recommendations in the 2021 Taiwan White Paper and taking meaningful actions in response. Gratifying progress was made on the suggestions “Digitalization – create a national data repository to streamline financial processes” and “Relax guidelines and the relevant Q&A for foreign banks to outsource IT systems.” We also note that the Financial Supervisory Commission (FSC) plans to relax Article 4 of the “Regulations Governing Issuance of TWD Bank Debentures by Foreign Bank Branches” to allow the proceeds of TWD financial debentures issued by foreign bank branches to be used in sustainable finance.

In this year’s paper, we have focused on four main points that are aligned with major FSC objectives. These are 1) Promote digitalization of the banking sector, 2) Relax the current guidelines on outsourcing IT systems, 3) Exempt Formosa Bond liquidity providers from two-way firm quote requirements; and 4) Allow High-Asset Customers/Professional Investors to be exempted from Debt Burden Ratio 22 (DBR22) requirements.

We believe that all these objectives can be met within the coming year. Given the FSC’s desire to expand Taiwan’s financial market and increase employment opportunities, the first step should be to allow more services to be made available to additional types of customers in Taiwan. We look forward to continued liberalization that will attract more foreign institutions to participate in the market and bring more business opportunities to Taiwan from neighboring financial markets such as Hong Kong, Singapore, and elsewhere. The result will be enhanced competitiveness for Taiwan’s financial sector and greater ability to retain talent and develop the industry.

**Suggestion 1: Promote digitalization of the banking sector.**

1.1 Revise regulations on digitalizing banking services. Although online application processes for deposits and credit extensions are generally open for consumer banking, the corporate banking business faces certain restrictions.

1.1.1 Under the “Model Guidelines for Processing an Online Deposit Account Opening Application” (Model Guidelines), online account applications for corporate banking are limited to “sole proprietorship” companies registered under the Business Registration Act and owned by natural persons of ROC nationality over the age of 20, as well as “partnerships” registered in accordance with the Company Act and owned by no more than three natural persons of ROC nationality over the age of 20.

In addition, the Model Guidelines do not allow identity verification by a foreign certification service provider for opening a digital account. These restrictions present problems for banks wishing to adopt mainstream international documentation certification practices as well as for...
multinational corporate customers seeking to open
digital accounts for deposits.

1.1.2 The FSC has accepted the Bankers Association’s
proposal to clarify the requirements for corporate
clients when giving consent for financial
institutions to check credit information online
with the Joint Credit Information Center (JCIC),
and relaxed the restrictions on executing loan
agreements online by existing, and certain
new (i.e., limited to companies owned by
no more than three natural persons of ROC
nationality, excluding those with any corporate
shareholders), corporate clients in June and July
2021, respectively. However, other types of new
corporate clients are still unable to apply for
corporate loans online and must go through a
time-consuming, in-person application process
which may also give such new corporate clients less
flexibility in their choice of banking services from
different financial institutions with which they
have yet to build business relationships.

1.1.3 Furthermore, Article 8 of the Security Design of
Transaction Types in the “Guidelines for Security
Measures of Financial Institutions for Electronic
Banking Services” requires clients to upload their
ID card images to their financial institutions
when starting an online personal loan application
process, and again during the online contract sign-
of process, resulting in unnecessary duplication.
To streamline the application process, we suggest
allowing financial institutions to solicit their
clients’ ID card images for verification just once for
each online application case.

1.2 Enable clients to access digital banking services more
conveniently through MyData information applications.
Clients who wish to use personal information provided
by the Department of Household Registration under the
Ministry of the Interior by using MyData can verify their
identities only with a Citizen Digital Certificate, ATM
Card, Hard Certificate (level 1), or TW FiD (level 2). To
make the identity authentication process more convenient,
we propose:

- Adding National Health Insurance cards and soft
copies of financial certificates as identity verification
options on the MyData platform.
- For clients who provide their personal information
to financial institutions through MyData, make the
information directly available to the financial
institutions without requiring them to verify that
information. The increased convenience would
encourage more clients to use MyData.

1.3 Ease restrictions on the use of e-signing and e-submissions
for contract execution. The COVID-19 pandemic has
forced changes in corporate clients’ operations and
working models, accelerating such trends as remote
working and the use of e-signing. To sign and transmit
documents, many large multinational corporate clients
use e-signing platforms that are not restricted by working
hours and locations. We offer two suggestions to help
meet client needs and follow these international trends:

- For new and existing corporate and individual
  customers, allow recording-enabled video
  conferencing applications/tools as one of the approved
  channels for conducting identity verification and
  witnessing signatures.
- Allow financial institutions to adopt an e-signing
  platform to transmit documents to corporate and
  individual customers and to obtain necessary
  signatures.

**Suggestion 2: Relax the current guidelines on
outsourcing IT systems.**

2.1 Clarify the concept of “same outsourcing reason” in
the FSC’s Outsourcing Q&A. This issue refers to the
one raised in last year’s Taiwan White Paper under the
heading “Relax guidelines and the relevant Q&A for
foreign banks to outsource IT systems” and in subsequent
discussions during the latest FSC-foreign bank liaison
meeting in December 2021.

According to Question 2.2 in the Q&A, no additional
application for outsourcing approval is required for a new
IT system if the “same outsourcing reason has previously
been approved and the service provider is the same.” Last
year, the Committee pointed to various scenarios in which
the definition of “same outsourcing reason” requires
further clarification. For example, where a bank that
had already received FSC approval for a data-processing
function aimed at corporate and institutional clients later
wishes to engage in a similar activity aimed at wealth
management clients, the purpose of the data-processing
activity is the same and there should be no need for
another FSC approval for extending the scope from one
category of clients to another.

Also, foreign bank branches and subsidiaries often
outsource IT systems to their parent bank, head offices, or
regional offices. As long as the service provider is within
the bank’s global network and is the same as the one
previously approved, it should meet the criteria for “same
service provider” under Question 2.2.

Removing any doubt regarding the interpretation of these
(and similar) points will help foreign bank branches and
subsidiaries expedite outsourcing planning schedules and
reduce the FSC’s review workload.

2.2 Relax documentation applicability for cloud outsourcing
applications. Outsourcing by foreign bank branches and
subsidiaries involving cloud technology follows the same
outsourcing practice as mentioned in 2.1 above. That is, a branch or subsidiary of a foreign bank in Taiwan will generally use the cloud service provider contracted by its head office or parent bank. After the group contract is signed, the branch or subsidiary in Taiwan will then roll out the service on a project basis. To maintain flexibility for the global project, the group contract normally does not specifically list the foreign branches or subsidiaries included within its scope.

We note that the current outsourcing regulations require the cloud service provider to provide a separate audit consent letter to Taiwan regulators. However, in terms of the contractual structure and from the cloud service provider’s perspective, the foreign bank branch or subsidiary is not a separate contracting party. As a result, the audit consent letter is difficult to obtain, and the cloud outsourcing application timeline gets prolonged.

The problem could be resolved on the basis that, as long as there is an audit consent clause in the group contract obligating the cloud service provider to comply with the audit consent requirement, the head office or parent bank (rather than the cloud service provider) may issue an equivalent document to the Taiwan regulators confirming the right to audit.

We therefore suggest expanding the scope of Question 3 of the Cloud Outsourcing Regulation FAQ to explicitly state that, under such circumstances, audit consent letters from the cloud service provider may be replaced by an equivalent document issued by the bank head office or parent bank.

**Suggestion 3: Exempt Formosa Bond liquidity providers from two-way firm quote requirements.**

To invigorate the trading activities of international bonds listed on the Taipei Exchange (TPEx), TPEx in 2016 introduced a liquidity-provider mechanism and required issuers of international bonds to designate liquidity providers for each international bond transaction and provide quotes during the trading period in accordance with the “Rules Governing Management of Foreign Currency Denominated International Bonds” (the “Rules”).

In addition, TPEx promulgated the “Directions Governing Liquidity Providers of Foreign Currency Denominated International Bonds” (the “Directions”) for securities dealers and banks without a concurrently operated securities dealer business to apply for a liquidity-provider license and follow the relevant provisions in providing price quotes.

The Directions require liquidity providers to continue providing two-way firm quotes through the International Bond Trading System (IBTS) on a daily basis for international bonds with an issuance tenor of seven years or less, unless and until the liquidity provider has cumulatively sold bonds equal to 10% of the original issuance amount. By comparison, a liquidity provider for structured international bonds is only required to report reference quotes for bonds it does not hold.

In current primary international bond-trading markets, bonds are typically sold out on the issuance date. Thus, underwriters hold no position in the bonds, while investors tend to hold the bonds until maturity. In such circumstances, if an underwriter is also the designated liquidity provider in accordance with the abovementioned Rules, it is required to provide two-way firm quotes, even when it holds no position. Under these circumstances, when the offer quote provided by the designated liquidity provider is hit, the liquidity provider will be exposed to default risk, and market order will be adversely affected.

We therefore suggest that the authorities:

1. Exempt liquidity providers from providing two-way firm quotes whether or not the 10% threshold has not been met; or
2. Allow the provision of reference quotes to be handled in line with the practice for structured international bonds.

**Suggestion 4: Allow High-Asset Customers/Professional Investors to be exempted from Debt Burden Ratio 22 (“DBR22”) requirements.**

In 2020, the FSC issued the “Regulations Governing Banks Conducting Products and Services for High-Asset Customers” with the objective of building an international wealth management platform able to compete with other APAC financial centers like Hong Kong and Singapore while satisfying High-Asset Customers’ investment and wealth management needs. The FSC has also included Professional Investor (“PI”) provisions in various guidelines governing different types of financial investment products so as to differentiate control measures on investments made by different types of clientele. These regulatory measures lead to differentiated management of various client types (i.e., non-Professional Investors, Professional Investors, and High-Asset Customers) for various investment products and wealth management/planning schemes.

In the private banking/wealth management sector, leveraged investment is a common investment strategy. However, such a leveraged strategy, when adopted by an individual, is subject to Debt Burden Ratio 22 (DBR22) restrictions, while a personal investment vehicle used by an individual is not. We recommend that banks lending to private individuals who qualify as High-Asset Customers or PIs be exempted from the DBR22 requirements for the following reasons:

1. The rationale behind DBR22 is to protect banks by preventing them from granting excessive non-secured credit facilities to retail clients rather than to restrict leveraged investments in the private banking/wealth management sector. High-Asset Customers/PIs, by
1. High-Asset Customers/PIs usually accumulate wealth through investments that do not necessarily generate stable and recurring monthly income. Furthermore, non-secured credit facilities granted by banks to High Asset Clients/PIs are not assessed based on monthly income. Rather, bank evaluations of whether a client qualifies as a PI or High-Asset Customers are based on the client’s total wealth.

2. High-Asset Customer and PI investments are monitored based on each individual bank’s existing collateral management and margin-monitoring processes and, in actual banking practice, DBR22 requirements intended for retail customers may well not be as effective as these internal measures designed for High Asset Customers/PI in mitigating credit risk for such clientele.

3. High-Asset Customer and PI investments are monitored based on each individual bank’s existing collateral management and margin-monitoring processes and, in actual banking practice, DBR22 requirements intended for retail customers may well not be as effective as these internal measures designed for High Asset Customers/PI in mitigating credit risk for such clientele.

**CAPITAL MARKETS**

The Committee appreciates the attention paid by the Taiwan authorities to our 2021 White Paper suggestions. In particular, we were happy to learn of the positive response of the Ministry of Finance (MOF) to the request of custodian banks and tax guarantors to ensure the accessibility of FINI tax and earnings information on its online platform, thereby providing foreign investors with a more convenient investment environment. We are also grateful for the communication and assistance offered by the National Development Council and Financial Supervisory Commission (FSC) in connection to our other suggestions and wish to express our appreciation for the Taiwan authorities’ continuous focus on the sustainable development of Taiwan’s capital market and ambitious efforts in assisting Taiwan enterprises to align with international standards.

The Committee continuously focuses on optimizing the environment for foreign investment and increasing market efficiency, which will further facilitate globalization of Taiwan’s capital market. Given the changes and disruptions brought on by the pandemic, the Committee suggests appropriate deregulation to adapt to new work styles and arrangements and, in the spirit of public-private cooperation, offer our assistance in further efforts to develop Taiwan’s capital market by providing the following suggestions.

**Suggestion 1: Allow FINIs to use Taiwan securities as collateral for offshore financing activities.**

Neighboring markets such as South Korea have recently adjusted their regulations to allow foreign investors to use the domestic securities they own as collateral for offshore borrowing. We recommend a similar approach in Taiwan by (i) removing the current prohibition in the FINI regulations on FINI-held securities being pledged as collateral, and (ii) allowing banks to be the local custodian for collateral agents, providing record-keeping services and handling securities as collateral in TDCC. Making this change would allow FINIs to more effectively utilize the Taiwan securities they own as collateral, increase the attractiveness of Taiwan’s market to overseas investors, improve market efficiency and liquidity, and increase market stability.

**Suggestion 2: Allow FINIs to appoint multiple Taiwan custodians.**

In current international practice, foreign investors may appoint more than one global custodian when more than one custodian is needed to operate portfolios so as to create segregated accounts managed by different managers. However, current Taiwan regulations prohibit FINIs from appointing more than one Taiwan custodian, which inhibits efficient creation of segregated accounts and use of multiple managers.

We therefore recommend that Taiwan follow the example of other Asian countries such as South Korea and India, which, like Taiwan, have adopted ID account mechanisms but do not prohibit the appointment of more than one domestic custodian.

**Suggestion 3: Take steps to improve the efficiency of Taiwan’s capital market.**

We recommend the following steps to improve capital market efficiency:

1. Enable flexible working environments to reflect the lessons learned from the COVID situation and support staff wellbeing, as well as to facilitate efficient implementation of business continuity plans (BCP), including arranging for staff to work from home and allowing industry participants connecting to the Taiwan Stock Exchange (TWSE), TDCC, Central Bank (CBC), and other government entities to use flexible IP addresses with safe identification and authentication processes as a replacement for fixed IP addresses or TWCA cards and card readers to facilitate connection to internal networks.

2. Replace the current system requiring custodians to hold a separate chop for each FINI, with a system where each custodian bank’s specific digital signature or chop can be used for investment-related fund subscription/redemption application forms, securities settlement, corporate events, and account opening.

3. Amend Article 92 of the Income Tax Act or issue a ruling letter to facilitate e-receipt of tax-withholding certificates issued by tax withholders or their company registrars.

3. Remove the requirement that FINIs holding delisted shares for over one year apply for foreign investment approval (FIA) status from the Investment Commission. Because such investments were initially made in
exchange-listed securities in accordance with the “Regulations Governing Investment in Securities by Overseas Chinese and Foreign Nationals,” such FINI status should be continued upon delisting so as to avoid costly regulatory processes that are seen by FINIs as being punitive and discouraging to long-term investment in Taiwan.

3.5 Review existing banking, securities, and futures regulations requiring a minimum of three hours of training for personnel in these sectors. Such intensive training is not necessary for staff who are already familiar with the topic of the training. Thus, the Committee proposes adding the option of waiving training or reducing the minimum requirement to 30 minutes or one hour for staff who have passed an internal exam.

3.6 Instruct district tax bureaus to use the non-resident tax data stored in the MOF’s eTax Portal to review tax refund applications from FINIs, instead of the current practice of requesting FINIs’ tax agents to submit originals or photocopies of withholding statements to apply for refunds. Such a submission practice involves a lengthy and complex process that wastes paper and is environmentally unfriendly and can easily be avoided given that the relevant data is already stored in the eTax Portal when reported by tax withholding agents. Using this stored data would improve the efficiency and accuracy of the tax bureaux’ review and approval of refund applications.

3.7 Increase the bandwidth of the MOF’s eTax Portal so as to allow FINI-appointed tax guarantors and custodians to access and download all of their clients’ tax and earnings information at the same time for subsequent processing.

3.8 Amend Article 2 of the “Regulations Governing the Use of Proxies for Attendance at Shareholder Meetings of Public Companies,” which limits proxy forms to those printed and issued by the companies, to allow companies to issue shareholder meeting notices by electronic means. Such an amendment would align with the April 8, 2022 ruling issued by the Ministry of Economic Affairs clarifying that prior consent for shareholder meeting notices to be sent by electronic means may be given by shareholders through passive receipt by the company without the need to actively obtain shareholder permission.

Suggestion 4: Permit registered overseas professionals of foreign securities firms to work temporarily in Taiwan either during emergencies or as part of the “new normal.”

Since the COVID-19 pandemic began, businesses throughout the world have sought alternative workplaces to relocate their staff in order to boost resiliency. In addition to work-from-home (WFH) arrangements, companies are also exploring “work-from-anywhere” models. For example, it should be permitted for Hong Kong employees of a securities firm to be temporarily relocated to the firm’s Taipei branch or affiliate if a business interruption event like the one in Hong Kong occurs, without having to comply with the work permit and/or businessperson registration requirements that would be in effect for the Taipei branch or affiliate to hire its own full-time employees. Given that these professionals conduct non-Taiwan business regulated by the Hong Kong authorities and are properly registered there, the FSC should have no concerns with their being physically located in Taiwan so long as such individuals do not engage in onshore marketing of offshore products.

This “work-from-anywhere” practice is common in developed financial markets like Hong Kong and Singapore and could be implemented in Taiwan by permitting simplified temporary registration of relocated staff or requiring that they report to Taiwan’s financial regulators after completion of their activities.

The benefits of this approach include:

1. Creating better visibility of Taiwan among global financial institutions as a viable location for implementing a BCP.
2. Moving Taiwan closer to being a regional financial hub.
3. Allowing Taiwanese staff working at the regional subsidiaries of Taiwanese financial institutions to return to Taiwan for a period for family reasons.

Suggestion 5: Establish a single clearinghouse system to achieve delivery versus payment and netting cash settlements.

Taiwan is one of only a few major securities markets that has yet to establish a single clearinghouse system. The lack of such a system increases settlement risks by causing a lag in cash and securities settlements and creates extra funding costs through the need for settlement with different brokers on the same settlement date. We urge the securities authorities to seriously consider this request as a way to improve operational efficiency in securities markets and align Taiwan with international trends.

CHEMICAL MANUFACTURERS

The Chemical Manufacturers Committee greatly appreciates the efforts of government agencies to engage in two-way communication with industrial stakeholders. Most of the suggestions raised by the Committee in its 2021 White Paper have been resolved through amendments to regulations or positive feedback provided by the competent authorities in both working- and policy-level meetings convened by the National Development Council.
This year, the Committee calls on the Ministry of Labor (MOL) to specify the chemical classification data and criteria in the Priority Management Chemicals List, continuously refine the withholding criteria for confidential business information (CBI) on Safety Data Sheets (SDS), and establish a helpdesk for firms to contact regarding chemical-related regulations.

With respect to the Controlled Drugs Act, the Committee urges the Ministry of Health and Welfare (MOHW) to clearly define the controlled items, as well as add corresponding CAS Registry Numbers.

Lastly, the Committee hopes to receive an update from the Environmental Protection Administration (EPA) regarding its progress on issuing guidance on conducting hazard and exposure assessments for existing chemical substance registrations.

**Suggestion 1: Provide the classification data and criteria for chemicals included in the Priority Management Chemicals List**

Amendments to the list of priority management chemicals appended to Article 2 of the “Regulations for the Governing, Designating, and Handling of Priority Management Chemicals” were announced on February 14, 2022. According to the amended list, only 186 out of the 889 chemicals under Subparagraph 2, Article 2 are classified as a carcinogen, mutagen, or reproductive toxicant, and no Globally Harmonized System of Classification and Labelling of Chemicals (GHS) data is provided for the remaining 721 chemicals. Furthermore, no physical or health hazard classification for the 163 chemicals listed under Subparagraph 3, Article 2 has been provided.

The Committee suggests that MOL adopt an international-standard approach to the Priority Management Chemicals list by providing hazard classifications for each chemical and the reasons for such classification. One model it can refer to is the European Chemicals Agency’s “substance of very high concern” (SVHC) candidate list. With clear hazard classifications, chemical companies and downstream users can better manage hazardous chemicals and ensure the safety of those who use them.

**Suggestion 2: Refine the SDS CBI review criteria.**

The speed of R&D development and degree of CBI protection are critical elements in maintaining Taiwan’s leading role in the global semiconductor and printed circuit board supply chains. However, the MOL’s current CBI review criteria for SDS do not distinguish between R&D samples and finished products, and the provision of information on testing endpoints is required for each hazard classification. The criteria thus present an obstacle to carrying out time-sensitive R&D activities.

The Committee urges the MOL to provide clear guidance on the CBI review criteria and consider revising the criteria to distinguish between R&D samples and finished products in order to accelerate the review process. We note that such a distinction is made in the CBI criteria of South Korea, where the review time for R&D samples is a mere two weeks, while only four weeks is needed to review finished products. We also urge the MOL to include exposure assessments in the review criteria as part of a broader approach to risk management.

**Suggestion 3: Establish a chemical regulations helpdesk under the MOL.**

The Committee thanks the MOL for holding regular seminars regarding chemical regulations, including the “Regulations for Governing Designating and Handling of Priority Management Chemicals” and “Regulations for the Labeling and Hazard Communication of Hazardous Chemicals.” However, we note the absence of a clear contact window that chemical companies or downstream users can consult on questions related to relevant regulations. In many cases, speakers at MOL seminars and MOL staff have provided different responses to the same question, which has caused confusion among users trying to correctly understand and follow the regulations.

We therefore call on the MOL to set up a reliable helpdesk – like the one established by the EPA in relation to the Existing Chemical Substance Registration process – to provide correct and consistent responses to chemical companies’ and downstream users’ questions in a timely manner. Doing so would minimize misunderstandings and ensure that both chemical companies and downstream users comply fully with relevant regulations.

**Suggestion 4: Amend the Controlled Drugs Schedules and Items list under the “Controlled Drugs Act.”**

The Controlled Drugs Schedule and Items list has undergone several revisions since its promulgation in 1999, with the frequency of revisions and number of items increasing markedly in recent years. However, when new items are added, only their Chinese and English names are made public; their corresponding CAS Registry Numbers are not included. Furthermore, the listing for added items also names the isomers, esters, ethers, and salts in their composition, but without the CAS numbers there is no clear indication of what the substances actually are. The unclear scope and specifications have created a huge burden on the chemical industry and increased the difficulty of chemicals management.

At the same time, chemical industry players have questioned whether they should be regulated by the Controlled Drugs Act at all. For example, is a manufacturer or supplier of semiconductor chemicals (mostly mixtures) regulated by the Act? Committee members once tried
Over the years, the chief obstacle blocking a breakthrough in Taiwan has been the opposition of the politically influential medical establishment. Nevertheless, the active intervention of the National Development Council (NDC) has offered some hope that a solution can be attainable. Although the Taiwan authorities have been unwilling to simply recognize the licenses of foreign-trained doctors of chiropractic (as many other countries have done), they have seemed open to considering another possible way forward. If a chiropractic course of study were to be instituted in a local university or medical school, then the government would have more incentive to establish a domestic licensing program for the chiropractic practitioners.

Indeed, some educational institutions have appeared interested in exploring the idea of offering such training. But without firm assurance that their graduates could obtain licenses to confirm their professional credentials, understandably no school would be willing to invest in hiring the faculty, procuring the equipment, and organizing the curriculum to launch a chiropractic department. Equally relevant, what young person would apply for admission to such a department without certainty that the degree would provide entrance to an officially recognized profession?

The NDC said it would look into the matter further through discussions with the Ministry of Health and Welfare and Ministry of Education, which is where the matter stood two years ago when the COVID-19 virus shook the world. Since that time, government officials – especially those responsible for healthcare and educational affairs – have been thoroughly occupied with campaigns to control the pandemic. Earlier this year, however, at the most recent meeting to review White Paper issues, the NDC suggested enlisting the involvement of a Minister Without Portfolio to provide high-level support in order to finally come up with a feasible way forward.

Why does this issue matter? Above all, the current situation has limited the availability of chiropractic care in Taiwan, depriving the local public of access to a valuable form of healthcare appreciated by countless patients the world over. Chiropractic offers relief to patients suffering from low-back pain, neck pain, headaches, and other neuromusculoskeletal ailments. The U.S. alone has more than 70,000 licensed chiropractors. Because chiropractic treatment involves neither surgery nor medication, it represents a highly cost-effective approach that could relieve some of the financial burden on Taiwan’s National Health Insurance program as Taiwan becomes a super-aged population.

In addition, the foreign-trained, foreign-licensed chiropractic doctors practicing in Taiwan currently exist in a state of limbo, remaining so low-profile that they may not even operate websites. It is an assault on the dignity of professionals who have typically gone through five years of postgraduate educational training. Further, the
nebulous status also leaves chiropractic doctors vulnerable to harassment by ill-wishers who complain to local health authorities that chiropractors are practicing medicine without a license. Although such charges are likely to be dismissed upon review, chiropractors are left in a state of constant insecurity.

Let’s make this the year for Taiwan to finally catch up with most of the rest of the world in adding chiropractic to the fully recognized healthcare options available to the public.

**COSMETICS**

The Committee would like to express its appreciation to the Taiwan Food and Drug Administration (TFDA) for its continued attention to the cosmetic industry’s issues, as well as its communication and engagement with the industry to work toward resolving those issues.

We also recognize the solid progress the government has made in relaxing the Safety Assessor qualification criteria, namely its proposed expansion of the scope of those qualified to serve as the signatory for product safety reports.

The Committee nevertheless urges the TFDA to take a more transparent, open-minded, and science-based approach to regulating cosmetics and adopting emerging trade models. Removing technical barriers to trade would increase Taiwan’s attractiveness to investors and businesses.

**Suggestion 1: Avoid non-transparent or arbitrary review standards for proof of claims for cosmetics products and specify rules regarding consumer-generated content.**

1.1 Under Article 3 of the “Regulations Governing Criteria for the Labeling, Promotion, and Advertisement of Cosmetic Products with Deception, Exaggeration, or Reference to Medical Efficacy” (the Criteria), one of the situations defined as constituting a “false or exaggerated claim” is when “the content description has no evidence, or the evidence is insufficient to support such description.” In addition, according to Appendix II of the Criteria, the data supporting the claim must be “objective and fair.”

In the Criteria, a claim that a product is anti-bacterial is one for which objective and fair supporting data is required. In 2017 the TFDA published the “Limits and Regulations on Anti-bacterial Agents Used in Cosmetics” (the Regulations), listing ingredients with anti-bacterial properties and the percentage of such ingredients allowed in cosmetics products regulated by the TFDA. The Criteria require such data for claims that a product is anti-bacterial. However, when the industry has provided in-vitro acne bacillus test results to substantiate such claims, they were rejected by the health authorities on the grounds that the results could not prove the efficacy of the products in question on the human body. If in-vitro acne bacillus test results do not constitute “objective and fair” data to substantiate anti-acne efficacy, the Committee is unclear as to what would.

We urge the TFDA to follow international best practices in evaluating product claims for cosmetics and accept widely adopted tests as supporting data. Doing so would allow cosmetics companies to provide accurate information about their products without being subjected to the vague requirement to provide “objective and fair” data to back up such information.

1.2 Sharing information about consumer products online is a widespread trend. Consumers actively leave comments about usage experiences or suggestions to a brand on its official website, social media page, or fan page. The Committee’s member companies respect the public’s input and do not modify or delete reviews or comments left by consumers. However, local health authorities consider such comments to be advertisements by nature. When health bureau inspectors deem certain comments a violation of relevant regulations on advertising, they impose administrative penalties on the cosmetic company, even when the comments in question were not deliberately created jointly by consumers and the company. We therefore urge the competent authorities to clearly distinguish between public comments and advertising matter, while taking into consideration that people’s freedom of speech is a fundamental constitutional right.

**Suggestion 2: Relax regulations governing the production and sale of customized cosmetics.**

Providing consumers with the ability to customize their cosmetics products by choosing ingredients according to skin conditions or personal preferences is a globally established trend in the cosmetics industry. It allows companies to create unique products that may be better suited to consumers’ needs than off-the-shelf products. A popular method is to have trained and certified staff blend and repackage the product on-site at retail stores.

As mentioned in the 2021 Taiwan White Paper, the U.S. Food and Drug Administration provides industry guidelines and a Good Manufacturing Practice (GMP) checklist for the
inspection of customized products, which has allowed many brands to offer such products to U.S. consumers. In the EU, Cosmetics Europe (CE), France’s FEBEA, and the German Cosmetic, Toiletry, Perfumery and Detergent Association (IKW) have provided voluntary guidelines for their members to follow regarding customized cosmetics. In addition, South Korea’s new cosmetics laws allow companies to sell personalized cosmetics after obtaining a specific license, with the customization conducted by certified personnel. In Japan, personalized cosmetics can be made and sold in stores as long as the premises pass a government audit and the company has obtained a manufacturing license.

The Committee is very grateful to the TFDA for its open-mindedness in discussing this issue, which affirms the government’s efforts to harmonize Taiwan’s regulations with international trends. We look forward to continuing our discussions with the TFDA and urge it to relax relevant regulations and remove barriers to this new business model. Doing so would encourage further growth of the cosmetics industry and stimulate economic development in Taiwan.

Suggestion 3: Permit the refilling of cosmetics product containers for the sake of waste reduction and environmental protection.

As companies and governments globally implement measures to combat climate change, the Taiwan government has also demonstrated its determination to promote the United Nations’ Sustainable Development Goals and reduce carbon emissions and waste. In 2016, the Executive Yuan’s cross-ministerial Office of Energy and Carbon Reduction was established to promote environmental protection. Similarly, cosmetics companies worldwide have also implemented specific environmental, social, and governance (ESG) measures to contribute to protection of the environment.

One such example is the collection and reuse of cosmetic containers. Reusing containers – including the refilling of cosmetics bottles – is an effective means of reducing waste and protecting the environment. Consumers bring their empty cosmetics products to the store, which refills them from a bulk-sized container. Allowing this service would assist the government in reaching its net-zero ambitions as well as reducing public waste-disposal costs.

As with customized cosmetics, refilling is allowed in many major markets, including the U.S., EU, and South Korea. In addition, the ASEAN Cosmetic Association is in the process of drafting guidelines for refilling products in-store. Among ASEAN countries, the Thailand FDA has on several occasions discussed the refilling of liquid perfumes and body and hair-cleansing cosmetics with industry representatives. Based on the resulting consensus, draft regulations on refilling cosmetics containers are expected to be announced in Thailand in the near future.

This issue was raised in the 2021 Taiwan White Paper but so far, no significant progress has been made toward developing new regulations. We urge the TFDA to support the environmentally friendly practice of refilling cosmetics product containers by announcing regulations and guidelines that draw on existing international standards.

DEFENSE

The Defense Committee was formed in 2020 to gather, discuss, and disseminate members’ collective thinking on how the defense sector could better contribute to the development of the U.S.-Taiwan bilateral relationship. Given that defense is one of the pillars of that relationship, the Committee is committed to identifying specific ways by which the defense sector can help the U.S. and Taiwan governments meet their defense goals.

All the companies on the Committee have a long-term presence in Taiwan and a shared commitment to contribute positively to Taiwan’s security.

Defense spending in Taiwan has been on a strong upward trajectory in the past few years, not only through Foreign Military Sales (FMS) purchases from the U.S., but also in the form of domestic programs such as the Advanced Jet Trainer (AJT) and Indigenous Defense Submarine (IDS). Future domestic shipbuilding programs such as the indigenous Corvette, as well new procurements arising from the special budget passed at the end of 2021, are poised to add opportunities for Taiwan’s defense industry ecosystem.

However, Taiwanese domestic industry participation in international defense industry supply chains is still largely limited to supplying semiconductors. The main reason is that defense industry economics are unlike most other sectors. For complex sub-assemblies, for example, order volumes can be low and sporadic as companies do not usually keep them in inventory. As a result, it can be hard to break into existing supply chains.

As noted in Suggestion 1 below, the best opportunity for Taiwanese industry will be to integrate into the supply chains of U.S. equipment of the future. Winning a place for Taiwan suppliers in U.S. defense supply chains will have the additional strategic benefit of demonstrating Taiwan’s capacity and commitment to serve as a long-term, fully trusted technology and security partner of the U.S. in the Indo-Pacific.

Taiwanese domestic industry is highly capable in some of the aspects of high-end manufacturing called for by international defense industry supply chains. The key lies in finding the economic justification to make such cooperation happen, as well as having a degree of government involvement from both the U.S. and Taiwan.

Such mutual involvement might take the form of co-production, in which Taiwanese industry could perform
elements of a program in Taiwan (even under FMS), or co-development, in which local industry would partner with U.S. companies to develop solutions to either Taiwanese or U.S. requirements.

This year the Committee presents five specific suggestions for improving the general environment for the defense sector in Taiwan. They reflect the Committee’s strong support for the Taiwan government’s goal of increasing domestic participation in and indigenization of the defense industry.

Suggestion 1: Lower the local content threshold for research and development (R&D) programs with foreign collaboration.

The high local content requirement for any program designated as R&D at the National Chung-Shan Institute of Science and Technology (NCSIST) makes it difficult for the Institute to succeed in attracting the foreign collaboration it seeks for some projects. Some R&D programs at NCSIST have even had to be halted because the local content minimum could not be met. The resulting situation brings no benefit to Taiwan or Taiwanese industry.

Taiwan has for many years successfully produced weapons and developed various defense technologies on its own. But no matter how advanced or innovative these indigenous efforts may be, they could be even more effective if carried out in collaboration with specialized foreign companies.

The Tsai administration’s policy is to encourage Taiwanese industry to manufacture defense products locally. The government also aims to encourage collaboration with foreign partners to help local companies be more forward-leaning in developing their manufacturing capabilities, potentially enabling Taiwan to become a global defense supplier.

For indigenous R&D programs at NCSIST, foreign collaboration at any level can help build capacity in Taiwan and develop products and solutions not just for the Taiwanese market but the international market as well. To increase its effectiveness in that role, the Committee sees the need for more regular consultations with Ministry of National Defense (MND) leadership, specifically with the Defense Minister. When such high-level meetings have taken place in the past, they have led to extensive collaboration with major U.S. defense suppliers resulting in the development of new weapon systems to Taiwan’s benefit. Moreover, the current crisis in Ukraine highlights the importance of maximizing the communication channels between MND and the U.S. defense industry to help ensure that Taiwan can acquire exactly what it needs in the timeliest manner.

To increase its effectiveness in that role, the Committee sees the need for more regular consultations with Ministry of National Defense (MND) leadership, specifically with the Defense Minister. When such high-level meetings have taken place in the past, they have led to extensive collaboration with major U.S. defense suppliers resulting in the development of new weapon systems to Taiwan’s benefit. Moreover, the current crisis in Ukraine highlights the importance of maximizing the communication channels between MND and the U.S. defense industry to help ensure that Taiwan can acquire exactly what it needs in the timeliest manner.

Given this need, we recommend holding quarterly meetings between Committee representatives and MND leadership and staff, as well as annual meetings with the Defense Minister. Through these meetings, Committee members will be able to better understand Taiwan’s challenges and concerns, support the U.S. government in developing appropriate solutions, and work together with MND to create more opportunities for partnerships to enhance Taiwan’s security. These meetings would aim to meet the following objectives:

1. Enhance overall collaboration between the U.S. defense industry and MND. For example, the government could pose questions to industry members on how to facilitate co-production and co-development.
2. Allow U.S. industry to raise questions about government policy on technology sharing early in a co-development process.
3. Address general trends concerning doing business in Taiwan and improve communication between the government and industry in areas such as offsets and taxation.
4. Ensure that key personnel in Taiwan are familiar with the most current U.S. government (Department of Defense and State Department) policies and assess the
impact of any changes to them on the defense industry in Taiwan.

Prior to each meeting, the Committee would propose an agenda for discussion.

**Suggestion 3: Prepare the groundwork for a bilateral defense industry dialogue.**

In previous White Papers, the Committee recommended establishment of a U.S.-Taiwan bilateral defense industry dialogue along the lines of similar forums between the U.S. government and those of Brazil and India.

A major reason for Taiwan’s government interest in such a dialogue is to give more Taiwanese companies the opportunity to participate in international defense industry supply chains. The defense industry is not like commercial markets in that both governments and private companies play a role in deciding which new suppliers are incorporated into those supply chains. A bilateral dialogue that elevates the creation of co-production and co-development opportunities to the government-to-government level could help confirm the business case for future partnerships and supply chain relationships.

Such a dialogue could accomplish the following goals:

1. Encourage Taiwan to request co-production early in the manufacturing process, even in FMS cases. The MND already tracks which programs are in the pipeline. Its ability to request co-production at a government-to-government level could help drive more economic activity into Taiwan’s domestic defense sector. The U.S. government could then approach the relevant industry players to establish what level of co-production is feasible.

2. Identify future defense requirements in Taiwan that would benefit from co-development with U.S. industry, as well as pathways to execution. Taiwan’s defense companies could thus gain a role in the supply chains of the future. Since co-development programs will require co-investment by the Taiwan government and involvement by both sides in framing requirements, a degree of government-to-government dialogue will be essential.

3. Identify future U.S. programs where Taiwan can add value (and investment) as a developmental partner at the very outset and design means to fund such ventures jointly. This cooperation would result in work opportunities for Taiwanese industry, and enable Taiwan to be a purchaser of the resulting platforms.

Such a dialogue could help ensure that Taiwan not only builds necessary capabilities quickly and efficiently, but also that it can maximize opportunities for its companies to grow alongside international partners.

**Suggestion 4: Seek input from U.S. industry to help Taiwan achieve maximum impact from its industrial cooperation goals.**

Taiwan’s system of defense offsets, or industrial cooperation, has been in effect for many years. The offset rules were updated in January 2022 to reflect a desire to maximize their impact for the MND, Taiwan’s armed services, and local industry.

The Committee recommends establishment of a consultative process between the MND and U.S. industry (represented by AmCham and the U.S.-Taiwan Business Council) ahead of future offset policy revisions. Such a process could offer a chance for industry to offer recommendations to help Taiwan get the most out of the offset program. U.S. industry as a whole has extensive experience helping other countries reach similar objectives.

**Suggestion 5: Utilize U.S. industry expertise to help boost the resiliency of critical infrastructure.**

The past year has seen further evidence that cyberattacks against critical national infrastructure could become an element of future asymmetric offensive military strategies against industrialized nations. This approach has many important potential advantages from a military strategy perspective: it is relatively cheap, covert and deniable, complex and expensive to defend against, and can have a significant economic and military impact. Taiwan’s geostrategic location makes it potentially vulnerable to attacks of this nature, including as a precursor to more traditional military attacks.

Following the Executive Yuan’s establishment of the Department for Cyber Security in 2016, the Taiwan government has put in place a series of standards and regulations governing cybersecurity for key infrastructure. For example, equipment used on Taiwan’s rail system must comply with National Communications Commission standards, such as telecommunications regulations and communication regulations. Communications equipment must also comply with international standards such as those developed by the American National Standards Institute (ANSI) and the Electronic Industries Alliance (EIA). Software must comply with the “Information Operation Development and Construction Standards” of the Industrial Development Bureau, Ministry of Economic Affairs.

While the development of such standards and regulations is welcome, the extent to which they are complied with across critical infrastructure such as transport, power, and healthcare is not yet clear – especially as they are applied to both legacy equipment and new procurement.

The Committee welcomes the Department of Cyber Security’s announcement of its establishment of a team of cyber-experts tasked with testing the resiliency of Taiwan’s critical infrastructure. We recommend the conducting of a
regular dialogue between the Department and the Committee to discuss the cybersecurity of Taiwan’s critical infrastructure and whether and how U.S. expertise could assist in tackling any shortfalls in cybersecurity identified by the Department’s testing regime. The crisis in Ukraine drives home how meaningful such a regular dialogue would be.

DIGITAL ECONOMY

The Committee welcomes the planned steps forward in Taiwan’s digital economy this year, including establishment of the Ministry of Digital Affairs (MODA) and the drafting of the Digital Communication and Services Act. Because these are significant developments that could have a long-term impact on Taiwan’s digital ecosystem, it is critical for Taiwan’s authorities to provide clarity on the direction of digital industry promotion and to embrace sound governance standards. The Committee encourages the government to prepare a comprehensive and detailed digital transformation and promotion framework as soon as possible, including priorities and projected milestones for its most essential measures.

Suggestion 1: Harmonize regulations to create a consistent, cohesive, and digital-friendly regulatory environment.

This year is shaping up to be a watershed year for Taiwan in terms of encouraging digital transformation and focusing on the digital economy in earnest. The Committee is honored to assist in this effort to make Taiwan one of the world’s most business-friendly digital economies.

One of the key pillars of Taiwan’s digital ambitions is the formation of the new ministry, MODA, which will strive to boost Taiwan’s digital economy as one of its main objectives. At the same time, the government is also planning to introduce a Digital Communications and Services Act (DCSA), which can be expected to impose various regulatory restrictions on industry. It will be crucial to ensure that the major principles behind those regulations are consistent with the broader mission of building Taiwan’s digital economy as represented by MODA’s establishment.

Furthermore, considering the wide range of platforms operating in the digital space, including social media, retail, transportation, tourism, and logistics platforms, it is imperative that digital policy initiatives implemented by all relevant government agencies be harmonized. It is not a matter for MODA alone. Such harmonization is of particular importance in Taiwan, where the legal and regulatory environment is highly fragmented, with contradictory and ambiguous directives sometimes impeding efficiency and transparency. Government agencies will need to be equipped with resources to better understand how the digital economy fits into their policy framework. The Committee therefore urges all relevant government agencies to engage with our digital economy businesses to together create a modernized digital ecosystem for Taiwan.

Suggestion 2: Include industry feedback and close regulatory gaps when drafting the DCSA.

The Committee commends the National Communications Commission (NCC) for undertaking the task of preparing the draft DCSA. The NCC has long reminded the public that the DCSA drafting process will heavily reference the wording and spirit of the EU’s Digital Services Act (DSA), which may include concepts pertaining to categories of digital communications intermediary service providers. For platform businesses that have been monitoring developments in the EU, a major concern is that the NCC’s overreliance on a yet-to-be enacted EU DSA will prevent companies from anticipating how they will be treated in Taiwan’s new regulatory environment. Preparation of the EU DSA has involved a multi-year process of in-depth dialogues, research, consultation, and deliberation. Without a similarly exhaustive process in Taiwan’s case, it is unclear what regulatory gaps in Taiwan’s current framework need addressing by the NCC through the DCSA.

As a foundation for the law, the Committee hopes that the NCC will fully leverage the existing efforts between industry and civil society to promote self-regulation and multistakeholder approaches that bring together a broad range of voices from the technical community, civil society, private industry, and government. Such efforts have been underway for years and have steadily grown in scale.

Furthermore, the OECD has identified a number of advantages to self-regulation. First, rules made by those who will be affected by them are more likely to be effective. Second, a self-regulatory body can alter regulations more efficiently, allowing it to adapt more quickly to problems and new developments. Third, because the costs associated with self-regulation are borne by the regulated, those shouldered by the government are minimal. As a result, self-regulation improves administrative efficiency in general. The Committee also agrees that applying a multistakeholder approach can: 1) meet the aims of the legislation, 2) be informed by expertise and practice, 3) result in clearer and more consistent industry-wide efforts, and 4) evolve quickly to respond to new threats.

As Taiwan analyzes perceived and actual regulatory gaps in self-regulation and co-regulation systems, the Committee is concerned that the NCC may not be sufficiently acknowledging the value of these partnerships. We therefore recommend that in drafting the DCSA, the government holistically examine recent developments in Taiwan, including how the government and businesses have collaborated to protect important democratic values and principles during the COVID-19 pandemic as well as major social and political
events such as elections and referendums; how industries’ current self-regulation and user policies and community guidelines have helped create a safer environment; how businesses and civil society have made joint efforts on media and digital literacy in Taiwan; and how companies have understood and appreciated the role of government as partners. These developments all occurred without additional legislation. All of them reflect international best practices.

**Suggestion 3: Incorporate fairness and cost-benefit principles in the TFTC’s White Paper on Competition Policy in the Digital Economy.**

Digital platforms have given consumers in Taiwan access to a wealth of information, while digital products have become ubiquitous in Taiwan and globally. The Committee supports initiatives in Taiwan to enhance competition and innovation while also ensuring that the digital economy is safe and effective for consumers and businesses, given that many of the products and services offered online are utilized daily. The Taiwan Fair Trade Commission (TFTC) recently released the initial draft of its White Paper on Competition Policy in the Digital Economy. The Committee recommends and endorses the following principles in developing a new competition regulation framework:

- **Promote competition and innovation by undertaking a thorough cost-benefit analysis when considering new regulations, to ensure the benefits outweigh any disadvantages for consumers.**
- **Ensure that competition laws are based on clear evidence of regulatory gaps while abiding by the suggested principle above to encourage competition and innovation.**
- **Ensure that any new regulations prevent competitive harm while permitting evidence-based justifications to minimize the risk of outlawing procompetitive conduct.**
- **Assert that any new regulation is proportionate to the harm it seeks to address.**
- **Accompany any new regulation with sufficient due process safeguards.** These include the right of the defendant firm to justify its conduct (for example, on the basis that user benefits outweigh alleged anticompetitive effects), full rights of appeal and review, and the right to review the evidence and the case brought against the company.

- **Balance local conditions and international considerations.** Bear in mind that each jurisdiction is unique, and new regulations that merely mimic other countries’ approaches may be unsuitable for Taiwan.

