

中華民國九十二年年報 Annual Report 2003



財團法人證券投資人及期貨交易人保護中心
Securities and Futures Investors Protection Center



封面創意說明：

畫面以地球和鑰匙延伸出各項經營項目，
象徵目前全球金融投資管道多元化，
強調投資人所應注意的專業、服務、公正、保護、權利與義務，
為本中心成立之宗旨。

The cover design of the keys extending from the globe symbolizes
the diverse investment channels around the world.

It's the Center's mission to protect the rights of investors and promote a fair,
efficient market with its professionalism and enthusiasm.



壹、前言	I. Introduction	2
貳、組織結構	II.SFIPC Structure	6
組織系統	SFIPC Structure	7
人事結構	Working Staff	8
參、董事、監察人名錄	III.Directors and Supervisors	10
肆、調處委員名錄	IV.Members of the Mediation Committee	12
伍、業務報告	V. Operations	14
一、保護基金	A.Protection fund	14
二、諮詢申訴	B.Consultation and filing of complaints	16
三、爭議調處	C.Mediation	18
四、團體訴訟	D.Class-action lawsuit	20
五、歸入權行使	E.Return of earnings	21
六、基金償付	F.Compensation	22
七、保護宣導	G.Promotional campaigns	23
陸、財務報告	VI.Financial Statements	24
柒、大事紀要	VII.Important Events	36



壹、前言

I. Introduction





朱兆銓／董事長
Jaw-Chyuan Chu／Chairman

「證券投資人及期貨交易人保護法」（以下稱投保法）於民國九十一年七月十七日經總統令公布，並經行政院核定自九十二年一月一日施行。「財團法人證券投資人及期貨交易人保護中心」（以下稱本中心）係依投保法設立之投資人保護機構，於九十二年一月二十二日辦妥財團法人設立登記，並於二月二十日由財政部林部長全親臨主持開幕儀式，開啓我國證券及期貨市場發展史上保護投資人的重大里程碑。本中心之主要業務為提供投資人諮詢、申訴、民事爭議事件之調處、證券或期貨損

The President of the Republic of China on July 17, 2002 promulgated the Securities and Futures Investors Protection Act (hereafter referred to as “the Act”), which became effective on January 1, 2003. The Securities Investors and Futures Traders Protection Center (hereafter referred to as “the Center”) is an organization set up under the Act. The Center officially began operation on January 22, 2003 after an opening ceremony hosted

by Lin Chuan, ROC Finance Minister, in an event that marked a milestone in the history of Taiwan’s stock and futures markets.

The Center was set up to provide: consultation on the trading of securities and futures as governed by related laws and regulations, arbitration of disputes arising from the trading of securities and futures, and litigation services on behalf of investors. In addition, the Center manages a protection fund to compensate investors, should securities or futures trading companies become unable to do so due to financial difficulties.

害求償之團體訴訟，並針對證券商或期貨商因財務困難無法給付款券或保證金時，保護機構得動用保護基金償付善意投資人等項作業。

本中心成立以來，致力於投資人保護之制度建置及業務推動，設有投資人服務專線，接受投資人之法令諮詢或申訴，並受理投資人書面申訴，積極協助投資人解決問題。另依投保法設置調處委員會，遴聘調處委員十五人，已受理投資人申請民事爭議事件調處三十五件，其中五件調處成立並送法院核定。團體訴訟部分，除接續辦理原證基會受理投資人求償案件外，自本中心成立以來，已就華夏租賃、紐新、南港、中友及台肥等五件不法案件提起訴訟，計有一、〇五〇名投資人授與訴訟實施權進行民事求償，金額共約新台幣四億六千七百餘萬元，截至本年度止，共計二十八案繫屬於各級法院。有關督促上市（櫃）公司行使歸入請求權，本年度共處理九十一年下半年度上市（櫃）公司及九十二年上半年度上市（櫃）公司之案件計三二六件，其中經催促行使已結案二〇五件，尚有一二一件持續催促行使中。另與新聞媒體合辦保護投資人權益系列座談會六場次，藉媒體發布加強宣導，提醒投資人重視本身權益。

Since its opening, the Center, has done the following: established an investors' hotline, providing legal advice and filing complaints on the behalf of investors. The Center has also established a mediation committee consisting of 15 members, who have undertaken arbitration of 35 civil disputes, and have so far succeeded in five of them.

As for class-action litigations, the Center has been representing the defendants in a case originally filed by the Securities and Futures Institute, and has also filed lawsuits on behalf of investors in the following cases: Hwa Hsia Leasing, New Sun Metal, Nan Kang Rubber Tile, Chung Yo Department Store and Taiwan Fertilizer. Defendants represented by the Center have totaled 1,050, with total compensations reaching NT\$467 million. By the end of 2003, there were 28 cases still pending in court.

In terms of return-of-earnings disputes, the Center handled 326 cases between the second half of 2002 and the first half of 2003. Of the 326 cases, 205 have concluded and 121 remain active.



本中心成立元年，除戮力推動前述之業務外，並召開投資人保護有關之諮詢會及研討會，邀請學界及實務界人士討論，提供本中心調處及團體訴訟策略之參考，俾利後續業務之進行。

展望未來，面對國內外政治經濟情勢之發展，各種產業及金融環境之變遷，證券及期貨市場商品不斷創新，制度規章屢再更張，投資人如何認識商品，如何作投資抉擇，如何了解市場規則，如何保障本身權益，在在顯示投資人權益保護之重要性，本中心將持續依照投保法賦予之任務功能，配合主管機關之政策與指導，以維護公益及專業服務之精神，全力為提供投資人最佳之服務，共同致力促進證券及期貨市場之健全發展。

Finally, the Center has held six investor protection seminars in conjunction with several news organizations to promote the rights of investors. The seminars were attended by government officials and industry experts to share their insights, which were a lot of help for the Center as it provides arbitration and litigation services to investors.

Looking ahead, the Center will continue to look after the interests of investors in a world where newer and more diverse investment products are being rolled out by financial institutions. Investing in such an environment requires not only knowledge of financial products, but also an understanding of the laws and regulations related to the trading of securities and futures so that investors can better protect themselves. The Center will carry out its duties as specified by law and will work with related government authorities to offer services of the highest quality in order to ensure the fair-trading of securities and futures in the market.



貳、組織結構

II. SFIPC Structure





財團法人證券投資人及期貨交易人保護中心
Securities and Futures Investors Protection Center

組織系統

The structure of the
Securities and Futures
Investors Protection Center



人事結構

本中心創立伊始，人事以精簡為原則，除由董事長兼任總經理外，現有專職員工二十二人，其中男性十人，女性十二人；配置法律服務處十四人，管理處八

人；全體員工平均年齡三十四歲；員工教育程度具碩士學位者有六人，大專學位者有十五人。





Working staff

Since established, the Center has downsized its personnel structure and currently operates with a staff of only 22 full-time employees in addition to the chairman who now also acts as the Center's president. Among the 22 full-time employees, 10 are male and 12 female; 14 work at the legal service division and 8 at the administration division; 6 have Master's degree and 15 hold Bachelor's degree. Their ages average 34.





參、董事、監察人名錄

III. Directors and Supervisors



董事長
朱兆銓
財團法人證券投資人及期貨
交易人保護中心董事長
Chairman
Jaw-Chyuan Chu
Securities and Futures Investors
Protection Center



董事
王得山
臺灣期貨交易所董事長
Director
Der-Shan Wang
Chairman of
Taiwan Futures Exchange



董事
呂東英
中華民國公司組織研究發展
協會理事長
Director
Danng-Yen Lu
Chairman of Institute for
Research & Development of
Corporate Organization of R.O.C.



董事
陳春山
亞卓國際法律事務所律師
Director
Louis C. S. Chen
Attorney at Chen &
Associates Law Firm



董事
曾巨威
政治大學財政學系所教授
Director
Chu-Wei Tseng
Professor at Department of
Public Finance, National Chengchi
University



董事
葉景成
臺灣證券集中保管
公司董事長
Director
Andy Yeh
Chairman of Taiwan Securities
Central Depository Co.



董事
趙揚清
淡江大學會計學系副教授
Director
Yang-Ching Chao
Associate Professor at
Department and Graduate
Institute of Accounting,
Tamkang University

* 董事與監察人均按姓氏筆劃排序
In the order of the strokes of their Chinese surname.