**Suggestion 4: Digitalize key economic and finance-related data and modernize the distribution process.**

The Committee requests that government agencies responsible for critical economic and market data (including the Directorate General of Budget, Accounting and Statistics, the Ministry of Economic Affairs, the Ministry of Finance, and the Central Bank) make all data available on their websites before announcing it in any other way. Adhering to a digital-first strategy for data would align Taiwan with international best practices and significantly improve data security and market transparency while also allowing for greater innovation. Releasing market-sensitive data by handing out paper printouts or via a “paper flip” is unfit for a modern economy, as it places undue stress on all parties involved and significantly increases the risk of damaging data leaks and errors.

**Suggestion 5: Ensure fair industry representation during policy deliberation processes.**

The Committee would like to remind the government that only business enterprises and organizations can adequately represent industry in communications with the authorities. We feel the need to offer this reminder because of recent instances in which digital platform businesses were not given the opportunity to fully communicate their concerns during policy deliberations on issues closely associated with industry practices. In those instances, agencies or organizations without practical experience in implementation were deemed sufficient to speak on behalf of foreign platform businesses. In other situations, sudden invitations resulted in platform businesses having insufficient time to adequately prepare feedback, which reduced the effectiveness of industry participation. In some unfortunate cases, once the policy has been made without input from industry, platform businesses have been left without legitimate recourse to further communicate with the administrative agency during the typical policy process. Once past the administrative deliberation process, even a large industry group such as AmCham is powerless to meaningfully assist companies in navigating these delicate situations. Constructive communication has no shortcuts, and industry representatives are always willing to provide their perspectives as long as there is a fair and open deliberation process.

The Committee therefore recommends the following:

- **Ensure that government agencies invite industry representatives to participate in key policy discussions that involve implementation of those policies by businesses.**
- **Invite industry participation early in the discussion process or provide sufficient time for industry to ensure that participants can prepare thoroughly and respond to requests.**
• Provide English-language background materials where possible to facilitate foreign-invested companies’ consultation with their headquarters and/or regional offices.
• Ensure at least a minimum 60-day comment period for all draft laws and its subsequent edits, meeting international standards.

ENERGY

The 12 months since the 2021 Taiwan White Paper was published have been challenging for Taiwan’s energy sector. Two country-wide power outages in May 2021 – the first triggered by equipment failure at the Hsinta Power Plant and the second a week later by a spike in energy demand – raised further questions about the resiliency of Taiwan’s power network. These questions resurfaced in March 2022 when another malfunction at Hsinta triggered rolling blackouts, affecting over 5 million households and businesses. It should come as no surprise that in AmCham’s 2022 Business Climate Survey, energy supply issues were identified as the highest priority for government action, and members expressed particular concern about power supply sufficiency and Taiwan’s progress in developing renewable energy.

The major outages occurred at an early stage of Taiwan’s ambitious energy transition plans, a process that risks increasing grid instability as coal and nuclear baseload capacity are progressively reduced. The Committee was pleased that the December 2021 referendum cleared the way for development of CPC Taiwan Corp.’s much-needed third Liquefied Natural Gas (LNG) terminal. However, the addition of new offshore wind, solar, and gas facilities to the energy mix has been severely delayed, in part due to COVID-19-related issues. Meanwhile, Taiwan’s electricity demand, fueled by brisk economic growth, is expected to grow by 2.5% annually until 2027, according to the Bureau of Energy (BOE). The Committee’s view is that rapid and robust action is required to address the intertwined issues of grid resiliency and supply/demand margin.

The Committee welcomes the intention to reorganize the Ministry of Economic Affairs (MOEA) as the Ministry of Economic Affairs and Energy and hopes that this restructuring will lead to greater high-level focus on energy matters, with the ministry acting as the single point of authority and accountability within the government for the energy sector. But such a reorganization is merely the start of the committee’s work. The Committee is committed to supporting Taiwan in maintaining reliable power supplies as it transitions to more sustainable electricity generation. Fundamental to this change is investing in a more resilient power grid to enable further development of renewable energy. To achieve this goal, the Committee suggests the following measures:

1.1 Accelerate grid infrastructure upgrades and promote load-balancing technologies with suitable incentives. Such technologies include battery energy storage systems (BESS), the adoption of which can be incentivized through feed-in tariffs, and smart energy management systems, potential incentives for which include tax relief or build-operate-transfer (BOT) types of arrangements. The Committee proposes that Taiwan consider accelerating the adoption of hybrid renewable energy solutions that combine BESS with clean energy. In addition to alleviating the challenges of deploying intermittent renewable energy sources, BESS deployment can ease potential investor concerns regarding generation curtailment in the event of excess power beyond the corporate buyers’ actual consumption – an issue expected to arise in connection with the influx of offshore wind energy to the grid beyond 2026.

1.2 Establish a reserve capacity market and pricing mechanism. The Committee believes Taiwan needs a long-term power development plan incorporating various stakeholders’ needs for energy as it moves toward net-zero. This plan would not only address grid stability but would also have a profound impact on the
corporate PPA market for green energy. Under the current regulations, Independent Power Producers (IPPs) selling renewable energy (>5MW) to corporate buyers need to provide “reserve capacity” to the Taiwan Power Co. (Taipower), which may be through the procurement of such capacity. However, there is no established market or pricing mechanism for reserve capacity in Taiwan. The lack of such a market and limited visibility of Taipower-maintained inputs to the reserve capacity calculation will increase the cost of clean energy and make it more difficult, especially for Taiwan’s SMEs, to access competitively priced green energy.

Suggestion 2: Remove regulatory barriers hindering Taiwan’s renewable energy development.

Despite inclusion of the issue in the last two White Papers, little progress has been made in streamlining the regulatory approval process for new energy projects. For example, it took on average six months for recent offshore wind energy projects to obtain an Electrical Enterprise License (EEL), a critical permit to trigger revenue streams. The Committee urges Taiwan to improve the efficiency of the review process, in particular by eliminating unnecessary processes like re-verifying third-party technical certifications. In addition to shortening the EEL permitting procedure, we urge the following policy directions to help expedite Taiwan’s development of offshore wind energy:

2.1 Adhere to international standards to enable Taiwan to become a regional center for renewable energy technology and services. After many years of effort, the Bureau of Standards, Metrology and Inspection (BSMI) has announced new offshore wind farm certification measures for Taiwan in three major areas: site survey and design, manufacturing and construction, and operations and maintenance. The Committee understands Taiwan’s ambition to develop local capacity in this new industry sector. However, when globally applicable certification standards are already available, including DNV and EU certification measures, creating separate Taiwanese specification standards will increase market entry barriers and deter technology innovation. To prevent difficulties in acquiring permits due to diverse technical specification review procedures, the Committee urges BSMI to communicate extensively with experts, scholars, and industry to reconsider the necessity of introducing unproven technical specifications that would pose significant additional risks to the projects. The Committee also urges the authorities to ensure that Taiwan’s regulations and policy directives on environmental, social, and governance (ESG) principles for finance and investment are fully aligned with relevant internationally accepted guidelines and standards. We welcome the recent efforts the Financial Supervisory Commission (FSC) to draft a Taiwan Sustainability Taxonomy and encourage the FSC to expand the Taxonomy to cover activities in the ICT and energy industries.

2.2 Establish an integrated permitting process and a clear and transparent stakeholder management mechanism to maximize offshore wind energy development. Currently, the permitting processes for offshore wind projects involve the Environment Protection Administration, Ministry of the Interior, and Ocean Conservation Administration. Consistent standards in line with international norms should be adopted during each permitting process instead of accepting ad hoc requests from review panel members, a practice that will only increase the burden of the government, financing agencies, and developers. The Committee suggests that the government establish an integrated permitting mechanism where one government agency and/or mechanism is responsible for all offshore-related permits. While settling fishery compensation claims is one of the regulatory requirements for offshore wind projects at the development phase, the Committee strongly suggests that the government introduce a clear, rapid, and transparent mechanism or formula for dispute resolution to prevent excessive and unreasonable claims from delaying offshore wind energy development.

2.3 Invest in advanced planning and construction of fundamental infrastructure and utilities for renewable energy industry growth. The inadequacy of infrastructure for offshore wind project development is most apparent in the Port of Taichung. As construction on most projects takes place this year, insufficient dock spaces and bridge and road loading capacity for the transport of large and heavy components have become obvious and urgent issues that need to be addressed. To enable the offshore wind industry to maximize its role in Taiwan’s energy transition, the Committee urges the government to invest in critical supporting infrastructure, such as port facilities. Further details on this suggestion are addressed in the Infrastructure and Engineering section of the White Paper.

Suggestion 3: Expand natural gas usage to ensure a successful energy transition.

The Committee continues to believe that development of gas power in place of coal is an essential step toward ensuring rapid and substantial progress in cutting carbon emissions. Expanding the use of natural gas needs to be undertaken in parallel with the advancement of technologies for low or near zero-carbon power generation. As the government prepares for a low-carbon future, it is equally important to ensure a sufficient, affordable, and reliable energy supply, which is
critical not only for Taiwan’s economy but also the world’s tech supply chain.

Given the time needed to build renewables and implement energy efficiency improvements, gas-to-power represents an efficient solution for emissions reduction and ensuring reliable power supply. Gas power plants can come online quickly, and their power output levels can be adjusted up or down to balance supply and demand as needed. This flexibility is critical to maintaining grid stability as more non-dispatchable wind and solar resources are deployed.

The Committee acknowledges and applauds the government’s efforts to increase the use of natural gas to 50% by 2025. However, the current LNG demand of the fleet of combined cycle gas turbine (CCGT) plants is already close to exceeding the capacity of CPC’s existing LNG import terminals at Yung-An and Taichung. While CPC and Taipower are working on expanding and building their respective LNG import terminals, putting too much pressure on certain terminals might introduce fragility to the overall gas supply system. The Committee therefore recommends that the government expedite efforts to expand LNG and natural gas infrastructure and consider enabling larger LNG carriers to dock.

The Committee also urges the government to revisit its power development plan, particularly the development of IPPs. In recent years, the complexity of environmental issues has represented a major hurdle for the industry. We believe the government would benefit from reviewing the challenges of current market engagement and providing IPPs with a clearer and more transparent path to successful delivery. A clear roadmap could also allow and encourage international developers to invest in Taiwan’s energy market.

**Suggestion 4: Accelerate the development of all decarbonization technologies to help achieve Taiwan’s 2050 net-zero emissions goal.**

To enable Taiwan to meet its new 2050 net-zero emissions target while ensuring reliable and competitively priced energy, the Committee believes that deployment of decarbonization technologies such as carbon capture and storage, hydrogen, and low-emission fuels should be accelerated. As a critical first step, the Committee suggests Taiwan put in place a supportive policy and regulatory/legal framework enabling these technologies to compete on a level playing field. This may include but is not limited to:

- Providing sustained, long-term government support to activate carbon-pricing mechanisms, and the research, development, and deployment of all decarbonization technologies.
- Expanding existing incentives, policies, and targets for renewable energy to other decarbonization technologies, such as carbon capture and storage, hydrogen, and low-emission fuels.

The Committee believes that the deployment of such decarbonization technologies requires relevant stakeholders from industry, academia, government, and, most importantly, local communities, to jointly proceed in a coordinated and timely manner to address policy, regulatory, technical, commercial, and community issues. The Committee hopes to see a more active approach by the government in cultivating industry alliances and facilitating open dialogue among parties.

**HUMAN RESOURCES**

In the Committee’s 2021 *White Paper*, we raised the following four proposals:

1. Adopt more flexible working conditions for high-salary personnel through a sandbox and ensure better benefits for gig workers by codifying the principle of safe harbor for such workers into law;
2. Count disabled people hired through third-party service providers in calculating the total number of disabled employees at a company; and
3. Amend the temporary status quo injunction under the Labor Incidents Act to ensure the stability of the Taiwan labor market.

The Committee sincerely thanks the National Development Council (NDC) for its positive response to the above recommendations. We also appreciate the NDC’s indication that they will continue to compile related proposals and opinions as reference material for subsequent review and amendments, and invite AmCham to participate in future discussions on these matters.

While we are happy with the NDC’s response, we would like to see more attention paid to a few issues that impact human resources professionals, companies, and employees. We thus offer the following suggestions for improving the competitiveness of Taiwan’s human resources environment:

**Suggestion 1: Enact regulations that differentiate between regular working hours and day/night shift work.**

On January 1, 2022, the Ministry of Labor abolished its “Guidelines for Enterprises on Implementing Day/Night Shift Work” (the Guidelines), which had addressed the practice of stipulating in employment agreements that employees are required to perform day or night shift work outside of regular working hours. Given that such shifts are not an extension of the work hours originally agreed upon by the employees (i.e., overtime), relevant regulations should be formulated for employees and employers to comply with.

In practice, the volume and intensity of work performed during day or night shifts are generally lower than work performed during regular working hours, and employees
working day or night shifts do not continuously provide services to their employers. The Guidelines demonstrated the MOL’s determination that day or night shifts are not an extension of working hours, and that it is necessary to distinguish such additional work from overtime. Employees and employers long followed the Guidelines, which defined the rights and obligations of both parties under such work arrangements.

Following abolition of the Guidelines, however, the need for employees to perform day/night shift work has continued. Because day/night shift work hours must now be calculated as extended work time and are statutorily capped, employers are experiencing difficulties with human resource scheduling, affecting normal business operations. Some industries experiencing serious labor shortages are even more severely impacted. At the same time, employees are unable to earn additional income by taking on more day/night shifts.

To ensure the smooth growth and development of industry and create a win-win situation for employees and employers, we suggest that the MOL review the relevant regulations and industry needs and establish new rules clearly differentiating day/night shifts from regular working hours.

**Suggestion 2: Loosen legal requirements on the maintenance of attendance records for employees.**

The COVID-19 pandemic has changed approaches to office-based work, with many companies adopting remote and hybrid work models. International human resources organizations have identified flexibility in employment as one of the key developments of 2022. However, Taiwan’s current Labor Standards Act (LSA), which is based on a rigid “working hours” system, is out of sync with these global employment trends.

Besides the LSA, which requires employers to maintain attendance records for all employees, the MOL has issued the “Guidelines on Employee Working Hours Outside of the Workplace,” which provides that: “The assignment of working hours for teleworkers shall be agreed upon by the employer and the employee and performed in accordance with the agreement. In addition, teleworkers have a high degree of autonomy and are more likely to have the freedom to set their own working hours and rest periods. The actual attendance and exact rest time should be recorded by the workers themselves (e.g., work logs, etc.) on electronic devices (e.g., online registration systems, etc.) and then transmitted to the employer to be recorded.”

However, simply recording remote employees’ attendance does not provide a full picture of their working status. For one, remote work hours are often more flexible and irregular than the traditional start and end times of office-based work. There is thus no way to confirm the exact hours each employee has worked.

Furthermore, employees may forget to log out after finishing their work, resulting in incorrect clock-in/clock-out times. This issue is difficult to control internally and requires that employees spend extra time making corrections. The concept of evaluating work based on the number of hours spent working, a carry-over from the past practice of maintaining records of physical attendance at businesses, no longer meets the needs of today’s enterprises or employees. Businesses are instead beginning to adopt the concept of evaluating the performance of employees working in non-traditional work settings.

The MOL acknowledges that remote arrangements allow for more flexible working hours and the freedom to set working times by enterprises and employees. However, the LSA requirement to maintain attendance records creates challenges for management and difficulties for employees to freely arrange their working hours. It thus does not benefit either party.

In order to promote the competitiveness of enterprises, take into account the practical needs of both employers and employees, and achieve a win-win situation for both parties, we propose that the MOL loosen the rules on attendance records by amending Article 21 of the Enforcement Rules of the Labor Standards Act to add a paragraph 2 as follows: “The attendance records mentioned in the preceding paragraph may also be replaced by other documents that can identify the working hours.” (The original paragraph 2 should thus become paragraph 3.) Such an amendment would lift the constraints of the traditional clock-in/clock-out model and allow for more flexible alternatives. One example could be having employees fill in weekly or monthly work plans and working hour plans. Such alternative approaches could still enable the identification of employees’ working hours while exempting employers from the requirement to keep attendance records for home-based or remote employees.

**Suggestion 3: Enable enterprises to meet legal quotas for employing people with disabilities by using recruitment and management services provided by third-party organizations.**

Article 38 of the People with Disabilities Rights Protection Act (the Act) requires a private enterprise or institution whose total number of employees is 67 or more to employ people with disabilities who are capable of working. It stipulates that the number of such employees with disabilities shall equal 1% or more of the total number of the employees and constitute at least one person.

Due to staffing controls at multinational enterprises, decisions regarding the appointment and hiring of regular staff tend to be made by foreign head offices, and local subsidiaries may lack the authority to make such decisions. Additionally, enterprises may encounter various difficulties in providing appropriate employment opportunities and professional guidance and management to people with disabilities.
disabilities. Although some enterprises lawfully pay subsidies in lieu of meeting their hiring quota for people with disabilities, the names of such companies are made public, which can impact their reputation.

In recent years, specialized social enterprises have been increasingly active in addressing important social issues. Likewise, multinational enterprises and other large companies are increasingly paying attention to sustainability issues. In this environment, a potentially effective approach would be for employers to engage social enterprises or third-party service institutions to help recruit people with disabilities, provide them with good vocational training, and ensure the creation of professional and friendly working environments. This cooperative new model would allow multinational companies to provide more job opportunities to people with disabilities and help businesses fulfill their obligation to contribute to society.

Given the changing employment environment in Taiwan and globally, we recommend amending the Act or introducing related administrative regulations and guidance to permit companies to, in addition to making direct hires of people with disabilities, meet their legal hiring requirements through cooperation with third-party social enterprises. This can be accomplished by providing companies with the option of offsetting their legal hiring quotas by funding the employment of people with disabilities by third-party social enterprises. Doing so would help social enterprises increase their client pool, create more full-time job opportunities for people with disabilities, and encourage multinational enterprises to help create more employment opportunities for people with disabilities at social enterprises. It would thus further the government’s policy of caring for citizens with disabilities, thereby benefiting all relevant stakeholders.

**INFRASTRUCTURE & ENGINEERING**

On this year’s Earth Day, President Tsai Ing-wen pledged to accelerate progress toward net-zero emissions by 2050 by investing in the research and development of emerging technologies such as hydrogen, geothermal, and other alternative green energy sources. As the President stated, Taiwan must undertake structural adjustments in order to join the global green supply chain, a goal that demands collaboration between the public and private sectors.

The Committee applauds the government’s commitment to achieving net-zero emissions by 2050. We offer to work with the government to identify and implement crucial adjustments in its delivery approaches and create sustainable public-private partnership (PPP) projects that will bring Taiwan the technologies and skills required to achieve this ambitious goal.

Any changes that support the net-zero emissions target will also help Taiwan complete its ambitious set of wide-ranging infrastructure projects (such as rail, power, and airports) with overlapping and demanding completion timelines. Taiwan’s planned infrastructure program, particularly its power generation projects, must be completed successfully if Taiwan is to maintain its economic growth. Recent power outages highlight the importance of delivering private and public power projects according to schedule to maintain confidence in the development sector.

This year’s White Paper contains several recommendations aimed at attracting more international engineering & construction (E&C) firms to assist Taiwan in completing its planned public and private mega-projects and introduce greater innovation to the E&C industry. While some suggestions from previous AmCham White Papers have made headway, a number of issues that could benefit from the support of ministerial-level agencies remain unresolved. We request that the government work with the Committee to form a task force to implement past and current suggestions to gain the scheduling, cost, safety, and quality benefits that would accrue from their adoption.

This year’s White Paper contains several recommendations aimed at attracting more international engineering & construction (E&C) firms to assist Taiwan in completing its planned public and private mega-projects and introduce greater innovation to the E&C industry. While some suggestions from previous AmCham White Papers have made headway, a number of issues that could benefit from the support of ministerial-level agencies remain unresolved. We request that the government work with the Committee to form a task force to implement past and current suggestions to gain the scheduling, cost, safety, and quality benefits that would accrue from their adoption.

This year we offer four recommendations aimed at promoting public-private partnerships and enabling more flexible and efficient project delivery. Suggestion 4 – to create more balanced terms and conditions in the government’s model contracts for public projects – has been raised in previous White Papers, and we believe its full adoption would encourage the participation of more multinational E&C firms in Taiwan’s public-project procurements.

The Committee prides itself on being one of Taiwan’s best partners in fostering economic development over the past decade. With such a long commitment, we strongly believe that strengthened cooperation between the Committee and relevant government agencies will help Taiwan not only build a green supply chain but also to deliver its ambitious set of infrastructure programs and ensure Taiwan’s continued social and economic prosperity.

**Suggestion 1: Adopt a multi-pronged approach to achieving the 2050 net-zero goal.**

The Committee agrees with the President that neither the government nor the private sector alone can enable Taiwan to achieve its 2050 net-zero goal and, more broadly, its wide-ranging planned infrastructure projects. The Committee would like to offer its cooperation and share its technical expertise to support Taiwan’s infrastructure development and greenhouse gas emission reduction goals. To strengthen the partnership between the Taiwan government and the private sector, the Committee makes the following recommendations:

1.1 Meet regularly with AmCham’s Infrastructure and Engineering Committee. Through more frequent engagement with the Committee, government agencies responsible for the 2050 net-zero roadmap and delivery of
critical energy-related infrastructure projects would benefit from the members’ international technical expertise. Such engagement can provide the government with greater awareness of relevant carbon capture and reduction technologies and recent engineering and construction advancements, thus enabling the government to develop more realistic implementation timelines and improved policies in these areas. The Committee hopes to have such meetings with agencies that facilitate inter-ministerial efforts, such as the National Development Council, which oversees the 2050 net-zero roadmap policy.

1.2 Introduce incentives that reward R&D, innovation, and risk-taking. Incentives should be applicable to both private and public sectors – particularly state-owned enterprises, which are responsible for a large share of carbon emissions and mega-projects – to drive adoption of innovation and methods that enhance project delivery efficiency and quality. Such incentives could be linked to schedule or safety-related achievements. For instance, the governing agency could provide Key Performance Indicators (KPIs) for contractors that complete projects ahead of schedule or fulfill work safety without Lost Time Injuries (LTIs) or fatalities. KPIs are used to encourage innovation by providing incentives when defined hurdles are overcome. The current contract environment is one of a “stick-only” approach, in which the contractor or developer bears all the risk with no potential upsides. Using KPIs allows a “carrot and stick” approach, which is typical in the international market and encourages innovation.

The Committee also recommends that the government foster a culture that encourages public servants to embrace innovation. Most procurement entities are hesitant to try a new approach in the project procurement or delivery phase due to concerns that such an approach, if deemed unsuccessful, would result in a demotion for project managers.

1.3 Create a sustainable environment that fosters investment in decarbonization while ensuring sufficient and stable energy supply. Establishing market structures that value energy, flexibility, and dependable generating capacity will encourage an optimal mix of complementary technologies, provide energy security, and achieve the greatest carbon reductions in an economical and practical manner. While reducing carbon emissions is critical, the government must also ensure that energy-related projects are completed on time to provide Taiwan with reliable and cost-effective electricity during its green transition.

1.4 Encourage greater private sector participation through promotion of the Private Participation in Infrastructure Projects Act (PPIP Act). The Committee suggests that the Executive Yuan implement cross-ministerial efforts to adopt provisions of the PPIP Act for all renewable energy projects and expedite the installation of offshore wind and solar energy facilities. We further recommend that the government work with the Committee to improve cooperation with the private sector through PPPs, including reviewing the PPIP Act to identify potential amendments that would allow more efficient implementation of such partnerships.

Suggestion 2: Actively encourage greater participation by international E&C contractors to promote economic competitiveness and technological advancement.

The government is still a long way from realizing its original 50/30/20 energy plan, which called for an energy generation output of 50% natural gas and 20% renewables by 2025. In March this year, natural gas and renewables accounted for approximately 30% and 6% of total energy generation, respectively, according to the Taiwan Power Co. As the local construction market is already overburdened, further participation of international E&C firms would accelerate progress and improve the achievement of the 50/30/20 energy plan.

The global construction industry has advanced significantly in recent years and continues to do so as higher-value engineering design processes and advanced construction methodologies are introduced. Regrettably, Taiwan’s domestic E&C industry has failed to benefit from these advancements, suffering instead from stagnant technological advancement and a reliance on outdated project delivery methods. Low project budgets, the use of “Lowest Price” as a major bidding selection method, the issuance of tenders only in Chinese, and onerous contract terms (which are mainly punitive and contain no upside or revenue potential for the contractor) are all factors that discourage participation by international E&C contractors and minimize local competition. As a result, local companies have little incentive to innovate their design methods and modernize their construction procedures.

The Taiwan government has, through modest reforms to the Construction Act and the Government Procurement Act (and its Enforcement Rules), alleviated some of the hurdles that international E&C firms face when trying to enter the Taiwan market. However, these changes have primarily affected initiatives in the public sector. Little has been done to encourage participation in private-sector projects, which are critical to Taiwan’s energy transformation and other essential infrastructure projects.

Numerous non-tariff barriers in the Taiwan market deter E&C contractors from participating, many of which have been identified in previous White Papers. Amending model contract terms to align with international market practices, issuing requests for proposals in both English and Chinese, and allowing alternative methodology proposals during the tendering cycle are examples of ways to address barriers to entry.

The Committee offers its assistance to the Taiwan
government in identifying and implementing measures to encourage more international engagement in the local market, allowing Taiwan to benefit from worldwide E&C methods and technologies.

Suggestion 3: Apply public-private partnerships to new wind farm development and ensure flexibility of port operations.

The government has set a target of 5.7GW of offshore wind power (OWP) capacity by 2025 and 20.5GW capacity by 2035 as steps toward achieving its energy transition goals. In part due to COVID-19, the initiative is behind schedule. Furthermore, due to a lack of available ports and wharfs, the existing facilities are heavily congested, a problem that must be addressed in order to accelerate the pace of construction. With the benefit of incentives included in the PPIP Act when it was passed in 2000 to encourage private companies to invest in public infrastructure, private investment could finance the construction of the port and wharf facilities required to meet OWP development demands. Leveraging private investment can often mobilize additional sources of finance and deliver public infrastructure in a safe and efficient manner in terms of cost, schedule, and quality.

The government plans to build additional wharfs in accordance with its project OWP construction plan. However, bureaucratic budgeting and outsourcing procedures and stringent construction requirements have restrained the progress of ongoing construction and delayed the private OWP development. The Committee recommends that the Executive Yuan formulate standardized processes and measures for the Port Authority to use in the planned construction of Wharfs 37 and 38 in the Port of Taichung. Furthermore, port operation flexibility and a complete quayside facility will provide Taiwan’s marine operations with a competitive edge. Currently, the time limit for port entry and wind turbine generator (WTG) component onshore transportation extends the operation lead time and cost.

With the aim of amplifying the potential benefits of PPPs, as well as increasing flexibility, the Committee suggests the following:

1. Expedite the formulation of standardized processes and measures for the Port Authority to follow in the planned construction of Wharfs 37 and 38 in the Port of Taichung.
2. Allow 24/7 port operations in line with international practices rather than the current time limits. WTG component transportation, for example, is currently limited to between six and eight hours per night at Taichung Port, escalating traffic congestion.
3. Establish a complete bunker facility at the quayside and provide enough fuel barges or supply ships to allow vessels to refuel at the wind farm to improve project operation efficiency.

3. Allow offshore custom clearance to avoid unnecessary and redundant loading and unloading operations to create a safer port environment.

Suggestion 4: Provide fairer and more balanced model contract terms and greater flexibility in the tendering process.

In previous White Papers, the Committee requested the Taiwan government align its model contract terms with international standards to create fair and balanced terms and conditions for the industry. Creating a healthy contractual environment benefits international and Taiwanese contractors equally and fosters a more sustainable commercial arrangement between the owner and contractor, as well as the various suppliers and subcontracts.

Given the government’s aspirations to promote a broad transition to higher levels of technology, the Committee hopes to work with the Public Construction Commission (PCC) and other relevant government agencies to attract more international E&C contractors to participate in public tenders. Aligning the model contracts with international practice is critical to achieving this objective.

In addition, the Committee has previously suggested amendments to the tendering process, such as allowing alternative tenders to encourage greater innovation by using “Most Advantageous Tender” rather than “Lowest Price” as a preferred selection process for critical projects. International firms currently feel discouraged from participating in Taiwan’s public tenders and sharing innovations gained abroad due to misalignment with international procurement practices and the inclusion of unfair terms, such as unfavorable indemnification terms, international arbitration, and lack of a fair changes clause. This is unfortunate considering Taiwan’s need for more participation by international E&C contractors to help complete its ambitious, forward-looking infrastructure and energy programs.

The Committee offers to collaborate with the PCC and other government agencies to identify and implement past and current ideas related to this recommendation. Some preliminary ideas are listed below:

1. Create a healthy commercial environment for firms participating in public tenders. Current model contracts contain some provisions that do not reflect a fair and balanced contractual approach. One example is the inclusion of Article 227, paragraph 2 of the Civil Code in the model contracts, as explained in the 2021 White Paper. It is the Committee’s view that this reference made under the “Rights and Liability” clause should be removed. The Committee welcomes the PCC’s amendment to the Model Contract for Technical Service Agreements, which incorporates this suggestion. We hope the same will be done for all model contracts, particularly the Model
Contract for Construction Agreements, to align with typical practices in the international market.

2. **Allow contractors to submit change notifications.** As stated in previous White Papers, the government’s set of model contracts (except the one for technical service agreements) fails to include a provision enabling the contractor to request a contract adjustment due to changed conditions caused by external factors, although allowing the government procurement entity to call for such an adjustment from the contractor. This unilateral approach is unbalanced and contradicts international practices.

3. **Implement the use of alternative methodology in the procurement process.** In international procurements, it is common practice to allow international contractors to offer alternative methods while still meeting the project performance requirements. The current government tendering process, however, makes no provision for this procedure. Including alternative tenders allows Taiwan to benefit from new methods and knowledge amassed from projects delivered outside Taiwan, which have the potential to improve project cost, scheduling, safety, and quality.

**INSURANCE**

The main goals of our Committee continue to be accelerating the pace with which Taiwan’s insurance industry embraces innovation and provides consumers with more convenient and more suitable protection insurance, while at the same time striking a balance between embracing that innovation and maintaining sound risk management.

In this year’s paper, we continue to focus on providing simple and innovative solutions through e-commerce, so as to introduce more efficient sales and claims processes to encourage an increased stress on protection insurance. In addition, promoting sound asset and liability matching principles, strengthening the industry’s financial stability, and adopting a risk-based and differentiated supervisory approach will efficiently strengthen the internal control and risk management of insurers.

Furthermore, in order to bring about more efficient usage of insurers’ administrative resources, we hope to see a reduction in the frequency of regulatory changes. Initiatives undertaken by the Insurance Bureau (IB) have enabled Taiwan to lead the region in ICS 2.0 and IFRS 17 implementation. The strong support for digital innovation and promotion of the regulatory sandbox and business trials have also spurred the insurance industry to adopt more innovative approaches.

The Taiwan insurance industry is continuing to push for digitalization, and we hope to accelerate the process in line with international digitalization trends. But the procedures are cumbersome and do not meet the expectations of customers in the digital age. Taiwan can do much better in these areas, delivering a more satisfactory customer sales and claims experience, reducing the amount of mundane paperwork, and moving towards a greener operating environment. To strengthen the industry’s financial stability, it is also important to ensure that assets match liabilities in the original currency.

When new rules are being devised to supervise the insurance industry, we urge the authorities to work together with industry to ensure that international market practices are followed and that a clear enforcement date is set to enable industry to be better prepared operationally and reduce paper wastage. Strong engagement between industry and government is critical to achieving these goals.

As an industry, we are committed to working closely with the IB and the Financial Supervisory Commission (FSC), and we appreciate the clear desire of the IB and FSC to reciprocate. To make progress, it is important to set out priorities that we can all embrace, and then define short-term objectives to work toward together. The Committee is thankful to the government – especially the IB, FSC, and the National Development Council (NDC) through the quarterly White Paper follow-up meetings – for its continuing commitment to work with us to fulfill the value of insurance and help the domestic Taiwan industry leapfrog towards globalization.

**Suggestion 1: Provide more opportunities for e-commerce to help modernize and develop Taiwan’s insurance market.**

1.1 **Allow more types of protection insurance to be sold online and reduce the constraints on e-commerce insurance sales.** Online insurance provides fast and convenient protection to the public. It has all the constituents to be attractive to today’s young tech-savvy generation, which favors doing everything with a few clicks online. However, the Taiwan online life insurance market has grown relatively slowly since the e-commerce channel opened in 2014.

The slow pace of growth is attributable to several factors. First, only limited types of life insurance products with limited sum assured can be sold online. Some short-term simple protection products are also suitable protection products for online sales and would meet customers’ unmet needs. We hope to continue discussions with the authorities to further expand the product types that can be sold online to include these and other products as well as to increase the amounts that can be insured.

Second, an insurance company that receives a major penalty, whether or not such penalty is related to e-commerce sales breaches, is subject to having its sum assured limit and financial underwriting thresholds reduced. We recommend that the sum assured limit and
1.2 Allow more insurance services to be fulfilled online.

The trend toward digitalization by enterprises and governments worldwide in response to the need for convenient and high-efficiency services has been driving growth in e-commerce. In line with global trends, we urge the Taiwan authorities to amend relevant insurance regulations with the aim of allowing the insurance industry to provide more convenient and efficient customer e-services online.

For example, current regulations only permit death insurance and small-amount claims to be filed online. Our Committee highly supports further expansion of the types of claims that can be made online. We also believe that a blockchain claim mechanism would help improve the claim process experience. In the future, under the conditions of suitable risk control and fraud prevention, we look forward to the continued lifting of limits on the claim application process for all kinds of product types and claim amounts in order to provide a better experience for customers and accelerate the payment process.

1.3 Help build a suitable ecosystem and re-conceptualize the insurance business for the Digital Era.

Insurance has always been a service – a service of loss prevention and risk mitigation from the industry’s earliest inception in pre-Biblical times through the commencement of the modern insurance industry at London Lloyd’s Coffee House in 1688. The “service” is low-profile; the insurance industry has traditionally been a low-involvement, low-interaction industry that doesn’t attract a lot of customer affection. However, the world has changed. Led by the tech giants, technology and business are rapidly converging to form complex ecosystems and create new rules for success. COVID-19 has accelerated this convergence, and the global integrated network economy is expected to grow by at least 10-fold in the coming years. In 2030, it is on course to constitute 25% of the global economy, compared to its current 2% contribution at most.

The permeation of digital technologies into the insurance industry will not only reshape customer expectations but also create a new ecosystem that will inevitably draw the industry into what have traditionally been non-insurance businesses. In order to benefit policyholders through greater risk prevention and a better customer experience, and to eventually benefit the insurers themselves through better customer acquisition and retention, the industry has begun to form integrated “ecosystems” through which participants seek to attain a level of service excellence comparable to what the e-commerce giants provide.

The Insurance Committee is grateful to the regulatory bodies for their continuous support for digital innovation and their efforts regarding the financial regulatory sandbox. We are also gratified to learn that the authorities consider the integration of e-commerce fields as one aspect of the regulatory system for purely online insurance. Though the integrated model is a global trend, as the industry continues to establish ecosystems and as different participants continuously bring in new services, it will inevitably become necessary at some point to redefine the scope of “insurance business.”

Thus, we urge the regulatory authorities to reconsider the core concept of “insurance business” with reference to the integrated ecosystem model, and then make changes in regulations that are applicable to all insurers. In the end, this process will enable the industry to offer more extensive services to financial-sector customers in Taiwan.

Suggestion 2: Further relax or remove the limit on total foreign investment.

Promoting sound asset/liability and investment risk management practices is crucial to ensuring the soundness of the insurance industry as a whole by enabling well-thought-out and carefully managed investment and risk-management strategies. Insurers in Taiwan should have the same access to, and benefits from, more advanced regulations regarding investment, hedging, and risk management capabilities as are available in other modern insurance markets. We hope to see more progress toward this end in the coming year.

Compared with TWD-denominated traditional insurance products, foreign-currency-denominated insurance products are more asset-liability management (ALM) friendly to life insurance companies because of (i) the lack of foreign exchange risk and (ii) the availability of a much wider range of investment options with decent quality and sufficient liquidity for matching insurers’ liabilities. Insurers’ capacity to offer foreign-currency-denominated traditional insurance products is severely constrained by current regulations limiting total foreign investments. The limitation has been relaxed through the amendment of relevant regulations. Further relaxation or total removal of this constraint could substantially enhance the ALM adequacy of life insurance companies. Another positive impact of such removal would be the encouragement of product innovation in the life-insurance industry. When introducing creative, new foreign-currency-denominated products to the market, insurance...
companies would be able to participate in mature, diverse, and liquid foreign-capital markets without worrying about the foreign investment cap.

Suggestion 3: Adapt risk-based supervisory rules to facilitate differentiation by sales channel and product.

Different sales channels and different products pose different levels and types of risk for insurance companies. Some sales channels emphasize the speed and convenience of transactions, and for such channels the regulators will usually adopt appropriate risk-control measures. In the interest of risk management, for example, limits are placed on the types of products and amount of sum assured allowed for online and telemarking sales.

Adding stricter rules will reduce the advantages of speed and convenience for such sales channels. Thus, because the risks associated with such sales channels are different from those in face-to-face sales channels, different supervisory rules, and internal controls need to be employed. Further, the nature and risks of investment-linked products differ from those of simple protection products, signifying that the supervisory mechanism and internal controls also need to be different for different products.

To achieve effective supervision, we recommend a risk-based approach to setting regulations on internal controls. Insurance companies can then take risk mitigation action based on their own assessment of the risks they face, while the regulator conducts risk-based supervision and inspection. Currently there are different main supervisory regulations for the different sales channels and different product types. But the administrative rulings currently do not make such a clear separation. The Committee requests that administrative rulings also be similarly differentiated in the future.

Suggestion 4: Reduce the burden of frequent regulatory changes on stakeholders.

The insurance industry is one of the most heavily regulated sectors in Taiwan and is also subject to frequent changes in laws and regulations. Each change (even a minor change) in a law or regulation may require insurance companies to significantly alter or even completely overhaul their product design, policy terms and conditions, product flyers and brochures, IT systems, and other prior practices. Thus, frequent changes not only cause undue administrative burdens on insurance companies but also lead to excessive paperwork, unnecessary costs, and wasteful use of manpower.

In view of the above, the Committee urges the Taiwan authorities to place equal emphasis on efficiency and effectiveness in implementing new or amended regulations. For example, we recommend that fixed effective dates (such as January 1 and July 1) be set for all newly enacted or amended laws or regulations promulgated during the previous six months. Rationalizing the implementation process for new laws and regulations in this way would alleviate much of the burden of regulatory changes on the insurance industry.

INTELLECTUAL PROPERTY & LICENSING

The Committee recognizes the significant progress Taiwan has made over the years in improving its protection of intellectual property rights, as well as the crucial role this has played in maintaining Taiwan’s competitive position in the global economy. It is vital to continue the Taiwan government’s efforts to ensure a comprehensive and healthy legal environment that provides sufficient protection to rights-owners.

Since our 2021 White Paper was published, some progress has been made on some of the issues the Committee raised last year. In particular, we appreciate the authorities’ willingness to engage in productive dialogue regarding our suggestions to increase cross-agency cooperation to protect intellectual property rights in the pharmaceutical industry, as well as to relax the timing for filing divisional applications and increase the number of office actions during examinations.

We believe, however, that further steps to provide adequate protection for intellectual property would greatly benefit Taiwan’s stakeholders. We continue to see little or no improvement on perennial issues of great concern to a wide range of industries. Offshore online copyright infringement continues to damage the market, and although Taiwan has made progress on the judicial front, it still lacks effective administrative enforcement measures for offshore online piracy. In addition, the recent draft amendments to the Copyright Act pose severe risks to rights holders, especially in terms of the expansive scope of fair use they stipulate and their lax approach to piracy.

Below, the Committee presents suggestions for each of this year’s issues and hopes that they will help facilitate increased cooperation between AmCham Taiwan members and the Taiwan authorities, enabling each side to benefit from the other’s expertise.

Suggestion 1: Suspend the legislative review process for the Executive Yuan’s draft amendments to the Copyright Act until all shortcomings are fixed.

1.1 Provide sound recording rights holders with exclusive copyrights.

1.1.1 The Executive Yuan’s proposed amendment to Article 26 of the Copyright Act affords rights-holders of music (including lyrics), literary, dramatic, and choreographic works the exclusive right to publicly perform those works. However, what are termed “sound recordings” are only entitled to remuneration for public performance
under draft Article 26 and public retransmission under draft Article 26-2. A three-minute song is the result of hundreds of hours and dozens of creative ideas from record companies, production houses, individual studios, bands, and singers. However, the government for many years has denied the originality of sound recordings and provided them with only minimal protection. We suggest that Taiwan follow the example of other countries or regions that have granted sound recordings exclusive rights for public performance, including the UK, Hong Kong, Thailand, Brunei, Malaysia, Australia, and most EU countries, by adding sound recordings to the first paragraph of Article 26 to and deleting Article 26-2.

1.1.2 The proposed amendment to Article 29-2 is unique to Taiwan and does not align with the legislation of any other jurisdiction. The draft amendment limits the rights of sound recordings that are “fixed” (i.e., reproduced) in an audiovisual object (defined as any product with images, including movies, dramatic or choreographic works, short films, advertisements, anime, games, karaoke products, and others). Other works that may be fixed in an audiovisual object, including paintings (artistic works), photographs (photographic works), poems (literary works), or dances (choreographic works), do not have any such restrictions on their copyrights. We argue that this distinction demonstrates discrimination against and unfair treatment of the recording industry. Furthermore, it creates the impression that sound recordings are deemed as works of lower value. The recording industry works closely with various audiovisual product producers regarding how its sound recordings can be used in audiovisual products and how it can share in the profit made from the circulation of those products (e.g., reproduction, rental, distribution, public performance, or public retransmission). However, under the amended Article 29-2, the recording industry would enjoy only one-time reproduction rights for sound recordings that are reproduced in audiovisual products and would have no right to the subsequent circulation of those products, which undermines the existing mechanism for profit-sharing and seriously affects the revenue of local and foreign record companies in Taiwan. This amendment would contravene the spirit of Taiwan’s national policy to revitalize the cultural and creative industry. The recording industry has repeatedly raised this issue with the competent authorities and requested the removal of draft Article 29-2, but we do not feel that our concerns have been adequately addressed. We strongly urge that this amendment be deleted.

1.2 Narrow the scope of fair use in the draft amendments.

1.2.1 The first paragraph of draft Article 48-2 would allow government agencies and nonprofit collecting institutions to – for the purposes of providing the public with guidance on collections of copyrighted works – use a vaguely defined “small number of excerpts” of those works for free. Such a policy would be inappropriate and unfair as many private collecting institutions must pay for authorization.

1.2.2 The draft amendment to Article 55, which adds nonprofit, non-recurring, and public-open-space use to the scope of fair use, improperly interferes with the exercise of private rights, interferes with the normal exercise of rights by copyright holders and unreasonably obstructs their legitimate rights and interests, and does not clearly define exceptions, resulting in an overly broad scope of fair use. We note the following issues in this amendment:

- The definition of “non-recurring” activities is ambiguous.
- The scope of “public open spaces” includes almost any kind of location or venue, except for those that are “not open to the public.”
- The definition of use for “activities held for the purpose of personal physical and mental health” in public open spaces is unclear, and the reasoning for this item is questionable.
- The second paragraph exempts only films from the added scope of fair use for three years following their release date, but does not exempt any other works.

We note that the legislative explanation provided for the added second paragraph of the draft of Article 55 cites the particular periodic nature of audiovisual works (e.g., movies) as the justification for the three-year exemption of films from fair use. We therefore suggest that the term “film” in the second paragraph be changed to “audiovisual works” and that it also include commercially distributed sound recordings. For similar reasons, newly released film soundtracks should be excluded from the expanded scope of fair use during the promotional period for the films.

1.2.3 Delete draft Article 55-1 permitting the fair use of publicly re-transmitted content via home-use audiovisual receiving devices. This draft article would seriously disrupt the market for public performance and public presentation. The term...
1. Article 3, Paragraph 4 of the amendments authorizes core technology: regarding the procedure for determining what constitutes a through this amendment, we offer a few suggestions government's objective to enhance trade secret protection and economic development are taken into consideration. In addition, when announcing the core national technologies, the Executive Yuan should inform the interested parties of the relevant remedies (such as review or administrative appeal of a determination) to better ensure due process.

Suggestion 2: Clarify regulations regarding “core national technologies” in the amendments to the National Security Act.

AmCham Taiwan has long expressed concerns regarding Taiwan’s protection of trade secrets, and since 2020 has continuously made relevant suggestions on how to improve that protection. We were very pleased to see recent efforts to address our concerns, including the Legislative Yuan’s approval on May 20, 2022, of amendments to the National Security Act intended to increase the severity of sanctions on the misappropriation of trade secrets involving “core national technologies.”

While AmCham strongly supports the Taiwan government’s objective to enhance trade secret protection through this amendment, we offer a few suggestions regarding the procedure for determining what constitutes a core technology:

1. Article 3, Paragraph 4 of the amendments authorizes the Ministry of Science and Technology’s National Science and Technology Council (the Council) to hold consultations with “relevant authorities” to formulate regulations governing determination procedures and other compliance matters related to core national technologies. However, given that the technologies defined in Paragraph 3 are those related to national security, industrial competitiveness, and/or economic development, we recommend that at a minimum the Ministry of Economic Affairs and the Ministry of Transportation and Communications (neither of which participated in formulating the draft amendments) be included among the authorities to be consulted. Furthermore, we recommend that regulations calling for public hearings and a notice and comment period under the Administrative Procedure Act be applied to the formulation process, so as to ensure due process and provide proper substantive content in the regulations.