董事
李庸三
財團法人中華民國證券櫃
檯買賣中心董事長
Director
Yung-San Li
Chairman of GreTai Securities
Market



董事
林筠
臺灣大學財務金融學系
教授
Director
Yun Lin
Professor at Department of
Finance, National Taiwan University



董事
林仁光
臺灣大學法律學系
助理教授
Director
Andrew Jen-Guang Lin
Assistant Professor at College of
Law, National Taiwan University



董事
陳冲
臺灣證券交易所董事長
Director
Sean Chen
Chairman of Taiwan Stock
Exchange Co.



監察人
杜榮瑞
臺灣大學會計學系教授
Supervisor
Rong-Ruey Duh
Professor at Department of
Accounting, National Taiwan
University



監察人
周行一
政治大學財務管理學系
教授
Supervisor
Edward H. Chow
Professor at Financial Management
Department, National Chengchi
University



監察人
簡鴻文
中華民國證券商業同業公會
理事長
Supervisor
Hung-Wen Chein
Chairman of Chinese Securities
Association



肆、調處委員名錄

IV. Members of the Mediation Committee

稱謂	姓名	現職
主任委員	朱兆銓	財團法人證券投資人及期貨交易人保護中心董事長
委員	王文宇	臺灣大學法律學院教授兼財經法研究中心主任
委員	沈慧雅	常春律師事務所律師兼所長
委員	邱顯比	臺灣大學財務金融學系主任暨研究所所長
委員	洪秋榮	中華民國證券投資信託暨顧問商業同業公會秘書長
委員	馬秀如	政治大學會計學系教授
委員	張世興	中華民國律師公會全國聯合會秘書長
委員	莊太平	中華民國證券商業同業公會秘書長
委員	黃古彬	寶來證券公司執行董事
委員	劉玉珍	政治大學財務管理學系教授
委員	劉連煜	政治大學法律系教授
委員	薛富井	臺北大學會計學系教授
委員	謝金虎	金虎會計師事務所主持會計師
委員	謝國松	中華民國會計師公會全國聯合會秘書長
委員	謝夢龍	台北市期貨商業同業公會總幹事



Title	Name	Position
Convener	Jaw-Chyuan Chu	Chairman of the Securities and Futures Investors Protection Center
Member	Wen-Yeu Wang	Professor at Law School and Directors of the Financial Law Institute, National Taiwan University
Member	Hui-Ya Shen	Director of Chang Chuen Law office
Member	Shean-Bii Chiu	Dean of Department of Finance, National Taiwan University
Member	Chiu-Jung Hung	Secretary General of the Securities Investment Trust & Consulting Association
Member	Shiaw-Ru Ma	Professor at Department of Accounting, National Chengchi University
Member	Shyh-Shing Chang	Secretary General of Taiwan Bar association
Member	Tai-Ping Chuang	Secretary General of Chinese Securities Association
Member	Peter Huang	Executive Director, Polaris Securities Co.
Member	Yu-Jane Liu	Professor at Department of Public Finance, National Chengchi University
Member	Len-Yu	Professor at Department of Law, National Chengchi University
Member	Fu-Jiing Shiue	Professor at Department of Accounting, Taipei University
Member	Miles Hsieh	Managing Partner of Miles Hsieh & Co CPAS
Member	Kuo-Sung Hsieh	Secretary General of Nation Federation of Certified Public Accountants Association of The R. O. C.
Member	Simon Hsieh	Secretary General of Taipei Futures Association



伍 · 業務報告

V. Operations



353210 · 60+
3567810 · 84+
357951 · 60+
8520 · 50+
8520 · 40+

2740090
2740090
73 · %
2000266 · *
00266 · =
378 · =

266 · =
333378 · *
261457
9532
35

8520 · 40+
= M X %
2740090 ·
2740090 ·
73 · %
2000266 · *

261457
95



一、保護基金

本中心之創立基金為新台幣十億三千一百萬元，由證券及期貨市場相關機構捐助，包括：臺灣證券交易所股份有限公司、臺灣期貨交易所股份有限公司、財團法人中華民國證券櫃檯買賣中心、臺灣證券集中保管股份有限公司、中華民國證券商業同業公會、中華民國證券投資信託暨顧問商業同業公會、台北市期貨商業同業公會、復華證券金融股份有限公司、環華證券金融股份有限公司、富邦證券金融股份有限公司、安泰證券金融股份有限公司。