2. To take into account the perspectives of industry, government, and academia, we suggest that the Council, in determining what constitutes a core national technology and the specific categories of such technologies, form a review committee with industry experts (accounting for more than one-fifth of the members) and relevant authorities.

Suggestion 3: Continue to enhance measures to combat online piracy.

Although overseas-based pirate websites and infringing APPs continued to proliferate in 2021, the Committee notes that in the year since the last White Paper was published, police, prosecutors, and district court judges have ramped up criminal seizures of the domain names of pirate websites and tasked the Taiwan Network Information Center (TWNIC) with launching the Domain Name System Response Policy Zone (DNS RPZ) mechanism. Internet service providers participating in this mechanism will cease conducting DNS resolutions of specified pirate websites in order to combat online piracy. The Committee applauds Taiwan’s judicial authorities for their determination in taking on this task, which we believe will help fight against increasingly severe online piracy.

Last year the Committee closely followed a few Taipei district court cases involving the seizure of pirate website domain names, and we expect other district courts to follow suit. However, we also observed that the pirate websites in these cases may have used redirection methods or shifted to backup domain names to bypass blockage by DNS RPZ. In such cases, rights holders are forced to ask law enforcement to apply for a new seizure order from the court to block domestic internet users from accessing the pirate website via the backup domain names, an inefficient process that does not reflect the urgency of these cases.
An amendment to Article 100 of the Copyright Act passed by the Legislative Yuan would make significant digital crimes an indictable offense even in the absence of a complaint. Once it goes into effect, law enforcement may actively investigate and seize the backup domain names of pirate websites. Until that happens, however, rights holders have no recourse than to apply for a new seizure order.

To accelerate the fight against overseas-based online piracy, the Committee recommends that the police, prosecutors, and courts adjudicate and enforce seizure orders as quickly as possible. Doing so would enhance the effectiveness of the DNS RPZ.

While the Committee recognizes the improvement Taiwan’s judicial branch has made in combating online piracy, we urge the government to use every available measure to tackle this issue, including – when circumstances permit – assessing the use of administrative procedures to resolve cases. Taiwan must continue to enhance its legal framework and enforcement practices so that right-holders have fast and effective remedies to overseas online piracy.

**MARKETING & DISTRIBUTION**

**Suggestion: Better align Taiwan’s Tobacco and Alcohol Administration Act with international best practices.**

The Committee calls on the Ministry of Finance (MOF) to bring Taiwan’s Tobacco and Alcohol Administration Act (TAAA) and its associated interpretative orders in line with international best practices. We urge MOF to seek legislative amendment of the TAAA to permit documentary errors in declarations to be corrected/rectified, including on occasions where said errors have been identified by Customs. We also call on MOF to empower local government agencies to consider all available facts and make use of their discretion when coming to a decision on the imposition of a fine and/or the revocation of an import license under the TAAA. Currently, documentary errors and omissions are not taken into account when deciding on the illegality of an importation, with the size, reputation, and track record of a given importer/brand owner disregarded when adjudicating on such matters. The review should also consider whether the current de minimis levels represent an appropriate threshold for a potentially extremely serious penalty to take effect – or whether it would be more reasonable to raise that threshold.

**MEDICAL DEVICES**

Due to Taiwan’s rapidly aging population and evolving disease types, it is vital for the public’s health and wellbeing to accelerate medical innovations and shorten the time to market for new and improved devices. The Committee would like to thank the Taiwan Food and Drug Administration (TFDA) for offering manufacturers expedited measures for document preparation during the COVID-19 pandemic. Member companies have also been developing and launching innovative devices to protect the health of the people of Taiwan. While post-market monitoring has become more stringent under the new Medical Device Act, we look forward to further close communication and cooperation with the regulators for the sake of continued progress in streamlining the pre-market approval process.

We urge the National Health Insurance Administration (NHIA) to listen to stakeholders’ feedback, give due attention to the features and value of products when creating policies and regulations for advanced medical technology products, show flexibility in setting policy directions so as to facilitate the inflow of advanced technology to enable the Taiwanese people to continue to enjoy the benefits of research and development. Our Committee members remain dedicated to continuously providing high-quality products to meet patient needs and enable Taiwan physicians to stay at the forefront of international healthcare development.

**Suggestion 1: Establish a mechanism to grant a single license to medical device design owners with multiple manufacturing sites.**

The Committee was grateful when the TFDA last year agreed, after many years of discussion, to accept the concept that the medical device “design owner” is the legal entity responsible for the design, manufacturing, packaging, labeling, and post-market activities of a device, and that the actual production may be outsourced to a physical manufacturer. In so doing, the TFDA moved to bring Taiwan in line with generally accepted international practice.

However, the policy change left one remaining issue unresolved. When the design owner utilizes multiple physical manufacturing facilities, separate licensing applications need to be submitted for each location. The Committee proposes creation of a mechanism to allow multiple physical manufacturing facilities to be covered by a single license. The expansion of Country of Origin (COO) input fields in the TFDA license database, enabling customs to crossmatch licenses, should eliminate any difficulty in adopting this approach.

Issuing a single license for a design owner with multiple facilities would reduce repetitive registrations and reviews of a product and expedite product market introduction. In addition, it would benefit consumers by mitigating product shortages due to changes in supply chains or raw material sourcing.

**Suggestion 2: Remove the requirement for a CFG/CFS for product registration.**
For many years, the medical device industry has encountered Certificate to Foreign Government/Certificate of Free Sale (CFG/CFS)-related obstacles that hinder product registrations and even pose a barrier to trade. At times, the TFDA does not accept a CFG/CFS due to minor variations in the model codes given for the same product. These variations usually occur in an attempt to fulfill various country-specific requirements or to distinguish between models from different jurisdictions (for example, U.S. and EU). In addition, in certain countries of origin, the CFG/CFS issuance can be extraordinarily lengthy, and in some instances the CFG/CFS may or may not include certain models because of countries’ varying definitions of what constitutes the Legal Manufacturer, which may not necessarily be the Physical Manufacturer.

Moreover, a CFG/CFS only provides information on the manufacturer’s name, address, and product model codes. While names and addresses can be verified through the Quality Management System, information on product model codes is generally based on supplementary documents provided by the manufacturer (such as Letters of Authorization and technical documents) – and not solely based on the CFG/CFS.

Under the current Taiwan Medical Device Act, a CFG/CFS is not required when the product is novel and first-to-market in Taiwan, and when reports are presented from a locally conducted clinical trial and an on-site audit conducted by the TFDA. However, imported medical devices rarely meet these stringent requirements.

Most developed economies and APAC countries – including the U.S., Canada, the EU, Japan, Australia, Korea, Singapore, Malaysia, the Philippines, and Thailand – do not require a CFG/CFS for product registration. The only Asian markets still requiring a CFG/CFS for product registration are Taiwan, China, Cambodia, and Vietnam.

Maintaining the CFG/CFS requirement lengthens the time to market for innovative imported medical devices. Eliminating that requirement could accelerate the approval process for imported medical devices for the benefit of local patients and enable the early introduction of new technology to healthcare professionals. It would also bring Taiwan one step closer to regulatory harmonization with other markets.

**Suggestion 3: Set fair reimbursement prices when re-reviewing products on the “non-reimbursed medical device list.”**

Items on the “non-reimbursed medical device list,” which have been published following review by the Pharmaceutical Benefit and Reimbursement Scheme (PBRS) committee, may be offered by hospitals as self-pay items, providing patients with the option to use new medical technology and devices at their own expense.

The NHIA now plans to re-review all items that have been published for more than three years since 2012. However, most “non-reimbursed” items were given that designation because reimbursed items with similar functions were available while the review was being conducted. Based on the administrative principle of legitimate expectations, the Committee suggests the following:

1. Disclose the expected timetable for re-review of the various items on the “non-reimbursed medical device list” due to be re-reviewed.
2. Determine the reimbursement price for re-reviewed items based on their market self-pay prices over the past three years (excluding outliers) so as to reasonably reflect the costs involved and to safeguard the medical rights and interests of all parties. This procedure will ensure that new technology and new devices can continue to be introduced to Taiwan.
3. Request manufacturers to resubmit the recommended price and estimated use information for their items before the re-review process begins, so that this information can be considered in the review. This is vitally important as reimbursement for more than 80% of the items on the list was applied for more than five years ago, and relevant costs have completely changed over that time.

**Suggestion 4: Improve access to new medical technologies and medical devices.**

The Committee offers the following suggestions for improving access to new medical technology and medical devices that have not been covered by the NHI or are still under review:

1. For new medical technology (including related devices) requiring application to the NHIA for new medical order codes before utilization by hospitals, the NHIA should first issue “virtual” medical order codes to promote the accessibility of new medical technology to solve the current situation in which temporary self-pay codes are only provided to applications that have undergone a Health Technology Assessment.
2. The cost of introducing new medical devices is supposed to be covered within certain procedure fees, but often the amount is not enough to cover the full cost. In such cases, the medical institutions are likely to ask the NHIA to increase the procedure fee, but the review process is lengthy and subject to global budget limitations. In the meantime, those devices are suspended from being used. To facilitate the accessibility of new medical devices, we recommend that before completion of the review, such devices be allowed to apply for continued use under Article 21 of the Medical Care Act.

**Suggestion 5: Enhance the transparency of the NHIA review process and implement forward-looking budget planning**

5.1 Announce the schedule and minutes of Special Materials
PHARMACEUTICAL

Despite the widespread effects of the COVID-19 pandemic, Taiwan’s economy increased at a 6.28% annual rate in 2021, its highest growth rate in 11 years. But even during a period of robust economic growth and positive outlook, the Committee observes that Taiwan’s past momentum in investing in biopharmaceutical innovation – a critical factor in international competitiveness recognized by advanced countries – has stagnated. The state of Taiwan’s competitiveness at a time of global supply chain shifts is even more concerning. While neighboring countries have continued to invest boldly in biopharmaceutical innovation to firm up their international connections, Taiwan’s investment in new drugs and indications was at its lowest in recent years, as were its policy measures to ensure Taiwanese patients’ access to innovative treatments.

The Committee is deeply concerned about these developments, and urges Taiwan to take bolder steps to secure its place in the international innovative biopharmaceutical value chain. We also call on the government to set a clear and forward-looking policy objective to strengthen international connections and cooperation between the public and private sectors, increase public health resources, and invest further in innovative biopharmaceuticals within its excellent single-payer health insurance system to benefit people, patients, the medical communities, and the industry.

Suggestion 1: Improve Taiwan’s competitiveness in the international innovative biopharmaceutical value chain through Public-Private Partnerships (PPPs).

The COVID-19 pandemic has demonstrated the importance of ensuring ready access to critical innovative biopharmaceuticals in response to an emerging pandemic. The optimal course of action is to consistently play an active role in the global innovative biopharmaceutical value chain, from research and development to patient access. It is therefore essential to identify Taiwan’s weaknesses and opportunities and work to gain a competitive position in the international innovative biopharmaceutical value chain.

Taiwan is home to some of the world’s most prolific researchers and health professionals, and there are ample opportunities to capitalize on this domestic ability. It is critical for Taiwan to ensure that its talent stays connected and competitive internationally, both in practice and in research capacity, for a treatment population that is on par with that of high-income countries. This can be accomplished by ensuring that Taiwan’s clinical and treatment settings are aligned with international guidelines.

Taiwan is experiencing a widening disparity between local and international treatment environments. The inconsistent increase of budgets in Taiwan for new drugs and indications has slowed the medical community’s ability to access innovative treatment options. Meanwhile, South Korea and Singapore have made rapid progress in ensuring that their medical communities have access to innovative treatment options on par with international treatment guidelines, which has helped create a treatment setting conducive to innovative biopharmaceutical research and development.

Over the years, the Committee has advocated for Taiwan to make international connectivity in the innovative biopharmaceutical value chain a top priority. The Committee urges Taiwan to work to ensure the continuity of its competitive advantage in talent and close the gaps between clinical settings and populations to create a clinical and research environment aligned with international standards.

The Committee commends Taiwan for taking measured steps toward regulatory reform, such as by adopting the Regenerative Medicine Development Law. We urge the government to take bold actions to align patient populations and treatment options with international treatment guidelines in key areas, including precision medicine, oncology, gene and cell therapies, and other innovative treatments. Members of the Committee stand ready to collaborate with and support Taiwan through PPPs, with a focus on improving Taiwan’s competitiveness in the global biopharmaceutical value chain.
Recommendations

1. Establish an Executive Yuan-level inter-ministerial task force with the international biopharmaceutical industry to draw up an acceleration policy roadmap and cross-ministerial funding sources for Taiwan’s international biopharmaceuticals. This will close the gap in key focus areas in the international biopharmaceutical value chain. Government stakeholders may include the Ministry of Health and Welfare, National Development Council, Ministry of Economic Affairs, and Ministry of Digital Affairs, among others.

2. Consider openness, security, and reliability in establishing public-private partnerships to foster public consensus and support for critical areas of Taiwan’s public health agenda, such as precision medicine, digital health, and big data utilization.

Suggestion 2: Expand the annual healthcare budget by improving the horizon-scanning approach and securing multiple funding flows.

The Committee thanks the government for its adoption last year of a horizon-scanning approach to budgeting for new drugs and new indications to accelerate the launch of new pharmaceutical products and improve patient access to innovative treatments. However, the new drug/new indication budget for 2022 is the lowest in recent years. The Committee is concerned that such a small budget will affect the competitiveness of Taiwan’s pharmaceutical market as well as patients’ access to new medicine, which is a much broader concern within Taiwan’s population.

During this period of high economic growth, we strongly urge the government not to underestimate the importance of its investment in healthcare and remind it of its duty to safeguard the new drug/new indication budget. Although Taiwan’s National Health Insurance (NHI) system faces financial challenges, long-term investment in new drugs is vital to establish a sustainable healthcare system and protect people’s health.

2.1 Prioritize patients’ unmet needs under the horizon-scanning approach and regularly communicate with the industry to improve budgeting methods. Due to limited resources, the horizon-scanning approach adopted by the National Health Insurance Administration (NHIA) includes a uniform NT$200 million cap for individual products and is thus inadequate for satisfying the unmet medical needs of many patients, particularly in the fields of oncology and rare diseases. To improve this approach, the Committee suggests consulting the industry and prioritizing the allocation of sufficient resources to fully address patient needs. Moreover, the budget-preparation method should be continuously discussed and improved. We therefore urge the government to regularly communicate with the Committee, preferably every January and March during the budget determination period, to collect our feedback and suggestions on setting the annual budget.

2.2 Secure multiple funding flows for the new drug/new indication budget. The spirit of the NHI is to harness the collective power of the government, enterprises, and individuals to ease the economic burden associated with seeking medical treatment and to improve citizens’ wellbeing. As Taiwan’s population ages and new medical technologies are developed, medical expenditures in Taiwan continue to grow. Given the limits on the NHI Global Budget, the budget for new drugs and new indications has stagnated. This insufficient budgetary allocation leads to cost-oriented reimbursement decisions and a lengthier review process. The widening gap between the scope of reimbursement and approved indications has also failed to meet patients’ medical needs by hindering their timely access to innovative medicines.

Patient groups and the industry have continued to raise proposals on how to expedite access to new drugs and improve their affordability. We suggest that the government learn from the experience of advanced countries in establishing multiple funding flows. In the short term, those sources could be allocated from the government budget and new-drug copayment scheme. Longer-term, we recommend establishing funds and creating supplementary insurance schemes for new drugs. Such an initiative could also help resolve the NHI’s financial predicament.

Suggestion 3: Continue the DET pilot program and work with industry to explore improvements to the drug-price adjustment mechanism.

The Committee has appreciated the government’s implementation of the Drug Expenditure Target (DET) pilot program as a way to address the shortcomings of the previous Price-Volume Survey (PVS) through improved predictability. Eight years have passed since the program’s introduction in 2013. In light of the rapid changes taking place in medical innovation and technology, a holistic evaluation of the program’s implementation and support for future adjustments to drug-price policy is necessary.

3.1 Maintain the DET pilot program. We believe that the DET should continue to be implemented on a pilot basis, and that the government should continue to communicate and coordinate with pharmaceutical companies and industry associations to seek ways to ensure the stability of drug supplies, foster the industry’s sustainable development, and safeguard the public’s right to drugs.

3.2 Schedule only one DET price adjustment per year. Frequent drug price adjustments can seriously complicate the business-planning activities of the pharmaceutical industry and impact the stable supply of drugs.
addition, given the current scope of NHI coverage, the complicated procurement negotiation process that follows such adjustments has resulted in a heavy burden on hospital operations. The Committee therefore recommends that drug-price adjustments be conducted only once per year.

3.3 Include industry voices early in the process of adjusting drug prices and ensure that the process adheres to principles of predictability, stability, and fairness. Policy formulation or revisions inevitably impact the business operations of drug providers, who are a cornerstone of the medical ecosystem. The Committee hopes to cooperate with the government in its drug-price policy planning (for example, in reforming reimbursement standards, establishing a mechanism for addressing price gaps, and other ways) by joining the discussion early in the process and helping reduce any unnecessary adverse impact. Price adjustments that are based on market fairness, stability, and predictability will encourage long-term investment by multinationals in Taiwan, and the continuous introduction of innovative drugs will benefit the Taiwanese people.

Suggestion 4: Improve MEA practices to enhance the renewal negotiation process and protect confidentiality.

The Committee appreciates the government’s adoption in 2018 of Managed Entry Agreements (MEAs) as one of its methods for NHI reimbursement. Adoption of the practice, when it adheres to principles of mutuality and due process, puts Taiwan in sync with international drug reimbursement trends, helps accelerate the introduction of new drugs and improves the accessibility of new treatments for patients. MEAs are in essence risk-sharing mechanisms that allow the government and the pharmaceutical industry to reach agreement on the preservation of confidentiality and other mutually beneficial terms.

From 2021, member companies started to experience issues when renewing and terminating MEAs. At the termination or renewal of an MEA, principles of scientific evidence, patient needs reflected in actual demand and usage of the drugs, and confidentiality of the existing MEA terms should continue to be observed. In the course of implementation, the Committee urges the government to address any issues in the MEA procedure related to breach of confidentiality and lack of mutuality, and to meaningfully engage with industry and make improvements on the issues based on the Committee’s recommendations.

4.1 Ensure the transparency and predictability of the procedure for MEA renewal and termination negotiations and provide a reasonable amount of time for such negotiations to be completed. The current system does not clearly define the terms and procedures for MEA termination or renewal and negotiations, which makes it difficult for member companies to effectively evaluate the proposed renewal terms and make counter-proposals. Given the complexity and product-specificity of MEAs, sufficient time and flexibility should be provided, and mutuality ensured, so that parties can prepare, propose, and respond to terms.

The Committee thus recommends that the government provide a clear procedure for MEA termination and renewal negotiations in which mutuality between parties is observed. In the process of negotiation and evaluation, recommendations arising from negotiations should be scientific and empirical, and the industry should be informed of the evaluation in advance, so that both parties can reach a mutually acceptable consensus.

4.2 Review regulations to ensure the preservation of confidentiality and protect trade secrets of the industry.

Currently, there is no standard procedure for exiting MEA renewal negotiations when consensus on terms is not reached. Regardless, the government should fulfill its duty of maintaining confidentiality in such cases. It is essential that the MEA terms are treated as confidential and not leveraged to secure further discounts during renegotiations. Companies should thus be allowed to include confidentiality and termination clauses in MEAs and renewals.

PRIVATE EQUITY

The PE Committee greatly appreciates the time and effort that the Taiwan authorities have dedicated to the suggestions made by the Committee in the 2021 White Paper, as well as several policies implemented by the Taiwan government that have successfully attracted companies to return to Taiwan. Unlike Hong Kong and Singapore, Taiwan is not simply a pure financial market, but instead is also an important base for manufacturing, supply chains, and innovation. As a result, continued updating of relevant laws and regulations is vital to remove obstacles and attract PE funds to invest and establish operations in Taiwan.

We also appreciate that the Taiwan government has officially included PE funds as one of the recognized commercial industries. Nevertheless, we believe it continues to be important for the Taiwan government to clearly express its welcome for international PE funds to invest in Taiwan.

The Committee is pleased to note that the relevant government agencies have confirmed that there is no official ceiling on the amount of investment by government funds in alternative investment products, including PE funds – although in practice the investment percentage in PE funds is still very limited compared with other investment channels.

This year the Committee continues to suggest that the authorities take steps to facilitate and attract PE fund
investments and operations to Taiwan, provide more alternative types of investment opportunities for Taiwan investors, increase public funds’ investment in PE funds, and facilitate the formation and operation of both single-family and multi-family offices (“FO”) by both Taiwan and international FO operators by (i) treating the activities of such offices as falling outside the scope of securities recommendation and/or securities management for which securities investment consulting and securities investment trust licenses are required, and (ii) treating FOs as Professional Institutional Investors (as distinguished, for example, from Accredited Investors or High Asset Customers, so as to facilitate the efficient management and investment of Taiwan family wealth.

In the spirit of continuing the positive trends evident over the past year, the Committee offers the following suggestions for 2022 as well as the general recommendation that Taiwan seek closer cooperation with the U.S. in the investment industry as the more U.S. investment that comes into Taiwan (and vice versa), the more important Taiwan will become to the U.S.

Suggestion 1: Provide greater flexibility in the approval process for FDI and be more proactive in promoting investment from, and facilitating divestment by, PE and M&A sources.

Most foreign direct investment (FDI) into Taiwan falls under the Statute for Investment by Foreign Nationals and requires approval from the Investment Commission (IC) of the Ministry of Economic Affairs (MOEA). However, this process, originally designed for operating investments, does not readily accommodate some common features of private equity or M&A investing.

For example, in an M&A or private equity transaction it is common internationally for the ultimate sponsor to first structure the deal and obtain regulatory approval and then create the legal vehicle to carry out the transaction. Without knowing whether the project will be approved by the IC, creating such an entity may be a waste of time and money. The Committee previously recommended amendment of the “Required Documents and Guidance Notes for Investment Application by Overseas Chinese and Foreign Nationals” to facilitate and bring a greater level of certainty to the approval process.

The Committee appreciates the feedback from the MOEA that such an approach is not permitted under the Statute for Investment by Foreign Nationals (SIFN). However, we note that the SIFN does not require the applicant to be the legal entity directly engaged in the investment/transaction. This would open the possibility for the promoter, parent company, or ultimate sponsor to be the applicant if the subject legal entity has not yet been set up.

Another example is the impact the time required for the Taiwan regulatory authorities to check on the China background of applicants may have on the efficiency of the IC review of the application. The Committee has suggested that the government devise a more efficient review process to reduce the time involved while still effectively protecting against the potential adverse effects on Taiwan’s interests of Chinese investment in this market.

In addition to promoting investment, the Taiwan FDI regime also needs to facilitate efficient divestment. For instance, the difficulty of divestment by PE funds from cable or financial (such as bank or financial holding) institutions in past years has triggered concern and doubt among foreign PEs about whether Taiwan is a free market for exit.

Since the SIFN has not been amended since 1997, the Committee suggests that it is time for the government to revisit that law in its entirety in the context of promoting and facilitating non-operating investment and divestment, adopt necessary amendments, and take other corresponding measures to address these issues.

Recommendations

1. Amend the SIFN to make it more welcoming to M&A and PE investment cases.
2. Spur the development of a world-class wealth management environment by smoothing the way for divestment in addition to promoting investment.

Suggestion 2: Expand permitted investment by public pension funds in alternative assets like private equity to help meet national pension fund minimum return obligations.

We learned from the government’s response to the 2021 White Paper that the relevant regulations on public pension funds set no specific ceiling on investment in alternative assets, including PE funds. However, in actual practice, the percentage of such investment in PE funds remains low. A major factor is the minimum return obligations set for such investments. For instance, the range for funds operated under the Ministry of Civil Service is set at 0.1%~1% for self-managed funds and 2%~10% for mandated funds. The Committee suggests adjusting that range for public pension funds to enable them to invest in private equity funds with good track records and investment returns.

The data is clear that greater allocation to PE by government funds in Taiwan would be consistent with what occurs in other regional and global markets and could drive solid investment returns. Although offshore mutual funds currently registered in Taiwan are allowed to invest in China for no more than 20% of their assets under management, government funds still set the ceiling at 10% in the RFP (request for proposals) for offshore investment mandates. While there may not be an immediate need to increase the ratio due to recent market conditions, it would be appropriate
to give private equity funds more flexibility to structure their investment portfolios in response to market needs.

**Recommendations**

1. Widen the range of minimum return obligations for public pension fund investments to enable them to invest in PE funds with a sound track record.
2. Provide more latitude for investments in China by government funds to give them more flexibility in responding to such funds’ investment needs.

**Suggestion 3: Create a regulatory environment that facilitates their efficient formation and operations.**

The Committee appreciates the attention that Taiwan’s regulatory authorities have given to encouraging the development of FOs in Taiwan since 2021, including both single-family offices (“SFOs”) and multi-family offices (“MFOs”). However, issues remain.

For example, our understanding is that the Financial Supervisory Commission (“FSC”) tends to categorize FOs either as professional investment institutions (such as financial institutions, funds, or fund management companies) under the Financial Consumer Protection Act or as professional investors (such as professional institutional investors and high net worth institutional investors) under the Regulations Governing Offshore Structured Products, provided that they meet certain qualifications. This may confuse both investors and product providers as to the types of investment products that may be offered to, and invested in by, FOs via different distribution channels.

The result is that different financial products are governed by different divisions of the FSC and are subject to the different criteria and requirements applied to Professional Institutional Investors and High Asset Customers, without any clear rationale for such difference. We therefore recommend that the financial requirements for various financial products and distribution channels be harmonized, and that FOs be clearly and consistently categorized in the financial framework.

Another example is the current regulatory environment which does not allow for the creation or operation of FO activities within a single entity and imposes unnecessary and burdensome licensing requirements for certain FO activities. We suggest that the FSC include the development of FOs within its mid- to long-term financial plan and establish specific regulations or guidelines for the establishment and operation of FOs as a distinct industry to be fostered, thus giving FOs greater clarity in terms of their legal status and applicable regulatory process.

We appreciate the FSC’s apparent acknowledgment that only those FOs raising funds for multiple non-specific persons or providing them with investment advisory services in exchange for remuneration will be required to hold securities investment trust or consulting-related licenses.

We also appreciate that the FSC has clearly indicated that a genuine SFO arrangement, established to serve the investment needs of members of a single family and not being run as a business (i.e., not receiving any income other than reimbursement of operating expenses from the family) or pursuing profit as its business objective, should not ordinarily be considered as carrying on a business from a licensing perspective. It is also not the FSC’s intent to extend its regulatory oversight to this type of SFO setup.

However, the situation remains confusing; regulatory clarity, in the form of FO-specific regulations and guidelines, is needed.

By way of comparison, under the Investment Adviser Act of 1940 in the U.S., an FO meeting certain criteria (such as providing investment advice on securities only to qualified family members or offices) can be exempted from requiring an advisory license. Under the Securities and Futures Ordinance of Hong Kong, any person who carries on a business in a Type 9 regulated activity (asset management) must – unless otherwise exempted – be licensed by the Securities and Futures Commission (SFC) of Hong Kong.

In this same regard, the Singapore government has put in place various tax incentive schemes for funds managed by FOs that require a Singapore manager who is either licensed or exempt under local securities law for providing fund management services. Specifically, an SFO in Singapore is typically structured as a related corporation of the family fund vehicle, making it exempt from regulation. Further, an exemption from licensing can also be granted to SFOs that can demonstrate that they manage only the assets of the single family.

Using these examples as a reference, we suggest that clear guidance be created for the conditions under which SFO-related activities can be removed or exempted from FSC regulation.

We also recommend that, in conjunction with the above-mentioned points, regulated financial institutions (such as securities investment trust and consulting enterprises) be permitted to extend their service scope to provide family-office-related services (e.g., education, ESG, healthcare, life planning, long-term care for the elderly, venture capital, private equity, and investments related to infrastructure, art, real estate, inheritance, etc.) beyond their traditional recommendation and investment businesses.

Finally, international FOs represent an increasingly important channel for foreign investment. Thus, if Taiwan can create a more hospitable regulatory environment for international FOs to operate in Taiwan alongside domestic FOs, international FOs could make a substantial contribution to Taiwan’s efforts to draw in larger quantities of FDI in support of Taiwan’s strategic-industry development program.
**Recommendations**

1. Consistent qualifications for professional investors in different categories of financial products.
2. Permit regulated financial institutions to extend their service scope to FO-related services

**Suggestion 4: Promote Taiwan to become an Asia asset-management and project finance hub or base.**

The PE Committee suggests that the authorities take further steps to facilitate and encourage foreign asset management, private equity, or venture capital companies to establish their operating hub or peer in Taiwan (including but not limited to their fund management operation of alternative and private equity funds and family funds). [Relevant reports show substantial net outflows of funds from Hong Kong that resulted in a capital and financial account deficit in 2021. Together with Singapore, Taiwan may be an attractive alternative jurisdiction for managing these funds or for the industry to consider building up as a regional hub].

With that goal in mind, Taiwan could increase its competitive advantages by:

- Enhancing its ability to attract and retain financial professionals and
- Developing the supporting infrastructure for cross-border transactions, including legal, accounting, consulting, leverage financing, and other corporate services. In particular, the growing participation of Taiwanese banks in leveraging financing in cooperation with leading PE firms has been profitable for the banks, which have been struggling to find good domestic risk-reward lending opportunities.

**PUBLIC HEALTH**

The COVID-19 pandemic has highlighted the importance of public health to governments globally. In addition to recognizing the Taiwan government’s outstanding performance in managing the pandemic, the Committee also greatly appreciates its efforts to implement a national policy and action plans for eliminating hepatitis C, as well as the significant progress it has achieved in this regard.

To help Taiwan continue to succeed in the post-pandemic era, the Committee recommends that the government take bold steps to resolve the following public health issues and continue to prioritize these areas when setting national policy.

**Suggestion 1: Implement an approach of prevention, screening, and treatment to effectively reduce the rate of cancer-causing illnesses.**

According to the Ministry of Health and Welfare (MOHW), cancer has been the number-one cause of death in Taiwan for 39 consecutive years. Reducing the cancer mortality rate is thus a public health priority of the Taiwan government. The World Health Organization (WHO) notes that 30-50% of cancers can be prevented. In addition to an unhealthy diet and poor lifestyle habits, viral infections such as hepatitis B (HBV), hepatitis C (HCV), and the human papillomavirus (HPV) are also key risk factors for cancers.

MOHW data indicates that around 10,000 patients are diagnosed with – and 7,700 die of – liver cancer (hepatocellular carcinoma, or HCC) in Taiwan each year, making it the island’s fifth most prevalent cancer and the one with the second-highest mortality rate. One of the key contributors to developing liver cancer is viral hepatitis. Although the NHIA has reimbursed HBV treatment since 2003, over 70% of liver cancer deaths are still related to HBV, indicating substantial room for improvement in managing this disease. Disease progression model projections show that the incidence of liver cancer and deaths caused by viral hepatitis would be significantly reduced through early treatment of HBV.

In addition, HPV infections can cause certain cancers of the cervix, vagina, and vulva in women, and of the oropharynx, anus, and penis in men, as well as genital warts with a high recurrence rate. To eliminate HPV-related cancers, a strategy of gender-neutral vaccination plus screening has been recommended by the Asia-Pacific Economic Cooperation forum and the EU, and has been adopted by 40 countries including the U.S., Canada, UK, and Australia. Although Taiwan began a program subsidizing school-based HPV vaccination for middle school-aged girls in 2018, there is still no clear strategy or timeline for implementing a gender-neutral HPV vaccine policy.

**Recommendations**

As liver cancer and HPV-related cancers are some of the few cancer types that can be prevented through treatment and vaccination, we recommend that the government implement a preventative healthcare policy by taking the following steps:

1. Refer to Taiwan’s successful approach to eliminating HCV in developing a national HBV management policy to include patient education, screening, and advanced HBV treatment. Such a policy would reduce the mortality rate of HBV and other relevant diseases and, more importantly, effectively manage hepatitis D, which only becomes contagious when combined with HBV. In addition, it would help Taiwanese people reduce their risk of developing liver cancer and enable Taiwan to achieve the WHO’s hepatitis management goals of reducing new infections by 95% and deaths by 65% between 2016 and 2030.
2. Align Taiwan’s public health policy with global trends by formulating a national policy to eliminate
HPV-related cancers. In addition, establish a National Human Papillomavirus Program Office to integrate resources and work toward the goal of cancer elimination.

**Suggestion 2: Implement preemptive national immunization and infection control policies for the post-COVID era.**

The Committee applauds the government’s quick action in investing in vaccine procurement following the outbreak of COVID-19. This preemptive measure has not only made Taiwan a good model to follow in the global fight against the pandemic, but has also allowed Taiwan’s economy to continue to grow. However, we note the following issues that could hamper Taiwan’s efforts to safeguard public health in the post-COVID era:

1. **Insufficient budget for immunization against notifiable infectious diseases.** The MOHW was able to secure NT$12 billion to purchase COVID-19 vaccines, but an insufficient National Vaccine Fund (NVF) means that regular vaccines have been pushed to the side. For example, Taiwan’s Advisory Committee on Immunization Practices (ACIP) proposed expanding the cohort for the publicly funded pneumococcal vaccine for those above the age of 65 and rotavirus vaccines for children, but this expansion was delayed for many years due to budget constraints.

According to the Strategic Plan prepared by the Centers for Disease Control (CDC), treasury funds should account for 60% of the total NVF, but the average amount since 2018 has been only around 30% at most. Meanwhile, large fluctuations in revenue from the tobacco surcharge resulting from a decrease in the smoking population and competition with other government agencies for allocation have made funding for the NVF unstable.

2. **Domestic infection control has not yet been implemented to respond to the threat of emerging infectious diseases.** The WHO and the U.S. CDC have warned that the COVID-19 pandemic has exacerbated the threat posed by antimicrobial resistance (AMR) globally. According to the Taiwan CDC’s AMR Surveillance System, a steady increase of many drug-resistant bacteria has occurred in Taiwan over the past decade, and MOHW data indicates that if Taiwan fails to properly control AMR, 33,000 people may die every year after 2050. We call on the government to learn from countries such as the UK and the U.S. by actively formulating national-level antibiotic policy incentives and goals in response to the AMR crisis as early as possible.

3. **Infection prevention measures are not clearly listed in hospital accreditation standards.** Studies have revealed that patients diagnosed with COVID-19 have a higher incidence of ventilator-associated pneumonia (VAP), which has a mortality rate as high as 42.7%. Currently, medical accessories related to VAP are commonly reused in Taiwan’s hospitals, a practice that can raise the risk of exposure and infection for patients if the reused accessories are not well sterilized. This in turn can increase the amount of antibiotics prescribed, the length of hospitalizations, and patient medical expenses. Such issues are not unique to Taiwan; the U.S. Food and Drug Administration has indicated that the number of nosocomial (or hospital-acquired) infections caused by contaminated medical accessories is severely underestimated due to a lack of investigations of hospitals.

**Recommendations**

We call on the government to immediately deploy vaccine resources and invest in infection control policies to ensure the continued success of its pandemic control in the post-COVID era.

1. **Designate the Executive Yuan to spearhead a national vaccine policy, actively allocate funds, and pilot a program of partial subsidies.**
   
   - We suggest that the Executive Yuan convene a national immunization policy meeting to review the financial resources for the NVF (such as those listed in Article 27 of the Communicable Disease Control Act) and formulate vaccine strategies that deliver economic benefits, fulfill prevention needs, and reduce follow-up medical expenses in order to introduce innovative vaccines and implement a life-course vaccination program on a timely basis.
   - Increase the allocation of treasury funds for the NVF to at least 60% of the total, raise the proportion of the tobacco surcharge flowing to the NVF to at least 10%, and utilize multiple financial sources to enlarge the fund.
   - Adopt the vaccine subsidy scheme suggested by the National Health Research Institutes at the Financial Solutions for Immunization Forum as a solution to the insufficient NVF. Under this scheme, the cost of vaccines would be shared by the government and the public, reducing pressure on the NVF as the sole source of funding for vaccines. Subsidization of vaccines may also lend itself to an increased willingness among citizens to get inoculated as they do not have to shoulder the full cost. We urge government to run a small-scale pilot program of partial subsidies for vaccines as a gradual solution to the problem of vaccine financing.

2. **Encourage AMS practices.**
   
   - Incentivize medical institutions and antibiotics suppliers to practice antimicrobial stewardship (AMS) – efforts aimed at measuring and improving how antibiotics are prescribed by clinicians and
used by patients – as a way to address AMR. For example, implement innovative payment models that delink the price paid for antibiotics from the volumes sold and encourage hospitals to execute AMS through its incorporation in National Health Insurance (NHI) reimbursement items or by providing rewards.

- Reward the introduction of antibiotics under the NHI and provide price protection to encourage essential R&D, formulation optimization, and storage stability for antibiotics in order to ensure diversified treatment options to fight against superbugs.

3. Increase the usage of disposable medical accessories.
- Require the use of disposable accessories during mechanical ventilation support (e.g., through anesthetic machines or ventilators) in hospital accreditation standards to reduce the incidence of – and medical expenses related to – VAP.

**Suggestion 3: Expand osteoporotic fracture education and promote a healthy aging society.**

Given Taiwan’s rapidly aging population, innovative disease prevention and health promotion concepts to prevent chronic disease-related disability among the elderly are urgently needed.

Osteoporosis is the fourth most common chronic disease among the elderly in Taiwan, behind the “three-high” conditions of high blood pressure, high blood sugar, and high lipid levels. A “silent disease” without significant symptoms, many patients with osteoporosis receive delayed diagnosis and treatment, which can result in severe disability or even death. Consequently, Taiwan has the highest incidence of hip fractures in Asia and the ninth-highest worldwide. Among those affected, up to 24% pass away within a year and 80% become sufficiently disabled to require long-term care. Medical costs for osteoporotic fractures in men are much higher than those for women.

**Recommendation**

Strengthen disease education and increase awareness of osteoporosis and osteoporotic fractures.

- Expand the traditional “three-high” approach to chronic disease prevention to include a “one-low” (low bone density) and promote education on osteoporosis and osteoporotic fractures on the Health Promotion Administration’s website. Enhancing fall prevention by adding osteoporosis risk assessments in relevant brochures and providing education on increasing muscle mass and maintaining bone density is also critical. By taking this step, Taiwan can expect to reduce the risk of disability caused by osteoporosis and fractures, as well as the burden of disease care.

**Suggestion 4: Strengthen the detection of cardiovascular diseases and optimize use of the NCVDP.**

Heart disease ranks as the number-two cause of death in Taiwan and accounts for 10% of NHI expenditures annually. Taking into account the indirect costs resulting from disability and loss of productivity, the burden of heart disease on society is estimated at NT$170 billion per year. If the government does not act aggressively to reduce the rate of this condition, it could significantly impact Taiwan’s public health and the economy.

**Recommendations**

1. **Strengthen screening and risk assessment for cardiovascular diseases and promote precision preventive health.**
   - The WHO indicates that 80% of cardiovascular events are preventable, and early intervention is therefore critical. Currently, the diagnostic rate for heart disease in Taiwan is low. For example, only 52% of people with hyperlipidemia have been diagnosed, and among younger generations, the rate is even lower at less than 40%. Furthermore, the continuum of care between screening and medical intervention is not well established.

   The Committee therefore suggests lowering the age for starting the annual health checkup provided under the NHI from 40 to 20, as is the case in Japan and South Korea. In addition, adopt international risk assessment tools to identify the level of risk for developing cardiovascular diseases and provide precise preventive measures to achieve disease control targets through lifestyle modification and medicine.

2. **Allocate sufficient budget to optimize the NCVDP Program**
   - As cardiovascular diseases affect such a large number of people and Taiwan’s population is rapidly aging, the government should expand efforts to combat these conditions, including through its National Cardiovascular Disease Prevention Program (NCVDP). However, the annual budget for this program is currently only around NT$100 million and is only tentatively covered by the surcharge on tobacco products. Such funding is obviously inadequate and insufficiently stable to ensure the NCVDP’s execution. Therefore, the Committee urges the government to prioritize cardiovascular disease prevention by providing the NVCVD with a larger, more stable annual budget to ensure the implementation of disease control measures and safeguard the health of Taiwanese people.
RETAIL

During the global pandemic, the retail sector has become increasingly important to the public and the economy. The Committee is pleased to help the Taiwan government with enhancing Taiwan’s business environment and furthering public interests, while minimizing regulatory restrictions.

The Committee urges the authorities to improve regulatory efficiency and effectiveness and to protect consumer rights on a variety of fronts including dietary supplements, special dietary foods, GMO-free products, traditional Chinese medicinal herbs, and alcoholic beverages.

International best practices and public-private partnerships have become a beacon of hope for addressing a diverse range of issues. The Committee thus looks forward to productive dialogue with our public sector partners as we seek further mutual understanding and more reasonable regulatory control. Taiwan’s consumers and retailers will surely benefit from this positive collaborative environment.

In addition, as we note in the suggestions below, harmonizing Taiwan’s system with that of most trade partner markets can help Taiwan both obtain international business advantages and protect domestic consumers.

Suggestion 1: Promote government-academia-industry cooperation to increase the acceptance rate for product claims.

The duties of the Taiwan Food and Drug Administration’s (TFDA) Advisory Committee of Food Advertisement and Labeling (ACFAL), which meets several times a year, include ruling on the admissibility of product claims regarding foods and food products. The committee members are “scholars and experts specializing in food safety, nutrition, medicine, law, the humanities, and social science.” Under Article 8 of the regulations governing the committee’s establishment, additional experts and scholars, as well as representatives of government agencies – including TFDA departments – may be invited to attend ACFAL meetings “if the need arises.”

With their background in various relevant disciplines, the experts and scholars who are members or invited participants of ACFAL are able to help determine whether product claims are false, misleading, or imply medical efficacy (in which case they should be treated as a drug). But one important source of information is missing from this process: representatives of the companies that are the claim applicants.

The extremely low rate of ACFAL’s acceptance of product claims suggests that the current process is not working adequately. Although numerous requests for new product claims have been submitted to the TFDA since the relevant procedures were implemented in 2018, the total acceptance rate has been under 5%. In addition, when ACFAL rejects a claim, details are rarely provided to explain the reason for the decision.

The Committee urges the TFDA to arrange opportunities for academic organizations, private industry, and government officials to exchange views regarding the types of product claims that should be permitted. We also recommend that product claim applicants be invited to attend the ACFAL review meetings as a matter of regular procedure. Their participation would enable them to answer questions, give further explanation as to the nature of the claim, and perhaps alleviate any concerns on the part of the ACFAL members.

In the case of rejections, in would allow the industry representatives to come away with a better understanding of the position of the reviewers and perhaps reduce the number of rejected claims in the future.

On the other hand, if ACFAL were to broaden its interpretation of acceptable claims, it could allow consumers to receive more helpful product information, such as the physiological effects of general nutrients and certain food ingredients.

In any case, this broader communication would benefit the public, government regulators, and industry stakeholders.

Suggestion 2: Remove the requirement to provide evidence of overseas sales and product samples or trial reports to register infant/follow-on formula products and allow the online sale of such products.

The Committee appreciates the TFDA’s consideration of the suggestion it raised in the 2020 and 2021 White Papers to remove the requirement to prove the ethnic compatibility of foods for special medical purposes (FSMP). In December 2021, the TFDA released a proposal to amend the “Regulations Governing the Management of the Review, Registration and Issuance of Permit Documents for Food and Related Products” (the Review and Registration Regulations), which includes removal of the ethnic compatibility requirement for FSMPs. The Committee hopes that the amendments will be finalized this year.

This year, the Committee suggests removing the Taiwan-specific requirement to provide evidence of overseas sales and product samples or trial reports for registration of infant and follow-on formula products.

According to April 2019 amendments to the Review and Registration Regulations, nutritionally complete and balanced FSMPs that meet the specifications for nutrient composition are exempt from providing the above-mentioned information.

Infant and follow-on formula are food products meant to fulfill the nutritional needs of infants less than one year of age. The composition of these products must comply with the CNS06849, 13235, and 15224 composition rules, which have been incorporated into the December 2021 proposal to amend the Review and Registration Regulations shared with industry. Therefore, infant and follow-on formula should also be exempt from the requirement to provide overseas
sales evidence and product samples or trial reports during registration.

In addition, the online sale of infant and follow-on formula is legal in the U.S., Canada, EU, UK, Japan, Singapore, China, and Australia. In Taiwan, certain over-the-counter medicines can be sold online, and as long as only the product name, price, company address, telephone number, and other non-promotional information is listed, their sale is not considered drug advertising. However, sale of infant and follow-on formula online is deemed to be advertising and is banned in Taiwan. The Committee calls on the TFDA to review this regulation, which is not consistent with accepted international practice.

**Suggestion 3: Ensure that trade-related regulations reflect the latest market conditions.**

3.1 Advancements in food technology have made it possible for healthful nutrients such as vitamins, minerals, protein, and others to be incorporated into snack-style food products that can help increase the nutrient intake of children and those with low appetite due to diseases or other physical conditions. Yet based on the outward appearance of such products, the regulators are currently restricting manufacturers from making claims about the nutritional content. To avoid limiting consumer choice and stifling the development of the food industry, regulations restricting nutritional claims on food products should be based solely on the volume and ratio of nutrients in these products that may be harmful to human health. The outward appearance of the products should be irrelevant. The Committee urges the authorities to revise relevant regulations such as the “Regulations Governing Nutrition Claims on Packaged Food” to reflect recent technological developments.