為有效推動各項證券投資人及期貨交易人保護及服務工作，健全及擴大市場規模，依投保法第十八條規定，保護基金除依該法第七條第二項之捐助財產外，各證券商應於每月十日前按其前月份受託買賣證券成交金額提撥萬分之零點零二八五，各期貨商按其前月受託買賣成交契約數各提撥新臺幣一點八八元，證券交易所、期貨交易所及櫃檯買賣中心按其前月份經手費收入提撥百分之五之款項作為本中心保護基金之來源。自九十二年一月至十二月止，本中心共收受撥保護基金金額約計四億四千七百八十八萬餘元。

A. Protection Fund

The Center's investor protection fund was valued at NT\$1.031 billion when the Center opened. Donors to the fund include Taiwan Stock Exchange, Taiwan Futures Exchange, GreTai Securities Market, Taiwan Securities Central Depository Co., Chinese Securities Association, Securities Investment Trust and Consulting Association of ROC, Taipei Futures Association, Fuhwa Securities, Global Securities Finance Corp., Fubon Securities and Entie Securities.

Meanwhile, per Article 18 of the Act, securities firms, futures firms, the Taiwan Stock Exchange, the Taiwan Futures Exchange and GreTai Securities Market are required to contribute a portion of their incomes to the fund by the tenth of each month. The contributions are broken down as follows 0.000285% of the total consideration for securities transactions from the previous month by securities firms, NT\$1.88 per transaction by futures firms; and 5% of total transaction fees by the Taiwan Stock Exchange, Taiwan Futures Exchange and GreTai Securities Market.

In 2003, the Center received NT\$447.88 million in such contributions.

依投保法第十九條規定，保護基金應以購入政府債券或存入金融機構之方式保管，惟經主管機關核准係於合計不超過保護基金淨額百分之三十之範圍內，可購買不超過捐助財產總額百分之十之自用不動產、原始投資不超過一千股之上市上櫃公司股票及其他有利基金保值之投資，經訂定「本中心基金及保管運用作業要點」執行有關保護基金之保管運用，至九十二年十二月止含創立基金、前述受撥保護基金、其他受贈及基金孳息計約十四億八千三百萬元，保管運用於銀行存款約佔百分之七十七，債券基金投資約佔百分之二十一，股票投資約佔百分之二。

二、諮詢申訴

當投資人對證券期貨法令有疑義或與發行人、證券商、證券服務事業、期貨業、交易所、櫃檯買賣中心、結算機構或其他利害關係人間，因有價證券募集、發行、買賣或期貨交易及其他相關事宜發生民事爭議時，均可以電話撥打投資人服務專線或親自來本中心諮詢；若投資人與前述機構間發生民事爭議時，亦可以電話、書面（含傳真、網路等）或親臨本中心之方式提出申訴。

Article 19 of the Act stipulates that most of the fund should be deposited into banks or used to purchase government bonds. Unless otherwise approved by the supervising agency, no more than 30% of the fund may be invested in real estate for self-use, or in no more than 1,000 shares of stocks traded on the Taiwan Stock Exchange or the OTC market.

According to a report by the Center, by the end of December 2003, the total value of the fund -- as calculated by combining the principal, the amount contributed by organizations and the accrued interest -- was NT\$1.483 billion, of which 77% was deposited in banks, 21% invested in bonds and 2% in stocks.

B. Consultation and filing of complaints

Should a civil dispute with regard to the raising, issuance and trading of securities and futures occur between a securities investor or futures trader and a securities issuer, securities firm, securities service provider, futures firm, trading firm, OTC firm or settlement firm, or if the investor or trader just has a question regarding the laws and regulations related to the trading of securities or futures, he or she can call the Center's service line or file a complaint with the Center by phone, mail or e-mail.