3.2 Article 22, Paragraph 1, Subparagraph 9 of the Act on Food Safety and Sanitation (the Act) states that “the container or outer packaging of food and food raw materials shall be clearly marked in Chinese or with common symbols to show the use of genetically modified food raw materials.” In order to protect consumers’ right to know and choose, products that possess evidentiary support that they contain no genetically modified ingredients should be allowed to be promoted as “Non-GMO,” “GMO-free,” or similar wording on their packaging. While no restriction on these labels currently exists, the TFDA does not allow for their use on relevant products. As in the U.S. and EU countries such as Germany, Taiwan should permit manufacturers to voluntarily use such labels provided they are not false or misleading.

3.3 Under current regulations, certain goods made in China are subject to import restrictions imposed by the Ministry of Economic Affairs to address security concerns, protect Taiwan’s vulnerable industries, or maintain the market share of domestic products. However, if Taiwan’s manufacturers are unable or unwilling to produce the restricted goods for a long enough period of time and thereby demonstrate that the import of such products would have no substantial impact on Taiwanese industry or domestic market share, the restrictions should be abolished as no longer justified.

**Suggestion 4: Re-classify traditional Chinese medicinal herbs as food raw materials and regulate them under the Act Governing Food Safety and Sanitation.**

Traditional Chinese medicinal herbs are different in nature from Western pharmaceuticals in that they can be used as either food or in the manufacture of Traditional Chinese Medicine (TCM).

However, such herbs are concurrently managed and regulated by different administrative agencies, which has caused confusion regarding the regulation of these materials. The TFDA’s “Consolidated List of Raw Materials That May Be Used for Food,” issued pursuant to Article 15-1 of the Act Governing Food Safety and Sanitation, authorizes the TFDA to uniformly regulate all raw materials that may be used for food, including certain traditional Chinese medicinal herbs.

However, the MOHW’s Department of Chinese Medicine and Pharmacy, without proper legal authorization, has also issued a “List of Traditional Chinese Medicinal Materials That Can Be Concurrently Used for Food.” This list allows use of only 37 traditional Chinese medicinal herbs in food and employs a narrow definition of medicine to cover the overall concept of traditional Chinese medicinal herbs. It further overlooks the fact that such herbs include items that are not required for registration under the Pharmaceutical Affairs Act and ignores their dual use as food and medicine.

The Committee is concerned that this administrative approach may also limit the development of the industry, violate traditional habits, and run counter to the concepts of food nutrition and preventive medicine.

Although the Committee raised this issue with the authorities last year, we have yet to receive a response to our concerns. We therefore once again recommend that the authorities confirm the legal position that “traditional Chinese medicinal herbs” are in essence food products and regulate such materials under the Act Governing Food Safety and Sanitation. To promote the health and wellbeing of the public, we also call on the authorities to specify the scope of use, dosage, safety assessments, and other restrictions on traditional Chinese medicinal herbs used as raw materials of TCM.
Suggestion 5: Prohibit the sale of imported alcoholic beverages for which the original manufacturing lot code has been changed or removed.

The Committee continues to seek possible solutions to this longstanding issue impacting food hygiene and safety. The crux of the issue is that Article 32 of the Tobacco and Alcohol Administration Act (TAAA) explicitly stipulates that packaged alcoholic products for sale must bear a lot code — a number indicating the quantity of a certain product manufactured at a specified time on a specific production line. Article 3 of the Consumer Protection Act underscores the government’s responsibility to enforce such labeling legislation.

On February 8, the Executive Yuan announced a decision to lift the long-term ban on the import of Japanese food from areas affected by the Fukushima disaster. The FDA has mandated that such food products contain labeling clearly indicating their origin, and the MOHW releases a daily report on its random checks on the presence of such labeling, as well as radiation test results. This approach is a positive demonstration of the government’s attention to food safety among consumers. However, such protection does not extend to imported alcohol, which we believe is equally important.

Lot codes are vital for protecting consumer interests and safety by ensuring that alcoholic products in the market can be traced and recalled in case issues arise. Some parallel importers remove the original lot codes and replace them with their own serial numbers, which do not contain the information needed for tracing. Yet the Ministry of Finance (MOF), the competent authority for regulating alcohol sales, has never adequately enforced the law requiring lot codes by conducting inspections and imposing administrative fines on violators.

Requiring lot codes on alcohol products is a matter of international practice. According to information collected by the MOF from foreign trade offices in Taipei, countries in the European Union (including France and Italy), as well as the UK and Canada, all require that alcoholic products bear lot codes. Specifically, the EU’s Directive 2011/91/EU expressly requires that all European alcohol businesses display the lot code from the original manufacturer on their products.

Some officials harbor the misconception that the Certificate of Age and Origin for Scotch Whisky (C&E 94J) issued by UK Customs can serve as a substitute for the lot code. The C&E 94J, however, is merely a form of certification and is not an integral part of the packaging of alcoholic products. It therefore cannot replace lot codes as a tool to protect consumer health and safety by ensuring traceability. Further, cases have occurred of a forged C&E 94J for imported name-brand alcoholic products.

We consider the lot code issue to be so important because of the need to be certain that alcoholic products are traceable and recallable when food or alcohol safety is in doubt. In order to safeguard consumers’ interests, we once again ask the MOF to:
- Conduct systematic inspections and enforce the law (prohibit the non-code-bearing products from being imported or sold) quickly and effectively when violations are found.
- Establish a robust and effective reporting mechanism to replace the current voluntary reporting procedure.

SUSTAINABLE DEVELOPMENT GOALS

AmCham, in support of President Tsai Ing-wen’s net-zero carbon emissions goals, was proud to link virtually to COP26 in Glasgow, Scotland, where Taiwan Environmental Protection Administration (EPA) Deputy Minister Shen Chih-hsiu urged cooperation between public and private sectors to tackle climate issues — something AmCham’s members are primed to support. Our commitment goes beyond Taiwan’s central governmental authorities, as demonstrated by AmCham Taiwan’s April 2022 signature on the Voluntary Local Review Declaration for Cities.

Our 2021 White Paper advocated for decarbonization, energy storage, and carbon capture, as well as adoption of carbon fees and credits. The Committee thanks the Taiwanese government for supporting our recommendations for implementing carbon neutral policies, such as introducing a carbon tax on largescale emitters. The EPA last autumn proposed such a tax, and the Executive Yuan followed up this April by approving a differential pricing scheme for enterprises, expected to go into effect in 2024 or 2025. The measures now go to the Legislative Yuan as amendments to the former Greenhouse Gas Reduction and Management Act, which is to be renamed the Climate Change Response Act.

The Committee commends the government for its decisive actions to deal with this important challenge, and below offers some additional recommendations for reaching the objective of net-zero carbon emissions by 2050. Our other suggestion this year is to provide more incentives to industry to utilize recycled plastics and other projects to capitalize on the circular economy.

The SDG Committee also appreciates the promotional support of AmCham at the Chamber level for the implementation of sustainable development projects and initiatives. These include: (1) support for the first privately owned waste-to-energy project in Taiwan to receive a feed-in tariff under the Renewable Energy Development Act; (2) a new renewable energy development platform backed by U.S. capital; and (3) a carbon capture, utilization, and storage (CCUS) industry alliance. For example, AmCham has been a strong supporter of the newly created Taiwan-U.S. CCUS Industries Alliance and participated in the recent Carbon
Neutral and CCUS Forum. In the firm belief that public-private partnerships (PPPs) are the most effective means of achieving results in SDG and other areas, the Chamber urges the Bureau of Energy (BOE) and Ministry of Science and Technology (MOST) to actively engage with the Alliance to enable it to become a genuine PPP.

**Suggestion 1: Promote decarbonization technologies to help achieve Taiwan’s 2050 net-zero emissions goal.**

The SDG Committee joins the Energy Committee in calling attention to the crucial challenge for Taiwan of meeting its stated goal of achieving net-zero carbon emissions by 2050. Although Taiwan has been excluded from many international agreements, the decarbonization effort is important to demonstrating its commitment to being a good international citizen, as well as to ensure that Taiwanese products continue to be welcomed in foreign markets as other governments implement stricter regulations to safeguard the environment.

Various decarbonization technologies are available that could help Taiwan to meet the 2050 net-zero emissions target while ensuring reliable and competitively priced energy. These include carbon capture and storage and the use of renewable hydrogen and low-emission fuels. Taiwan must ensure that it has put a supportive policy and regulatory/legal framework in place so that these technologies can compete on a level playing field. In addition, incentives should be increased to help expand the scope and quicken the pace of existing programs to develop renewable energy resources. We agree with the Energy Committee that the authorities could facilitate this process by sponsoring regular opportunities for communication among all relevant stakeholders, including government, industry, scholars, and community representatives. The members of the new CCUS Alliance call for MOST and BOE to join its promising campaign and convert it from a private undertaking to a vigorous private-public partnership.

**Suggestion 2: Incentivize industries to use recycled plastics.**

Starting this year, the recycled plastic material rPET is expected to be used, manufactured, and sold as food containers through the risk assessment process of the Taiwan Food and Drug Administration (TFDA). Currently, nearly 50% of all plastic waste in Taiwan is recycled, of which 90% is sourced from food containers.

This plastic waste will now be turned into a useful resource for the circular economy. The increased utilization of rPET is also expected to reduce the manufacture and use of virgin plastic and accelerate the reduction of plastic waste. As the demand for plastics remains difficult to decrease, reducing carbon emissions in the production of plastics can help achieve the goal of carbon net-neutrality.

The Committee believes that providing appropriate incentives to those who use recycled plastics, such as providing carbon credits and deducting or waiving carbon taxes or fees, will make the industry more willing to use climate-friendly materials despite the sometimes-higher prices than for regular plastics. Additionally, as recycling PET/ rPET transforms simple waste into raw materials for the circular economy, the Recycling and Processing Fee currently charged against manufacturers and importers should also be appropriately reduced or exempted.

**SEMICONDUCTOR**

Taiwan boasts a world-renowned, complete semiconductor supply chain with advantages in vertical integration and specialization. Taiwanese companies maintain the largest share of the global foundry and chip packaging and testing markets and are thus entrusted by many foreign firms to provide these services. And despite the ongoing COVID-19 pandemic, the semiconductor industry has helped boost exports and fueled economic growth in Taiwan over the past two years.

At the same time, the world has faced serious challenges in terms of chip shortages due to insufficient production capacity and an imbalance between supply and demand. As a result, many countries have come to recognize the importance of self-reliance in the chip industry and plan to develop their own local semiconductor supply chains. Businesses have also been actively seeking effective solutions to meet client demands.

We believe that Taiwan can play a critical role in easing the current global chip shortage and the issue of insufficient inventory. However, we note several issues that could adversely impact that role, including strict trade-related regulations that do not align with international norms, a growing need for more high-quality and diverse talent in Taiwan’s semiconductor industry, and concerns about whether Taiwan’s current energy environment is stable enough to ensure the industry’s sustainable development.

In order to address these issues and strengthen the competitiveness of Taiwan’s semiconductor industry, we propose the following suggestions:

**Suggestion 1: Streamline or eliminate the registration procedure under the TCCSCA for new chemical substances for R&D purposes.**

The advancement of semiconductor technologies requires numerous innovations in materials, equipment, and processes. For example, the most advanced technology of the Taiwan Semiconductor Manufacturing Co. (TSMC), the 5-nanometer process node, involves an extreme ultraviolet (EUV) lithography tool that uses a wavelength of 13.5nm to create nanometer-sized features on silicon wafers. Innovation
in materials to facilitate this EUV lithography is essential to enabling the mass production of 3nm integrated circuits. Materials companies, both international and domestic, must therefore continuously import new chemicals to be evaluated through R&D by Taiwan’s semiconductor manufacturers.

However, delays in the importation of these materials could potentially jeopardize the overall competitiveness of semiconductor companies in Taiwan. Currently, the registration procedure for new chemical substances under the Toxic and Concerned Chemical Substance Control Act (TCCSCA) takes three to four months on average to complete. As R&D evaluations of these chemicals may involve multiple phases and there is no guarantee of success in the first trial, such a long registration procedure severely delays the development of advanced technologies.

Under the current regulations, only research centers and universities are eligible for simplified registration of new chemical substances for R&D purposes, while all materials imported by materials companies and supplied to manufacturers – for R&D purposes or otherwise – must go through the normal registration process.

However, we note that other countries have adopted an R&D exemption for manufacturers. For example, Japan does not require publication of new chemical imports with a volume of less than one metric ton per year. In the U.S., registration is not required at all for R&D use of imported new chemicals. Rather, both the U.S. and Japan employ an honor system in which manufacturers and importers keep records of the R&D exemption to demonstrate their compliance if necessary. Meanwhile, China requires simple notification, with no review and approval period, for chemical imports with a volume of less than one metric ton.

Given that the initial volume of materials imported for R&D evaluation by chip manufacturers is usually much lower than one metric ton per year, the Committee strongly recommends an exemption or a shortened registration process (no more than two weeks) for new chemical substances to be used by manufacturers for R&D purposes in Taiwan.

Suggestion 2: Ensure a stable and secure energy environment to support the sustainable growth of the semiconductor industry.

The Committee welcomes the government’s recent announcement of its roadmap for achieving net-zero carbon emissions by 2050 (the Roadmap), which includes renewed targets for its energy mix, policies promoting the reduction of carbon emissions, and estimated government funding to support its goals.

While we applaud this initiative, we also wish to highlight the importance of a stable and sufficient power supply to supporting the development of the semiconductor industry. In addition, we emphasize that accessible and affordable renewable energy is critical for the industry to continue to grow sustainably.

Given the above, the Committee encourages further dialogue and action in the following areas:

- **Boost energy resilience.** The Roadmap proposes specific policies to reduce emissions but is less clear on the goals for 2030. We believe it’s important to understand how the government will continue its efforts to increase the resilience of Taiwan’s energy system in the short term, including how it will ensure a stable and sufficient supply of power and strengthen the grid as it moves forward on its net-zero emissions goals.

- **Consider the industry’s use of renewable energy when implementing carbon-reduction measures.** Currently, securing sufficient and affordable renewable energy in Taiwan is still challenging. The industry’s efforts on this front should be duly considered in the context of reducing its carbon footprint. We ask that the government’s implementation of measures such as carbon fees and carbon tax also take into consideration the industry’s use of renewable energy.

- **Create a more welcoming environment for renewable energy transactions.** We recognize the government’s efforts to build a sound renewable energy market and are happy to suggest some alternative approaches for its consideration. For example, the government could issue “managed unbundled” renewable energy certificates (RECs), in which purchasers of renewable energy have the option of transferring their RECs to specific recipients while ensuring that the government has full visibility. Such an approach helps strike a balance between market flexibility and stability.

Suggestion 3: Increase the talent pool to maintain industry competitiveness.

Sufficient high-quality talent is critical to the continuous growth and technological advancement of the semiconductor industry. The Committee therefore applauds Taiwan’s establishment of four semiconductor academies at universities across the island and looks forward to similar endeavors in the future.

Nevertheless, Taiwan’s talent gap persists, and the semiconductor industry badly needs more diverse talent. As a result, the Committee recommends taking the following steps to create a better environment for cultivating and attracting both local and global talent in Taiwan:

1. **Create a work environment that champions diversity, equity, and inclusion (DEI):** Making our workplaces more diverse would likely better attract talent that would otherwise hesitate to join our sector. We encourage the government to work with industry to support DEI-related initiatives and help build a working environment attractive to a much broader workforce, in particular young talent.
2. Attract foreign talent: We suggest that the government work with industry to design new programs, or promote or finetune existing ones to better attract the foreign talent that industry needs:
   a. Remove barriers to overseas hiring. For example, reconsider the existing restrictions on hiring foreign white-collar workers and streamline/simplify the application process for foreign talent, including foreign students who wish to stay in Taiwan after their studies.
   b. Create a joint task force or platform for industries to approach foreign talent more easily. It takes a considerable effort for individual companies to identify and approach suitable talent in foreign countries. To make this process more efficient and convenient, the government could launch initiatives such as joint campaigns that demonstrate Taiwan’s competitiveness and showcase participating companies on a platform established by government and targeted at specific countries.
   c. Provide incentives for cultivating foreign talent. Government and industry could collectively set up incentive programs that reduce foreign students’ financial burden. Those students, after living in Taiwan for years and taking relevant courses, can adapt more easily to the local environment and become suitable candidates for roles at semiconductor companies.

3. Encourage deeper industry-academia cooperation:
   a. Expand the semiconductor academy program. This initiative is a milestone for the industry, and we encourage other universities to follow suit. In addition, we believe it worthwhile to study the feasibility of extending this concept to the undergraduate level to further cultivate talent and expand the talent pool.
   b. Create a platform for facilitating industry-academia collaboration. Such cooperation is mutually beneficial to both sides and assists in cultivating suitable talent. The government could help launch such a platform and invite all interested parties to join and network with one another.
   c. Encourage universities to design semiconductor-related courses/programs. Such programs could be integrated into existing exchange programs with foreign universities. As industry is more likely to hire foreign students with relevant experience and professional background, these programs would create an incentive for foreign students to live and work in Taiwan.

Suggestion 4: Ensure that semiconductor supply chain security measures and chipset security standards follow international practices.

The Executive Yuan’s National Information & Communication Security Taskforce (NICST) released the “National Information Security Development Plan” in February 2021, setting new four-year objectives for information security protection strategies and plans. This Committee applauds the government’s active implementation of policies to enhance information security and build a resilient smart nation. Particularly noteworthy are policy objectives related to constructing a secure and intelligent network, strengthening supply chain security management with a focus on the security of information and communication chip products, and improving 5G communication information security supervision.

We note that the government plans to establish a national chip security testing laboratory and is currently developing chip security testing standards and chip attack detection tools. However, information regarding the direction of this policy is still quite limited at this stage. Due to the high sensitivity of chip security issues, and because international standards organizations continue to develop security standards or guidelines, we suggest the following:

- When formulating these important standards or principles, policymakers should study the basic rules of international information security standards; ensure a fair, open, and industry-led standard-setting process, and establish a consultation mechanism that is in line with international practices.
- In addition to seeking the comments of industry through local industry associations, the draft chip security standards or testing guidelines should also be published in English and shared with the Semiconductor Committee in a timely manner, so that foreign companies also have the opportunity to participate in the process and provide comments.

Taiwan has the most complete semiconductor ecosystem in the world and plays a key role in the global ICT supply chain. Developing internationally acceptable chip security norms and standards will further cement Taiwan’s status as a semiconductor powerhouse.

Suggestion 5: Strengthen Taiwan’s competitiveness in the global semiconductor supply chain by resolving drop shipment and double taxation issues.

The committee applauds the government’s efforts to build Taiwan into an advanced semiconductor manufacturing center and a high-end production hub. However, we recommend that it provide policy incentives to relieve the industry’s supply bottleneck, starting by improving the efficiency of chip delivery and supply schedules.

We therefore suggest that the government reexamine the
rationale for Taiwan’s current tax regulations regarding drop shipments, an issue that we share with the Tax Committee. As mentioned in that committee's White Paper submission, if a foreign company ships products from a contract manufacturer in Taiwan directly to its foreign customers, the transaction is deemed a Taiwan sale and subject to local income tax, even if the sale is actually completed overseas while the goods are in Taiwan. Such treatment of drop shipments differs from other countries such as the U.S. and South Korea, and it could raise concerns about double taxation of drop-shipped goods.

Given the current regulations, foreign companies in Taiwan now refrain from making drop shipments, and instead often have the products first sent back to their home country or overseas distribution center before they are shipped to customers outside of Taiwan. This approach not only greatly reduces logistics efficiency and unnecessarily increases transportation costs and the carbon footprint, but also exacerbates the chip shortage problem faced by customers and the industry. At present, demand for drop shipping from global customers continues to rise.

We respectfully ask the government to consider the needs of the semiconductor supply chain and revise its rules on taxing drop shipments. Eliminating barriers to this practice would greatly cut transportation costs and shorten delivery times and would further incentivize foreign companies to place contract manufacturing orders with and invest in Taiwan's semiconductor industry.

The Committee also looks forward to Taiwan's conclusion of tax treaties with more major trading partners as it seeks to reduce the incidence of double taxation. We believe that an internationally competitive tax and trade environment will help strengthen Taiwan’s core position in the global semiconductor supply chain.

TAX

The continuing spread of the Omicron variant, coupled with international tensions resulting from the Russia-Ukraine war, has disrupted supply chains and caused supply scarcities. In the face of the enormous changes currently taking place, talent has begun rethinking their next moves, creating a manpower shortage for business. Accordingly, the Taiwanese government should consider its overall approach to talent development, including how to attract foreign professionals, simplify administrative procedures, and create a favorable business and tax environment to attract foreign investment.

Suggestion 1: Determine the feasibility of providing tax incentives to Gold Card holders without requiring that they obtain a work permit through their employer.

Employers who employ foreign professionals included under the “Scope of Application for Tax Preferences Provided to Foreign Professionals” (the Scope) must, in accordance with the Employment Services Act, apply to the Ministry of Labor for a work permit for such professionals in order for them to perform their professional duties and enjoy income tax reductions. Those designated as foreign special professionals can also choose to work in Taiwan with an Employment Gold Card issued by the National Immigration Agency under the “Act for the Recruitment and Employment of Foreign Professionals” (the Act). However, in the view of Taiwan's tax authorities, Gold Card holders are unable to enjoy the aforementioned tax incentives unless they have obtained a work permit through their employer.

As the Scope and the Act went into effect in 2008 and 2018 respectively, it would be worthwhile to revisit the work permit requirement for Gold Card holders, a condition that increases costs and creates an administrative burden for businesses. We therefore request that the Ministry of Finance (MOF) consider expanding the Scope to include Gold Card holders to streamline administrative procedures and reduce related costs. Such an amendment would help Taiwan attract more highly skilled foreign talent and ultimately enhance Taiwan’s competitiveness.

Suggestion 2: Reconsider the appropriateness of taxing drop-shipment transactions.

Multiple factors, including the global pandemic, production capacity shortfalls, and supply chain disruptions, have led to a worldwide semiconductor shortage. Besides expanded production, the solution will depend on enhancing logistical efficiency. Drop shipping, in which finished goods are ordered from a contract manufacturer by one company but are shipped directly to a customer of that company, reduces shipping costs and increases efficiency.

However, MOF Ruling No. 10600664060 discourages the use of drop shipping by defining the income from such a transaction as Taiwan-sourced income, subject to taxation in Taiwan, if the foreign company engages in sales activity and completes the sale outside of Taiwan while the goods are located inside of Taiwan. Such tax is calculated by applying a formula prescribed by the abovementioned ruling to the income recorded on the enterprise’s account books or the general profit standards of that industry.

By contrast, should the Taiwan company ship the finished goods back to the foreign company that placed the order – rather than to the foreign company’s customer – the local company would not be deemed to have concluded the sale and generated Taiwan-sourced income. In substance, the only difference between the two transaction models is that the latter adds an unnecessary step between the contract manufacturer and the end customer, increasing the transportation costs and impeding supply-chain efficiency.

From an international tax perspective, the source of sales income is generally determined based on the location where
the sale is concluded. For example, U.S. tax regulations stipulate that “a sale of personal property is consummated at the time when, and the place where, the rights, title, and interest of the seller in the property are transferred to the buyer. Where bare legal title is retained by the seller, the sale shall be deemed to have occurred at the time and place of passage to the buyer of beneficial ownership and the risk of loss.” If Taiwan were to adopt a similar rule, the mode of taxation could be objectively ascertained by examining the trade terms of each transaction.

Among Taiwan’s trade rivals, Korea and China provide more flexible tax treatment for drop shipment transactions. Since Taiwan’s tax rules on this kind of transaction decrease Taiwan’s business competitiveness, the Committee strongly urges the MOF to reevaluate the definition of “conclusion of sales” and issue a new ruling. Such an initiative would increase foreign investors’ confidence in Taiwan.

The Committee raised this issue in its 2021 White Paper, but was repeatedly told by the authorities to refer to existing laws and regulations, a response that does not adequately address our concerns. We will continue underscoring the importance of this issue to the government and hope to engage in productive dialogue in the year ahead.

**Suggestion 3: Review applications for tax rulings at the ministry level.**

Taxpayers seeking clarification regarding the taxation of certain transactions can apply for a tax ruling from the MOF as a way to comply with tax regulations and avoid future disputes. Based on our observation, however, applications received by the MOF are often first transferred to the National Taxation Bureau, which then passes them on to the local tax office for its opinion. This process results in a very lengthy review process before the MOF finally provides its interpretation.

The MOF’s responsibilities include promulgation, amendment, and interpretation of tax laws and regulations, while local tax authorities are responsible for enforcing tax laws and regulations and performing tax audits within their jurisdiction. We understand that the MOF may require clarification of the details of the transaction at issue in a tax ruling application; however, it can do so by requesting supporting information directly from the taxpayer, rather than passing on the application to local tax authorities or collection offices to handle. Reviewing applications at the ministry level would improve the efficiency of the interpretation application procedure.

**Suggestion 4: Include payments for computer software within the scope of income qualified for preferential withholding treatment.**

Under Article 15-1 of the “Guidelines for the Determination of Income from Sources in the Republic of China in Accordance with Article 8 of the Income Tax Act” (the Guidelines), foreign companies may apply for a pre-approved net profit ratio (i.e., costs and expenses are deductible) and an onshore contribution ratio in order to reduce the amount of their withholding. However, such tax relief does not currently apply to foreign companies’ income derived from the sale of computer software, which creates difficulties for both the foreign companies and the withholding entities.

We note the following issues faced by foreign companies selling software:

**Designation of income from software sales as passive income.**

Article 15-1 pertains only to “remuneration for services” and “business profits,” as these are considered active forms of income, while current tax regulations classify income received from the sale of computer software (except for standardized software) as royalties, which are considered passive income. Such royalties are subject to 20% withholding on the total payment amount, with no deductible costs or expenses.

Domestic software companies, on the other hand, are allowed to claim costs and expenses. To further explain, the deemed profit rates of domestic software companies are about 8-16% (referring to industry codes 4641-12, 4831-12, 5820-99). As such, domestic software companies’ income is recognized by the tax authorities as active income, and costs and expenses can thus be deducted to determine the taxable amount.

Such differential treatment of foreign and domestic software companies’ income constitutes discrimination and violates the principle of equity in taxation. **Differential treatment of software transactions conducted as cross-border e-commerce business.**

Taiwan tax regulations classify foreign companies that provide services (such as games or software) via a website as “cross-border e-commerce businesses” (CBEB). According to a tax ruling, such companies are eligible to apply for a preferential withholding rate of about 3-6%. Although the e-services provided by a CBEB also contain computer software, a CBEB which sells products via a website can enjoy a reduced withholding tax rate while other non-CBEB foreign software companies cannot.

On the other hand, the tax burden of a foreign company selling software other than through a website is more than three times that of its CBEB counterpart (20% vs. 6%), even though there is no major difference in the nature of the product, its authorized content, or other transaction terms. We believe that this differentiation was not intended by the Guidelines’ authors and therefore recommend amending the scope of Article 15-1 of the Guidelines to include sales of computer software.
TECHNOLOGY

The Technology Committee recognizes the Taiwan government’s achievement of last year’s 6.28% economic growth rate – the highest in over a decade – despite the challenges posed by the pandemic. As we enter a post-COVID era, technology-related industries will continue to lead growth by capitalizing on the solid foundation laid by the government. The Committee, for its part, will continue to work with the government to jointly address critical issues facing these industries.

Suggestion 1: Amend the PDPA with an eye to balancing industrial development and personal data protection.

The Committee appreciates the discussions conducted by the authorities on amending the Personal Data Protection Act (PDPA) and their consultation with experts on relevant matters. As this issue is of great concern to several AmCham committees, the Technology Committee would like to reiterate our recommendations from last year’s White Paper regarding the proposed amendments:

• Maintain the existing conditional cross-border transfer of data as defined in Article 21 of the PDPA and allow the free transfer of data in all circumstances not within the restrictions of Article 21;
• Establish a body within government dedicated to privacy and personal data protection. This body should coordinate work on various personal data protection-related regulations and measures and have the power to make final decisions on matters concerning personal data protection. This body would be expected to put in place a transparent and open mechanism for public communication;
• Define the respective roles of the data controller and the data processor and set out requirements based on their functions and levels of accessibility to and control over personal data;
• Limit the right of the above-mentioned body to carry out on-site inspections, referring to international legal practices in which such inspections can only be conducted after certain due-process requirements are met;
• Clearly define the scope of anonymized and de-identified data and the corresponding protection measures for such data to make it easier for companies to understand Taiwan’s data protection regime. Such a step would provide parties with more comprehensive protection of their privacy rights while still promoting the use of personal data; and
• Maintain close communication with industry, as well as scholars and experts, to ensure the technical feasibility of the amendments. In addition, follow the EU’s example in its General Data Protection Regulation (GDPR) of adopting a two-year grace period before the amendments are enforced in order to minimize any adverse impact on businesses as they adapt to the new compliance requirements.

Suggestion 2: Adopt recognized standards to assess cybersecurity risks during government procurement of ICT products and services, and continue providing clear cybersecurity guidelines.

The Committee acknowledges the Taiwan government’s concerns regarding foreign cybersecurity threats and its efforts to strengthen its cybersecurity measures. However, recent measures have leaned toward pre-inspection of information and communication (ICT) products before they enter the government procurement process. In contrast, other developed countries have accepted international certification such as ISO/IEC as a means of recognizing product cybersecurity safety and do not, as the Taiwan government’s cloud tender rules state, “require that companies submit software source code or corresponding binary code (Android: APK file; iOS: IPA file) and other important business secrets to be reverse engineered and audited” before beginning the procurement process. We urge the government to consider the necessity and proportionality of such measures before implementing them.

Further, we recommend that Taiwan recognize certifications provided by internationally or regionally recognized agencies in addition to domestic standards and accreditation, as doing so would help local businesses venture into the international market, reduce the legal threshold for international companies to invest in Taiwan (or exempt them from it), and save costs for both parties while promoting administrative efficiency. At the same time, with increased disclosure of cybersecurity information, the risk of trade secret leaks also increases. We thus recommend that cybersecurity inspection agencies also have a comprehensive control mechanism.

In addition, although current international cybersecurity trends do not rely solely on the country of origin of ICT products as a criterion for determining their security risks, Taiwan’s Cybersecurity Management Act restricts agencies from using cybersecurity products from dangerous countries, while the Government Procurement Act may restrict agencies from using ICT products from particular countries of origin. Domestic or foreign companies that are not from prohibited countries of origin but have set up factories in those countries are unable to provide services to the Taiwan government, even if they practice good production management. Furthermore, the differing standards for procurement set out in the two Acts make implementation more complex and burdensome. We recommend that the Public Construction Commission, the body that oversees enforcement of the Government
Procurement Act and its procurement template, refer to the draft “Cybersecurity Reference Guidelines on Cloud Service Application by Government Agencies” proposed by the Executive Yuan’s Department of Cybersecurity (DOC), and that the government only apply country of origin restrictions in procurement cases involving sensitive information.

The Committee thanks the Taiwan government for providing clear applicable guidelines on the “Restrictions on Use of Cybersecurity Products from Dangerous Countries” and a general definition of such products in the Frequently Asked Questions section of the Cybersecurity Management Law (Version: 1110207). However, we note that in the interest of clarity, many foreign governments instead provide a list of restricted companies and products, and we hope the government will consider adopting this practice.

Taiwan’s national security (including cybersecurity) is very important, but it is also necessary to consider the rapid evolution of technology and development of cybersecurity best practices. Applying a pre-inspection and country of origin regime to eliminate cybersecurity risks is not aligned with international norms. We urge the government to gather suggestions from industry experts, allowing them to make a positive contribution to the government’s cybersecurity policies in an era of increasing digitalization.

**Suggestion 3: Create a regulatory environment conducive to the use of cloud technology by government agencies, financial institutions, and telemedicine providers.**

The Committee greatly appreciates the government’s efforts to promote Taiwan’s digital transformation, including those initiated by the National Development Council (NDC), the DOC, the Financial Supervisory Commission (FSC), the Ministry of Economic Affairs’ Industrial Development Bureau, and the Ministry of Health and Welfare.

In order to ensure the success of those efforts and continue adopting international best practices in the public sector, financial institutions, and the healthcare industry, the Committee makes the following recommendations:

**3.1 General policy recommendations:**

*a.* **Recognize and adopt auditing reports submitted by third parties.** Public cloud services involve a multi-tenant architecture. Disclosure and provision of information about elements such as audit mechanisms, vulnerability scans, penetration testing, threat models, monitoring and recording of audit processes, machine maintenance and operation management, and encrypted management may pose potential cybersecurity risks. We recommend that public service providers, banks, insurance and securities institutions, and fintech enterprises such as Open Application Programming Interface Third-Party Service Providers (Open API TSP) recognize regular assessments and audits of cloud service providers (such as SOC 2 reports, ISO certifications, etc.) carried out by international third-party auditing organizations and based on internationally recognized cybersecurity management and control frameworks. We also suggest that verification bodies refer directly to cloud service providers’ SOC 2 reports and related ISO certifications.

*b.* **Adhere to the principle of shared responsibility in issuing cloud service cybersecurity guidance.** The security and compliance of the public cloud is the shared responsibility of cloud service providers and customers. Cloud service providers should oversee the “Security of the Cloud,” which includes the hardware, software, networking, and components that constitute the infrastructure of cloud services. Likewise, customers should oversee and manage “Security in the Cloud,” which involves visitors’ operating systems (including updates and security patch programs), other related application software, and security group firewall configurations, among others. We recommend that the authorities examine and propose outsourcing solutions and cloud service guidelines based on the internationally accepted principle of shared responsibility, in order to raise awareness of cloud security and increase efforts to resolve relevant issues.

**3.2 Recommendations for government agencies:**

*a.* **Integrate the guidelines for various agencies on the use of cloud services into a single, concise set of regulations.** The Committee welcomes the efforts of the DOC and the NDC to examine and develop several sets of guidelines (and assessment forms) related to cloud services. However, each set is drafted individually and includes different specifications, which could make compliance challenging for agencies and vendors, hinder the development of the government’s digitalization policy, and use up many administrative resources. We recommend that the government combine the various guidelines into a single concise set to facilitate compliance by agencies and vendors and better promote the government’s digitalization goals by supporting both digital development and cybersecurity compliance.

*b.* **Establish an effective audit mechanism.** The planning and effective implementation of audits require relevant expertise. Agencies conducting their own audits and on-site inspections may duplicate the audits already carried out by professional organizations and increase the cost of legal compliance, as well as the risk of cybersecurity breaches. Also, involving a large number of central and local authorities in the audit process may increase the difficulty of conducting audits. We thus recommend accepting audit reports submitted by internationally recognized professional third-
party organizations. Under certain circumstances, a single agency can be tasked with conducting the audit. In cases where multiple agencies are required to participate, a joint audit mechanism should be put in place prior to the audit.

**c. Adhere to international practices for signing confidentiality agreements.** When a vendor (such as a systems integrator) begins work on a government project, the staff involved are required to sign a confidentiality agreement regarding the project’s scope and content. However, according to the principle of shared responsibility, cloud service providers (original manufacturers) are responsible for providing the cloud infrastructure and software tools, and most have no access to relevant data processed by agencies or vendors. Furthermore, cloud computing involves a wide range of technologies, and in cases where a cloud service provider is needed to provide technical support, a representative of the provider generally signs the confidentiality agreement in the name of the company, rather than as an individual staff member. This widely adopted practice fulfills confidentiality requirements and ensures accountability.

### 3.3 Recommendations for financial regulators:

**a. Clarify doubts related to the application of self-regulatory codes.** In order to strengthen cybersecurity for emerging technology industries, the FSC has provided guidance for the Bankers Association to stipulate self-disciplinary codes. In practice, these codes are included in the financial inspection program of the FSC’s Financial Examination Bureau (FEB) and have legal effect. If the codes meet the requirement for an audit by the FEB, we recommend that the Bankers Association update the scope of the codes to align them with the FSC’s “Regulations on Internal Systems and Procedures for Delegation of Financial Institutions’ Operations” (including FAQ). If the codes are not subject to examination by the FEB, the FEB should clarify the issues in order to facilitate compliance by financial institutions.

**b. Adopt an annual audit report system.** As the security of the cloud does not vary with the customers using cloud services, we recommend that the FSC assign a single organization (for example, the Bankers Association) to work with cloud service providers and professional third parties to: 1) discuss which audit items are required in Taiwan but are not covered by the current SOC 2 or ISO certifications; 2) agree on the annual audit report and audit methods for Taiwan; and 3) provide unified Open API TSPs for adoption, so as to effectively enhance risk management, reduce the cost of compliance for fintech enterprises, and accelerate the innovation of digital financial businesses.

**c. Set up a platform for regular communication between the FSC and the Committee.** Since regulations related to the outsourcing of financial institutions’ cloud services were adopted and implemented at the end of 2019, common issues such as operational reporting and audit mechanisms continue to be discussed by the government, financial institutions, and the cloud industry. The November 26, 2021, meeting of the Committee, the Banking Bureau, and the FEB covered some of these issues, highlighting the importance of having a platform for regular communication with the authorities. We recommend holding quarterly meetings, during which the Committee can provide information on international cloud technology trends and best practices. Such meetings would also give us the opportunity to provide input on the FSC’s development of detailed guidelines for the adoption of cloud technology by the financial industry.

### 3.4 Accelerate the application of cloud and smart technologies in telemedicine.

The use of telemedicine during the pandemic demonstrates the successful application of cloud and smart technologies by the healthcare industry. To make the most of the deepening cooperation between the cloud and healthcare industries, we recommend that the government:

**a. Expand the circumstances under which telemedicine can be practiced as set out in Article 11 of the Physicians Act, which currently limits its practice to “mountain areas, on outlying islands, in remote areas, or under special or urgent circumstances.” Doing so would increase the availability of telemedicine.**

**b. Remove regulatory barriers to medical practices such as prescription and drug administration, in order to implement zero-contact telemedicine.**

**c. Accelerate the removal of restrictions on virtual health insurance cards.** Discuss solutions for new features such as electronic prescription and online payment to provide improved one-stop online services.

**Suggestion 4: Open the full 6 GHz spectrum band for Wi-Fi 6E license-exempt use.**

The Committee thanks the Ministry of Transportation and Communications for its continued consideration of our proposal to allow license-exempt use of the 6 GHz band (5925-7125MHz) for Wi-Fi 6E in its spectrum planning, which we believe would maximize the benefits of spectrum resources. Taiwan has already provided sufficient 5G mid-band spectrum for commercial mobile use. Moreover, the complementary nature of Wi-Fi and 5G mobile networks enables 5G mobile traffic offloading, improves the synergy of telecom operators in their deployment of 5G, reduces internet costs for consumers, and enhances the industry’s competitiveness, all of which create a win-win situation.
for consumers, telecom operators, and the information and communications industries in Taiwan.

With the introduction of innovative network applications, the number of Wi-Fi-connected devices and the bandwidth requirements of enterprises or individuals have increased rapidly. Both the increasingly mainstream Wi-Fi 6E and the next-generation Wi-Fi 7 technology will rely on the full 1,200 MHz frequency band to give full play to the benefits of its large channel bandwidth and frequency reuse, as well as solve the current congestion problems in the 2.4 GHz and 5 GHz frequency bands. Countries that have opened the full 6 GHz frequency band include the U.S., South Korea, Canada, Brazil, and Chile, while many other countries are actively studying the idea and preparing to do so.

According to many spectrum studies conducted in Europe and the U.S., Wi-Fi technology makes spectrum sharing between license-exempt users and incumbent users feasible, without causing harmful interference, and without the time and financial costs associated with relocating incumbents. We recommend that the authority refer to the experiences and practices of international spectrum experts in clarifying frequency interference concerns and formulating effective solutions as soon as possible. Doing so will help Taiwan maintain its market leadership in the areas of digital economy and industrial development.

Suggestion 5: Cultivate talent at home and abroad to bridge the industrial manpower gap.

Taiwan’s exports have grown significantly since 2020, and the electronics industry has achieved record highs thanks to the government’s proper handling of the COVID-19 pandemic. Taiwan is a key player in the global semiconductor supply chain, ranking first worldwide in the IC foundry and packaging sectors and second in IC design. Emerging fields such as AI, 5G, and the Internet of Things continue to open up opportunities for the semiconductor industry. However, with the tech sector’s growing prosperity also come concerns about its shortage of talent. The talent shortage in the semiconductor industry has reached a seven-year high. In addition, there is also a gap in the quality of the work force, from front-line manufacturing personnel to the R&D talent critical to Taiwan’s future competitiveness. To address pivotal manpower issues, we offer the following recommendations:

5.1 Relax legal restrictions on international talent to help recruit more students and professionals. The Employment Gold Card program was launched by the NDC in 2018, and with nearly 4,000 Gold Cards issued as of February 2022, the government’s efforts to recruit foreign professionals are worthy of recognition. Despite a rapid increase in the number of international students, however, most such students come from neighboring Asian countries. According to Ministry of Education (MOE) statistics, Asian students account for nearly 90% of all overseas students enrolled in Taiwanese colleges and universities, indicating room for improvement in terms of the diversity of international students. The Committee therefore encourages the government to formulate a more comprehensive foreign talent recruitment plan to attract more international high-tech talent to study in Taiwan, especially students from Europe and the U.S., who currently account for only 10%. We also recommend that the government further loosen residence restrictions on foreign professionals to improve the cultivation and retention of international talent.

5.2 Strengthen industry-academia cooperation and create an international learning environment combining theory and practice. In addition to laying a theoretical academic foundation for students through degree programs, providing practical industry experience is also necessary for cultivating cross-field talent. The Committee encourages the government to promote occupational certification and vocational education, as well as cooperation with relevant industries to set up training courses to help students strengthen their professional skills. In terms of strategic industry-academia cooperation, the government could devise internship programs to enable students to gain early work experience, so as to narrow the gap between learning and doing and cultivate employment-oriented manpower. As for international exchanges, the government could expand cooperation with foreign schools or large enterprises, using lectures to introduce the latest knowledge and technology, thus better facilitating Taiwan’s connection with the world. By complementing academic theory with practical experience, Taiwan can build a stronger talent pool.

5.3 Cultivate talent in the semiconductor and high-tech industries. Despite a steady upward trend in talent recruitment, the semiconductor industry still craves talent. We thus recommend that the government create a cross-field learning environment for budding semiconductor talent that combines theory and practice through research programs, joint guidance, corporate internships, seminars, and joint laboratories. This program could provide related support for semiconductor technology, electronic design automation (EDA) and IC design, semiconductor packaging and testing, key materials, and smart manufacturing. Importantly, it would help foster a world-class semiconductor talent pool in Taiwan, further cementing its status as a key international semiconductor hub.
TELECOMMUNICATIONS & MEDIA

We appreciate the Taiwan government’s efforts to support the island’s digital transformation, including its development of a 5G policy and its push to modernize Taiwan’s Copyright Act for the digital era. We also look forward to the establishment of the proposed Ministry of Digital Affairs (MODA), which we believe will become a driving force for digital transformation in Taiwan.

We also note the increasing demand for smart policies in the digital era. Given the fast-changing environment brought about by digitalization and technological innovation, strict regulations or top-down approaches is not the best way for the government to support Taiwan’s digital transformation. Rather, providing incentives to industries, creating a level playing field, encouraging self-regulation and cooperation between government and industries, and establishing effective and efficient legal remedies for copyright and other issues will be the key to Taiwan’s success.

We offer the following suggestions as ways to ensure that industries can continue partnering with government to create a competitive, sustainable, resilient, and safe environment for telecommunications and media, attract foreign investment, foster innovation, and accelerate digital transformation, eventually benefiting Taiwan society as a whole.

Suggestion 1: Improve the environment for 5G application and development in Taiwan.

In recent years, emerging technologies such as low Earth orbit satellites, private networks, and digital platforms provide telecommunications and data services that are highly competitive in the telecom market. However, this industry not only continues to be highly regulated but also shoulders high construction costs that adversely affect the competitiveness of telecom operators.

According to the Communications and Broadcasting Market Research Report 2021 published by the National Communications Commission (NCC), although the revenues of telecom companies in the U.S. and Hong Kong continue to grow, those of telecom companies in Taiwan, the UK, Japan, South Korea, and Singapore have been decreasing. Moreover, Taiwan’s telecom industry faces growing competition from emerging service providers, technology providers, and digital platforms.

The Taiwan government, which has set the goal of becoming an innovative, inclusive, and sustainable “smart nation,” recently released its roadmap for achieving net-zero carbon emissions by 2050. It plans to create a competitive, sustainable, resilient, and safe environment to promote the growth of Taiwan’s economy, increase private investment, improve social welfare, and accelerate digital transformation. The key to reaching that objective is a robust, comprehensive communications environment.

We raised this issue in last year’s White Paper as well, but have seen little to no progress on our suggestions. We therefore recommend that the authorities loosen unnecessary restrictions, formulate relevant guidance for industry, and introduce incentives to promote the sustained development of the telecom sector. By doing so, government will enable telecom networks to become the driving force behind the digital transformation of Taiwan’s industries and accelerate Taiwan’s digitalization.

1.1 Establish a system of rewards and incentives: While driving digital transformation, industries face risks that may reduce their appetite for investment. Thus, we suggest that the proposed MODA establish a system of rewards and incentives to encourage the development of the telecom industry. To ensure that sufficient resources are available for that system to succeed, we recommend that it be given at least as large a budget as the Executive Yuan’s National Science and Technology Development Fund.

1.2 Create a level playing field: Taiwan’s telecom operators face growing competition from Beyond 5G, 6G, and low Earth orbit satellite operators that provide communication services, and private network operators offering 5G vertical services. However, imposing different regulations on similar services is not conducive to fair competition. We suggest that the Taiwanese government adjust regulations to reflect current circumstances. For example, emerging services similar to telecom services should comply with the Telecommunications Management Act and related regulations.

1.3 Enhance telecom industry competitiveness: International companies that are much larger than local ICT firms continue to enter the Taiwan market. To promote innovative 5G services, the government should dedicate more resources to encouraging the ICT industry to invest more in 5G and to cooperate with foreign companies. In order to achieve this goal, we reiterate our request from last year’s White Paper that the government amend the Statute for Industrial Innovation and its related regulations to double the allowable period for applying for tax deductions on investments to 10 years, as well as to increase the tax credit to NT$10 billion to reflect current needs in the Taiwan market.

1.4 Reduce network construction and operating costs for telecom operators: To attract foreign investment, an advanced network environment with reasonable prices is essential. However, Taiwan’s exorbitantly high spectrum and construction costs currently discourage investment in this sector. To enhance the competitiveness and attractiveness of Taiwan’s telecom environment, we suggest that the government decrease 4G frequency usage fees and waive such fees altogether for 5G. Furthermore, we recommend broadening the provisions
regarding tax relief and concessional financing benefits in the "Act for Promotion of Private Participation in Infrastructure Projects," the "Statute for Encouragement of Private Participation in Transportation Infrastructure Projects," and other related regulations to include telecom operators. We also urge the government to amend the Electricity Act to enable telecom operators engaging in projects related to public infrastructure or aiding underprivileged groups to receive subsidies for electricity usage. Lastly, the Taiwan government should consider international standards and industry needs in its promotion of domestically manufactured telecommunications equipment, so as not to hobble the development of the industry.

1.5 Reduce barriers to building infrastructure: Compared to low Earth orbit satellite and digital platform operators, telecom operators in Taiwan must work much harder to build their network infrastructure. We recommend that the government formulate rules for the use of public buildings and other facilities such as streetlights, traffic lights, electricity poles, and other equipment for building out 5G networks. We also urge the government to establish an agency tasked with ensuring coordination on 5G policy across the central and local levels and serving as a single point of contact for industry. This agency, together with a set of clear and consistent application procedures and fee-charging standards, would help ensure that obstacles to 5G network construction are quickly and effectively resolved. It would also increase telecom operators’ attractiveness to foreign investments and companies.

1.6 Ensure that spectrum policy is based on real market demand: Since 5G was introduced to the Taiwan market around two years ago, telecom operators have continued to build and optimize their 5G networks. The speed of cost recovery from construction of these networks and the amount of 5G frequency usage fees will depend on 5G’s market penetration rate. We therefore urge the government not to hold the next round of 5G spectrum licensing too early. Rather, the authorities should first solicit the views and opinions of industry in order to meet the development needs of the market. In addition, if international low Earth orbit satellite operators wish to use spectrum purchased by telecom operators in Taiwan, the government should implement measures to promote cooperation between these two industry players.

1.7 Loosen data restrictions to promote Taiwan’s digital economy: In order to reach the goal of a “Smart Taiwan,” we suggest that the government relax current personal data rules, for example by establishing sandboxes or setting national de-identification standards in the short term. In the longer term, it should revise relevant laws and regulations and formulate supporting measures.

Suggestion 2: Amend the Cable TV Act and the Satellite Broadcasting Act to maintain Taiwan’s competitiveness.

According to an NCC survey, Taiwan had 4.868 million cable TV subscribers in 2020 but by Q3 2021 the number had fallen to 4.768 million. In the face of challenges from digital multimedia platforms, the number of cable subscribers is continuing to decline. More cooperation is needed between industry and government to improve the pay television environment and provide better services to consumers. We urge the NCC to consider the following recommendations:

2.1 Create a healthy and well-functioning operating environment: Taiwan’s cable TV ecosystem is complex and over the long term the industry has created a well-run, fixed market operation model, in which a proportion of subscription fees are used to cover the licensing fees for existing basic-tier channels, while some of the remaining funds go to licenses for newcomers. In order to ensure that the industry is able to maintain stable operations and produce high-quality programs to create healthy competition, we urge the NCC to consider industry engagement and consultation instead of regulatory options. Increasing regulatory measures not only is not conducive to the development of the cable TV market but may also accelerate the loss of cable users. It also affects the quality of programming and the amount of investment in local content, ultimately limiting the variety of content available to Taiwanese consumers. We thus make the following recommendations to the NCC:

2.1.1 Reconsider the channel renumbering and categorization proposal: According to a preliminary NCC plan, channel numbers will be changed from the current two digits to three-digit designations and be divided into eight categories/blocks – statutorily mandated, variety, news, films, sports, drama/religion, shopping, and “other.” We believe that this plan would disrupt consumers’ viewing habits and eventually lead to the loss of more cable users, negatively impacting channel operators and disproportionately benefiting digital platform operators.

2.1.2 Improve communication and cooperation with channel operators: Channel operation involves many costs, and programs face severe market challenges. During the pandemic, film and television productions have fallen sharply. Instead of asking channel operators to provide details regarding program timetables (e.g., premiere, rebroadcast, etc.) or preparing to establish a new system for supervising premiere broadcasts as per a recent NCC plan, we recommend increased communication with the industry on how to meet the challenges of the post-COVID era and
improve the industry’s capacity for high-quality broadcasting.

2.2 Relax regulatory requirements for satellite and cable TV: The NGC has long tended to control the cable TV industry with regulations and consistently encouraged cost reduction, which has led the industry to compete on cost and reduced its international competitiveness. In addition, channel operators face increasingly cumbersome evaluation and license renewal regulations. We recommend that the NCC refer to the practices of other countries in loosening and removing unnecessary controls, for example by ceasing requests that channels commit to increasing the ratio of premiere shows in their programming in order to be approved for renewal. We also recommend simplifying the license renewal process as much as possible. Doing so would improve transparency and reduce operating and administrative costs.

Suggestion 3: Maintain the current positive regulatory environment for OTT TV services.

Taiwan supports the development of a vibrant video-on-demand (VOD) and over-the-top (OTT) TV sector, which can provide consumers with a diverse array of services. The government’s current light-touch approach to regulating this sector has allowed VOD/OTT TV service providers to effectively invest, innovate, and compete. We encourage the government to maintain this approach, while partnering closely with local creative industries so that Taiwan can continue to be well positioned for success.

The government should place greater trust in industry to self-regulate, enabling the industry to demonstrate that a top-down approach is unnecessary. We encourage policymakers to work together with industry stakeholders to allow the creative sector in Taiwan to flourish, carefully calibrate conditions to support investment, and be mindful of the potential unintended consequences of protectionist policies. Heavy-handed measures such as requiring the disclosure of private business information or mandating certain proportions of locally produced content hamper innovation and growth opportunities, as do penalties for non-compliance with such measures.

For the past few years, Taiwan has sought to draft its own laws regulating OTT TV operators. However, industry is uncertain as to the goal the government hopes to achieve with such legislation and what policy gaps it seeks to fill that cannot be addressed through public-private partnerships and self-regulation. In the Committee’s view, no convincing reason has been given. Potential issues involving consumer protection and public-private partnerships can be effectively resolved with existing laws and other available means. In fact, most global companies already have safeguards and protocols in place to address potential harms and are working closely with local businesses with which they have creative synergy.

Win-win situations are still achievable with the current light-touch approach.

Taiwan’s film and VOD/OTT TV industry is brimming with potential. These companies make a significant economic contribution to Taiwan and have already played an important role in introducing Taiwanese content to the international market. To realize this potential, it is critical for Taiwan to have a business-friendly mindset and positive regulatory environment for OTT TV.

Suggestion 4: Modernize Taiwan’s Copyright Act for the digital era.

AmCham Taiwan members welcome the efforts by the Taiwan Intellectual Property Office (TIPO) to modernize Taiwan’s Copyright Act to account for the rapid development of digital technology while protecting the rights of creators and fostering continued investment in works that the public may legally enjoy. We are also encouraged by the government’s recently proposed amendments to the Copyright Act, which would help align it with the provisions of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). However, we are concerned that certain aspects of the draft amendments may potentially be out of step with international agreements and best practices.

First, the introduction of overly broad exceptions for use of copyrighted works leaves room for interpretation and creates uncertainty about how such works would be used. This in turn undermines the ability of creators and copyright owners to protect their rights and might increase the risk of piracy.

Second, the apparent relaxation of penalties for infringement sends a signal to potential violators that content protection is not a priority in Taiwan. We recommend maintaining the penalties to avoid such a perception and demonstrate Taiwan’s commitment to content protection.

Finally, we are concerned about the absence of important mechanisms such as no-fault injunctions to stem online infringement. We urge the inclusion of such mechanisms in the amended Copyright Act to encourage Internet service providers (ISPs) to take steps to prevent access to infringing websites.

We additionally recommend that the Taiwan government consider prohibiting the sale of illicit streaming devices (ISDs) and associated software applications that offer access to pirated content. Such devices and APPs adversely impact the creative industry, taking away revenue that would have been reinvested into producing more quality content – including local content. Furthermore, they hinder the expansion and growth of legitimate digital transmission networks and detract from the contribution that the creative industry makes to government policy programs, including the tax revenues paid by legal enterprises. Illicit streaming also impacts consumers, whose access to pirate websites exposes them to the risk of malicious malware, including spyware and ransomware.
**TOBACCO**

**Suggestion: Formulate tobacco-control policies based on the conditions of reasonableness, gradualness, and predictability, and avoid excessive restrictions fostering the growth of illicit tobacco trade.**

The Executive Yuan approved amendments to the Tobacco Hazards Prevention and Control Act (THPCA) on January 13 of this year. The bill, which is now before the Legislative Yuan, includes mandatory expansion of Graphic Health Warning Pictorials and Texts (GHW) to cover 85% of tobacco product packaging, a prohibition on flavored tobacco products and slim cigarettes, a total ban on “cigarette-like” products, as well as other tobacco control measures. Although the stated objective of these amendments is to seek to improve Taiwan’s public health standard, it is important to consider their overall social impact, the capacity of law enforcement agencies to conduct effective enforcement, and whether the purported public health effects would actually be achieved.

There are two common regulatory approaches to restricting a product. The first is to forge a consensus through consultation with the related stakeholders, including consideration of the social costs of the restrictive measure, and then to gradually implement and adjust the measure, taking the public response into account. The other approach is to formulate a policy and then immediately put it into effect in the market, which reduces the administrative costs involved. For this THPCA amendment, the Taiwan government clearly adopted the second approach; it declined to conduct any dialogue with the public during the policy formulation process.

One of the unreasonable provisions of the amendment is the expansion of GHW to cover 85% of the packaging. This percentage is substantially higher than the 50% (or no less than 30%) stipulated in the WHO’s Framework Convention on Tobacco Control (FCTC). The proposal limits lawful brands’ product information to the remaining 15% of the packet, which may make it more difficult for consumers to distinguish legitimate from counterfeit products. In addition, these amendments will inevitably lead to transaction disputes as lawful businesses object to the serious undermining of their trademark rights and the negative impact on the distinctiveness and characteristics of their products.

Furthermore, the proposed ban on tobacco additives is being sought without any substantiated proof of its effectiveness, and it would also reduce the ability of legitimate businesses to innovate and improve their products. As the opportunity to distinguish among different products in the lawful market is diminished, many consumers are likely to turn to illicit markets to meet their demands, with the result that illicit traders are given the incentive to take greater risks. This in turn increases border inspectors’ workload and reduces the overall inspection quality.

Whenever tobacco-control policy is drastically revised, the volume of illicit trade increases. In 2012, for example, the government made known its intention to raise the excise tax and health surtax on tobacco products by a total of NT$25 per packet. In the following year, the volume of confiscated illicit tobacco increased exponentially by 8 million packs. In 2017, when the excise tax was hiked by NT$20 per packet, the volume of confiscated smuggled cigarettes increased by more than 11 million packs compared to the previous year. And the number of illicit tobacco packs confiscated in January this year, following the government’s first public announcement of its timetable for enacting the proposed new amendments, reached 8.22 million packs, an increase of 4.5 times compared to the same period in 2021. People’s anticipation of the legislative direction is clearly one of the major reasons for the increase in criminal illicit trading.

Another egregious aspect of the proposed amendments is the prohibition it would impose on selling tobacco products with a net weight of the content per vending unit less than 15 grams. The government asserts that this provision is in line with a principle set forth in the WHO’s FCTC. However, Article 16 of the FCTC merely provides that the member states shall endeavor to “prohibit the sale of cigarettes individually or in small packets.” The FCTC contains no minimum weight requirement. The amendment clearly deviates from the text of the FCTC, as no other country in the world requires a minimum weight per vending unit.

There is still opportunity for the shortcomings in the proposed revisions to be rectified by the Legislative Yuan. Even more importantly, the problems with the amendments in terms of both content and process should be taken as a lesson for policymakers when adopting future tobacco-control measures. The approach needs to be reasonable, gradual, and based on solid scientific evidence. The overall socioeconomic impact (including the effect on the growth in illicit trade) must be taken into consideration, as well as the adherence to international practices and standards. Otherwise, the policy risks infringing on the rights of both consumers and legitimate businesses.

**TRANSPORTATION AND LOGISTICS**

The Committee would like to express its appreciation to the Tsai administration for its efforts in promoting vehicle electrification in Taiwan. We especially applaud the recent announcement by the National Development Council (NDC) of its roadmap for achieving net-zero carbon emissions by 2050. The plan calls for a gradual increase in the ratio of
The Ministry of Transportation and Communications (MOTC) lists engine displacement among the primary criteria for determining which taxis are eligible to pick up passengers at airports. The criteria call for engine displacement of at least 1,900cc for taxis servicing Kaohsiung and Taipei International Airports and 1,750cc for those at Songshan Airport. When the standards were set many years ago, there was a direct correlation between engine displacement and a vehicle’s interior space. The criteria aimed to ensure that taxis were large enough to ensure passenger comfort and sufficient space for luggage.

However, vehicles with smaller engines are now much more spacious and comfortable than before. The Committee believes that given the advances in the auto industry, including the introduction of new powertrain technologies and the movement toward new energy vehicles (NEV), engine displacement requirements for airport taxis are unnecessary and obsolete.

We were encouraged by the NDC’s strong agreement with the Committee on this issue during our policy-level White Paper meetings this January. We would like to continue pressing our case on loosening the criteria for airport taxis and restate our recommendations from last year.

**Recommendations**

- Remove the engine-displacement criteria for airport taxis or modify them to specify vehicle dimensions instead.
- Continue to update the regulations periodically based on industry trends and technological developments. Updating the requirements would respond to demand from both taxi drivers and passengers. In the longer term, the change will support a sustainable environment by allowing the inclusion of taxis with smaller yet powerful engines plus NEV taxis.

**Suggestion 3: Carefully consider the policy direction for establishing a TNCAP.**

New Car Assessment Programs (NCAP) are standard rating mechanisms in many countries and jurisdictions, including the U.S., EU, and Japan. Participation in most of these NCAPs is voluntary and does not affect the procedure for legally listing new cars on the domestic market. Further, original equipment manufacturer (OEM) importers are not obliged to join the programs, share costs, or provide technical information.

The fair and independent collision testing conducted by NCAPs on vehicles obtained directly from the point of sale is essential to building consumer trust. Taiwan has therefore dedicated itself in recent years to establishing a Taiwan New Car Assessment Program (TNCAP) with the aim of providing consumers with more safety information on new cars. However, based on discussions during TNCAP Working Group meetings, the authorities do not intend to conduct collision tests on vehicles already covered by foreign NCAPs and will instead request localization of the foreign NCAP test results. For this purpose, the authorities plan to draft a new law requiring OEM importers to submit comparative specification data on cars sold in Taiwan and those sold in other markets. This requirement would place an unnecessary
regulatory burden on OEM importers and would do little
to gain consumer trust, since TNCAP would be reliant on
reports provided by third parties. Above all, localizing results
is an uncommon practice internationally and is unlikely to
achieve the original policy objective of raising consumer
confidence.

**Recommendations**

- Make participation in the TNCAP voluntary. If an
  OEM importer cannot provide specifications for a car
  sold outside Taiwan during a specific year, it should not
  be excluded from the new car listing procedure, nor
  should any penalty be imposed.
- TNCAP should follow the international practice
  of both acquiring vehicles and conducting tests
  domestically. Doing so will require enhanced testing
  capacity in Taiwan. In addition, for regulatory purposes
  the authorities should not differentiate between vehicles
  covered by the TNCAP and those covered by foreign
  NCAPs, nor should they enforce the localization of
  foreign ratings.

**Suggestion 4: Create a user-friendly charging
environment for EVs.**

To accelerate electric vehicle (EV) adoption, charging
stations need to be conveniently located, with an
infrastructure that includes a combination of home charging,
destination charging, fast charging, and ultra-fast charging
options.

While it is easy for new buildings to provide the higher
electrical capacity necessary to support EV-ready parking
spaces, retrofitting older buildings is not as straightforward.
One challenge is reaching a consensus among the members
of each building’s homeowners’ association on installing
EV chargers. In addition, the switch rooms and substations
for some buildings require upgrading to accommodate such
equipment.

To increase the rate of buildings retrofitted with EV
charges, we recommend establishing a concrete timeline for
the building owners’ association to follow. In addition, we
urge local governments to set up cross-departmental contact
windows to provide guidance to EV users wishing to install
charging ports in their communities at their own expense.

Certain non-fiscal incentives could prove exceptionally
helpful in encouraging the purchase and usage of EVs and
reducing emissions. Examples of such incentives include
providing EVs with priority parking spaces in public
parking lots (even when they are not recharging), as well as
designating charger-equipped parking spaces exclusively for
EV recharging use. Due to the environmental benefits of EVs
(compared to internal combustion engines), other measures
such as access to bus lanes, waivers for high-occupancy
vehicles, an online platform displaying charging station
availabilities in real time, and toll reductions should also be
considered.

Another aspect of this suggestion is to continue supporting
diversity when accelerating the development of charging
stations across Taiwan. In 2021, eight types of charging
specifications adopted by the International Electrotechnical
Commission (CCS1/ Type 1, CCS2/ Type 2, CHAdeMO,
GB/T, and Tesla’s TPC proprietary charging specifications)
were recognized by the Bureau of Standards, Metrology, and
Inspection (BSMI) through inclusion in its Chinese National
Standards (CNS).

The Committee emphasizes the practicality of diversifying
charging stations, especially as the EV market is just starting
to take off, and notes that actual market demand is an
important factor to consider in developing Taiwan’s charging
infrastructure. As an example, CCS1/Type 1, which has
commonly been adopted as public infrastructure, should be
co-located with other CNS-recognized charging specifications
based on actual market demand. We believe that this is the
best approach to enhancing and accelerating the expansion of
Taiwan’s EV industry.

The Committee would also like to make the following
suggestions regarding compliance certifications:

- When determining the appropriate date for companies
to perform mandatory testing for CNS compliance
certification, consider the capacities and capabilities
of the testing labs. Testing labs require time to prepare
for undertaking this role, and voluntary compliance
remains the best approach to supporting EV adoption
in Taiwan before labs are ready.
- Considering the above capacity constraints, ensure that
Taipower or other agencies do not require companies to
produce Voluntary Product Certification (VPC) when
applying for power supply for EV chargers.

**Suggestion 5: Provide holistic and consistent
protection for design patents.**

The World Trade Organization (WTO) “Agreement
on Trade-Related Aspects of Intellectual Property Rights”
(TRIPS) requires members to provide sufficient protection
for seven forms of intellectual property, one of which is
industrial design. Since its accession to the WTO, Taiwan
has demonstrated compliance with TRIPS by granting
“design patents” to visually appealing industrial creations
and has continuously enhanced the protection afforded to
such creations in line with international best practices, for
example by lengthening the duration of patents and extending
patentability to cover partial designs, computer-generated
icons, and graphical user interfaces (GUI).

In the U.S., where design infringement lawsuits against
imitation auto parts are common, none of the findings from
these cases indicate that consumers desire cheaper options
with the same appearance as the original design. It is a matter
of common sense that IP protection is the foundation and motivation for innovation and ultimately benefits consumers and society as a whole.

The Committee is therefore surprised to see the emergence of advocacy by certain industry and political actors for inclusion in the Patent Act of a “repair clause” to limit design owners’ ability to deploy their exclusive rights when a normal design infringement is found and challenged in Taiwan. Such a development runs counter to Taiwan’s roadmap for enhancing design protection. The controversial clause is designed to create a safe harbor for unauthorized copies of patented parts for the purpose of restoring the appearance of complex products during a repair process. While similar legislation can be found in some EU countries, for dozens of years assessments have been conducted on how this legislation impacts local industry. In addition, repair clauses are not a common practice globally, including in major auto manufacturing countries such as the U.S., Japan, and South Korea.

To maintain Taiwan’s profile as a super innovator and support its ambition to become the world’s leading IP-intensive economy, Taiwan should refrain from implementing a repair clause at this juncture. In recent years, Taiwan has played an important role in global supply chains for new energy vehicles, and many Taiwanese brands possess relevant IP rights. For the sake of promoting innovation in this industry, the Taiwan government should continue its efforts to block all kinds of patent infringement.

Recommendation

- Refrain from including a repair clause in the Patent Act and work to maintain holistic and consistent protection of design patents.

TRAVEL AND TOURISM

Business and leisure travel have inarguably been among the activities hardest-hit by COVID-19. The World Trade Organization estimates that global international tourist arrivals declined by 73% in 2020 and 72% in 2021 compared to 2019. While there are encouraging signs of global recovery – such as international arrivals reaching 62% of pre-pandemic levels during the second half of 2021 – the Asia-Pacific region has fallen behind the Americas, Europe, Africa, and the Middle East in reopening for nonessential travel. As a result, Taiwan saw just over 140,000 visitor arrivals in 2021, compared to nearly 12 million in 2019.

Globally and regionally, governments have begun to relax previous policy restrictions, implementing measures such as lifting quarantine requirements, reopening borders, and resuming visa-free travel, which are key for the recovery of cross-border mobility. Taiwan has been one of the slowest markets to relax its border restrictions and quarantine requirements. The Committee welcomes the Taiwan government’s decision in the first quarter of 2022 to gradually move toward returning to normal by announcing a “New Taiwan Model” response strategy, aimed at balancing public health and economic wellbeing by focusing on resuming normal life while maintaining effective containment of serious infections.

Tourism will most likely never return to pre-COVID conditions. Conveniences previously taken for granted (such as visa-free travel) have largely been suspended, and long, arduous conversations between governments and industry will be required to get back on course. At the same time, past recommendations, such as the adoption of standardized tourism contracts, remain timely and worthy of consideration.

As the Taiwan government seeks a fast-track plan toward recovery and industry transformation, we recommend that it engage in closer collaboration and consultation with various sectors of the general tourism industry, address policy needs from the viewpoint of the various relevant authorities, and adopt a business-focused action plan that is clear, consistent, and reflective of post-COVID changes in travel behavior and significant tourism trends. In that spirit, we offer the following suggestions:

Suggestion 1: Announce clear, science-based, and timely strategies for reopening borders and welcoming new business.

During an October 2021 roundtable meeting hosted by the Asia Travel Technology Industry Association (ATTIA), country representatives and experts across Asia agreed that quarantines are a “travel killer,” while vaccines are “travel enablers.” Moreover, general agreement was expressed that traveler confidence requires transparency and predictability regarding travel restrictions.

Further, AmCham’s findings in a recent survey among its members and those of the Japan Chamber of Commerce and Industry in Taiwan (JCCIT) indicated that over 68% of AmCham companies and 73% of JCCIT firms have been negatively impacted by the inability to obtain business visas. The survey also showed that travel blockage impeded over US$400 million in transactions over a five-month period.

It is imperative for the Ministry of Health and Welfare (MOHW) to ensure that safe travel measures are evidence-based and grounded in medical science from a public health standpoint. For all other ministries and agencies, an aggressive approach to help recuperate business loss must be a priority, as competing neighboring countries have moved ahead on economic opportunities as the pandemic evolves into an endemic.

The Committee therefore strongly urges the Tourism Bureau and Ministry of Transportation and Communications to fully support the Taiwan travel and tourism industry,
together with top-down cabinet-level coordination by the National Development Council focusing on opening borders and other key cross-ministerial initiatives. We recommend the following:

1. Ensure that the voices of other government agencies, not just the MOHW and the Central Epidemic Command Center (CECC), are heard as part of the decision-making process. Although public health concerns always need to be paramount, Taiwan also needs to consider important business-supporting policies, such as resuming visa-waiver programs and removing mandatory quarantines in a safe and pragmatic manner.

2. Minimize administrative red-tape during the reopening process. With other countries already moving forward to welcome new business, government agencies must understand that losing opportunities is now more damaging than before. Unnecessary administrative red-tape when resuming policies that were suspended during COVID-19 hurts everyone doing business in Taiwan.

3. Capture new opportunities created by changing lifestyles. New lifestyles and business norms, such as that of digital nomads, require the authorities to take steps beyond simply resuming past policies. Previous policies need to be carefully reviewed to help capture new opportunities.

4. Focus on an inclusive and sustainable tourism strategy. According to research by Economist Impact, COVID-19 has caused 71.8% of travelers to view sustainable tourism as more important than before. The same survey showed that 63% of travelers seek ways to meaningfully connect with communities and culture. The appropriate use of technology can make tourism more inclusive and benefit local communities.

Suggestion 2: Modernize labor laws on foreign workers to ease severe travel and tourism industry staffing shortages.

With the COVID-19 pandemic coming gradually under control and countries worldwide easing their travel bans, international travel is expected to rebound. The Committee hopes that Taiwan will also see a surge in demand for inbound and outbound travel. However, the serious workforce shortage facing Taiwan’s tourism industry threatens to limit Taiwan’s prospects for capitalizing on the expected global tourism boom. The Committee respectfully urges the Taiwan government to comprehensively reassess its policy to attract foreign talent and take into account the travel and tourism sectors’ needs, which require a change from the government’s long-standing focus on high-level foreign experts and blue-collar manufacturing workers.

Although the workforce shortage in tourism has roots in Taiwan’s low birth rate and other demographic changes, the situation has been exacerbated by the strong demand for talent in the technology and manufacturing sectors and other higher-income industries. The staffing needs in the tourism industry are mainly for mid-level workers with strong foreign-language skills. Qualified foreign workers and foreign students who graduated in Taiwan potentially can help fill the gap, but the wage structure in the industry and current labor regulations hamper the tourism and hospitality industry’s ability to hire them.

The Committee calls on the government to inject greater precision and flexibility into policies and regulations related to foreign worker qualifications. According to the qualifications and criteria stipulated in Articles 46.1.1-46.1.6 of the Employment Services Act regarding the employment of foreigners, the tourism industry currently is lumped together with the transportation industry in the list of Special Professions or Technical Assignments. Foreign workers also need to receive a minimum monthly wage of NT$47,971, while the salary range of those who have graduated from Taiwanese educational institutions is NT$35,000-NT$47,971 per month. This is far above the tourism and hospitality industry standard in Taiwan. We urge the government to:

1. Open service-sector jobs in areas where manpower is badly needed to foreign workers and move the tourism industry under the service-sector category. This will require amendments to Article 46 of the Employment Service Act and the Qualifications and Criteria Standards for foreigners undertaking the jobs specified under Article 46.1.1 to 46.1.6 of the Employment Service Act.

2. Facilitate access to employment in the travel and tourism industry for foreign graduates of Taiwanese educational institutions by reducing the minimum monthly wage requirement from the current NT$35,000-NT$47,971 and loosening the requirement of special skills for the profession.

Suggestion 3: Help the travel and tourism industry prepare for the resumption of outbound travel-product sales.

The sale of outbound travel products has been banned since the onset of the COVID-19 pandemic at the beginning of 2020. Although many other countries have opened their inbound and outbound travel markets, Taiwan has not provided a clear indication as to when outbound travel product sales can be resumed.

Critical conversations need to be conducted with the Tourism Bureau in preparation for the resumption – hopefully later this year – of outbound travel products. For example, businesses will need to work with the government to better understand the availability of resources and whether marketing and sales activities can be coordinated in alignment with government goals. Similar issues have been raised in
previous White Papers but are even more relevant now. In
addition, we suggest adjustments to make relevant consumer
protection terms more business-friendly in a post-COVID
world, as businesses have endured unimaginable losses
during the pandemic.

It is also vital that travel safety measures be grounded
in science. As of the time of publishing, more than 86% of
Taiwanese citizens had received at least one dose of anti-
COVID vaccine, while around 81% had received two doses
and over 63% had gotten a booster shot. In view of the
global progress in COVID-19 prevention and treatment,
the relaxation of border control policies in most countries,
and the efforts of many foreign governments to revitalize
their economies, it would be reasonable for Taiwan to lift
its exceedingly strict ban on the sale of outbound travel
products.

For the resumption of outbound travel products, the
Committee recommends that the tourism authority provide
a clear timeline for the industry to prepare, commit to
applying pragmatic consumer protection principles, and
communicate with the industry to understand its needs and
begin alignment on coordinated marketing strategies.

**Suggestion 4: Relax stringent pandemic-related
restrictions imposed on cruise ships.**

In Taiwan, most daily activities have been allowed to take
place as normal during the pandemic due to excellent public
compliance with pandemic prevention policies and high
vaccination rates. Domestic travel and public transportation,
shopping at hypermarkets, dining in restaurants, attendance
at concerts and wedding banquets, religious gatherings, and
patronage of karaoke establishments, movie theaters, New
Year’s Eve fireworks displays and other events with large
crowds are allowed to take place without limitations on the
number of participants or demands for proof of vaccination.
The cruise business stands out as a major exception.

While certain requirements governing cruise companies
applying for domestic operation in Taiwan are reasonable
and understandable, the following unnecessarily stringent
requirements deserve to be lifted after thorough review:

1. Limiting the number of guests to 600 per voyage. This
   number represents 20% of capacity for a 100,000-
   ton cruise ship that can usually accommodate 3,000
   passengers. This ceiling is not commercially viable
   for any cruise company and should be removed.

2. Requiring ships to return to port immediately, with
   all crew and guests subject to hotel quarantine,
   should a positive COVID-19 case occur during a
   voyage. In addition, current policies requiring cruise
   companies to pay for all expenses generated under
   these circumstances send the message that cruise ships
   are not welcomed by the Taiwan government. We
   recommend instead that COVID cases disembark at
   the following port for treatment or to be sent back
   home while the ship completes its journey, in line
   with the approach of all other cruise ships currently
   operating in the world.

In comparison with on-land activities with large crowds,
the high standard of health protocols imposed on cruise
companies that meet or exceed current requirements such as
the U.S. CDC COVID-19 Operations Manual requirements,
the EU Healthy Gateway, requirements by the country whose
flag the ship is flying, and local health regulations have
made cruise ships one of the safest environments in terms
of preventing the spread of COVID-19. The Committee
therefore urges the government to reevaluate current
pandemic-related restrictions imposed on cruise ships.

Additional copies of the Taiwan White Paper can be
ordered by using the form on page 15.

Discount rates are available on bulk orders; contact AmCham Taiwan to inquire.
農化委員會

近年來食品安全議題不斷延燒，民眾對政府政策制定與執行上的阻礙，委員會感謝與肯定衛生福利部食品藥物管理署（下稱：「食藥署」）傾聽委員會在去年白皮書提出的建議。

在此艱困環境下，食藥署仍協助使《農藥殘留容許量標準》訂定更加透明化。除公開審查會議紀錄外，食藥署並迅速擴充完成行政院農業委員會（下稱：「農委會」）檢送國內農藥登記案欲訂定作物殘留容許量之查詢清單。雖然食藥署建置之透明資訊已往前邁向一大步，委員會發現其他相關部會於農藥登記流程仍有需要改善的空間。

此外，委員會今年亦提出其他兩項建議：一為過去白皮書數度提及的內容，再次提請農委會農藥主管機關就農藥學名藥登記之資料規定，檢視其妥適性及合理性。另外，國內多已為新興精準育種科技衍生之產品制定相關管理規範，更已有多項產品陸續上市，請主管機關盡快訂定並實施新興精準育種科技衍生產品之管理規範。

資產管理委員會

如同以往，本委員會感謝台灣政府致力於台灣資產管理業之發展，並以為投資人提供更進步的資產管理規範及與時俱進的交易市場作為其發展目標。

本委員會亦十分感謝金管會接受2021年白皮書所載之部分建議，例如允許資產管理業於台灣發行ESG基金並訂定ESG相關揭露模式。就金管會對資產管理業之監理持有與業者間可互相討論之開放態度，且於監理過程中亦參酌業者之意見對其監理方向進行修正，本委員會甚是感激。為促進台灣資產管理業之發展，本委員會今年亦提出多項商業、法律及規範的建議。本委員會期待透過與金管會的持續合作，共同為台灣資產管理業之發展作出貢獻。

我們感謝政府對這五項建議的考慮，期待這些建議能夠為投資人創造更多的投資機會，並促進台灣資產管理業進一步的發展。

建議一：維持現行「非投資等級債券基金（原高收益債券基金）」得作為保險公司發行投資信評單位债券之基礎，並維持台灣資產管理業進一步的發展。

建議二：正視農業學名藥（成品）登記資料要求的合理性，以確保農民用藥之安全性及有效性。
金」得作為投資型保單連結標的及類全委帳戶投資標的之法令規範。

(一)「非投資等級債券基金」適合作為投資型保單連結標的

1. 「非投資等級債券基金」作為投資型保單可連結的標的之一，其對於投資組合之多元布局有其必要性，排除「非投資等級債券基金」於投資型保單可連結標的以外，將嚴重影響保戶之合理風險配置與投資選擇空間。

2. 「投資等級債券基金」於主要市場均係一般散投資入得申購之產品，與大部分股票型基金或特定地域/國家/主題基金相較，「非投資等級債券基金」風險報酬等級仍屬適中。

3. 「投資等級債券基金」持有檔數分散，一檔「投資等級債券基金」可能持有數十檔之債券，可甚為有效降低個別債券違約所造成之影響，此與投資單一非投資等級債券所承受違約風險有本質上之不同。

4. 根據過去幾次利率走升之經驗，非投資等級債券抗跌之能力明顯優於其他債券，故於利率走升環境，「非投資等級債券基金」具備一定之抵禦能力。

5. 過去十年間，非投資等級債券風險報酬多數時間優於股票及投資等級債券，面對市場動盪，「非投資等級債券基金」適度納入保户投資組合可兼顧風險與投資收益。

(二)「非投資等級債券基金」適合作為類全委帳戶之投資標的

1. 多數類全委帳戶主要銷售訴求為透過專業投資經理人協助保戶操作及資產配置，並無以投資「非投資等級債券基金」做為訴求。且「非投資等級債券基金」長期具有較佳的風險報酬比，故適度納入投資組合對於類全委帳戶整體之波動度和報酬有正向助益。

2. 類全委帳戶多屬重投資型類別，並非直接投資債券所形成的投資基金或單位信託基金，其亦具有風險分散之效果。

3. 「投資等級債券基金」僅適合類全委帳户之投資標的，若投資「非投資等級債券基金」，對於投資組合之風險影響有限，本身已有風險分散之效果。

4. 限制類全委帳戶投資「非投資等級債券基金」，不利長期持有投資組合整體之投資風險，反而可能使其被迫追隨其他高風險投資標的。

5. 「投資等級債券基金」持有檔數分散，可有效降低投資組合信用風險。
金管會為統一散見於多個法規函令中與委外作業相關之規定，擬施行《證券投資信託事業證券投資顧問事業委託他人處理內部作業制度及程序辦法》（《委外作業辦法》），此委外作業辦法目前仍為草案，其立意雖然良好，惟台灣的國際型資產管理公司因為需要與設立於他國之總/母公司或集團關係企業統一適用相同之內部作業程序及電腦系統，因此正常戶發生在台子公司或分公司難免會委由位於國外之總／母公司或關係企業處理相關之內部作業。這種情形稱為「委內」(insourcing)，在國際企業間十分普遍。就此點而言，本委員會認為，若外國資產管理業者之在台子公司或分公司委託其總/母公司或集團關係企業處理相關作業者，得免於適用本委外作業辦法。如無法免除適用，本委員會建議應予規定之委外作業辦法之委外申請文件(例如委外作業輸出介紹)及「評估委外機構之委外作業之可行性」，「評估委外機構之委外作業之安全性」等，且免除提交其他文件)。

此舉不但將有效鼓勵國際企業在台投資之意願，保護業者對金管會過去發布之委外作業規定之信賴，進而降低對其現存委外事項之影響程度，亦能使台灣投資人免於承擔本委外作業辦法施行陣痛期可能帶來的各種不便利，使投資人權益不至於因新規範之施行而有不利之影響。

銀行業委員會

感謝政府關注去年銀行業委員會所提之建議，議題如：建立政府開放資料庫，介接金融服務，提高客戶與金融產業往來便利性」、「放寬《金融機構作業委託他人處理內部作業制度及程序辦法》及相關問答集之適用範圍」皆已取得具體進展。金管會亦計畫在近期內鬆綁《外國銀行在台分行發行新台幣金融債券辦法》第四條，允許外國銀行在台分行將其發行之新台幣金融債券收益用於永續金融。

今年度所提出的四項議題，(1)推動金融數位化、(2)放寬《金融機構作業委託他人處理內部作業制度及程序辦法》及相關問答集之適用範圍、(3)放寬國際債券發行業者在台分行發行新台幣金融債券辦法》第四條，允許外國銀行在台分行將其發行之新台幣金融債券收益用於永續金融。

綜上，提供客戶更便捷之金融服務同時兼顧交易安全之需求與日俱增，金融服務數位化仍為金融機構持續努力的方向，委員會感謝金管會於2021年已委託銀行公會研擬並開放部分企業客戶得開立數位存款帳戶與線上成立貸款契約，相關規範及管理機制仍有進一步研議之必要，若上述議題得以續行研議放寬，將能強化台灣金融服務數位化發展。

1.2「My Data」之資訊運用應更便利民眾取得線上金融服務

金融消費者現況於My Data上申請戶政國民身分資料，如個人戶籍資料、國民身份資料等，僅得以自然人憑證、晶片金融卡、硬體金融憑證與行動自然人憑證為其身分驗證之選項，於金融消費者提供其於My Data下載之戶政國民身分資料予金融機構後，考量由於前開資料來源實為戶政機構，建議應使金融機構得直接引用該些個資協助金融消費者辦理金融服務，無須再次以人工方式比對前開資料與金融消費者另外提供予金融機構之身分證件資料內容是否一致，以落實數位金融服務環境。

1.1.3有關《金許可證辦理電子銀行業務安全控管作業基準》（2021.04.15，下稱：「電子銀行安控基準」）第8條交易類別之安全設計，目前若客戶擬線上申請個人客戶於申請之始便已曾按「電子銀行安控基準」規定，先行上傳其身分證件予金融機構。然而，依該條之規定，金融機構於同一線上個人客戶之簽約對保，應再次要求客戶上傳其身分證件資料，以作為交易安全機制之手段，惟此僅屬相同客戶身分資料之重複上傳與徵提，爰建議於同一個客戶於線上申請一次徵提，並將於不同階段(申請時與簽約對保時)分別利用，無須重複提交客戶資料相同資訊，於您數位金融服務環境。
服務之便民並利提升金融消費者使用My Data之意願。

1.3 允許使用電子簽名平台簽署及傳輸開戶申請文件

COVID-19疫情迫使企業及個人之運作及工作方式相應改變，並加速了一些現有的趨勢；而其中，遠距工作、電子簽名是最主要的兩項改變，許多大型跨國企業，已廣泛使用不受工作時間及地點限制之電子簽名平台來簽署及傳輸文件，而許多個人的工作及生活方式，也轉變為線上會議及溝通。目前許多主要國際金融市場之金融服務機構，亦因應其客戶需求，開始廣泛使用相關電子簽名平台並交付文件，即使疫情過後，前揭新型態之工作模式亦會持續且為未來主流趨勢。本委員會提供以下兩點建議，以順應國際趨勢並滿足客戶需求：

• 援用具備錄音功能之視訊會議技術作為與客戶（含法人客戶及自然人客戶）之核對親簽及對保之管道之一，適用範圍包含一般新戶及既有客戶。
• 允許金融機構得利用電子簽名平台與客戶（含法人客戶及自然人客戶）進行文件簽署及傳遞，以符合國際趨勢和客戶運作模式與行為。

建議三：放寬國際債券流動性提供者之申請標準

為促進櫃買中心掛牌之國際債券交易活絡，櫃買中心於2016年引進流動性提供者機制，修訂《外幣計價國際債券管理規則》（下稱：「管理規則」），以要求國際債券發行人就每檔國際債券指定流動性提供者於買賣期間提供買賣報價。除此之外，櫃買中心亦訂定《外幣計價國際債券流動性提供者作業要點》（下稱：「作業要點」），以利證券商等自營及非屬兼營證券商之銀行得申請成為流動性提供者，並依相關規定提供報價。依照作業要點，就發行期間為五年以下之債券，即已於初級市場售出，財務健全並獲投資人之認可，因此建議將流動性提供者之資格條件，將包含資金融通、風險管理及財務健全等標準，以更貼近市場實際需求。

建議四：放寬境外投資人申請案件之適用範圍

涉及跨境委外之申請案件，與前述2.1所列委外模式相同，亦即境外投資人於台分行可為其一或併進展跨境業務時，多係採用境外銀行委託其境外分行於台分行之業務。本會於草案修訂時，已作詳細之考慮，並不變更原有之適用範圍。此外，本會當然會積極參考市場意見，並進行細部之修訂，以符合市場實際需求。

為促進境外投資人之投資活動之活絡，本會將於草案修訂時，對境外投資人之資格條件，包含資金融通、風險管理及財務健全等標準，以更貼近市場實際需求。
資本市場委員會

資本市場委員會感謝台灣各監管機構對《2021台灣白皮書》所提建議之重視。我們欣見財政部積極回應外資保管銀行及稅務代理人之需求，提供外資更便利的投資環境。我們也誠摯感謝國家發展委員會與金融監督管理委員會就本委員會所提建議之溝通與協助。委員會肯定台灣主管機關持續關注資本市場之永續議題，以及就協助台灣企業接軌國際的決心與努力。

資本市場委員會持續關注優化外資投資環境，以及增進市場效率等議題，期待進一步促進台灣資本市場的國際化。另因應疫情發展，建議適當的法規鬆綁，以配合新的工作型態。基於公私部門合作之精神，委員會樂於參與並進一步對台灣資本市場的發展盡心力，謹提供以下建議：

1. 准許外資得以台灣上市上櫃有價證券作為其海外投資活動之擔保品。委員會建議台灣上市上櫃有價證券作為擔保品之擔保銀行，於集中保管結算所開立之保管品專戶提供外資有價證券之撥轉並提供外資擔保品相關資料之管理與銷售之服務。上述做法得以協助外資有效運用台灣上市有價證券作為擔保品，藉此吸引更多外資投資台灣市場，從而改善市場流動性，並增加金融市場的穩定性。

2. 准許外資得以指派一個以上之保管銀行。現行國際資管運用外資可指派一個以上之全球保全銀行及基金經理人之需求，故需分別指派不同之保管銀行進行分帳管理及操作；台灣現在規定外資僅能在台指派一個保管銀行，確實造成全球保全銀行機構資本運用之困擾與不便。

委員會建議應採行鄰近國家（如韓國及印度）之作法，採ID帳戶機制，但不限制外國投資人僅能指派一個保管銀行。

議題三：增進市場作業效率

委員會建議採取以下措施，增進資本市場的效率。

3.1 准許外資得以台灣上市有價證券作為其海外投資活動之擔保品。委員會建議台灣上市上櫃有價證券作為擔保品之擔保銀行，於集中保管結算所開立之保管品專戶提供外資有價證券之撥轉並提供外資擔保品相關資料之管理與銷售之服務。上述做法得以協助外資有效運用台灣上市有價證券作為擔保品，藉此吸引更多外資投資台灣市場，從而改善市場流動性，並增加金融市場的穩定性。
化學品製造商委員會

化學品製造商委員會由衷感謝政府部會，持續地與產業界進行雙向溝通。2021年白皮書所提建言，透過修法、行政或於兩次國發會協調會議中，多數已解決或得到正面回應。

今年委員會祈望勞動部職安署進一步釐清「優先管理化學品指定名單」之危害分類依據及列入標準，持續改善「安全資料表」之商業機密揭示保留申請標準，並建立相關法規諮詢窗口。

委員會並希望，衛福部食藥署能將《管制藥品管理條例》之管轄範圍明確定義，並標示「化學文摘社登記號碼」(CAS NO.)。另外，我們更希望環保署化學局持續關注其危害及暴露評估指引發展進程。

自民國88年公告以來，管制藥品分級及品項經歷多次修正，近年管制藥品分級及品項更是頻繁增列或修正。然而，公告的管制藥品品項僅公告化學物質之中、英文名稱，並無提供物質相對應的「化學文摘社登記號碼」 (CAS NO.)，且品項管制範圍尚包括其異構物(Isomers)、酯類(Esters)、醚類(Ethers)及鹽類(Salts)，卻無法明確界定哪些物質，大大地增加業者的負擔及在化學品管理上的難度。

同時，國內許多化學品同業對於是否受《管制藥品管理條例》所規範莫衷一是(例如製造或販售半導體用化學品之多為混合物)是否也受管制藥品管理條例所監管?，致電主管機關釐清，也僅得到公告前皆已與工業局討論等等之回覆。故建請主管機關:

一、或可以函釋方式說明，協助業者釐清《管制藥品管理條例》之管轄範圍；
二、管制藥品分級及品項修正時加上品項之「化學文摘社登記號碼」 (CAS NO.)，以及明確公告品項之異構物、酯類、醚類及鹽類，以及相對應的CAS NO。