統計今年成立以來迄十二月底止，本中心接獲電話諮詢四千五百餘通，書面申訴案共四四七件。電話諮詢主要係諮詢法令制度等相關規定，亦有申訴發行公司違法情事，與證券商、期貨商、投顧、證金公司間之交易糾紛。書面申訴之類型，主要係電子交易紛爭、未經許可買賣客戶股票、買賣未上市櫃股票、融資融券追繳、期貨保證金追繳、投顧退費糾紛及投顧分析誤導等為最大宗。

本中心處理投資人申訴證券暨期貨交易糾紛案件時，均本熱忱服務態度積極協助投資人解決問題，除以電話向申訴人說明原委或函請受申訴單位提出說明，協助雙方解決紛爭外，若案情較為複雜或求償金額較高，則建議投資人申請調處；另針對投資人檢舉之不法案件，視案件之性質，移請司法或有關機關處理。

By the end of December, the Center has received over 4,500 phone calls asking for advice, and received 447 complaints. The phone calls were mostly inquiries about laws and regulations for trading, and the complaints were filed by investors alleging publicly-traded firms with legal violations or investors involved in disputes with securities firms, futures firms, asset management firms or banks. Disputes mostly had to do with e-trading, the trading of shares held by another party without its approval, the trading of non-publicly-traded shares, the collection of debts, the collection of futures trading fees, request for refund from investment consulting firms and inaccurate analyses by investment consulting firms.

The Center is established to help investors solve their problems in a proactive manner. The Center will contact both the investor and the other party involved in a particular incident. If the dispute had to do with a complex issue or if a large amount of compensation was demanded, the Center will suggest that both parties apply for arbitration. The Center may also transfer a case to related judicial or other authorities if the case had to do with violation of the law.



三、爭議調處

證券投資人或期貨交易人因有價證券之募集、發行、買賣或期貨交易致其權益受損，欲主張權利時，受限於訴訟程序之繁瑣，致多數權益受損之投資人或交易人均未能依法主張權益。惟若於起訴前，透過本中心調停排解，避免進入訴訟程序，尋求救濟，自為最佳途徑；投保法第二十二條規定，投資人有前開民事爭議時，得向本中心申請調處。

C. Mediation

As it is difficult for investors to file a civil lawsuit to dispute the raising, issuance and trading of securities or futures, settling cases through mediation arranged by the Center would be ideal. Article 22 of the Act gives the Center the authority to conduct mediation on behalf of investors.





The Center, which arbitrated its first case on July 10, has, by December 31, received 35 requests for mediation. The parties reached a settlement in five of the cases failed to reach a settlement in four reached a settlement before the start of arbitration in three, failed to show up in nine and withdrew from the arbitration in one.

本中心自本年度七月十日受理第一宗調處案件起，迄十二月三十一日止共受理三十五件調處案，其中調處成立五件，不成立四件，召開調處會議前即達成和解三件，相對人拒絕調處或未如期回覆者九件，申請人撤銷調處一件。為推廣調處制度並使投資人更瞭解調處申請程序等事宜，俾使該制度運作順暢，本年度已製作完成調處制度問答集及宣導手冊，分別置於本中心網站及分送各證券期貨相關機構，以為調處業務之宣導。

為發揮本中心申訴調處功能，主管機關曾邀集證券週邊單位協商並通函規定，將投資人陳情事項不涉及違反證券期貨管理法令、證券交易所、期貨交易所及櫃檯買賣中心之相關規章，或雖涉及但情節輕微者之陳情案件，移請本中心處理。

To promote the Center's mediation mechanism and to help investors know more about the process, the Center has published a mediation handbook that can be obtained at securities and futures trading firms and the Center's web site.

The Center has asked securities and futures trading firms to turn over to the Center cases that do not have to do with the violation of securities or futures trading laws or guidelines announced by securities or futures trading firms, or cases involving the violation of law to a less severe degree.

四、團體訴訟

鑑於我國證券投資人參與市場者以散戶居多，其權益受損時，因缺乏相關資訊，且提起訴訟須耗費相當時間、金錢，故多裹足不前。本中心依投保法第二十八條之規定，對於造成多數證券投資人或期貨交易人受損害之同一證券、期貨事件，得由二十人以上證券投資人或期貨交易人授與訴訟或仲裁實施權後，由本中心提起團體訴訟或仲裁。

本中心自九十二年一月成立以來，針對華夏租賃、紐新、南港楊鐵、中友及台肥公司等五起證券不法案件提起團體訴訟，受理一、〇五〇名投資人登記授權進行民事求償，金額共約四億六千七百餘萬元，截至本年度止，連同接續辦理原證基

D. Class-action lawsuit

As most investors in Taiwan are individual investors who lack sufficient money, time and resources to file a lawsuit against securities or futures trading firms or publicly-traded companies. The Center can, under Article 28 of the Act, file a lawsuit on behalf of 20 or more securities investors or futures traders who are victimized by the same incident and who have given the Center the authority to do so.