化學局回應2021年白皮書有關改善既有化學物質標準登錄制度之建議，於同年11月23日即公布修正《新化學物質及既有化學物質資料登錄辦法》，延展登錄期限至2024年，且將限定場址中間產物納入豁免機制。標準登錄自2020年推動至今已兩年，但關於《化學物質危害評估及暴露評估指引》仍在草案階段，盼有關單位盡快公告指引，並舉辦相關工作坊、訓練及諮詢機會，以協助台灣化學品管理達世界級水準。

化學材料製造業

化學材料製造業委員會

建議：建立勞動部相關法規諮詢窗口

化學品製造商委員會

化學品製造商委員會由衷感謝政府部會，持續地與產業界進行雙向溝通。2021年白皮書所提建言，透過修法、行政或於兩次國發會協調會議中，多數已解決或得到正面回應。

今年委員會祈望勞動部職安署進一步釐清「優先管理化學品指定名單」之危害分類依據及列入標準，持續改善「安全資料表」之商業機密揭示保留申請標準，並建立相關法規諮詢窗口。

委員會並希望，衛福部食藥署能將《管制藥品管理條例》之管轄範圍明確定義，並標示「化學文摘社登記號碼」(CAS NO.)。另外，我們更希望環保署化學局持續關注其危害及暴露評估指引發展進程。

自民國88年公告以來，管制藥品分級及品項經歷多次修正，近年管制藥品分級及品項更是頻繁增列或修正。然而，公告的管制藥品品項僅公告化學物質之中、英文名稱，並無提供物質相對應的「化學文摘社登記號碼」(CAS NO.)，且品項管制範圍尚包括其異構物(Isomers)、酯類(Esters)、醚類(Ethers)及鹽類(Salts)，卻無法明確界定哪些物質，大大地增加業者的負擔及在化學品管理上的難度。

同時，國內許多化學品同業對於是否受《管制藥品管理條例》所規範莫衷一是(例如製造或販售半導體用化學品之多為混合物)是否也受管制藥品管理條例所監管?，致電主管機關釐清，也僅得到公告前皆已與工業局討論等等之回覆。故建請主管機關:

一、或可以函釋方式說明，協助業者釐清《管制藥品管理條例》之管轄範圍；
二、管制藥品分級及品項修正時加上品項之「化學文摘社登記號碼」(CAS NO.)，以及明確公告品項之異構物、酯類、醚類及鹽類，以及相對應的CAS NO。

化學局回應2021年白皮書有關改善既有化學物質標準登錄制度之建議，於同年11月23日即公布修正《新化學物質及既有化學物質資料登錄辦法》，延展登錄期限至2024年，且將限定場址中間產物納入豁免機制。標準登錄自2020年推動至今已兩年，但關於《化學物質危害評估及暴露評估指引》仍在草案階段，盼有關單位盡快公告指引，並舉辦相關工作坊、訓練及諮詢機會，以協助台灣化學品管理達世界級水準。
台灣白皮書產業議題的積極介入，為可行的解決方案提供一絲曙光。儘管世界許多國家皆直接承認外國培訓的骨神經醫學的執照，台灣政
府始終不願認可相關證照，卻對於另一種可能的進展方式持
開放態度。台灣的大學或醫學院得以開設骨神經醫學相
關系所，政府將更有動力建立國內骨神經醫學執照核發制度。

事實上，部分培訓機構對提供骨神經醫學相關教育頗感興
趣。然而，若無法保障學生畢業後得以獲取相關專業執照，台灣政
府始終不願認可相關證照，卻對於另一種可能的進展方式持
開放態度。若台灣的大學或醫學院得以開設骨神經醫學相
關系所，政府將更有動力建立國內骨神醫學執照核發制度。

這個議題非常重要，因為現況限制了台灣骨神經醫學的普及，剝奪台灣人民尋求這項已受到全球無數民眾支持的具有醫療實證效果的醫學服務。骨神經醫學可有效緩解下背痛、頸部疼痛、頭痛和其他神經肌肉疾病，美國境內合法持有骨神經醫師執業資格的人數就超過7萬位。骨神經醫學治療既不涉及手術，也不包含藥物治療，因此被視為一種高成本效益的新醫療選項。隨著台灣即將邁
入超高齡社會，此醫療選項可減輕台灣全民健康保險的經濟
負擔。

此外，在國外受過訓練、取得執照並在台灣執業的骨神經醫學
師們被迫處於法律灰色地帶，也得盡量保持低調，甚至於無法
經營網站，這對於受過等同台灣五年學士後醫學專業教育訓練的專業人員是一大羞辱。再者，模糊不清的身
分，讓骨神經醫學師受到騷擾的案件層出不窮，例如找麻煩
的有心人士，向當地醫療單位控訴骨神經醫學師無照行醫，
儘管這些控訴通常不予受理，還是讓骨神經醫學師處於持
續不安的狀態。

期望今年台灣能赶上世界其他先進國家的腳步，將骨神
經醫學納入公認的醫療保健服務項目中，以嘉惠在地民
眾。

化粧品委員會

化粧品委員會感謝衛生福利部食品藥物管理署(下稱：「食藥署」)對化粧品行業問題的持續關注，以及食藥署與
化粧品業者的溝通和參與，以努力解決業界問題。

化粧品委員會感謝衛生福利部食品藥物管理署(下稱：「食藥署」)對化粧品行業問題的持續關注，以及食藥署與
化粧品業者的溝通和參與，以努力解決業界問題。

我們表彰政府在放寬化粧品安全資料簽署人員資格方面
有具體的進展。

我們敦促食藥署採取更加透明、開放和基於科學的方
法來監管化粧品並接受新興的貿易模式，以避免貿易技術壁
壘，並增加台灣對投資者和企業的吸引力。

建言二：鬆綁客製化粧品之生產與銷售法規

化粧品行業已經是國際間業界廣泛建立的趨勢，有時化
粧品公司特製的產品比現成產品更能滿足消費者需求。常見
的做法是由受過訓練認證的店員在販售現場將產品進行混合
或是重新包裝。

如同本會在2021年白皮書中所述，美國的食品藥物管
理局提供產業指南和GMP查檢表，故許多品牌已經有客製
化粧品的業務。在歐洲，歐洲化粧品協會(CE)、法國的
美容企業聯合會(FEBEA)和德國的化粧品、香料及清潔
劑協會(IKW)為其成員提供自主指南以供客製化粧品時
遵循。韓國的新化粧品法規允許化粧品公司在經過認證，且
由領有執照者執行化粧品客製的情形下，即可銷售個人客製
化的化粧品。在日本，只要經營場所通過政府稽核且化粧品
公司獲得生產許可，便可在店內製作和銷售客製化粧品。

本會非常感謝食藥署持開放的態度，就此議題與商
會進行討論，商會對政府就台灣法規與國際趨勢協和化的努
力表達肯定。本會期待持續與食藥署溝通，並敦促其放寬
相關規定，消除這種新商業模式的障礙，促進台灣化粧品市
場成長並刺激經濟發展。

化粧品產業議題的積極介入，為可行的解決方案提供一絲曙光。儘管世界許多國家皆直接承認外國培訓的骨神經醫學的執照，台灣政
government has shown a resolve to promote UN sustainable development goals and reduce carbon emissions and waste, with the establishment of a cross-departmental "Executive Office of Energy and Carbon Reduction" in 2016.

Both foreign and domestic companies have implemented concrete environmental, social, and governance (ESG) plans to contribute to environmental protection. One example is the recycling of cosmetic containers. Reusing containers (including refilling cosmetic empty bottles) is an effective way to reduce waste and protect the environment. Consumers can bring empty cosmetic containers to stores, which can then refill them from a large container.
中將其重新裝滿。允許這項服務將有助於政府實現其淨零排放目標並降低公共廢物處理成本。

就如同客製化粧品一樣，一些主要市場如美國、歐洲、韓國等皆允許化粧品的再充填。在東協國家，化粧品協會正逐步在店內的粧品產品中推行；其中，泰國已經針對液態香水及液態身體與頭髮清潔產品再充填之議題與業界多次交談並達成共識，預計近日將公告相關法規草案。我們敦促食藥署支持對環境友善的化粧品再充填的作業，公告與國際標準協和化的法規和指南。

國防委員會

國防委員會於2020年成立，旨在統整、研議並分享國防企業如何加速台美雙邊關係發展。國防委員會旨為強化國防企業的貢獻，就達成台美雙方國防目標提出具體措施。國防委員會則是直屬於台灣戰略暨國防政策研究會，其主要工作是強調國防委員會的目標是達成四項主要目標：

1. 研業設計
2. 管理與製造
3. 工業合作
4. 台美雙邊關係

過去數年台灣國防支出呈現顯著成長，包含美國對外軍售及自主國防產業發展，例如高階導彈系統及自製防禦潛艦等。未來船艦國造計畫、自製巡防艦等，及2021年底通過之特別預算衍生之採購案，均將為台灣國防產業生態注入更多的動能。

領域內國防企業參與全球國防產業供應鏈的程度仍然有限，主要歸因於產業運作模式。以「國防裝備系統組裝」（sub-assemblies）為例，不同產業的供應商通常不需維持庫存，下單數量也較少且相對零星，影響業者加入既有供應鏈的難度。

因此，近來由本委員會提出之建議一，台灣企業應思考如何進入「未來」美國國防裝備的供應鏈。台灣企業若能與對外國國防企業進行雙邊合作，不僅將提升台灣國防產業之經濟價值，也可為雙方企業帶來更多的動能。

除領域內國防企業外，台灣本土企業參與全球國防產業供應鏈的程度仍然有限，主要歸因於產業運作模式。以「國防裝備系統組裝」（sub-assemblies）為例，不同產業的供應商通常不需維持庫存，下單數量也較少且相對零星，影響業者加入既有供應鏈的難度。

因此，近來由本委員會提出之建議一，台灣企業應思考如何進入「未來」美國國防裝備的供應鏈。台灣企業若能與對外國國防企業進行雙邊合作，將為台灣國防產業生態注入更多的動能。

領域內國防企業參與全球國防產業供應鏈的程度仍然有限，主要歸因於產業運作模式。以「國防裝備系統組裝」（sub-assemblies）為例，不同產業的供應商通常不需維持庫存，下單數量也較少且相對零星，影響業者加入既有供應鏈的難度。

因此，近來由本委員會提出之建議一，台灣企業應思考如何進入「未來」美國國防裝備的供應鏈。台灣企業若能與對外國國防企業進行雙邊合作，將為台灣國防產業生態注入更多的動能。

領域內國防企業參與全球國防產業供應鏈的程度仍然有限，主要歸因於產業運作模式。以「國防裝備系統組裝」（sub-assemblies）為例，不同產業的供應商通常不需維持庫存，下單數量也較少且相對零星，影響業者加入既有供應鏈的難度。

因此，近來由本委員會提出之建議一，台灣企業應思考如何進入「未來」美國國防裝備的供應鏈。台灣企業若能與對外國國防企業進行雙邊合作，將為台灣國防產業生態注入更多的動能。

領域內國防企業參與全球國防產業供應鏈的程度仍然有限，主要歸因於產業運作模式。以「國防裝備系統組裝」（sub-assemblies）為例，不同產業的供應商通常不需維持庫存，下單數量也較少且相對零星，影響業者加入既有供應鏈的難度。

因此，近來由本委員會提出之建議一，台灣企業應思考如何進入「未來」美國國防裝備的供應鏈。台灣企業若能與對外國國防企業進行雙邊合作，將為台灣國防產業生態注入更多的動能。
武漢。助手台湾国防企業未来进入产业供应链。有鉴于共同开发项目将需要双边政府持续投入资源与进行互动，政府层级的对话更显重要。

了解国防产业对台湾是有效的且最迅速的方式获取所需的能力，同时也为本土企业与国际伙伴进一步成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建建议：确保台湾能够以最有效率及迅速的方式获取所需的能力，同时为本土企业与国际伙伴共同成长提供更多机会。

建议二：制定数位通讯传输服务法时，鼓励产业多元化和整体监管。

### 数位经济委员会

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。

#### 数位经济委员会

“数位经济委员会”(Organization for Economic Cooperation and Development, OECD)就数位经济的定义及好处说明如下：“数位经济”与数字经济或网络经济具有相似的概念。数字经济是指以数字技术为基础，以网络化和数据化为特征，以信息和通信技术为手段的新型经济形态。
價值和原則；產業目前的自律措施、使用者政策及社群規範，如何創造更安全的環境；業者和公民社會如何共同努力對推動台灣媒體識讀和數位素養；以及企業如何將政府視為合作夥伴並以此角色與之溝通等。這些發展皆是在未另立法規的情況下自然產生，更可視為國際上的最佳實踐。

## 建議三：納入公平和成本效益原則於公平會《數位經濟競爭政策白皮書》

數位平臺讓台灣消費者能輕鬆掌握豐富的資訊，同時如全球各地一樣，數位產品在台灣也是無所不在。由於人們每天都會使用許多數位產品和服務，委員會支持在強化台灣競爭力和創新力的同時，確保數位經濟對消費者和企業是安全且有效的。公益交易委員會近期也公布《數位經濟競爭政策白皮書》初稿。整體來說，建立新的競爭監管政策框架上，委員會支持下列原則：

1. **為促進競爭和創新，研討新法規時應確保執行徹底的成本效益分析，並避免新法規對消費者實際上弊大於利。**
2. **競爭法則應建立在存在監管「缺口」的明確證據上，並同時遵守促進競爭和創新等原則。**
3. **為減少取締實為促進競爭之行為的風險，確保任何新法規都應在防止競業傷害的同時，允許以證據為基礎的理由說明。**
4. **任何「新法規」與其試圖解決的「危害」之間的比重，應以一線篩選。**
5. **任何新政策法規行程應確保公平且充分的正當程序保障措施，包含被告企業有權證明其行為的合理性（例如基於消費者利益大於所謂的反競業影響）、上訴和複審的充分權利。**
6. **根據地情形與國際考量，謹記各司法管轄區皆有其獨特之處，模仿其他國家做法的新法規未必適用於台灣。**

## 能源委員會

自美國商會發佈 2021 年白皮書的第 12 個月以來，台灣的能源產業面臨許多挑戰。去年 5 月發生兩次全國性的停電事件，第一起事件是興達電廠的設備故障所引發，第二起事件則是在第一起事件一周後因能源需求暴增所導致。電力供應的不度及電網韌性再度受到質疑。2022 年 3 月時，由於興達電廠再度故障造成線上停電，影響超過 5 萬戶的企業和家庭，使相關問題再度浮上檯面。不意外地，2022 年美国商会發布的商業景氣調查顯示，能源供應議題為台灣政府必須優先處理的事項；本委員會成員對電力供應充足性和台灣發展再生能源的進度，表達高度關切。上述停電事件發生在台灣在能源轉型中的初步階段，在逐步減少燃煤和核能發電基載容量的同時，造成電網不穩定性的各種風險隨之提高，因而引發重大停電事件。本委員會成員認為，政府需迅速採取有力的行動，以解決電網韌性和供需餘量間相互糾結的問題。

展望未來之際，委員會歡迎台灣政府再次承諾於 2050 年之前實現碳中和的目標，並公布至 2050 年的規劃藍圖。此外，本委員會也樂見蔡英文總統在能源領域強化公部門與私企業合作的雄心，並以之作為實現 2050 年淨零排放的四個關鍵目標之一。
建言一：建設具韌性的電網，支撐台灣能源轉型

本委員會致力於支持台灣於轉型到永續性發電的過程中，維持可靠電的供應。達成此目標的根基之即投資於更具韌性的電網，以促進再生能源的進一步發展。為了實現此一目標，本委員會建議採取以下措施：

1. 加速升級電網基礎設施，並透過適當的獎勵措施以推廣負載平衡技術。舉例來說，透過上網電價補貼（feed-in tariffs）來鼓勵電池儲能系統（Battery Energy Storage Systems, BESS）的設置，以及透過減稅或民間營運後轉移模式（Build-Operate-Transfer, BOT）等措施促進投資於更永續に電網的建設。我們建議台灣考慮加速採用結合BESS與潔淨能源的混合型再生能源解決方案，除了可因應調度間歇性再生能源帶來的挑戰，BESS的部署亦可降低投資人對於在2026年之後隨著大量離岸風電併入電網，發電量可能超出企業買家實際消耗量的疑慮。

2. 建立備用容量與定價機制。委員會認為，隨著台灣向能源轉型邁進，台灣需要一個長期能源開發計畫，將各企業的能源需求納入考量。這不僅解決電網穩定性的問題，以及企業購電合約市場所產生的不確定性。根據現行法規，向企業買家出售再生能源（>5MW）的民營獨立電廠需要向台電提供或採購。「備用容量」。然而，台灣目前並無成熟的市場，也欠缺備用容量的定價機制。缺乏備用容量市場，加上對台電掌握的備用容量計算參數的能見度不足，將增加取得潔淨能源的成本，特別是台灣中、小企業將更難獲得具有競爭力的綠色能源。

3. 促進基礎設施和工程委員會改善。儘管過去兩年的台灣美國商會白皮書中皆有所著墨，至今本委員會尚未見到政府對於新能源計畫執照精簡審核程序方面有所改善與進展。例如，根據最新的離岸風電專案的經驗可知，取得電業執照平均仍需要長達六個月的時間，而電業執照為啟動離岸風場營收的關鍵許可。本委員會敦促政府增加審核效率，尤其是刪減不必要的程序，例如再次確認第三方出具之技術驗證之要求。除了縮短電業執照程序外，今年我們提出下列尚有改進空間的政策，以加速台灣離岸風電發展：

2.1 遵守國際標準，使台灣成為再生能源技術和服務的區域中心

歷經多年的努力，經濟部標準檢驗局（下稱：「標檢局」）已公布就離岸風場認證基準的三個主要領域，包含現場勘測設計、製造和建設與營運和維護之規範。委員會理解台灣有意在此新興產業領域中發展出本土能力的雄心。然而，當全球適用的認證標準（如DNV和歐盟認證基準）已臻完備時，建立台灣獨有的規範標準將提高進入市場的門檻，亦有礙技術的創新。為防止因技術規範審查程序繁複而導致難以取得許可證，委員會建議標檢局應與國家及國際專家、學者與產業界進行溝通，並再次確認第三點之技術驗證之要求。除了縮短電業執照程序外，今年我們提出下列尚有改進空間的政策，以加速台灣離岸風電發展：

2.2 建立一套整合性的許可審查程序及明確與透明的利害關係人管理機制，極大化離岸風電之發展

目前台灣離岸風電專案許可評審過程中環境保護署、內政部及海洋保育署。在每一項許可評審過程，應採行和國際規定一致的標準，而非接受個案委員會於個案中提出的要求，此舉使政府、金融機構及開發單位三方的負擔。本委員會建議政府建立一套整合性的許可評審機制，並就由一個政府機關及或一套機制來負責所有離岸風電事務相關的許可評審事宜。漁業權補償即是離岸風電專案開發過程中需政府監管的要求之一，本委員會建議政府制定一套漁業、快速且明確的解決機制或公式，以避免因過慢和不可行的程序，從而影響離岸風電專案開發時程。

2.3 預先規劃及設施基礎與公共設施，以再生能源產業持續成長

離岸風電開發所需基礎建設不足之情形以台中港為最顯著。當多數離岸風電專案於今年陸續進入施工階段時，台中港碼頭空間不足，大型及重型零件運輸道路亦不足以應對。為此，我們樂見金融監督管理委員會（下稱：「金管會」）近期投入起草台灣版之永續分類法，並鼓勵金管會擴大該分類法，以涵蓋資通訊科技和能源產業的活動。

2.4 建議二：建設具韌性的電網，支撐台灣能源轉型

2.3.1 促進基礎設施和工程委員會改善。對於基礎設施和工程委員會改善，本委員會仍然認為發展天然氣發電以取代燃煤發電是一個重要的步驟。旨在以之確保在減少碳排放方面得以取得快速且實質性的進展。擴大天然氣發電亦為持續發展低碳電廠所必需。為此，台灣政府未來必須準備的同時，確保充足、可變換且可靠電源供應同時關鍵，且其對於台灣經濟以及全球科技供應鏈皆至關重要。自近十多年的步驟，採用天然氣發電可為減少排放和確保可靠電力供應提供有效的解決方案。為緩解氣價波動對台灣電業的影響，我們建議台灣政府應盡早開始規劃及建設基礎設施，並考慮如何讓更大型的液化天然氣運輸船得以進港停靠。此外，我們也將重新審視其電力發展計劃，特別是對離岸風電產業的發展影響。我們相信，台灣政府將受益於检查當前市場的難點，並開通一條更透明、更明確的途徑，使民營獨立電廠得以成功供電。若當前能有一條更加清晰可見的道路，將可鼓勵國際開發商來台投資能源市場。

建議二：加快發展離岸風電，促進台灣實踐2050年淨零排放目標

為了使台灣實踐剛發布的2050年淨零排放目標，同時確
保可靠且具競爭力的能源供應，委員會認為應加速佈局碳捕獲和儲存、氫能及低碳排放燃料等脫碳技術。作為關鍵起手式，委員會建議台灣應制定支持性政策及監管及法制架構，以便該等技術能夠在公平的環境中相互競爭，其包括但不限於下列各項：

1. 政府持續且長期支持以建立碳定價機制，以及脫碳技術的研究、開發和部署；
2. 大幅現行再生能源的激勵措施、政策和目標至其他的脫碳技術，例如碳捕獲和儲存、氫能和低碳排放燃料。

本委員會認為，脫碳技術的部署需要包含產官學界的利害關係人，以及最重要的在地社區的共同參與，各方以相互協調和及時的方式，解決政策面、監管面、技術面、商業面和社區面的多元挑戰。本委員會希冀能看到台灣政府採取更積極的作為，建立產業聯盟並促進各方進行公開對話。

### 人力資源委員會

人力資源委員會於去（2021）年白皮書中曾提出以下三項建議：

1. 就高薪人員採取更彈性勞動條件，並將零工從業人員之《安全港條例》納入法律規定；
2. 企業可將其服務提供者所進用的身心障礙者人數一同計入企業進用身心障礙者總人數計算；
3. 修訂《勞動事件法》定暫時狀態處分相關規定以維護勞動市場的穩定。

於國家發展委員會對於上述建議予以正面回應，並表示將持續且長期支持以建立碳定價機制，以及脫碳技術的研究、開發和部署；未來將持續蒐集相關建議與意見，以作為後續檢討修正之參考，未來討論時亦將邀請台灣美國商會共同參與，委員會由衷感謝。

### 建議一：區分勞工作時間與值日（夜）之出勤型態並另訂規範

勞動部所公布之「事業單位實施勞工值日（夜）工作細則」（下稱「注意事項」）已於2022年1月1日停止適用。該注意事項的目的是為防止勞工在正常工作時間外，執行勞動契約約定以外的值日（夜）工作，因等原因該注意事項已無法符合現今企業及勞工之需求，勞資雙方亦長期遵循注意事項，故訂定規範以維護勞動市場的穩定。

在企業實務上，值日（夜）工作相對於勞工正常工作內容，通常則是密集度與強度較低的工作，並非勞工在值日（夜）期間持續為雇主提供勞務，注意事項的規範也足見勞動部過往均認定值日（夜）時間確實並非工作時間的延長，有與加班區別之必要。價值雙方亦長期遵循注意事項，以確保雙方於履行勞動契約時之權益與義務。

然而，在注意事項停止適用後，雇主仍要求勞工值日（夜）班，以維持企業運作的需求，並因值日（夜）時間需計入延長工作時間並受法令上限的限制，有與加班區別之必要。勞資雙方亦長期遵循注意事項，以确保雙方於履行勞動契約時之權益與義務。

為了促進企業之競爭力，顧及勞資雙方之實際需求，達成勞資雙贏，委員會建議勞動部放寬差勤紀錄之規定，修正《勞動基準法》第21條之內容，除原第1項規定之紀錄方式外，增列第2項「前項出勤紀錄，亦得以其他可供認定出勤時間之文件替代。」（另原條文第2項則移列第3項），非侷限於傳統簽到簽退之記錄型態，提供更多彈性，例如由勞工填載每週或每月之工作計畫及所需時數。這些替代方法亦可認定勞工之工作時間，豁免雇主必須備置在家遠距工作者之出勤紀錄之要件。

### 建議三：允許企業委託第三方機構招募並管理依法所規定該適用的心障障礙者人數

根據《身心障礙者權益保障法》第38條規定，社會企業機構員工總人數在六十人以上者，適用具有就業能力之心障障礙者人數，不得低於員工總人數百分之十，且不得少於一人。企業不得以任何形式影響該等權益保障，並且應積極推行企業社會責任。在此環境下，其中一個潛在的有效方法是企業與社會企業或第三方服務機構合作，雇用身心障礙者並提供良好的職業訓練，確保企業及友善的工作環境。
型態的合作模式使跨國企業得以提供身心障礙者更多工作機會，也符合企業社會參與之義務。

考量台灣以及全球化就業環境的變化，委員會建議修改《身心障礙者權益保障法》或制定行政辦法，允許企業除自行進用外，亦得與第三方社會企業合作，由企業出資，其依法所規定應進用的身心障礙者員額，得以第三方社會企業所聘僱者抵充，滿足企業之法制與要求。如此不只可以使社會企業獲得更多客戶，亦為身心障礙者創造更多的全職工作機會，更可以落實政府照顧身心障礙同胞的美意，打造多贏的局面。

基礎建設與工程設計委員會

蔡英文總統在今（2022）年的地球日公開承諾將加速在2050年以前達到淨零排放的發展進程，並投入氫能、地熱等前瞻綠能的新興技術研發。誠如總統所提，台灣必須採取結構性的調整以加入全球綠能供應鏈，而要達到這個目標必須有公私部門的協力合作。

基礎建設與工程委員會欣見政府對於達成2050淨零排放的決心。我們願意與政府機關一起找到並實踐關鍵的調整以利透過公私協力（public-private partnership）的模式一起為台灣帶來能夠幫助達成目標的科技與技術。

任何能夠幫助台灣達到淨零碳排目標的改變，也勢必能幫助許多基礎建設項目（例如鐵路、電廠及機場）在重疊且緊迫的時間下達成目標。台灣目前的基礎建設計畫，特別是發電廠項目，都期待盡快完工以利台灣確保目前的經濟成長。從今年的停電事件，我們也看到了能源與民間發電廠項目如期完工才能維持台灣對於經濟發展的信心。

今年的白皮書提出的建議，包括如何ある程度地來幫助達成目標的科技與技術。

今年本委員會提出四項建議，主要聚焦在促進公私部門協力，以及允許工程設計與營造公司，協助台灣完成基礎設施計畫的公共與私人大型項目，並為此產業帶來更多創新的活力。雖然過去自白皮書的部主管機有關部門已作出一定進步，仍有許跨部門的支持的建議尚未獲得解決。我們期待政府機關能與委員會成立工作小組，來實踐過去與今年白皮書的建議，幫助使台灣能在工程的時程、成本、安全與品質等多方面受益。

今年本委員會提出四項建議，主要聚焦在促進公私部門協力，以及允許工程設計與營造公司，協助台灣完成基礎設施計畫的公共與私人大型項目，並為此產業帶來更多創新的活力。雖然過去自白皮書的部主管機有關部門已作出一定進步，仍有許跨部門的支持的建議尚未獲得解決。我們期待政府機關能與委員會成立工作小組，來實踐過去與今年白皮書的建議，幫助使台灣能在工程的時程、成本、安全與品質等多方面受益。

今年本委員會提出四項建議，主要聚焦在促進公私部門協力，以及允許工程設計與營造公司，協助台灣完成基礎設施計畫的公共與私人大型項目，並為此產業帶來更多創新的活力。雖然過去自白皮書的部主管機有關部門已作出一定進步，仍有許跨部門的支持的建議尚未獲得解決。我們期待政府機關能與委員會成立工作小組，來實踐過去與今年白皮書的建議，幫助使台灣能在工程的時程、成本、安全與品質等多方面受益。
政府修改契約範本條件使其與國際市場標準接軌、在招標時使用中英文並陳及在投標過程中接納不同方案，協助降低國際企業進入台灣市場的門檻。本委員會也希望與台灣政府合作，一起找出合宜的方法來鼓勵國際公司參與當地的項目，讓台灣能受益於國際企業設計與營造公司的技術與經驗。

建案三：透過公部門協力打造未來港口基礎建設，並增加港口作業的彈性

政府提出離岸風力裝置容量目標於2025年達5.7GW、2035年20.5GW以達能源轉型目的。受到新冠肺炎的影響，其相關工程已有所延宕。再者，產業正面臨塞港及碼頭不足問題，目前的基礎建設無法消化當下的需求。這項挑戰倘若沒有解決，將會影響目前工期的進程。台灣自2000年起施行《促進民間參與公共建設法》，實現「公私協力夥伴關係」，鼓勵民間企業投資興建公共建設，建造更符合需求之設施，有效多元投資資金、在有競爭力情況下降低成本，提供更優質公共服務，同時也可創造一個更安全、在成本、時程與品質上更有競爭力的環境。

3.1 盡速訂定特別辦法，以便港務單位處理台中港第37與38號碼頭的建設時能有所遵循。
3.2 允許港區24小時作業，接軌國際慣例。目前台中港風機陸域物流作業時間僅限每晚6-8小時，加重塞港的問題。
3.3 建置完善的港邊燃油補給設施，或提供足量之燃油駁船，駁船/補給船可以進行風場場域內加油，不需返港加油，提升工程作業效率。
3.4 允許海上清關作業方式，避免非必要性多次裝卸，使港邊作業更為安全。

4.1 公共工程招標之公司建立健康的商業環境
契約範本中有些內容是不公平且責任過重的，將民法第227條第2款納入契約範本即為一例，契約範本之「權利及責任」條款應刪除引用該條文。本委員會非常感謝工業局於修訂技術服務契約範本時納入此建議，然而，我們希望所有契約範本都能如此修訂，尤其是工程採購契約範本，才能與國際慣例接軌。

4.2 增設允許承包商提交契約變更通知的條文
契約範本條款應允許承包商提交變更通知。如同先前的白皮書所解釋，政府的契約範本（技術服務契約範本除外）沒有承包商得因（非承包商所能控制的其他事由所導致之）情況變化而請求調整契約之條款，但政府採購機關卻可要求承包商調整契約。此種僅允許單方提出變更契約的做法既不公平，也與國際慣例背道而馳。

4.3 在採購程序中採用替代方案
允許國際刻商提供符合工程專案需求之替代方案，是國際採購實務常見的做法。然而，目前政府採購招標程序卻並無允許此作法之規定。採納替代方案之機制可使台灣及政府能從國外的工程專案中獲得經驗及創新工法而受益，並經由國際工程設計及建築承商與政府分享這些經驗，從而改善工程成本、進度和品質。

4.4 為了擴大公部門協力帶來的效益，以及增加港口作業的彈性，本委員會提出建議如下。

4.5 加速推動保險業接受創新並提供消費者更便捷及符合其需求的保險服務，仍是本委員會今年持續推動的目標。同時，我們也期待保險業能在接受創新與維持健全風險控管之間取得平衡。

在本（2022）年的白皮書中，我們持續專注在透過電子商務提供簡單創新的解決方案，以更有效率的銷售和理賠流程，來鼓勵大眾增加保障型的保險。再者，持續促進穩健的資產和負債匹配原則，強化保險業的財務穩定性，以及採用建立在風險基礎之上的差異性監理，可以更有保障性地讓保險業者強化內控及風險控管。

此外，為了減少業者在行政作業上以及資源的有效運用，本委員會希望建設未來能減少監理法規變動的頻率，並且在保費及理賠保障中提供更簡便的作業。保險業的數位化已在持續推進中，我們希望能更加速以跟上國際數位化的趨勢。目前的作業流程過繁，甚難滿足客戶在數位時代下的期望。我們相信台灣在這些領域能做得更好，包含：提供更令人滿意的客戶銷售和理賠經驗，減少繁瑣的紙本文件數量，並朝著更環保的營運邁進。另外，為了強化保險業的財務穩定性，確保資產與以原始貨幣計價負債的匹配也相當重要。
建議一：開放更多電子商務銷售管道，推動台灣保險市場現代化與發展

1.1 開放更多類型的保障型保險可於網路銷售，並減少對網路投保的限制。

網路投保為一般大眾提供快速且便捷的保險保障，尤其對現今精通科技的年輕世代而言，其具備了所有快速交易且熱銷的要素。然台灣自2014年開放網路投保以來，人壽保險網路投保市場的成長仍然緩慢。緩慢的成長可歸於幾個因素。首先，能在網路銷售的人身商品類型是受到限制的，而且保險金額亦同樣受限。一些短期期保障型商品，都是適合在網路上銷售的保障型商品，可藉此滿足客戶的其他保險需求，我們期待能持續討論開放此類型商品的銷售及放寬可投保的金額。

其次，當保險公司受到重大裁罰時，無論該裁罰是否與網路投保相關，都會影響網路投保的可投保額度和財務核保的門檻。委員會建議，僅有當發生網路投保相關作業違法時，才影響保額限額和財務核保門檻。

再者，委員會支持改善身分確認的機制，其將有助於降低人身保險商品投保的道德風險。委員會感謝最近能與主管機關討論此議題，並樂見後續進展，並希冀等該等確認機制越臻完備，可以開放更多的人身保險商品透過網路投保進行銷售。

1.2 允許更多保險業作業流程數位化

因應消費者對便利性和快速性的需求，全球企業及政府的漸趨數位化，進而帶動了電子商務的成長。為因應數位化趨勢，我們建議主管機關修正相關保險法規，裨益保險業提供更便利及更高效的客戶服務體驗。例如：關於理賠請求，目前法規僅允許身故保險金及小額的理賠，可進行線上申請，本委員會高度肯定開放更多此類保險得線上申請理賠。另外，委員會亦相信理賠區塊鏈的發展也會對消費者帶來更好的體驗。未來我們亦希冀在能兼顧風險控管及預防詐欺的情形下，持續開放各種產品理賠均能於網路上申請辦理，裨提供更好的客戶體驗及加速賠付作業。

1.3 數位時代下保險業務之重新形塑與生態系之建構

自保險從前聖經時代萌芽開始，直到現代保險業於西元1688年倫敦勞埃德咖啡館而生，保險一直是一種預防損失和減輕風險的服務。保險業「服務」很低調，傳統上，它是一個低參與度、低互動性的行業，因此無法吸引太多市場關注。然而，隨著世界的變化，科技巨擘的引領，科技與商業融合成複雜的生態系，並為成功創造了新規則。同時，COVID-19也加速此轉變，全球生態系網路經濟在未來幾年將至少成長10倍。相比其目前對經濟的貢獻最多為2%，到2030年時，將成長為25%。

保險業逐步導入的數位科技不僅改變客戶的期望，也創建新的生態系。在生態系的推動下，保險業將邁入傳統非保險業務領域，這是大勢所趨。為了使客戶從更佳的避險策略及顧客體驗中獲益，並使保險公司取得更多客戶及提高留存率，保險業開始建立整合「生態系」，業界夥伴利用生態系提供客戶優質服務，期望服務水準可比擬電子商務巨擘。委員會感謝主管機構一直以來支持數位創新，以及在金

建議二：鬆綁或排除全部國外投資之法規限制

推動完備的資產負債管理、投資及風險管理實務作法，對於整體保險業的健全極為重要。這將仰賴於深思熟慮且細緻的投資及風險管理策略。委員會建議可選取其他地區的保險業，採取更先進及具彈性的投資、避險及風險管理的法規，相信這將有利於整體市場的發展。我們期望在未來一兩年內於該方面取得更多進展。

相較於新台幣傳統型保險產品，外幣傳統型保險產品可達成更加適當的資產負債管理（ALM），其原因包括無需承擔匯率風險、較多的優良投資工具可供選擇及較高的市場流通性。目前業界業者外幣傳統型保險產品的總量遠超過國外投資管理制度的限制。此限制已於歷次修訂國外投資管理法規時逐漸放寬，因此應適度再放寬或全部排除此項限制，將可進一步提升保險資產負債管理的完善程度。此外，藉由此類外國投資額度，可提高保險業者更積極參與成熟、多元且高流通性的國際資本市場，亦有助於業者積極創新研發新產品，滿足消費者之多元需求。

建議三：針對不同的行銷通路及不同的商品採取差異化的監理原則

不同的行銷通路及銷售商品類型，對保險公司有不同程度及種類的影響。某些行銷通路注重交易速度和便利性，主管機構通常會對此施加適當的風險控制監管措施，例如在網路行銷及電話行銷中，僅允許有限的產品類型及保險額，以確保風險的管理性。

在這種情況下，把針對網路風險較高的嚴格監管規則應用於風險較低的通路，將會削弱此類通路原本所賦予之快速和便利的功能。該等行銷通路可能產生的風險，與業務員的面對面銷售的風險是不同的，因此，在銷售行為及後續的行政作業上，亦應有不同的監理規範及內控方式。再者，投資型的商品與簡易的保障型商品亦有其本質上的不同，其可能產生的風險亦有所不同，除了消費者的適合度應有所區隔，其他的監理及內控機制亦應有不同。

為了實現有效的監理，委員會建議，應透過風險基礎原則來制定不同的內部控制法規，使保險公司可以根據其所面臨的風險採取相應措施，而保險公司亦依風險基礎原則進行監督和審查。目前就不同的行銷通路及商品，適用不同的主要監理法規，但於相關監理函令中未見此區別。本委員會希冀，在未來的相關監理函令中，主管機構亦能依其差異性做不同的規範及要求。

建議四：減少因法規變動頻率較高而造成各面相負擔

在台灣，保險業受主管機關高度嚴格監管的行業之一。相關法規修改頻率與變率與範圍亦為數眾。任何法規的新增與修訂，皆使保險業者需頻繁調整甚至大幅變動其產品設計、保單條款、商品文宣、資訊系統以及其他實務作法。頻繁的修法不僅導致保險公司的行政工作負擔沉重，且影響其財務預算及業務發展。為確保業界的可持續發展，委員會建議，相關法規的修訂應尊重保險業的實際情況，避免因法規變動頻率過高而造成負擔。
會增加文書工作、成本及資源的耗費。

綜上所述，委員會建議台灣主管機關在執行新法或修法時，應同時考量效率和有效性。舉例來說，同一時期內頒布或修訂的多部法律，均應相同的生效日，而過去六年內頒布的法律或法規，以1月1日與7月1日為生效日。簡化新法的實施流程，得以大幅度減輕保險業因應法令變動的負擔。

委員會肯定台灣過去幾年在智慧財產權保護的進展，以及其在維持台灣國際競爭力扮演之重要地位。委員會認為，政府須持續建置完整及有利的法規環境，為所有權人提供充分的保護。

自出版《2021台灣白皮書》起，委員會倡議的政策議題有所進展，我們尤其感謝主管機關願意與業者進行對話，一起討論相關建議，指導跨部門合作，以加強對醫療產業智慧財產的保護、鬆綁分割申請案的時間限制，以及加審查時之官方覆次數。

委員會強調，智慧財產保護將使各方關係人均可受益。然而，我們卻未在各產業長久討論之議題看到實質進展，例如：在境外網路著作權侵權持續衝擊市場下，台灣的著作權保護有所改善，惟仍缺乏有效打擊海外盜版的行動措施。此外，近期《著作權法》的修法草案中，其過度擴張合理使用範圍及不足的盜版懲罰，尤其使所有權人面臨嚴重風險。

以下係委員會今年提出之建議，希望可增加台灣美國商會會員業者及主管機關之合作，促進雙邊利益。

1.1.1 賦予錄音著作著作人完整的專有著作權

1.1.1.1 按行政院提出之《著作權法》修法草案第26條，音樂（詞、曲）、語文、舞蹈及戲劇均保護著作人專屬之公開演出權，但只賦予「錄音著作」著作人公開演出及再公開傳達報酬請求權（草案第26及26-2條）。一首長度3分鐘的歌是經過唱片公司、製作公司、個人工作室、樂團及歌手數百個小時、幾十個人的創意結晶。但台灣政府長年來忽略了錄音著作的「原創性」，只給予報酬請求權，顯有不公。

委員會建議「錄音著作」應與其他著作享有一樣的「專有權利」公平待遇，並建議比照英國、香港、泰國、汶萊、馬來西亞、澳大利亞及多數歐盟國家之作法，賦予錄音著作完全權利，包括公開演出等專屬權利。委員會建議「錄音著作」應與其他著作享有一樣的「專有權利」，並建議馬尼拉、香港、泰國、汶萊、馬來西亞、澳大利亞及多數歐盟國家之作法，賦予錄音著作完全權利。

1.1.2.1 草案第48條之2第1項之「少量片段」用語定義不明，而且是免費使用，並不妥當。不能因為是政府或非營利典藏機構就可以是合理使用不必付費，但民間許多私人經營之典藏機構卻必須付費取得授權，顯有不公。

1.1.2.2 草案第55條新增非營利性、非經常性、開放空間之合理使用規定不當介入私權行使、干擾著作權利人行使權利，係不合理地妨礙著作權利人合法權益，且例外情形未明確界定，造成過於廣泛的例外情形如下：

1.1.2.3 委員會建議刪除第55條之1家用設備接收再公開傳達之合理使用規定。本條規定將嚴重破壞公開演出及公開上映的使用收費市場。「通常家用接收設備」一詞含糊不清而未明確定義。草案本條規定將讓包括商業利用人在內的所有利用人只需使用通常家用接收設備即可不經授權而使用音樂。本條規定之例外情形，顯然不符與貿易有關之智慧財產權協定（TRIPS）「僅限於特定特殊之情形」的規定。此外，世界智慧財產權組織表演及錄音物條約（WPPT）第15條規定，對於將為商業目的發行的唱片或此種唱片的複製品直接或間接地用於廣播或用於對公眾的任何傳播，唱片製作商應享有合理報酬的權利。草案本條規定明確違背上述WPPT規定。
台灣美國商會長期關注營業秘密保護議題，並自2020年起陸續提出相關建議，欣見台灣政府對營業秘密保護投注之努力及進展。行政院於2022年5月22日通過《國家安全法》修正案（下稱「新法」），將侵害「國家核心關鍵技術」之營業秘密，於該法加重刑罰，反映對於營業秘密之重視。

政府銳意修法以使營業秘密之保護更臻完善，本委員會高度贊同，針對新法相關技術之認定程序，進一步建議如下：

2.1 新法第3條第4項授權國家科學及技術委員會會商「有關機關」，訂定「國家核心關鍵技術」之認定程序及其他應遵循事項之辦法，而新法第3條第3項定義之「國家核心關鍵技術」是指涉及國家安全、產業競爭力或經濟發展之技術，故至少應將經濟部及交通部（並非新法草案之會商機關）列入應會商之機關，並應於制定過程中，依行政程序法之聽證及陳述意見等規定，廣納公眾意見，以符程序之正當，並促進實質規範內容之適當。

2.2 就「國家核心關鍵技術」之具體類型及認定建議由國家科學及技術委員會與有關機關、業界專家（占1/5以上）組成審議委員會進行認定，而得兼顧產、官、學各角度之意見。

2.3 尤其，於「國家核心關鍵技術」認定過程中，除可參考國內外已認定公告之技術外，並應依行政程序法有關聽證及陳述意見等規定，充分聽取、採納相關事業之意見，以求適當、明確，俾能維護國家安全、產業競爭力及經濟發展之所需。另行政院於公告「國家核心關鍵技術」時，應一併公告且通知利害關係人相關之救濟途徑，以符正當程序。

醫療器材委員會

隨著台灣人口高齡化及疾病形態的改變，加速創新產品及縮短產品上市時間是提升人民健康福祉的必要途徑。醫療器材委員會首先感謝食品藥物管理署於COVID-19疫情期間給予廠商文件準備之權宜緩衝措施。會員企業也持續努力研發及推出創新產品，共同守護台灣人民健康。在醫療器材法條構下，上市後監控亦趨嚴謹，委員會相約透過與政府的密切溝通及合作，持續檢視並修訂醫療器材上市過程的問題與困難。

委員會亦敦請主管機關於規劃創新科技產品相關政策規範時，能建立產品市場化之整體發展觀念，延遲核發許可試驗生產許可，以期在確保品質的情況下，早日進入市場。此外，我們期待台灣政府在實施國家智慧醫療技術發展計畫時，能考慮與 Unsure Fire器具技術及設計相關的發展，以及相關法律及規範之調整，以期醫材產業能更順利發展。

委員會感謝國家台灣白皮書產業為什麼建議，政府銳意修法以使營業秘密之保護更臻完善，本委員會高度贊同，針對新法相關技術之認定程序，進一步建議如下：

2.1 新法第3條第4項授權國家科學及技術委員會會商「有關機關」，訂定「國家核心關鍵技術」之認定程序及其他應遵循事項之辦法，而新法第3條第3項定義之「國家核心關鍵技術」是指涉及國家安全、產業競爭力或經濟發展之技術，故至少應將經濟部及交通部（並非新法草案之會商機關）列入應會商之機關，並應於制定過程中，依行政程序法之聽證及陳述意見等規定，廣納公眾意見，以符程序之正當，並促進實質規範內容之適當。

2.2 就「國家核心關鍵技術」之具體類型及認定建議由國家科學及技術委員會與有關機關、業界專家（占1/5以上）組成審議委員會進行認定，而得兼顧產、官、學各角度之意見。

2.3 尤其，於「國家核心關鍵技術」認定過程中，除可參考國內外已認定公告之技術外，並應依行政程序法有關聽證及陳述意見等規定，充分聽取、採納相關事業之意見，以求適當、明確，俾能維護國家安全、產業競爭力及經濟發展之所需。另行政院於公告「國家核心關鍵技術」時，應一併公告且通知利害關係人相關之救濟途徑，以符正當程序。

醫療器材委員會

隨著台灣人口高齡化及疾病形態的改變，加速創新產品及縮短產品上市時間是提升人民健康福祉的必要途徑。醫療器材委員會首先感謝食品藥物管理署於COVID-19疫情期間給予廠商文件準備之權宜緩衝措施。會員企業也持續努力研發及推出創新產品，共同守護台灣人民健康。在醫療器材法條構下，上市後監控亦趨嚴謹，委員會相約透過與政府的密切溝通及合作，持續檢視並修訂醫療器材上市過程的問題與困難。

委員會亦敦請主管機關於規劃創新科技產品相關政策規範時，能建立產品市場化之整體發展觀念，延遲核發許可試驗生產許可，以期在確保品質的情況下，早日進入市場。此外，我們期待台灣政府在實施國家智慧醫療技術發展計畫時，能考慮與 Unsure Fire器具技術及設計相關的發展，以及相關法律及規範之調整，以期醫材產業能更順利發展。

醫療器材委員會

建捍拀:玲窞礚涢ጭ懿蕣

多年的努力，醫療器材產業在œuvre製造業者，17個製造業者從不同事業之產業觀點，延遲核發許可試驗生產許可，以期在確保品質的情況下，早日進入市場。此外，我們期待台灣政府在實施國家智慧醫療技術發展計畫時，能考慮與 Unsure Fire器具技術及設計相關的發展，以及相關法律及規範之調整，以期醫材產業能更順利發展。
藥物管理署常因產品規格型號於各國註冊送審時稍有不同即不採認，然這些差異主要是為了符合各國不同的審查標準，或是區分各司法管轄區（例如歐美）的不同型號。此外，在特定國家，最高主管衛生單位常因行政程序冗長，難以出具製售證明，或又因法定與實質製造業各國認定不同，產生可列或無法列於製售證明等問題。

再者，製售證明提供的資訊僅有廠名、廠址與產品規格型號。廠名及廠址等資訊可藉由品質管理系統驗證，產品規格型號應以原廠出具之文件為主（如授權書以及技術性文件），而非製售證明。

依據目前台灣《醫療器材管理法》規定，僅針對全球首創無類似品者，檢附經中央主管機關進行國外醫療器材製造業者實地查核之報告及在我國進行醫療器材臨床試驗之報告，方可免附製售證明，然能符合此條件的產品甚少，其難度亦甚高。

目前各先進國家及許多亞洲國家在醫材查驗登記時皆不須檢附製售證明，例如美國、加拿大、歐盟、日本、澳洲、韓國、新加坡、馬來西亞、菲律賓及 DEALT。亞洲僅剩中國、台灣、柬埔寨及越南仍維持製售證明的要求。

維持要求製售證明的規範將會延長創新進口醫療器械的上市時間。本會期望能藉由食品藥物管理署的專業審查，有機會讓輸入醫材領先國外得到核准，加速醫療器材在台灣上市，嘉惠國內病患，故建請取消輸入醫療器材查驗登記需檢附製售證明之要求，促進本國法規與國際調和。

建請三：尚未納入給付特材（自費特材）納入健保給付時，應尊重其價值及市場機制

現行「全民健保尚未納入給付特材品項表」皆由全民健保給付審查流程及支付標準共同擬訂會議（共擬會）完成審查程序並公告。若審核狀態為「經審核不納入健保給付」，醫院得據此引進新品，以供民眾在健保給付之品項外，擁有自費使用新醫療科技與器材的機會。

目前健保署給付審查流程，對共擬會影響甚鉅的特殊材料專家小組會議紀錄，自民國102年以後均未於共擬會前，公開於健保署網站。此外，為因應新醫療科及新醫療器材之引進，健保署應進行前瞻性之預算規劃，以加速引進。本委員會提出以下建議：

製藥委員會

近年全球在COVID-19疫情衝擊下經濟衰退，反觀台灣，防疫成效有目共睹，經濟成長率亦高達6.28%，為11年來之最。儘管在經濟成長強勁與前景樂觀的時期，委員會觀察到台灣在創新生醫產業的投資似停滯未有進展，然生醫產業為全球先進國家公認評估國際競爭力的重要因素。在全球供應鏈轉移之際，台灣的國際競爭力令人擔憂。許多鄰近國家持續投資生醫產業並積極與國際交流，但台灣在新的投資及確保台灣患者獲得創新醫療的政策，均處於近年來的最低水準。

委員會為此感到擔憂，提醒政府應採取更大膽的步驟，確保台灣在國際創新生醫製藥價值鏈中的地位。同時，委員會也呼籲政府制定明確且具前瞻性的政策目標，強化國際連結，並與公私部門合作，投入資源在民眾健康，持續改革單一給付之健保體系，嘉惠全民、病患、醫療社群與產業。

建議三：建立公私協力模式，提升台灣在全球生醫創新價值鏈的競爭力

COVID-19疫情顯示，即時取得創新藥品對台灣因應新興流行病極具重要性，達成此目標最佳的方式即為台灣持續積極參與全球創新生醫價值鏈，從新藥研發到提供病患創新藥品。因此，了解台灣生醫產業的優勢與劣勢並努力提高產業競爭力，至關重要。
不設法加速，使醫療體系與病人盡速取得符合國際治療指引的創新藥品，同時建立有利生醫創新研發的環境。然而，台灣卻因為健保新藥與新適應症預算無法穩定成長，使新藥引進速度受到相當大的阻礙。

過去數年，我們持續呼籲台灣應優先強化與國際生醫創新價值鏈的連結。我們敦促台灣應延續既有的生醫人才競爭優勢，縮短在地臨床醫療及新藥資源與國際標準的差距，以創造符合國際標準且有利世界級創新研發的環境。

委員會肯定政府持續改革，積極推動再生醫療三法等有利於生醫創新的法案，但也呼籲台灣應採取更具雄心與魄力的行動，強化並加速新藥可近性與國際接軌，特別是在精準醫療、癌症、基因與細胞療法及其他創新療法等關鍵領域。委員會成員將全力透過公私協作的模式支持政府，提升台灣在全球生醫價值鏈的競爭力。

我們的建議

1. 建立行政院層級的跨部會工作小組，與國際藥廠合作，共同規劃政策藍圖及跨部會預算投入，弭平台灣與國際生醫價值鏈的差距。工作小組成員應包含衛生福利部、經濟部、數位發展部與國家發展委員會等。

2. 以開放、安全、互信為原則，建立公私部門協力模式並凝聚共識，支持台灣推動精準醫療、數位醫療、大數據資料應用等國家核心戰略產業目標。

3. 前瞻性方式編列之新藥與新適應症預算，應優先挹注資源於未滿足之病患需求部分，並與業界定期溝通，改善預算編列方法學。

政府在運用前瞻性掃描方式編列新藥及新適應症預算時，考量資源有限，在預算編列上統一設定2億元上限，忽略「未滿足之病患需求」(unmet medical need)，特別是在癌症與特殊疾病之領域。委員會建議透過與業界溝通及優先分配足夠的資源，以滿足病患需求。此外，在預算編列方法學上，政府也應持續討論及改善。委員會呼籲政府應在年度預算編列之際，定期與本委員會溝通討論，建議於每年1月及3月定期討論，以實質提供年度預算編列之建議。

4. 確保給付協議協商程序及時程的透明度與可預測性，合理協商時間亦有助達成共識

現行制度並未明確規定續約編排之際，定期與本委員會溝通討論，於前年1月及3月定期討論，以實質提供年度預算編列之建議。
4.2 檢視法規以改善現行藥品給付協議的保密性，保障製藥產業之商業秘密

目前藥品給付協議對於續約無法達成共識需有退場機制之規範未臻完善。不論在續約或是退場機制，政府對於業界提供之營業秘密應盡保密義務。至關重要的是，給付協議條款應被視為機密，而非在新談判期間作為協商之籌碼。製藥產業應被允許在給付協議協商及續約時，加入保密和終止條款。

4.3 考慮政府單位認證或採購製藥業者

相應條款。

委員會建議政府應給予合理時間及明確程序，任何新增之協商建議應具備科學及實證性，並提前知會製藥業者評估，以雙方達成共識。

私募基金委員會

私募基金委員會誠摯感謝台灣政府正視《2021台灣白皮書》中委員會提出之議題，付出許多時間及努力，且其落實之多項政策亦已成功吸引企業回台投資。不像香港或新加坡，台灣非僅為金融市場，其更是重要的製造業、供應鏈及創新基地。因此，持續更新修正相關法令，以移除障礙並吸引私募股權基金來台投資及設立業務，至關重要。

我們同時感謝台灣政府正式將私募股權基金納入認可的產業之一。同時，我們希望台灣政府能持續鼓勵國際私募股權基金來台投資，表達對外資的支持。

本委員會亦樂見，政府相關部門已確認政府基金對於另類資產投資(包括私募股權基金)之投資比例不設定上限。雖然實際上投資於私募股權基金之比例，相較於其他投資管道仍相當少。

今年本委員會持續建議政府機關採取相關措施，以促進及吸引私募股權基金在台灣的投資及運作。今年本委員會持續建議政府機關採取相關措施，以促進及吸引私募股權基金在台灣的投資及運作，提供更多類型之投資機會予台灣投資人。增加公共基金對私募股權基金的投資，並透過下列方式促進台灣及國際家族辦公室設立及從事單一及多重家族辦公室的業務：(1)將該等辦公室的活動排除在需要證券投資顧問及證券投資信託執照之證券推介及/或證券管理的範疇之外，及(2) 將該等辦公室視為專業機構投資人(以與例如專業投資人或高資產客戶區別)，以促進台灣家庭財富的有效管理及投資。

今年本委員會亦樂見，政府相關部門已確認政府基金對另類資產投資(包括私募股權基金)之投資比例不設定上限。雖然實際上投資於私募股權基金之比例，相較於其他投資管道仍相當少。

4.3 考慮政府單位認證或採購製藥業者

相應條款。

委員會建議政府應給予合理時間及明確程序，任何新增之協商建議應具備科學及實證性，並提前知會製藥業者評估，以雙方達成共識。

4.3 考慮政府單位認證或採購製藥業者

相應條款。

委員會建議政府應給予合理時間及明確程序，任何新增之協商建議應具備科學及實證性，並提前知會製藥業者評估，以雙方達成共識。
並在金融框架中對家族辦公室進行明確且一致的分類。

另外，目前監理環境不允許在單一家族下，透過不同公司進行家族辦公室活動，並要求需具相關執照，此為不必要且造成極大負擔。我們建議金管會將家族辦公室的發展作為其中、長期金融規劃的一部分，並訂定家族辦公室的具體規範或指引，將其成立及營運作為一個需特別發展的產業，清楚定義其法律地位及應適用的行政程序。

我們感謝金管會肯認，僅於為非特定多數人募集資金或為其提供投資諮詢服務以取得報酬之家族辦公室，才需取得證券投資信託或顧問的相關執照。然而，相關規定仍複雜、不易理解。故政府機關應針對家族辦公室制定明確的規範及指引。

相關新聞報導指出，近期大量資金從香港淨流出，導致2021年出現資本及金融帳之逆差。與新加坡相同，台灣可成為基金管理業新興的亞太區中心。於此目標下，台灣可透過以下各項增加其競爭優勢：

1. 強化吸引並留住具金融專業人才之能力；
2. 發展跨境交易所需之基礎設施，包括法律、會計、顧問、槓桿融資及其他公司服務。特別是，台灣的銀行以往較難在國內找到良好的風險回報之貸款機會，其藉由與私募股權公司之融資合作，現已獲有較多利潤。

我們的建議：
肝癌及HPV引起的癌症為少數可透過疫苗及治療病毒感染而預防的癌症，政府應制定國家防治政策如下：

1.1 政府應依循國家C肝消除政策，制定一個完整的國家B肝防治政策，包含篩檢、衛教及治療B型肝炎整體規劃；同時，D型肝炎病毒需藉助B型肝炎病毒的結合才有傳染性，透過國家B型肝炎防治政策，也可同時有效防治D型肝炎，達到全面肝炎防治之目標，降低國人罹患肝癌的風險，並協助台灣達成世界衛生組織的滅除肝炎目標：於2016年至2030年降低感染率95%及死亡率65%。

1.2 台灣公衛政策應與國際趨勢接軌，建議制定國家消除HPV引起口咽癌在內之六癌一病政策，並成立國家級消滅HPV相關癌症辦公室，統籌資源將消除HPV列為下一波防治癌症威脅目標。

我們的建議：

全球在COVID-19新冠疫情衝擊之下，顯現公共衛生政策對各國政府之重要性。除了持續穩定疫情之外，公共衛生委員會特別感謝台灣政府於消滅C型肝炎方面採取具體的國家政策與行動，並獲得顯著成效。

為讓台灣在後疫情時代能持續於全球發揮影響力，本委員會建議台灣政府亦能重視以下公共衛生議題，並列為未來國家政策方針。

建議一：落實「預防、篩檢、治療」黃金三步驟，有效降低病毒引起之癌症發生率

根據衛福部2021年發表的國人十大死因，癌症連續39年高居第1位，政府將降低癌症死亡率列為重要公共衛生政策。『世界衛生組織』（WHO）指出：30～50%的癌症是可以預防的，除了不健康飲食、不良生活習慣外，病毒感染（B、C型肝炎及人類乳突病毒（HPV））亦為導致癌症的重要危險因子。

根據衛福部的資料顯示，台灣每年約有1萬人被診斷罹患肝癌且有7,700人因肝癌死亡，高居癌症發生率第5名及死亡率第2名。病毒性肝炎是造成肝癌的主因。雖然自2003年開始健保給付B肝治療，但仍有70%的肝癌死亡與B型肝炎相關，顯示B肝的防治仍有努力之空間。依據預測模型的研究顯示，無論依據台灣專家的何種建議，只要早期治療B型肝炎，就可以有效降低肝癌及因肝病而死亡的發生。

HPV感染除導致女性癌症如子宮頸癌、陰道癌、外陰癌外，更與口腔癌、肛門癌、陰莖癌等男性癌症相關，以及復發率極高的生殖器疣。透過HPV疫苗兩性接種並輔以篩檢策略以達消除子宮頸癌及頭頸癌等相關癌症，已是亞太地區、歐盟，及美德英澳等40國所建議及採行之重要公衛政策。台灣雖於2018年底實施國一女生公費接種HPV疫苗，但仍未有明確的兩性疫苗接種策略及時程表。

2.1 台灣公衛政策應與國際趨勢接軌，建議制定國家消除HPV引起口咽癌在內之六癌一病政策，並成立國家級消滅HPV相關癌症辦公室，統籌資源將消除HPV列為下一波防治癌症威脅目標。

建議二：因應後疫情時代，超前部署國家預防接種及感染管制政策

委員會肯定政府因應新冠疫情，快速採取行動並投資疫苗採購，此超前部署使台灣成為全球抗疫模範，經濟逆勢成長。後疫情時代，委員會呼籲政府即刻部署預防接種資源及疫情管制，以續防疫佳績。

2.1 法定傳染病疫苗預算不足，排擠常規疫苗

衛福部將增加250億預算採購新冠疫苗，但因整體疫苗
預算不足，導致排擠常規疫苗，例如「傳染病防治諮詢會」建議擴大公費接種65歲以上民眾施打肺炎鏈球菌與幼兒輪狀病毒疫苗，卻因預算不足而延宕多年。依據疾管署之「充實國家疫苗基金及促進國民免疫力第一期計畫」，政府補助的疫苗基金應達60%，然自2018年起卻只增撥款30%；由於新設疫苗基金部分則因吸菸人口減少及競爭分配，使疫苗基金陷入窘境。

2.2 新興傳染病侵襲，國內感控尚未部署到位
WHO及美國CDC先前示警：新冠疫情已加劇全球抗微生物製劑抗藥性(AMR)的威脅。根據疾管署抗藥性監測系統，近十年國內多項抗藥性細菌比例上升，而據衛福部資料顯示，若台灣未能妥善控制AMR，2050後每年恐有3.3萬人死亡。委員會呼籲政府借鏡英美等國，積極制定國家級抗生素政策目標，及早部署以因應AMR危機。

2.3 醫院評鑑條文未明列院內感染預防措施，難以標準化
研究顯示，COVID-19患者有較高呼吸器相關肺炎(VAP)發生率，且死亡率達42.7%。VAP相關耗材多仍重複使用，然滅菌不完全之重複式耗材，可能使患者暴露於感染風險，增加住院天數及抗生素使用，亦增加醫療支出。該情形並非台灣獨有，事實上，美國FDA曾指出，因缺乏調查，受污染醫療耗材引起之院內感染的實際數量是被嚴重低估。

我們的建議：
委員會建議政府立即部署疫苗資源及制定感控政策，使台灣能於後疫情時代延續新冠肺炎防疫的成果。

2.4 加強防範骨鬆骨折之疾病教育
骨質疏鬆症為高齡國人第四盛行的慢性病，僅次於常見的三高疾病(高血壓、高血糖及高血脂)，為一種無明顯症狀的「無聲疾病」。許多骨質疏鬆症患者因此延誤診斷及治療，導致嚴重失能或死亡。

在台灣，骨鬆骨折發生率是亞洲最高、全球排名第九。這些病患中，一年內死亡率高達24%，八成的患者因此失能而需要長期照護。男性骨鬆骨折的醫療費用更遠高於女性。

我們的建議：
3.1 加強心血管疾病篩檢與風險評估，推動預防保健
WHO指出80%的心血管疾病是可預防的，應及早因應。目前疾病診斷率仍不佳，例如高血脂症僅52%，年輕族群不到四成，檢查檢驗和醫療的銜接機制未臻完善。

委員會建議參考日本及韓國的做法，降低成人健檢年齡自40歲至20歲，利用預測工具，依風險分級採取不同預防措施，透過行為改變和藥物介入等，達成控制目標。

4.2 充實預算，優化國家防治計畫
有鑑於心血管疾病影響人數龐大、台灣快速高齡化，政員會建議政府小規模試辦疫苗部分補助，逐步解決財源困境。

我們的建議：
4.1 加強防範骨鬆骨折之疾病教育
建議將傳統慢性病防治的三高觀念拓展為「三高一低」(低骨密度)，並在國健署健康九九網站增列「骨鬆與骨鬆骨折衛教」，透過在相關手冊中增列骨質疏鬆風險評估工具，並提供增肌保骨(增加肌肉質量和保持骨密度)防護教育。藉由落實診斷及治療引導，減少骨鬆骨折導致的失能風險與照護負擔。

我們的建議：
4.2 充實預算，優化心血管疾病國家防治計畫
心臟疾病高居台灣死因第二名，除佔年度健保支出10%，若加上失能損失及生產力損失，預計每年社會負擔接近1700億台幣，若未積極行動，將對我國公共衛生及社會經濟帶來極大負擔。

我們的建議：
4.1 加強心血管疾病篩檢與風險評估，推動預防保健
WHO指出80%的心血管疾病是可預防的，應及早因應。目前疾病診斷率仍不佳，例如高血脂症僅52%，年輕族群不到四成，檢查檢驗和醫療的銜接機制未臻完善。

委員會建議參考日本及韓國的做法，降低成人健檢年齡自40歲至20歲，利用預測工具，依風險分級採取不同預防措施，透過行為改變和藥物介入等，達成控制目標。

4.2 充實預算，優化心血管疾病國家防治計畫
有鑑於心血管疾病影響人數龐大，台灣快速高齡化，政員會建議政府小規模試辦疫苗部分補助，逐步解決財源困境。

我們的建議：
4.1 加強心血管疾病篩檢與風險評估，推動預防保健
WHO指出80%的心血管疾病是可預防的，應及早因應。目前疾病診斷率仍不佳，例如高血脂症僅52%，年輕族群不到四成，檢查檢驗和醫療的銜接機制未臻完善。

委員會建議參考日本及韓國的做法，降低成人健檢年齡自40歲至20歲，利用預測工具，依風險分級採取不同預防措施，透過行為改變和藥物介入等，達成控制目標。

4.2 充實預算，優化心血管疾病國家防治計畫
有鑑於心血管疾病影響人數龐大，台灣快速高齡化，政員會建議政府小規模試辦疫苗部分補助，逐步解決財源困境。

我們的建議：
4.1 加強心血管疾病篩檢與風險評估，推動預防保健
WHO指出80%的心血管疾病是可預防的，應及早因應。目前疾病診斷率仍不佳，例如高血脂症僅52%，年輕族群不到四成，檢查檢驗和醫療的銜接機制未臻完善。

委員會建議參考日本及韓國的做法，降低成人健檢年齡自40歲至20歲，利用預測工具，依風險分級採取不同預防措施，透過行為改變和藥物介入等，達成控制目標。

4.2 充實預算，優化心血管疾病國家防治計畫
有鑑於心血管疾病影響人數龐大，台灣快速高齡化，政員會建議政府小規模試辦疫苗部分補助，逐步解決財源困境。

我們的建議：
4.1 加強心血管疾病篩檢與風險評估，推動預防保健
WHO指出80%的心血管疾病是可預防的，應及早因應。目前疾病診斷率仍不佳，例如高血脂症僅52%，年輕族群不到四成，檢查檢驗和醫療的銜接機制未臻完善。

委員會建議參考日本及韓國的做法，降低成人健檢年齡自40歲至20歲，利用預測工具，依風險分級採取不同預防措施，透過行為改變和藥物介入等，達成控制目標。

4.2 充實預算，優化心血管疾病國家防治計畫
有鑑於心血管疾病影響人數龐大，台灣快速高齡化，政員會建議政府小規模試辦疫苗部分補助，逐步解決財源困境。

我們的建議：
4.1 加強心血管疾病篩檢與風險評估，推動預防保健
WHO指出80%的心血管疾病是可預防的，應及早因應。目前疾病診斷率仍不佳，例如高血脂症僅52%，年輕族群不到四成，檢查檢驗和醫療的銜接機制未臻完善。

委員會建議參考日本及韓國的做法，降低成人健檢年齡自40歲至20歲，利用預測工具，依風險分級採取不同預防措施，透過行為改變和藥物介入等，達成控制目標。

4.2 充實預算，優化心血管疾病國家防治計畫
有鑑於心血管疾病影響人數龐大，台灣快速高齡化，政員會建議政府小規模試辦疫苗部分補助，逐步解決財源困境。

我們的建議：
4.1 加強心血管疾病篩檢與風險評估，推動預防保健
WHO指出80%的心血管疾病是可預防的，應及早因應。目前疾病診斷率仍不佳，例如高血脂症僅52%，年輕族群不到四成，檢查檢驗和醫療的銜接機制未臻完善。

委員會建議參考日本及韓國的做法，降低成人健檢年齡自40歲至20歲，利用預測工具，依風險分級採取不同預防措施，透過行為改變和藥物介入等，達成控制目標。

4.2 充實預算，優化心血管疾病國家防治計畫
有鑑於心血管疾病影響人數龐大，台灣快速高齡化，政員會建議政府小規模試辦疫苗部分補助，逐步解決財源困境。
此外，如委員會以往的建議，台灣相關法制需與貿易夥伴國際接軌，以促進國際貿易利益及保護國內消費者權益。

建議一：促進產官學界合作，加速產業製品審查效率

現行台灣衛生福利部食品藥物管理署（下稱：「食藥署」）設置之「食品廣告標示審查諮議會」（下稱：「諮議會」）每年召開數次諮議會，審議食品產品宣稱之適法性，並由「食品安全、營養學、醫學、法律、人文社會領域」等學者專家擔任審查委員，按《食品廣告標示審查諮議會設置辦法》第8條規定：本會開會時，「得視需要」，邀請相關專家學者、機關代表及食藥署相關單位列席。

由於學者專家來自不同專業領域，其於諮議會擔任審查委員或受邀列席，能判斷產品宣稱（即一般營養素或食品特定成分可敘述之生理功能例句）是否有不實、易生誤解或宣稱醫療效能之情形（如具醫療效能應視同為藥品）。惟該程序忽略一重要利害關係人，即一般營養素及食品特定成分之例句建議之申請公司。

一般營養素及食品特定成分之例句建議的核准率極低，顯示現行程序未臻完備，食藥署於2018年設置相關申請程序，並且收到很多產品宣稱申請案，總體核准率卻不到5%。此外，諮議會對申請案亦未提供充足的決定理由，申請人日費時研究蒐集資料，得此回覆恐難信服。

委員會敦請食藥署就產品宣稱核駁程序，應給予學者、業界及政府部門意見交流之機會。我們亦建議產品宣稱申請人應得受邀參加會議，且提案申請人得於例句建議流程中回應諮議會詢問，提供進一步相關說明或佐證，或可降低審查委員之疑慮。如申請案遭駁回，業界代表亦可更了解審查委員的意見，日後或可降低申請案駁回的情形。

加熱功能普通銷售計為食品，將有利消費者大眾理解各種營養素及食品特定成分之功能，此為產官學界三方共贏。

建議二：刪除嬰兒與較大嬰兒配方食品查驗登記須提出國外廣告證明之要求，並開放與食品業共同舉辦食品網路通路販售

委員會感謝食藥署參考我們在2020及2021白皮書之建議，請求刪除「特定疾病配方食品」檢附無人種差異資料證明之要求，並於去年12月公開《食品與相關產品查驗登記及許可文件管理辦法》（下稱：「查驗登記辦法」）之修正草案初稿已規劃納入。委員會期盼食藥署在今年能針對此議題完成相關法規之修訂。

針對嬰兒與較大嬰兒配方食品的查驗登記，本委員會今年建議刪除「台灣特有」之國外廣告證明之要求或試用報告之要求。

依2019年4月公布之查驗登記辦法修正條文，針對特殊疾病配方食品之營養均衡完整配方食品，無需提供國外廣告證明之要求或試用報告之要求。針對嬰兒與較大嬰兒配方食品之查驗登記，本委員會今年建議刪除「台灣特有」之國外廣告證明之要求或試用報告之要求。

建議三：制定與時俱進的食物標示法規

3.1 隨著食品科技之提升，許多健康的營養素，例如維生素、礦物質及蛋白質等，已被製成可被系統性營養素，以滿足特殊需求，例如提升兒童或因疾病或其他特定身體狀況而飲食低下者之食物攝取量。因此，食品能否營養是全食物型外型條件就完全不得為營養宣稱，我們相信有再思考的空間。

為避免限制消費者的選擇和食品產業的發展，法規中關於禁止食物營養成分宣稱之規定，應基於對人體健康有負擔的營養素的含量及飲食比率考量，而非產品的形狀或分類。委員會建議主管機關修改相關法規，例如：

- 建議：採用聯合國糧農組織與世界衛生組織（FAO/WHO）《食品營養成分標示應遵行事項》等，跟上目前食品科技的進展。
- 建議：依《食品安全衛生管理法》第22條第1項第9款規定，食品及食品原料之容器或外包裝，應以中文及通用符號，明顯標示含基因改造食品原料。為保障消費者知的權利及選擇的權利，若產品中完全無基因改造成分，應允許其標稱「不含基因改造原料」，「GMO FREE」或同義詞語。雖然目前法規僅對禁止使用，但食藥署並未禁止在相關產品使用該標示。目前諸如美國、德國等歐盟國亦允許廠商在無實在（false）或誤導（misleading）下標示「不含基因改造原料」、「GMO FREE」或同義詞語，台灣亦應跟進。
- 建議：依規統一，規定所有中藥材，應於標示 Connecting見寫明之。見於載藥材本屬食藥兩用，乃屬既可作為食品使用，亦可供作中藥藥品使用的品項，此係與西藥藥品本質上之不同，「中藥藥品」僅不過為「中藥材」所得被製作或使用的方式之一。然而目前中藥材在規範以及法律體制上定位的混亂，皆肇因於中藥材同時由不同行政單位管理規制。食藥署本即依《食品安全衛生管理法》第15-1條申請，將中藥材申請上市前需執行相關規範之修訂。}

3.2 依規統一，規定所有中藥材，應於標示 Connecting見寫明之。見於載藥材本屬食藥兩用，乃屬既可作為食品使用，亦可供作中藥藥品使用的品項，此係與西藥藥品本質上之不同，「中藥藥品」僅不過為「中藥材」所得被製作或使用的方式之一。然而目前中藥材在規範以及法律體制上定位的混亂，皆肇因於中藥材同時由不同行政單位管理規制。食藥署本即依《食品安全衛生管理法》第15-1條申請，將中藥材申請上市前需執行相關規範之修訂。
委員會持續尋找各類可行方案，以解決此長期影響食品安全的問題。問題的關鍵在於《煙酒管理法》第32條明文規定，用於銷售的包裝酒類產品上必須加註批號—用以標示在特定時間、特定生產線上所生產之產品數量的編號。又《消費者保護法》第9條強調了政府執行食品標示法規的責任。

行政院於2月8日宣布開放日本福島核災食品進口台灣，食藥署明確指出，針對福島五縣市進口食品，我方將針對相關食品要求商品必須明確標示原始產地，且衛福部每日公告檢驗結果，包含查驗產地證明以及輻射檢驗報告。政府以上作為，皆顯示其保障人民安全的決心，很遺憾的是相同食安考量並未對酒類產品一視同仁。

市場上的酒類產品一旦出現了任何問題，就可以利用原始產製批號，有效追蹤並召回產品，保護消費者的利益和安全。然而部分平行輸入商則是持續移除原始的批號，改用自行編列的序號，而這樣的序號並未提供產品溯源所需的資訊。而財政部，監管酒類銷售的主管機關，卻從未進行相關檢查或對於違規者處以行政罰鍰，要求加註批號的法律亦未獲得充分落實。

要求採用批號係遵循國際慣例。事實上，有許多國家都要求使用相關標示。根據財政部從台北外貿辦事處取得的資訊，英國、歐盟（包含法國及義大利）與加拿大政府，均要求酒類產品加註批號。歐盟第2011/91/EU號指令更明確要求所有歐洲酒類在產品外觀上顯示原製造商的批號。另外，部分官員誤以為英國海關核發的蘇格蘭威士忌酒酒精及原產地證明書（C&E 94J）可以以取代批號的功能。C&E 94J只是貿易認證形式，並不屬於酒類產品包裝的一環。因此，它的功能並不能取代批號，也無法作為來源可追溯，而達到保護消費者健康安全的目標。尤有甚者，過去也曾發生過進口名牌酒類產品的C&E 94J遭到偽造的案例。

建議五：禁止於面市販售遭移除或變造原始產製批號之酒類產品

變化成為2050年淨零碳排的目標。委員會今年亦企盼政府為企業訂定更多獎勵措施，促進塑膠回收再利用與其他專案，充分運用循環經濟的優勢。

建委會今年亦企盼政府為企業訂定更多獎勵措施，促進塑膠回收再利用與其他專案，充分運用循環經濟的優勢。
口與經濟成長的最大推手。

與此同時，由於產能不足與供需失衡，全球面臨晶片短缺的嚴峻挑戰，因此許多國家意識到晶片自主化的重要性，欲積極打造本土晶片供應鏈，企業也持續積極尋求有效的解決方案，以及滿足客戶供貨需求。

委員會相信台灣在緩解現下全球晶片短缺及庫存不足的問題上，能發揮關鍵作用。然而，我們亦注意到一些可能對台灣產生負面影響的挑戰，包含與國際規範不符且過於嚴格的貿易法規，在地半導體產業對更多高品質與多元化人才的需求不斷增高，以及台灣當前能源環境的穩定性是否足以保障產業的永續發展。

為解決上述挑戰並強化台灣半導體產業的競爭力，委員會提出以下建言。

建議一：簡化或取消《毒性及關注化學物質管理法》（TCSSCA）用於研究和開發的新化學物質註冊程序

半導體技術的進步奠基於材料、設備和製程的創新。舉例而言，台灣積體電路製造股份有限公司（台積電）最先進的技術節點「5奈米」，採用極紫外（EUV）光刻工具，運用13.5奈米波長在矽晶片上創建納米特徵，用於大規模生產集成電路，因此，極紫外光刻的材料創新對於5奈米芯片的大規模生產至關重要。國際和國內的材料公司皆有持續新化學材料的進口需求，以供台灣的半導體製造商進行研發與評估。

然而，延遲進口這些材料可能會危及台灣半導體產業的競爭力。根據《毒性及關注化學物質管理法》（TCSSCA）的規範，新化學物質的註冊程序平均需要3至4個月。由於研發評估程序需分為多個階段，亦無法保證一審即成功，冗長的註冊程序將嚴重延遲先進技術的開發。

現行規範下，僅有研究中心及大學得以被允許簡化新化學物質的註冊程序，所有由材料公司進口及供應給製造商的材料，無論是出於研發或其他目的，都必須經過正常的註冊程序。

有鑒於晶片製造商為研發評估進口的初始材料量通常遠低於每年一公噸，委員會強烈建議政府豁免台灣為研發目的進口的新化學物質的註冊程序（不超過兩週）。

建議三：擴大人才庫，保持產業競爭力

適當的高素質人才是半導體產業持續增長與技術進步不可或缺的因素。愛森哲研究指出，半導體產業中對高素質人才的需求將會不斷增高。根據Strategy&研究，台灣的半導體產業目前正處於第二階段，即事業成長期，必須持續吸引和保留高素質人才。

を

3.1 創造支持多元、公平及包容（DEI）的工作環境：創造多元共融的工作環境，有助於半導體產業吸引更多人才。委員會鼓勵政府與產業合作，設計多元、公平及包容的工作環境，以吸引人才。

3.2 延攬外籍人才來台：委員會建議政府與產業合作設計全新的外籍人才引進政策，以便吸引更多外籍人才。

3.3 鼓勵更多產學合作：

"...

3.3 鼓勵更多產學合作：

"...

3.3 鼓勵更多產學合作：

"...

3.3 鼓勵更多產學合作：
行政院國家資通安全會報於2021年2月發布新一期的「國家資通安全發展方案」，作為未來四年推動資安防護策略與計畫之依循目標。委員會對於政府為打造堅韌安全的智慧國家，在資安上積極推動各項政策表示肯定，特別是建構智慧安全聯網，強化供應鏈安全管理，聚焦資通資訊產品安全性，及健全SGT通資安管理法規等各項政策目標。

其中，委員會注意到政府計畫成立國家級晶片安全檢測實驗室，目前正研擬台灣的晶片安全檢測規範及研發晶片攻擊檢測工具。這些計劃已在籌備草擬階段，但現階段相關政策的資訊仍相當有限。由於晶片資安議題具高度敏感性，國際標準組織也持續發展資安標準或指導原則，委員會提出以下建議：

• 在制定這些重要標準或原則時，政策制定者需研究國際資安標準，確保公平、公開且由產業界主導的標準制定流程，以及建立與國際接軌的諮詢機制。

• 除了透過在地產業公協會平台提供意見外，政府也應發布英文版之晶片安全標準草案或資安檢測規範，並時透過台灣美國商會半導體委員會分享相關資訊與各項進展，讓外國企業亦有機會參與政策制定過程，並提出意見。

台灣擁有全世界最完整的半導體生態系，也在全球資通訊供應鏈中佔有關鍵地位，制定與國際接軌的晶片資安規範和標準，能讓台灣在全球半導體供應鏈的地位更加穩固。

建議四：確保半導體供應鏈安全管理措施及晶片資安標準與國際接軌。

稅務委員會

Omicron疫情的持續延燒，加上俄國及烏克蘭戰爭造成國際情勢緊張，已使供應鏈產生斷鍊之危機，並造成物資短缺之現象。面對這種環境之變數，人才也開始思考何去何從，造成企業人力吃緊之窘境。據此，台灣政府應考慮整體人才發展方向，包含如何吸引外國人才，簡化行政程序，並營造一良好的商業及稅務環境，以吸引資本投資。

稅務委員會

建議一：考量提供持有就業金卡之外國專業人才可免經

• 雇主申請工作許可，亦得適用外籍專業人士租稅優惠之可行性

雇主如擬聘用符合《外籍專業人士租稅優惠之適用範圍》之外籍專業人士，必須依《就業服務法》等相關規定申請工作許可，方可聘用外籍專業人士為其從事專業工作，且可依規定減免所得稅。此外，國外特定專業人才依《外籍專業人才延攬及僱用法》等相關規定，可向內政部移民署申請報名併合之就業金卡，具備在台工作之權限。若非工作所得或投資所得者，可依規定減免所得稅。目前，台灣的資安標準與國際接軌，也為台灣的半導體產業帶來更大的競爭優勢。
轉給買方，仍視為銷售已完成」。如台灣採納類似規定，則
稅捐機關可以依法責任交易的貿易條件，客觀地確
定銷售完成地點，以決定課稅權。

然而，境內電子商及非境內電子商銷售及授權電子軟體，其
商品性質及授權內容等交易條件不因銷售管道而有重大
之差異，但稅負卻大相逕庭相差3倍以上（20%與6%之
差異），此應非立法者之本意，故建議放寬認定原則
第15-1條納入電子軟體之對價。

### 科技委員會

COVID-19 疫情使全球經濟面臨嚴峻挑戰，然台灣2021
經濟成長率高達6.28%，為十幾年來最高，科技委員會肯定
台灣政府去年的努力。隨著世界進入後疫情時代，科技產業
將運用政府奠定的基础，持續引領經濟成長。我們將持
續與政府合作，開放解決產業面臨的關鍵議題。

### 建議一：修訂《個人資料保護法》，兼顧產業發展與個人資
料保護

委員會認為政府持續推動《個人資料保護法》之修訂進
展，並擴大專家意見。本議案持續受到美國商會與委員
會之高度關注，故就相關議題，科技委員會重申建議如下：

- 維持現行《個人資料保護法》第21條規定之條件跨境
資料傳輸模式。允許在不違反第21條規定的前提下，
自由傳遞資料。
- 成立隱私及個人資料保護之專責機構。該機構應統籌
主管個人資料保護之規範與措施，並對個人資料保護
議題有最終決策權，且該機構應採取透明、開放的機
制及大眾溝通。
- 建議《個人資料保護規則》（General Data Protection
Regulation, GDPR）兩年過渡期，減低業界因應合規
上的衝擊，《個人資料保護法》修正案生效實施前，
亦應有相同之過渡期。

### 建議二：適用國際或區域為認可之標準或規範評估政府採
購資訊產品和服務之資安風險，持續提供明確的資安準則

委員會理解台灣政府對境外網路威脅的關切，以及加強
資安防護所做的努力。然近期政府對資訊產業採購所採行
之資安防護措施，似偏好採取事前檢驗手段。然而，許多先
進國皆接受資安國際認證（例如ISO及IEC）認可產品資
安，與台灣政府不同，其僅要求於政府採購前，「需由廠
商提交軟體原始碼或相應的二進制代碼(Android:APK
檔，iOS:IPA檔)等重要營業秘密進行類逆向工程分析與檢
驗」。委員會建議政府審酌必要性及比例原則綜合考量適當
措施，而非僅採事前檢驗之高度管制作法。
此外，主管機關所適用之檢驗規範及檢驗機構，除適用本國規定及認可機構外，建請併行納入廣為接受之國際或區域規範。並且，相關國家之檢驗機構除適用本國規定及認可機構外，建請併行納入廣為接受之國際或區域規範，且接受國際或區域認可機構所提供之認證，此舉可扶植本土廠商拓展國際市場，降低或減免國際廠商投資台灣之法規門檻，節約雙方成本與提升行政效率。同時，揭露更多資安訊息，廠商營運秘密洩漏之風險亦有同步增加之虞，建請資安檢驗機構也有完整的控管機制。

另，雖國際現代資安防護態勢並不以資通訊產品之原產地等單一要素以直接判定某資通訊產品之資安風險，查《資通安全管理法》限制機關使用來自高風險國家之資通安全產品，《政府採購法》亦限制機關使用特定原產地之資通訊產品。查非屬禁止國家廠商之國內外廠商若於禁用之原產地設廠生產，即使產品無原產地之限制，亦有連帶影響台灣資安之虞。委員會建請負責監督政府採購法執行與採購模型設立之公共工程委員會，參考《政府機關雲端服務應用資安參考指引》（草案），建議資安檢驗機構也有完整的控管機制。

3.2 公部門採用雲端服務相關建議

- 公部門採用雲端服務使用規範，制定單一簡易的法規：委員會建議政府於推動數位轉型時，建請制定單一簡易的雲端服務使用規範，並於雲端服務使用規範中明定各欄位之使用方式。
- 建請智慧城市推動單位負責建立數位转型相關資料庫，併於數位轉型策略中納入雲端服務使用規範，並於相關會議中強調雲端服務使用規範的重要性。

3.3 金融機構採用雲端服務相關建議

- 建議金融機構於採購雲端服務時，應考量雲端服務之資安風險，並於採購雲端服務時，建請採購單位於採購過程中強調雲端服務之資安風險。
- 建議金融機構於採購雲端服務時，應考量雲端服務之資安風險，並於採購雲端服務時，建請採購單位於採購過程中強調雲端服務之資安風險。
- 建議金融機構於採購雲端服務時，應考量雲端服務之資安風險，並於採購雲端服務時，建請採購單位於採購過程中強調雲端服務之資安風險。
- 建議金融機構於採購雲端服務時，應考量雲端服務之資安風險，並於採購雲端服務時，建請採購單位於採購過程中強調雲端服務之資安風險。
3.4 加速遠距醫療結合雲端與智慧科技之應用：疫情期間，遠距醫療的發展可謂醫療業結合雲端與智慧科技應用的成功案例。為利雲端與醫療產業深化合作，與會提出以下建議：

- 鬆綁遠距醫療的法規限制：放寬《醫師法》第11條限制遠距醫療僅能於山地、離島、偏僻地區或有特殊、急迫情形之規範，讓遠距醫療的適用更為全面普及。
- 調整電子處方箋與藥品監管障礙：調修處方、用藥等一系列醫療行為等法規，實現遠距醫療的願景。
- 加速突破虛擬健保卡之限制：政府應就線上領取處方箋及批價付款等功能研議解方，以提供完善之線上一站式服務。

建議四：開放6 GHz全頻段作為Wi-Fi 6E免執照使用

本委員會感謝交通部持續關注6 GHz全頻段（9525-7125 MHz）作為Wi-Fi 6E免執照使用。我們建議主管機關應加速開放6 GHz全頻段，讓頻譜資源發揮最大效益。目前台灣在中頻段已透過釋照提供了部分的5G商用頻譜，Wi-Fi與5G行動網路具互補作用，可支持5G行動流量卸載，提升電子商務在5G佈建的效率，降低消費者使用成本，提升產業競爭力，對台灣的消費者、電信商、資通訊產業將創造三贏。

建議五：培育國內外專業人才，解決產業人力缺口

建議六：創建輔導與獎勵機制

台灣政府除以實現創新、包容、永續之智慧國家為目標，近期亦正式公布「台灣2050淨零排放路徑」，透過打造具競爭力、循環永續、韌性且安全之各項轉型策略，促進經濟成長、帶動民間投資、提升社會福祉及推動數位轉型。

台灣政府除以實現創新、包容、永續之智慧國家為目標，近期亦正式公布「台灣2050淨零排放路徑」，透過打造具競爭力、循環永續、韌性且安全之各項轉型策略，促進經濟成長、帶動民間投資、提升社會福祉及推動數位轉型。

建議一：提升台灣5G應用與發展環境

台灣政府除以實現創新、包容、永續之智慧國家為目標，近期亦正式公布「台灣2050淨零排放路徑」，透過打造具競爭力、循環永續、韌性且安全之各項轉型策略，促進經濟成長、帶動民間投資、提升社會福祉及推動數位轉型。為達上述目的，健全與完善的通訊環境勢必是各產業數位轉型之關鍵。
投資意願。因此，委員會建議於數位發展部成立後，應盡速建立輔導與獎勵機制以鼓勵電信產業發展。此外，為確保產業擁有足夠資源，其編列預算應至少等同於行政院國家科學技術發展基金業之預算數額。

1.2 促進市場公平競爭

無論是 B5G、6G 或是低軌衛星業者提供的通訊服務，亦或是專頻專網提供近似 5G 的垂直應用服務，均已與目前之電信服務業者產生競爭。然而，現有的監理機制仍對類似的服務採取不同的管制，實不利產業之公平競爭。因此，我們建議台灣政府應調整管制政策，以正確反映現況。舉例來說，提供近似電信服務之業者，均應適用《電信管理法》及相關法規。

1.3 強化電信產業競爭力

目前國際大廠紛紛進入台灣市場發展或尋求合作對象，其事業規模甚大於台灣的資通訊業者。台灣政府若要鼓勵資通訊業者投入 5G 創新應用服務，甚至與外商合作，以增加競爭力，實應提供更多資源。因此，委員會重申去年台灣白皮書之建議，政府應透過修訂《產業創新條例》及相關法規，延長可申請投資抵減優惠時間至十年，提高可申請投資抵減稅額至新台幣一百億元，以反映台灣產業現之需求。

1.4 降低電信事業建設及營運成本

為友善且服務價格合理的先進網路環境是吸引國外投資的必要條件，而台灣的頻譜及網路建設成本之高，實不利此條件之成就。為提升台灣電信網路環境之競爭力與吸引力，政府應減收 4G 頻率使用費與免收 5G 頻率使用費。此外，政府亦應修訂《促進民間參與公共建設法》及《獎勵民間參與交通建設條例》等規範，納入電信業者得享稅賦減免與融資之優惠，以及修訂《電業法》及相關法規，納入投入與公共建設、具公益性質、及弱勢團體之電信業者得享電費半價優惠或電費補貼。