Since January 2003, the Center has represented 1,050 investors in the following cases: Hwa Hsia Leasing, New Sun Metal, Nan Kang Rubber Tile, Chung Yo Department Store, and Taiwan Fertilizer, and asked for compensations totaling NT\$467 million. By the end of 2003, there were 28 cases pending in court, including a case requested by the Securities and Futures Institute.

Meanwhile, the Center has at the end of the year agreed to represent the approximately 2,000 people in the Infodisc Technology case seeking damages of NT\$310 million.

E. Return of earnings

Based on Article 157, Section 11 of the Act, directors, supervisors, executives and the top ten shareholders holding over 10 percent of shares of a publicly traded firm, who have profited through the buying or selling of the company's stock after holding them for six months, should return their





會受理投資人求償案件，共有二十八案繫屬於各級法院；另就訊碟案亦於年底受理投資人登記完畢，計有合格投資人約二千名求償，金額約三億一千餘萬元。

五、歸入權行使

依證券交易法第一百五十七條及其施行細則第十一條規定，上市（櫃）公司之董事、監察人、經理人及持股超過百分之十之大股東，對公司之股票及具有股權性質之其他有價證券，於取得後六個月內再行賣出，或於賣出後六個月內再行買進，因而獲得利益者，公司應請求將其利益歸於公司。本中心成立後業依主管機關函示，接續原證基會辦理上市（櫃）公司內部人涉短線交易歸入權之行使業務，以股東身分要求公司行使歸入權。

按督促上市（櫃）公司行使歸入請求權，係就台灣證券交易所及櫃檯買賣中心提供之每半年短線交易彙總資料，函請公司依法行使歸入權。本中心成立後，本年度共處理九十一年下半年度上市（櫃）公司及九十二年上半年度上市（櫃）公司之案件計三二六件，已結案二〇五件，另有一二一件仍催促行使中。總計辦理八十三年度至九十二年度歸入權案件計二、九六一件，本年度結案計二、八〇八件，催促行使一三〇件，進入訴訟程序二十三件。

earnings to the company. The Center is required, as authorized by related government authorities, to enforce this regulation and monitor any short-term trading of securities or futures by company insiders. The duty was formerly given to the Securities and Futures Institute.

The Center will send written requests to parties, asked to return earnings from short-term trading. The enforcement is based on biannual reports from the Taiwan Stock Exchange or OTC market on short-term trading. The Center has handled 326 cases between the second half of 2002 to the first half of 2003. Of these cases, 250 have been closed and 121 are still pending.

In total, the Center has handled 2,961 cases involving return-of-earnings violations that have taken place between 1994 and 2003, of which 2,808 have been closed, 130 are still pending and 23 have been transferred to court.

F. Compensation

To protect the rights of individual investors, the Center, as required by the Act, has set up a protection fund to compensate investors for their losses in the form of securities, cash, safety deposits or royalties if a securities or commodities firm were unable to do so due to financial difficulties.

六、基金償付

為落實對於小額證券投資人權益的保護，本中心依投保法設置保護基金，當投資人所委託之證券商或期貨商因財務困難失去清償能力，而無法獲取其應得之有價證券、價款或應得之保證金、權利金，本中心得動用保護基金先行償付予投資人，以降低投資人的損失。

惟因保護基金總額有限，主管機關為避免單一之鉅額償付事件即嚴重影響保護基金及本中心之運作，在考量個別證券商或期貨商對保護基金貢獻之公平性、保護基金之運作及對小額投資人權益之保護，而無法完全滿足投資人所有受損額度，故有償付限額，即對每一投資人一次之償付，以新臺幣一百萬元為限；對每家證券商或期貨商之全體證券投資人或期貨交易人一次之償付總額，以證券商或期貨商最近一年或最近三年平均提撥保護基金數額(取其數額高者為準)之一千倍為準，並不超過新台幣十億元為償付總額上限，前開計算金額最高未達一億元者，以一億元為準。本年度尚無應進行償付作業案件。