另，台灣政府於推動國產設備之使用時，應注意國產設備需符合國際標準及產業需求，以免阻礙產業之發展。

1.5 降低設施基礎建設之障礙

相較於低軌衛星、數位平台之布建相對容易，電信事業仍持續於不友善之困境中努力建設。由於 5G 網路布建需要大量路桿、燈桿、電桿與公有建築物，台灣政府應制定中央與地方通用的「公共設施開放與使用標準」，設立跨中央與地方政府的協調機構，以單一窗口搭配全國明確且一致的申請程序與收費標準，以快速且有效的解決 5G 網路建設的障礙，增加台灣電信事業與對外資與外商之吸引力。

1.6 依據市場實際需求規劃頻譜政策

5G 開台未滿二年，電信業者仍致力於建設及優化 5G 網路，然所投入高額之 5G 頻率使用費及相關網路建設成本尚待提高用戶滲透率才能回收。就第二次 5G 頻率釋出之相關規劃，實不宜過早過急，應待產業意見，以利政策符合市場發展及需求。另，若國際低軌衛星業者欲與電信業者持有的頻段共同合作，台灣政府應促進與多元業者合作之配套措施，以利促進頻譜更有效使用。

1.7 鬆綁法規，促進數位經濟發展

為了實踐臺灣的智慧國家目標，政府應鬆綁與數位經濟息息相關之個人資料保護法規，例如短期可透過沙盒或是國家標準去識別化機制，中長期則有賴修訂相關法規及訂定配套措施。

提案內容

委員會建議修訂《有線電視業者》及《衛星廣播電視業者》等相關法規，進一步規範有線電視業者及衛星廣播電視業者的責任與義務，以確保產業的公平競爭及有效管理。此外，台灣政府應作好國際貿易準備，以利未來產業的發展。

2.1 營造健全的產業環境

根據通傳會調查，2020年我國有線電視訂戶數為486.8萬戶，2021年第三季我國有線電視訂戶數則為476.8萬戶，衛星及有線電視產業面臨多媒體平台挑戰，用戶數持續下滑。衛星與有線電視的規模系應分享產業的態勢及市場環境，以促進產業的發展。因此，我們建議台灣政府應調整監理政策，以正確反映現況。舉例來說，提供近似電信服務之業者，均應適用《電信管理法》及相關法規。

2.1.1 重新思考頻道區塊化政策

根據通傳會初步規劃，有線電視頻道編碼將改為16位數，區分為法定必載、綜合、新聞、電影、體育及宗教等9大類。此舉打破現有收視習慣將會造成更多使用者流失，而未改編的頻道則可能因為競品的競爭而失去用戶。為此，我們建議通傳會考慮以下建議：

（1）保留既有頻道編碼與名稱，以維護觀眾收視習慣。
（2）運用數位技術提升視聽體驗，如4K、HDR等。
（3）頻道整合與精簡，以減少重複內容。

2.1.2 放寬業者之內容審查

台灣電信產業生態複雜，經久已形成既定之市場運作模式，部分訂閱費用於支付現有基礎頻道的執照申請費用，剩餘資金則提供新進業者的業者。為了使產業維持穩定運作，產製優質節目並推動良性競爭，委員會建議通傳會思考以產業輔導代替規管，日漸增多的管制措施不僅無益於電信市場發展，更可能加速使用者流失，影響節目品質和對在地內容的投資，最終影響可觀台灣消費者選擇的內容多樣性。我們向通傳會提出以下建議：

（1）放寬業者之內容審查，以確保消費者權益。
（2）減少不必要的審查程序，降低行政成本。
（3）建立公正、透明的審查機制，確保消費者權益。

2.2 放寬衛星與有線電視的規管要求

通傳會長期傾向規管及管制有線電視產業，且秉持成本低的思維，使業者擁抱低成本競爭的商業模式，進而缺乏國際競爭力。此外，頻道經營者亦必須面對日漸繁瑣的評鑑與換照規範。委員會建議通傳會參考他國作法，鬆綁並解除不必要的管制，如停止要求頻道業者承諾增加首播節目在其節目中的比例以獲准更新執照，並減少換照審核流程，提高透明度，有效降低經營行政成本。
台灣擁有充滿活力的電影和隨選視訊/影音串流產業，富有潛力。相關業者為內容產業帶來重要且不斷增長的經濟貢獻，且就將台灣在地內容推廣到國際市場上扮演重要角色。如要完整實現這些潛力，台灣能否建立商業友好的心態和利於發展的監管環境，將極為關鍵。

台灣美國商會成員感謝智慧財產局的努力，將台灣《著作權法》現代化以因應數位科技的快速發展，同時也保護創作者的權利，並促進對公眾可合法享受之作品的持續投資。我們也肯定政府近期為配合「跨太平洋夥伴全面進步協定」(Comprehensive and Progressive Agreement for Trans-Pacific Partnership, CPTPP)而提出《著作權法》修正草案的努力。

然而，我們仍擔心修正草案的部分內容，有可能與國際協議及最佳做法脫節。首先，就受著作權法保護的作品引入過於寬鬆的合理使用例外，可能會被廣義地解釋而帶來不確定性，削弱創作者和著作權人保護其權利的能力，亦可能增加盜版的風險。其次，明顯放寬對侵權的處罰向潛在的違規者發出了一個訊號，即內容保護並非台灣政府優先事項。為避免類似認知，我們建議保留現有的處罰措施，亦可顯示台灣保護內容與著作權的承諾。

最後，我們擔憂缺乏重要機制，例如以無過錯禁制令遏止網路侵權行為。我們也鼓勵於《著作權法》修正草案中引入相關機制，鼓勵網路服務提供者(Internet Service Providers, ISPs)採取措施，阻撓用戶訪問侵權網站。另外，我們也建議政府考慮禁止銷售非法串流裝置、及提供盜版內容的相關軟體應用程式。這類裝置和應用程式對創意產業造成負面影響，奪走本可重新投資於更多品質內容(包括在地內容)的收入。此外，非法串流服務亦影響消費者，使其面臨惡意軟體的資安風險，包括間諜軟體及勒索軟體。

行政院於今年1月13日通過《菸害防制法》修正草案，內容包括強調要求警示圖文面積擴大至85%，禁止加味菸品及細支菸及全面禁止類菸品等極端菸控政策。儘管本次修法目標係提升台灣公衛水準，主管機關亦應考慮該政策對社會各層面產生之衝擊、相關執法能量的負荷及修法後是否能達成主管機關所稱之成效。

本次修法另一項極不合理的內容則是，將禁止販售每零售單位內容物淨重低於15公克之菸品。政府提出此修法係參採WHO FCTC之精神，但實際檢視WHO FCTC第16條意旨，為各國應努力「禁止分支或小包裝捲菸」(Prohibit the Sale of Cigarettes Individually or In Small Packets)，其並未要求設定最低販賣重量，顯示此修法方向與FCTC條文有所出入，且全球並無任何國家實施此類限制。

目前，修正草案仍有機會在立法院作進一步修訂，惟更重要的是，有鑑於此修正草案在內容和程序上產生的問題，我們建議，主管機關在未來訂立菸控政策時，應予更全面性通盤考量。立法應合理、循序漸進，並以堅實的科學數據為基礎，進一步考慮到修法對整體社會的經濟影響(包括對非貿易產生的影響)，以及遵守國際經貿慣例和標準，否則，相關政策有可能對消費者和合法企業的權利產生不利影響。
本委員會感謝海關持續為已取得優良廠商（AEO）資格的公司，放寬相關法規以及其他支持。例如2020年本委員會建議「減少優良廠商進口貨物的抽驗百分比」，今年已從2020年的75%降至51%。又如本委員會建議海關為已取得優良廠商資格的公司，減低抽驗貨物的數量。例如2020年本委員會建議「減少優良廠商進口貨物的抽驗百分比」，今年已從2020年的75%降至51%。又如本委員會建議海關為已取得優良廠商資格的公司，減低抽驗貨物的數量。

雖然優良廠商擁有更高比例的免審免驗（C1）貨物，本會仍舊收到會員反映免審免驗貨物比例因為疫情影響而降低，特別是低價非正式報關貨物。本委員會也注意到，關於如何及時向優良廠商合作快速判定稅則，目前尚無明顯進展。目前優良廠商與非優良廠商在通關上並無明顯差異，政策制定亦尚未有進展，有鑑於此，本委員會建請海關盡快與優良廠商合作制定優良廠商快速判定稅則，並建立稅則資料庫，加速通關並減輕海關負擔。

建衛：

在現行的機場排班計程車規格當中，《民用航空機場汽車管理辦法》將引擎排氣量定義視為排班計程車是否符合服務資格的主要條件之一。此管理辦法已行之有年，桃園機場、台北機場及高雄機場排班計程車都須符合上述規定（桃園機場：排氣量在一千九百立方公分以上；台北機場及高雄機場：排氣量在一千七百立方公分以上）。在政策制定時，由於引擎排氣量和車室空間成正比，為了確保乘載舒適及足夠的行李置放空間，因而設立此標準。

然而，相較於以往，目前市場上已經有許多排氣量小動力高的燃油車款可滿足消費者的需求。委員會相信，隨著科技進步再加上新能源車（NEV）發展趨勢，引擎排氣量已不再是定義載客能力的必要條件。

我們感謝國家發展委員會於2022年初白皮書政策協調會議上對此建議給予肯定。我們在此重申前一年度立場，建請政府放寬機場排班計程車之限制。

委員會提出以下建議：

• 移除引擎排氣量限制，調整為以車室空間取代引擎排氣量。
• 因應產業發展趨勢及科技進步，定期更新相關管理辦法。調整相關管理辦法得以回應計程車駕駛以及乘客的需求。長期而言，開放低排氣量或是應用新能源技術的計程車，亦可兼顧永續環境。

建衛：

新車安全評等機制可見於許多國家，例如歐盟各國、美國及日本。各國新車安全評等多屬於自願性質，亦即參與與否並不影響車輛合法上市與銷售，且代理商亦無義務加入評等、分攤成本或提供技術資料。

公正獨立之測試流程，為新車安全評等機制受消費者信賴的重要基礎。近年台灣亦致力於建立「新車安全評等機制」，希冀提供消費者更完善的車輛安全資訊。然而，觀察台灣新車安全評等機制之歷次會議資料，針對已被國外新車安全評等機制涵括之進口車輛，目前主責單位似規劃「不」在國內執行碰撞測試，而採取所謂星等轉換之作法。主責單位計畫立法要求車輛代理商提供國內外銷售車輛之比對資料，如此不僅將對各進口品牌造成不必要的負擔，亦會因為新車安全評等機制中各車款提供資料進行星等轉換，而無法取得消費者認同。星等轉換不僅非國際間的常見做法，亦可能無法達到提升消費者信心之政策目的。

此外，非財務誘因的政策鼓勵措施，於鼓勵購買和使用電動汽車以及減少排放上，亦扮演極重要之角色。此類鼓勵措施的示例包括讓電動汽車優先在公共停車場停車（即使它們不是在充電），以及指定配備充電樁的停車場專門供電動汽車使用。由於電動汽車比起燃油車，對環境更有益，亦應考量其他措施，例如：允許電動汽車於高乘載管制時使用車道，以及在收費設施上給予電動汽車優惠。

因此，我們建議設定具體之實現時程，以提高舊建築改造成電動汽車充電樁的實現率。此外，我們也敦促地方政府建立跨部門聯繫窗口，為用戶在社區自費安裝電動車充電樁提供專業技術諮詢。

委員會亦針對法規認證部份提出以下建議：

• 安排業者對電動汽車充電樁之CNS合規認證進行法定測試的日期時，應考慮認證測試實驗室的測試能力和測試量能。鑒於測試實驗室仍需時日備齊各規格之測試設備，因此在準備好之前，自願合規仍然是支持台灣採用電動汽車的最佳方法。
• 鑒於以上測試量能限制，其他機構（如台電）在申請電源時，亦不應要求業者必須以具備自願性產品認證作為申請電源先決條件。

建衛：

WTO「與貿易有關之智慧財產權協定」(下稱：「TRIPS」)要求會員對於7種智慧財產權提供保障，包含工業設計。自從加入WTO以來，台灣便對具有視覺訴求之設計的持續核定「設計專利」，保護工業創作，符合WTO之要求，並且不斷地提高對設計專利的保護程度。例如，延長保護期間、增訂部分設計的可專利性、增訂電腦圖像及圖形化使

建衛四：建立電動車的使用者友善環境

為加速完善台灣電動車輛之充電基礎建設，電動車之充電基礎設施需要更便利與普及，包含建置家庭充電、目的地充電、快速充電之良好組合提供友善之電動車充電環境。

新建案容易建置更高的電力容量來支持電動車停車位，然其建築的改造並不容易。挑戰之一是在社區大廈管理委員會之區分所有權人間取得共識，以確保獲得足夠的票數以安裝社區之電動車充電樁；此外，若舊建築之開關室和變電站需要升級，其改造並設置電動車充電樁將更具挑戰性。

因此，我們建議設定具體之實現時程，以提高舊建築改造成電動車充電樁的實現率。此外，我們也敦促地方政府建立跨部門聯繫窗口，為用戶在社區自費安裝電動車充電樁提供專業技術諮詢。

建衛：

為加速完善台灣電動車輛之充電基礎建設，電動車之充電基礎設施需要更便利與普及，包含建置家庭充電、目的地充電、快速充電之良好組合提供友善之電動車充電環境。

新建案容易建置更高的電力容量來支持電動車停車位，然其建築的改造並不容易。挑戰之一是在社區大廈管理委員會之區分所有權人間取得共識，以確保獲得足夠的票數以安裝社區之電動車充電樁；此外，若舊建築之開關室和變電站需要升級，其改造並設置電動車充電樁將更具挑戰性。

因此，我們建議設定具體之實現時程，以提高舊建築改造成電動車充電樁的實現率。此外，我們也敦促地方政府建立跨部門聯繫窗口，為用戶在社區自費安裝電動車充電樁提供專業技術諮詢。
用者介面的可專利性等，俾與國際間最佳實踐看齊。在美國常見的汽車零件的設計專利侵權訴訟案件中，並沒有相關判決指出消費者期待低價替換零件應與原廠設計外觀完全相似。智慧財產權保障係鼓勵創新的基石，必將提升消費者福祉及造福社會。

因此，本委員會對於近來台灣社會因為個別設計侵權案件，而出現重複「維修免責條款」以限制設計擁有者行使排他權的修法意見，提出相關論述，意在引導台灣社會及產業界重新思考智慧財產權保障的重要性。智慧財產權保障是維護創新、促進產業發展的基石，絕非僅僅為了增加政府的財政收入。

在維護消費者利益與保障產業創新之間，必須找到一個平衡點。為了維護台灣產業的創新精神，保護消費者權益，委員會非常關切關於維修免責條款的修法意見。委員會認為透過市場機制，消費者可以獲得廉價的替換零件，並非必須依賴設計擁有者的同意。

委員會特別強調，過分放寬維修免責條款的限制，將對台灣產業的創新動力造成嚴重負面影響。因此，委員會呼籲相關主管部門審慎考慮，確保智慧財產權保障不受損害，維護台灣產業的長期發展。

此外，委員會認為，政府應積極推動相關教育，提升企業及消費者的智慧財產權保護意識。同時，也應加強國際合作，促進智慧財產權保護的國際標準統一，共同維護全球的創新精神。

委員會建議，政府應積極推動相關教育，提升企業及消費者的智慧財產權保護意識。同時，也應加強國際合作，促進智慧財產權保護的國際標準統一，共同維護全球的創新精神。
1. 修正《就業服務法》第46條及《外國人從事就業服務法》第四十六條第一款之規定資格及審查標準，開放急需人力之服務業雇用外籍人士，並將觀光業納入一般服務業
2. 調降現今之畢業外籍學生月薪門檻（新台幣35,000至47,971元），放寬對專業技能的要求，以鬆綁畢業外籍學生留台於觀光旅遊業工作的門檻。

建議三：協助觀光旅遊業恢復國人出境旅遊產品銷售
自2020年初COVID-19疫情爆發以來，出境旅遊產品的銷售已被禁止超過2年之久。隨著各國開放其入境和出境旅遊市場，台灣尚未明確說明可以恢復出境旅遊產品銷售的時程。

觀光旅遊業團體需與交通部觀光局進行對話與協商，期待今年稍晚得以恢復出境旅遊產品之銷售。舉例來說，企業需與政府攜手合作，更清楚了解資源可用性以及行銷與銷售活動是否得以就政府目標進行調整。過往美國商會白皮書中亦提出類似議題，然今年相關議題更顯重要，企業在疫情期間多方努力未能想像之損失，委員會建議在後疫情時代，應以企業友善為原則，調整相關消費者保護規範。

此以科學為基礎制定旅行安全措施也十分重要。截至白皮書發布前，超過86%的台灣人民至少接種過一劑疫苗，接種兩劑疫苗者的比例也接近81%，接種第三劑的人數則佔總人口的63%以上。從全球抗疫、多國鬆綁邊境管制措施與政府啟動振興經濟政策等層面來看，台灣解除出境旅遊產品銷售的極度嚴格禁令，是合乎邏輯且合理的。

就恢復出境旅遊產品銷售，委員會建議觀光旅遊主管部門提供明確的時程，讓業界得以著手進行準備的工作，承諾落實消費者的保護原則，與業界溝通以了解產業需求，建立一致的旅遊行銷策略。

建議四：放寬對遊輪實施的嚴格防疫政策
由於大眾嚴格遵守防疫政策及高疫苗接種率，台灣在疫情期間依然能正常進行大多數的群聚活動，包含國內旅遊、大賽場、餐飲聚會、參與演唱會及婚宴、宗教集會、KTV、電影院、跨年煙火表演等群聚性活動及場合，早已正常使用行之有年限制及整體疫苗接種之強制規範。遊輪產業卻成例外。

儘管遊輪公司在台灣申請國內營運的要求雖合理且可以理解，然業界於今年底審議後，取消以下不必要的規範：

• 限制載客人數不得超過600人。以一艘10萬噸等級約3000人的載客量而言，甚至不到20%，對任何遊輪公司而言，這是完全不可能商業營運的，政府應移除相關限制。目前在世界其他地區營運的遊輪，皆於船上特定區域保留一定數量的船艙，作為確診COVID-19旅客的隔離處所。歐盟規定船艙保留數量應為總數的5%，美國則無官方規範。

• 航程中，若有旅客確診COVID-19，遊輪需立即返航，所有旅客及船員將於防疫旅館強制隔離，且遊輪公司必須支付所有相關費用。相關政策顯示台灣政府並不歡迎遊輪產業。委員會建議按照目前國際其他遊輪營運措施，若有旅客確診，應於旅程接下來的港口下船接受治療或送其返家，而遊輪則繼續其未完成之行程。

較於前述陸上各種群聚活動及場合，遊輪的高標準防疫政策，例如美國疾病管制與預防中心COVID-19防疫準則（U.S. CDC COVID-19 Operations Manual requirements）、歐盟健康通道（EU Healthy Gateway）、遊輪運行國家之防疫政策與在地公共衛生規範，已滿足或超越現行要求，使遊輪成為防止疫情傳播的最安全的場所。因此，委員會敦促政府重新評估現行遊輪產業的防疫政策與規範。
About Johnson & Johnson

At Johnson & Johnson, we believe good health is the foundation of vibrant lives, thriving communities and forward progress. That's why for more than 130 years, we have aimed to keep people well at every age and every stage of life. Today, as the world’s largest and most broadly based healthcare company, we are committed to using our reach and size for good. We strive to improve access and affordability, create healthier communities, and put a healthy mind, body and environment within reach of everyone, everywhere.

Every day, our more than 144,000 employees across the world are blending heart, science and ingenuity to profoundly change the trajectory of health for humanity.

All contents © Johnson & Johnson Taiwan Limited. 2022.
Taiwan today finds itself facing a number of tough challenges, including the ongoing COVID-19 pandemic, climate change, increased U.S.-China competition, and, most recently, the war in Ukraine. For Taiwan’s central and local governments, industries, civil society, and the general public, meeting these challenges will require working together to increase Taiwan’s resiliency on several fronts. These groups can look no further than Taoyuan City for a model and framework for making Taiwan and its cities more resilient.

According to Taoyuan City Mayor Cheng Wen-tsan, of key importance in this process is adopting principles such as good governance, sustainable economy, and international cooperation, all of which allow cities to absorb, recover from, and prepare for future shocks. “Importantly, in order for cities to be resilient, they must set sustainable development as their target,” he adds.

Cheng speaks from experience; since entering office in 2014, he has led the Taoyuan City Government (TCG) to implement strategies to enhance Taoyuan’s ability to withstand the challenges of the day. The city has dedicated significant time, manpower, and resources to carbon reduction, pollution mitigation, green transportation, and renewable energy development, among many other areas.

A significant part of Taoyuan’s efforts involves managing the city’s large but finite water resources. Those efforts were put to the test during the severe months-long drought in 2020. “During that time, TCG made use of reclaimed and underground water resources to address shortages,” Cheng says. “By doing so we were able to supply sufficient water to the residential, agricultural, and industrial sectors throughout the drought.”

Given Taiwan’s ambitions to achieve energy transformation and carbon neutrality, it is increasingly important for cities with significant industrial and manufacturing operations to step up. Taoyuan has seized on this opportunity, initiating numerous renewable energy projects over the past several years. While the city has long been a major hub for onshore wind generation in Taiwan, under Cheng’s leadership, solar power generation capacity has increased 87.5-fold.

In addition, Taoyuan has explored alternative forms of renewable energy, such as the establishment of power plants fueled by solid recovered fuels (SRF) and biomass, and has just this year received 18 investment applications to build energy storage solutions. Not only do these projects help fulfill Taiwan’s green energy goals, but they also contribute to developing a viable circular economy in Taiwan.

To ensure that Taoyuan’s residents can enjoy clean air, the government has worked with the Datan Power Plant to build facilities that have cut the plant’s emissions of air pollutants by half. The city has also invested heavily in promoting clean transportation and boasts the highest ratio of electric scooters in Taiwan. Thanks to these efforts, Taoyuan has seen a 40% reduction in PM2.5 concentrations and 13.74% reduction in its carbon emissions over the past few years.

In terms of improving Taoyuan’s natural environment, Cheng has launched a wide range of projects targeted at cleaning and restoring the city’s numerous natural bodies of water, including its 11 rivers, 2,800 ponds, and extensive coastal and wetland areas. The TCG has also engaged in reforestation, aiming to plant 600,000 trees within a five-year period, and has transformed 342 hectares of land formerly contaminated by heavy metals into arable land for agriculture.
The location of Taiwan’s international airport in Taoyuan has made the city Taiwan’s main logistics hub. In fact, Cheng notes that more than 1,000 logistics firms have operations in Taoyuan. In 2019, Taoyuan signed an agreement with ICLEI – Local Governments for Sustainability, an international NGO based in Germany, to become ICLEI’s chair for promoting the development of Ecologistics. In the three years since then, Taoyuan has worked to make its logistics industry more environmentally friendly, including by encouraging businesses in the city’s commercial districts to use electric vehicles to transport their cargo.

Although Cheng and the TCG view these resiliency projects as top policy priorities, they also hope to enlist the help and investment of both domestic and foreign companies whose operations align with Cheng’s “three lows, one high” goal for Taoyuan’s industrial development – that is, low pollution, low energy usage, low water usage, and high value-added.

“This industrial cooperation will help us foster the development of innovative technologies and create a sustainable and stable supply chain in Taoyuan,” Cheng says. “We therefore seek to continue our efforts to facilitate and attract low-carbon industrial investment in Taoyuan and set an example for other Asian countries to follow.”

Taoyuan City is committed to developing its economy, achieving sustainability, and becoming a resilient city. Taoyuan will strengthen its friendly ties with its 14 sister cities and counties in the U.S., including San Bernardino County and Dallas County, as well as Newark City and Guam, both of which recently forged sister-city ties with Taoyuan.

“Moving ahead into the post-pandemic era, Taoyuan will continue various collaborations with these sister cities.”
When Taoyuan City in 2015 was elevated to the status of one of Taiwan’s six special municipalities, Mayor Cheng Wen-tsan and his staff embraced the concept of using smart-city techniques to transform Taoyuan into the country’s hub for digital information innovation. The still-expanding program has already proven its value. It has helped provide residents of Taoyuan with more services directly targeted to their needs and enabled the city government to make its operations more transparent, efficient, and environmentally sustainable.

Taoyuan enjoys some key advantages in its drive to lead the country in smart living, smart industry, and smart governance. Numerous high-tech companies based in the city are at the forefront of developments in 5G, the Internet of Things (IoT), and Artificial Intelligence. Taoyuan is also home to the Asia Silicon Valley project sponsored by the National Development Council (NDC) to boost data-driven startups, as well as to the city’s own Aerotropolis project to build an industrial, commercial, logistics, and residential center around the Taoyuan International Airport, the gateway to the island.

One of the city’s most important data-related projects has been the highly successful launch of its Taoyuan Citizen Card, with more than a million cards already in use. The card doubles as an EasyCard for use on public transportation, serves as a second ID card to identify Taoyuan residents for services such as libraries and sports centers, and qualifies users for discounts at local retail establishments. “Now we are preparing a second, virtual version of the Citizen Card to be introduced this summer,” explains Yu Wan-ru, director of Taoyuan’s Information Technology Department. “Using your mobile phone, you’ll be able to show your card and get all the same functions and benefits.”

The virtual card will also help Taoyuan develop a closer relationship between citizens and government. “For example, we’ll be able to encourage citizens to engage in certain behavior, such as reducing their carbon footprint, by offering points that can be used at local shops and restaurants,” says Yu. “That will help local businesses that have suffered during the pandemic, and citizens’ response will give us more data to help evaluate whether a given policy is working or not.”

Another smart-city success story is how information technology has enabled Taoyuan to manage its water resources in recent years, even while a “hundred-year drought” caused serious water shortages in neighboring cities and counties. “We used a lot of IT tools such as sensors, IoT technology, and data analysis to understand the quantity and location of our water resources and how we could best manage that treasured resource,” says Yu. “Now every day we can supply Hsinchu City with 22,000 tons of water to support the semiconductor and other industries in their high-tech industrial park.”
The Asia Silicon Valley project in which Taoyuan is collaborating with the NDC has in effect turned the city into a “sandbox” for 5G development, stimulating industry to devise more and more 5G applications. The large quantity of data being generated has presented both an opportunity and a challenge. Previously, such information was stored in a multitude of data centers located within various government units, but that diffusion hindered big data analysis. When COVID-19 struck and many government employees needed to work from home, it also caused congestion in the data pipeline as workers sought to retrieve needed documents.

“The solution came through our collaboration with Microsoft to create a hybrid cloud data center as a pilot program – the first city government in Taiwan to do so,” says Yu. “With help from Microsoft and other high-tech IT companies, we'll have a full-scale Information Operational Center in place by the end of this year to enable us to gather non-confidential data from all the different city government departments and store it together while maintaining cybersecurity.”

Also under preparation is an Information Data Center to analyze the accumulated data to enable the city government to base its policymaking on solid evidence, thereby achieving greater efficiency and ensuring that citizens’ priority needs and concerns are being met. Data analysis, for example, assisted the Taoyuan Fire Department in fighting a recent massive blaze at a logistics center that continued to burn for weeks. Information on the density and nature of the fire allowed the Fire Department to assess the amount of budget, equipment, and manpower that would be needed. In another example, the city’s Human Resources Department used IT inputs to avoid waste by determining the appropriate number of staff per department.

“Using these smart-city tools and platforms,” Yu says, “we'll be able to provide Taoyuan citizens with a better quality of life and more job opportunities, while also making Taoyuan increasingly competitive as a place to live and work.”
The world of patient care is constantly evolving, thanks to the hard work, continuous innovation, and collaborative spirit of doctors, international healthcare providers, patient advocacy groups, and governments. To showcase some of the latest developments in this sector and their potential benefits for Taiwanese patients, AmCham Taiwan and the American Institute in Taiwan jointly held the 2022 U.S.-Taiwan Patient Care Innovation Forum on May 12 in the ballroom of the Regent Taipei.

Opening remarks at the forum were provided by AIT Deputy Director Jeremy Cornforth and Deputy Minister of Health and Welfare Hsueh Jui-Yuan. Vice President William Lai delivered the event’s keynote speech.

In his remarks, Lai discussed the importance of innovation in healthcare, and compared the recent technological advancements in this field to his own experience as a doctor and chief resident at National Cheng Kung University Hospital in the 1990s, emphasizing just how far Taiwan’s healthcare has come since then. “Making good use of medtech will not only provide patients with better treatment options and enhance their quality of life, but it can also allow government to more properly allocate medical resources,” Lai said.

The first presentation of the event was given by Huang Tai-chung, an assistant professor of internal medicine at National Taiwan University, who enlightened the audience on advancements in chimeric antigen receptor T (CAR-T) cell therapy. CAR-T, a special kind of immunotherapy, involves changing patients’ T cells in a laboratory so that they bind to and kill cancer cells when introduced back into the body. The treatment has shown remarkable success in clinical trials targeting B cell malignancies, with overall response rates exceeding 80% in all patients. Given this, CAR-T cell therapy could have profound significance for patients, healthcare systems, and society.

Next, Lin Chih-ching, a professor-grade attending physician at Taipei Veterans General Hospital, presented on recent developments in peritoneal dialysis and the use of Remote Patient Management to treat patients with end-stage renal disease (ESRD) at home during the COVID-19 pandemic. Considering Taiwan’s aging population and the high incidence and prevalence rates of ESRD in Taiwan, as well as the need for patients with existing health issues to take extra precautions against infection with the SARS-CoV-2 virus, digitalized home-based dialysis and remote care is increasingly important to safeguarding the health of patients and healthcare workers, as well as enhancing quality and efficiency, Lin noted.

Following Lin’s presentation, Lai Hung-cheng, attending physician at Shuang Ho Hospital’s Department of Obstetrics & Gynecology and professor at Taipei Medical University’s Department of Obstetrics and Gynecology, discussed the current contributions and future direction of precision surgery in women’s health. Lai noted that the growing prevalence of minimally inva-
sive surgery using precision and robotic instruments for operations such as benign and malignant hysterectomies has resulted in faster recovery rates and improved quality of life for patients. He said that Taiwan should take advantage of the trend toward precision surgery and the island’s robust medical infrastructure to develop its medtech industry, but emphasized that the introduction of such technology should be accompanied by a complete training and payment system.

For the fourth presentation, the audience welcomed Ting Chien-kun, an anesthesiologist at Taipei Veterans General Hospital, who focused on how new smart medtech can significantly improve surgical outcomes, as well as patients’ quality of life. Ting presented data from the National Health Insurance Administration showing a high rate of severe postoperative complications and mortality in those above the age of 65. He pointed to the life-saving potential of AI and machine learning technology to predict hypotension during surgery, which can help reduce the incidence of shock.

Taichung Veterans General Hospital Superintendent Chen Shih-ann delivered the fifth and final presentation on the development of innovative technology in treating heart arrhythmia, a condition that affects about 5-10% of those over the age of 65. Arrhythmia can increase the risk of stroke or heart failure in patients. Chen summarized some of the latest developments in treatment, such as catheter ablation with a new imaging technology, intracardiac echocardiography (ICE). The procedure can reduce radiation exposure, and can be performed without the need for general anesthesia or endotracheal intubation.

Providing closing remarks for the event was former Vice President of Taiwan Chen Chien-jen, now a distinguished professor of genomics at Academia Sinica. Chen praised the participants for their informative and thought-provoking presentations on a range of innovative treatments and technologies that would undoubtedly bring benefits to Taiwanese patients. He also encouraged the government to be more courageous and aggressive in making reimbursement decisions so that Taiwanese patients can benefit from the latest innovative technologies. He said he hopes that in the future Taiwan’s expertise in and experience with these technologies can be leveraged to help other countries, particularly its partners under the New Southbound Policy, adopt them as well.

The 2022 U.S.-Taiwan Patient Care Innovation Forum was sponsored by Baxter, Edwards Lifesciences, Intuitive, Johnson & Johnson MedTech, and Novartis.
Go Further with UMC

Leading Specialty Technologies

Comprehensive foundry solutions for smartphone, 5G, AIoT, and automotive applications

For more information, please visit www.umc.com
DEDICATED TO HUMAN PROGRESS

We push the boundaries of science and technology to be partner of choice in
Electronics  Healthcare  Life Science

我們深根台灣30年，並致力於在電子科技、醫療保健、生命科學領域推動人類進步。
SPEEDTEST® International authority certified

CHT Wins Again

Fastest 5G

Fastest Mobile Network

1. CHT for winning the Speedtest "Fastest 5G" in Taiwan Award for twice in a row and "Fastest Mobile Network" in the second half of 2021 based on analysis by Ookla® of Speedtest Intelligence® data Q1-Q2 & Q3-Q4 2021. Ookla® trademarks used under license and reprinted with permission. Please refer to the publication website.
2. Mobile network quality varies by region, climate, building occlusion, the number of users and locations, etc. Speed reduces based on conditions and factors.

Available at E-store / Retail Store

Learn more

emome Website: www.emome.com Tel/Fax Service: Dial 500 with mobile or 0800 080 090 with landline

www.cht.com.tw
攜手廠商，深耕未來

企業進軍海外最堅強後盾

融資及保證 輸出保險 轉融資

總行專線
總機：(02)2321-0511 接信：(02)2392-5235 輸出保險：(02)2394-8145 轉融資：(02)2397-1505

分行專線
高雄分行：(07)224-1921 臺中分行：(04)2322-5758 新竹分行：(03)658-8903 臺南分行：(06)593-8999

泰國曼谷代表人辦事處
+66-2-286-2896 +66-2-286-1038

捷克布拉格代表人辦事處
111年下半年開幕營運

中國輸出入銀行
The Export-Import Bank of the Republic of China

強化貿易金融 協助對外貿易
https://www.eximbank.com.tw
In 1952, SGS Group established the first branch office in Taipei in the name of Far East Superintendent Co., Ltd, and quickly expanded to Keelung and Kaohsiung to cover the fast-growing inspection business requirement. In order to meet the needs of domestic industrial upgrade and internationalization, SGS Taiwan Co., Ltd. was additionally set up in May 1991 to expand the provision of professional testing and technical services. Now SGS has served in Taiwan for over 70 years with more than 3,000 professionals employees. Our Headquarter is located in the New Taipei Industrial Park, and offers a network of more than 17 laboratories to serve various industries in Taiwan. SGS plays an important role in the economic growth of Taiwan, by assisting manufacturers to expand their export with improved quality and to ensure compliance to Government rules and regulations. SGS Taiwan will continuously contribute to the economic development of Taiwan in future, through our high professional expertise.

OUR CORE SERVICES CAN BE DIVIDED INTO FOUR CATEGORIES:

- **Inspection**: our comprehensive range of world-leading inspection and verification services, such as checking the condition and weight of traded goods at transshipment, help you to control quantity and quality, and meet all relevant regulatory requirements across different regions and markets.

- **Testing**: our global network of testing facilities, staffed by knowledgeable and experienced personnel, enable you to reduce risks, shorten time to market and test the quality, safety and performance of your products against relevant health, safety and regulatory standards.

- **Certification**: we enable you to demonstrate that your products, processes, systems or services are compliant with either national or international standards and regulations or customer defined standards, through certification.

- **Verification**: we ensure that products and services comply with global standards and local regulations. Combining global coverage with local knowledge, unrivalled experience and expertise in virtually every industry, SGS covers the entire supply chain from raw materials to final consumption.

SGS Taiwan Ltd.
SGS Far East Ltd. Taiwan
No. 134, Wugong Rd., Wugu Dist., New Taipei City 248, Taiwan TEL.: (02) 2299-3939 FAX: (02) 2289-3259
Online Service: [https://sgsai.araneewebsites.net/WebChat/](https://sgsai.araneewebsites.net/WebChat/)

SGS Compliance Certification Services Inc.
No. 11, Wugong 6th Rd., Wugu Dist., New Taipei City 248, Taiwan TEL.: (02) 2299-8720 FAX: (02) 2289-1882

Online Service: TRUST FACEBOOK
SHARE WITH
WORK TOGETHER
FOCUS ON

+886 2-2311-2031
service@invest.org.tw
investtaiwan.nat.gov.tw
www.contaccttaiwan.tw

MORE INFO
立即註冊線上購物
COSTCO.COM.TW

讓購物更隨心所欲
GET IT DELIVERED
Sustainability: At the Heart of Our Business and Growth
Count on Us to Become More Productive, Energy Efficient and Sustainable

As a world-leading industrial gases company, Air Products cares deeply about protecting the environment and sets aggressive environmental performance goals to continually improve our operations. We are proud to innovate alongside our customers to solve significant energy and environmental challenges. Our customers achieve higher productivity, better quality products, reduced energy use and lower emissions through our global experience, local knowledge, and leading-edge solutions.

As a corporate citizen serving Taiwan for 70 years, we have been "Working here. Living here. Giving here." We continue to demonstrate our commitment to the health and vitality of the local communities where we work and live. By working with our employees, customers and communities, we strive to build a better future for all.

Contact us today to maximize resources on your sustainability journey.

Air Products San Fu Co., Ltd.
5th Floor, 21 Chung Shan North, R.O.C.
Tel : 02-2521 4161
Fax : 02-2581 8359

tell me more
airproducts.com.tw

© Air Products and Chemicals, Inc., 2022
全方位資產管理領導者

聯博連續12年榮獲《亞洲資產管理雜誌》
Best of the Best Awards 不同獎項肯定¹
+ 台灣最佳境外基金公司
+ 台灣最佳金融科技創新資產管理公司
+ 台灣最佳零售基金公司
+ 年度最佳CEO

聯博-全球非投資等級債券基金
(原名：聯博-全球高收益債券基金)
(基金之配息來源可能為本金)
全球榮獲96座獎項肯定²

全力成就無限可能
以生命為先，
我們持續傳承

在過去近130年來，我們致力為世界各地人類及動物所面對最棘手的健康挑戰研發出對抗疾病的希望。今日，默沙東持續成為全球一流的研發密集型生物製藥公司，為今日、明日的病患及社會，以及未來的世代不斷帶來更多的醫學創新。
康寧公司
—台灣佈局最完整的外商

Corning has established comprehensive investment in Taiwan
台北區域總部  Taipei Regional Headquarters

康寧亞洲玻璃技術中心  Corning Advanced Technology Center

康寧研發中心  Corning Research Center Taiwan

台中廠  Taichung Plant

台南廠  Tainan Plant
Join Our Team: Team Earth

Fubon Financial Holdings invites you to join the “Big Cannon” Chen Chin-feng, world weightlifting champion Kuo Hsing-chun, and the “Beast” Lin Chih-chieh in embracing a low-carbon lifestyle, supporting eco-friendly farming, conserving energy, and making a sustainable Earth possible.

#Small things in life, big deals to the Earth
富蘭克林基金集團
涵蓋富坦、美盛系列基金
全球最大的資產管理公司之一 *
連續 23 年逾 284 座大獎肯定 **

最佳平衡型團隊/投資首選**
富蘭克林坦伯頓穩定月收益基金
(本基金有相當比重投資於非投資等級之高風險債券且基金之配息可能為本金)

最佳美股團隊/趨勢推薦**
富蘭克林高科技基金
(本基金之配息來源可能為本金)

最佳公用事業和基礎建設股票型基金/防禦拍檔**
富蘭克林公用事業基金
(本基金之配息來源可能為本金)

美盛凱利基礎建設價值基金
(本基金之配息來源可能為本金)

最佳美元非投資等級債券五年期獎/好價精選**
美盛美國非投資等級債券基金
(原名為：美盛西方資產美國高收益債券基金)
(本基金之配息來源可能為本金)

*截至2022/3/31，管理全球1.4兆美元資產規模（彭博資訊）。**資料來源：截至2022/4/6，彭博、晨星、理柏、Smart資產台灣基金指數(晨星技術指導)。投資績效從往績不等於未來績效。基金風險評等資料請見：www.franklintempleton.com.tw/Award/Html。
While 2021 presented us with some new learnings, we’ve also made some great progress that we share in more detail in this report. A few examples that illuminate the diversity of our work include the following.

• Four datacenters are Zero Waste certified, with new certifications for the San Antonio, Texas and Quincy, Washington datacenters and renewed certifications for our Boydton, Virginia and Dublin, Ireland locations.

• We announced the Microsoft Cloud for Sustainability to provide comprehensive, integrated, and automated sustainability management for organizations at any stage of the sustainability journey.

• Through an investment from our Climate Innovation Fund, we’re helping LanzaJet complete their sustainable fuels plant in Georgia—a move that will help decarbonize our datacenters as well as the airline industry.

• While overall device emissions grew because of higher sales and usage, we reduced the carbon footprint for several of our products. Surface Pro 8 is one of the most energy efficient Surface Pros ever and we introduced Energy Saver, a new low-power standby mode for Xbox consoles.

• We granted $100 million to Breakthrough Energy Catalyst to accelerate the development of climate solutions the world needs to reach net-zero across four key areas: direct air capture, green hydrogen, long duration energy storage, and sustainable aviation fuel.

With net zero becoming the new normal—more than 1,500 companies with total net revenue of $11.4 trillion have pledged that they will become carbon neutral or net zero—the world must move from climate pledges to climate progress.

As a leading technology provider of sustainable solutions, Microsoft stands ready to support our customers, partners, and the world in the move towards a net zero, environmentally sustainable future. And while the shape of what the future holds is unknown, we will continue to build the foundations needed today and do the work that needs to be done to deliver on our commitments.

— Brad Smith, President and Vice Chair & Dr. Lucas Joppa, Chief Environmental Officer

—from Microsoft 2021 Environmental Sustainability Report—

Microsoft’s Sustainability Commitments: Two Years Into Our Ten-Year Journey

Our first annual sustainability report, released in January 2021, showed early progress on our commitments to become a carbon negative, water positive, zero waste company by 2030 and protect ecosystems by building a Planetary Computer.
實踐承諾—微軟永續之旅兩週年

微軟於 2021 年 1 月發布的第一份《年度永續發展報告》顯示：我們對「在 2030 年前成為負碳排、水資源正效益、零廢棄的公司並打造行星電腦來保護生態」的承諾取得了初步進展。

兌現永續承諾

在 2021 年帶來新經驗的同時，我們也取得了不少重大進展，本報告將對此做更詳細的分享。以下幾個例子說明了我們多方面的成果：

• 四個資料中心獲得「零廢棄」認證：美國德州的聖安東尼奧和華盛頓的昆西資料中心獲得新認證，美國維吉尼亞州的博伊頓和愛爾蘭的都柏林資料中心則更新了認證。
• 我們宣布推出「微軟永續雲」，提供全面、整合和自動化的永續發展管理，給處於永續旅程中不同階段的組織運用。
• 透過微軟「氣候創新基金」的投資，我們正在幫助清潔能源新創 LanzaJet 完成他們在喬治亞州的永續燃料工廠。此舉將有助我們的資料中心及航空產業脫碳。
• 雖然整體設備排放量因更高的銷售與使用量而增加，但我們減少了一些產品的碳足跡。Surface Pro 8 是有史以來最節能的 Surface Pro系列產品。我們也推出了 Energy Saver，這是一種適用於 Xbox 遊戲主機的低功耗待機模式。

• 微軟向突破能源組織Breakthrough Energy Catalyst 提供了 1 億美元，以加速發展世界在「直接空氣捕獲」、「綠色氫氣」、「長時間儲能」和「永續航空燃料」四個關鍵領域實現淨零排放所需的氣候解決方案。

隨著淨零成為新常態—總淨收入為 11.4 萬億美元的 1,500 多家公司已承諾將實現碳中和或淨零—世界必須從氣候宣示邁向氣候行動進展。

作為永續解決方案的科技領航者，微軟隨時準備好支持我們的客戶、合作夥伴和全世界，朝淨零、環境永續的未來前進。儘管未來的前景尚不得而知，我們將繼續奠定現在所需的基礎，並開展需要完成的工作，以兌現我們的永續承諾。

— Brad Smith, 微軟副董事長兼總裁
Dr. Lucas Joppa, 微軟首席環境長

<&微軟2021年度永續發展報告>
Imagine **Better**

We are dreaming in bigger and bolder ways—envisioning a better world for the future.

Every solution we find is fueled by wonder and powered by science.

As we work to create a more connected world, a more circular economy, and more climate-conscious technologies and solutions, we’re designing products alongside our customers with the biggest challenges in mind.

So we can grow with the world around us, starting with our promise to reach zero carbon emissions by 2050.

When we imagine better, we raise each other up and set new sustainability standards to make better solutions a reality.

Through ingenuity and innovation. Through partnerships that solve real problems.

Now, we’re celebrating its impact on our world for the last 125 years – and its influence for the next.
Science...is just science. Until you make it improve the world.
SEMICON TAIWAN
SEP 14-16, 2022
TaiNEX 1, Taiwan

FORWARD AS ONE
DRIVING THE TECHNOLOGY INNOVATION

• ADVANCED MANUFACTURING
• SMART MANUFACTURING
• ESG & SUSTAINABILITY
• ADVANCED TESTING

• HETEROGENEOUS INTEGRATION
• SEMICONDUCTOR CYBERSECURITY
• COMPOUND SEMICONDUCTOR
• ADVANCED MATERIALS

@SEMITaiwan
@semitaiwan
Exhibit Now
About 3M

At 3M, we apply science in collaborative ways to improve lives daily. With $35.4 billion in sales, our 95,000 employees connect with customers all around the world.

Established in 1969, 3M Taiwan is based in Taipei and has a sales center in Taichung, a warehouse in Dayuan, as well as a plant and a Customer Technical Center in Yangmei, Taoyuan City. In 2005, 3M Taiwan Optronics Corporation was established in the Southern Taiwan Science Park. Altogether, more than 1,500 3M employees are serving customers around Taiwan.

Learn more about 3M’s creative solutions to the world’s problems at www.3M.com or on Twitter @3M or @3MNewsroom.