The amount of compensation is limited, however, owing to concern that funds may run out after a serious incident. As the Center must strike a balance between sustaining the fund and protecting investors, it has been decided that the maximum single-installment compensation the Center will pay each investor is NT\$1 million. The maximum compensation the Center will pay each securities investor or futures trader under the same securities- or futures-trading firm will be NT\$100 million, or 1,000 times the average amount contributed by the firm to the Center over the past one or three years, whichever is higher. But the amount shall not exceed NT\$1 billion. The Center has so far not received any request for compensation using the fund.





七、保護宣導

鑑於本中心成立元年，為加強投資人權益保護之宣導，並使投資大眾了解本中心各項業務功能，先後印製「投資人保護中心正式成立」海報、「投資人權益之保護—證券投資人及期貨交易人保護法九十二年一月一日施行後攸關投資人權益事項」宣導手冊、「證券投資人及期貨交易人保護中心簡介」、「調處制度介紹」等宣導品，免費提供投資人取閱參考。

本中心並透過與報章媒體合辦座談會之方式，進行投資人權益保護宣導，本年度辦理「投資人權益保護系列座談會」有一、資訊公司傳輸紛爭座談會；二、投資人加入投顧公司權益面面觀座談會；三、證券及期貨電子交易爭議問題座談會；四、公司合併或分割相關問題座談會；五、提升財報透明度座談會；六、投資人買賣外國有價證券風險面面觀座談會，共計六場次，經由報紙媒體公開座談會討論之重點，提醒投資人建立正確之投資觀念，並重視本身之合法權益，促使我國證券暨期貨市場之發展更趨健全。



G. Promotional campaigns

The Center has published several publications, including: the “Opening of the Securities Investors and Futures Traders Protection Center” poster; “Rights of the Investors as Protected under the Securities Investors and Futures Traders Protection Act Effective January 1, 2003”; “Introduction to the Securities Investors and Futures Traders Protection Center”; and “Guide on the Arbitration Procedure” to promote the rights of investors and introduce them to the Center. The publications are free of charge.

In addition, the Center has held educational events in conjunction with media organizations teaching investors how to protect themselves. The event topics included: 1. disputes arising from the trading of IT stocks; 2. risks involving in joining an investment consulting firm; 3. disputes arising from e-trading; 4. merger or divestiture of a company; 5. making financial statements more transparent; and 6. trading of overseas stocks. Details of the discussions reported by the media should help investors become more aware of their rights and responsibilities. The promotional campaigns are aimed at making trading in the securities and futures markets fairer and more transparent.



陸、財務報告

VI. Financial Statements





會計師查核報告 REPORT OF INDEPENDENT AUDITORS

財團法人證券投資人及期貨交易人保護中心民國九十二年十二月三十一日之資產負債表，暨民國九十二年一月十日(設立日)至十二月三十一日之收支餘絀表、保護基金變動表及現金流量表，業經本會計師查核竣事。上開財務報表之編製係管理階層之責任，本會計師之責任則為根據查核結果對上開財務報表表示意見。

本會計師係依照會計師查核簽證財務報表規則暨一般公認審計準則規劃並執行查核工作，以合理確信財務報表有無重大不實表達。此項查核工作包括以抽查方式獲取財務報表所列金額及所揭露事項之查核證據、評估管理階層編製財務報表所採用之會計原則及所作之重大會計估計，暨評估財務報表整體之表達。本會計師相信此項查核工作可對所表示之意見提供合理之依據。

依本會計師之意見，第一段所述財務報表在所有重大方面係依照財政部頒布之「財政部主管財團法人監督管理準則」及一般公認會計原則編製，足以允當表達財團法人證券投資人及期貨交易人保護中心民國九十二年十二月三十一日之財務狀況，暨民國九十二年一月十日(設立日)至十二月三十一日之收支結果、基金變動與現金流量。

此 致

財團法人證券投資人及期貨交易人保護中心 公鑒

致遠會計師事務所

會計師：

楊文安



中華民國九十三年二月十九日

The Board of Directors

Securities and Futures Investors Protection Center

We have audited the accompanying balance sheet of Securities and Futures Investors Protection Center as of December 31, 2003, and the related statements of income and disbursements, changes in institute fund, and cash flows for the period from January 10, 2003 (inception) through December 31, 2003. These financial statements are the responsibility of the Center's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the Republic of China in Taiwan. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by the Center's management, as well as evaluating the overall financial statement presentation. We believe that our audit provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to in the first paragraph present fairly, in all material respects, the financial position of Securities and Futures Investors Protection Center as of December 31, 2003, and the results of its operations, changes in institute fund and its cash flows for the period from January 10, 2003 (inception) through December 31, 2003 in conformity with "Guidelines Regarding the Supervision and Governance of Funds with Juridical Person Status" stipulated by Ministry of Finance and accounting principles generally accepted in the Republic of China in Taiwan.

February 19, 2004
Taipei, Taiwan
Republic of China

Diwan, Ernst & Young

財團
法人 證券投資人及期貨交易人保護中心

資產負債表

民國九十二年十二月三十一日

單位：新台幣元

資 產	92年12月31日	
	金 額	%
流動資產		
現金及約當現金	\$1,074,036,622	72.10
短期投資淨額	309,000,000	20.74
應收帳款	39,651,639	2.66
其他流動資產	11,943,401	0.80
流動資產合計	1,434,631,662	96.30
長期投資淨額	20,590,360	1.38
固定資產		
辦公設備	3,609,169	0.24
租賃改良	58,179	0.00
成本小計	3,667,348	0.24
減：累計折舊	(504,239)	(0.03)
預付土地款	20,600,000	1.38
預付房屋款	9,809,524	0.66
固定資產淨額	33,572,633	2.25
其他資產		
存出保證金	915,460	0.07
資產總計	\$1,489,710,115	100.00



負債、基金及累積餘絀	92年12月31日	
	金額	%
流動負債		
應付票據	2,286,248	0.15
應付費用	3,217,508	0.22
其他流動負債	267,358	0.02
流動負債合計	5,771,114	0.39
負債總計	5,771,114	0.39
基金及累積餘絀		
創立基金	1,031,000,000	69.21
待轉撥基金	452,939,001	30.40
累積餘(絀)	0	0.00
基金及累積餘(絀)總計	1,483,939,001	99.61
負債、基金及累積餘絀總計	\$1,489,710,115	100.00

Securities and Futures Investors Protection Center

BALANCE SHEET

December 31, 2003

(Expressed in New Taiwan Dollars)

ASSETS	December 31, 2003	
	Amount	%
CURRENT ASSETS		
Cash and cash equivalents	\$ 1,074,036,622	72.10
Short-term investments	309,000,000	20.74
Accounts receivable	39,651,639	2.66
Other current assets	11,943,401	0.80
Total Current Assets	1,434,631,662	96.30
LONG-TERM INVESTMENTS	20,590,360	1.38
PROPERTY AND EQUIPMENT		
Office equipment	3,609,169	0.24
Leasehold improvements	58,179	0.00
Total Cost	3,667,348	0.24
Less : accumulated depreciation	(504,239)	(0.03)
Advance payment for land	20,600,000	1.38
Advance payment for buildings	9,809,524	0.66
Net Property and Equipment	33,572,633	2.25
OTHER ASSETS		
Refundable deposits	915,460	0.07
TOTAL ASSETS	\$ 1,489,710,115	100.00



LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	December 31, 2003	
	Amount	%
CURRENT LIABILITIES		
Notes payable	\$ 2,286,248	0.15
Accrued expenses	3,217,508	0.22
Other current liabilities	267,358	0.02
Total Current Liabilities	5,771,114	0.39
TOTAL LIABILITIES	5,771,114	0.39
FUNDS AND ACCUMULATED SURPLUS		
Institute fund	1,031,000,000	69.21
Fund to be transferred	452,939,001	30.40
Accumulated surplus (deficit)	0	0.00
TOTAL FUNDS AND ACCUMULATED SURPLUS	1,483,939,001	99.61
TOTAL LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	\$ 1,489,710,115	100.00

財團法人 證劵投資人及期貨交易人保護中心

收支餘絀表

民國九十二年一月十日(設立日)至十二月三十一日

單位：新台幣元

項目	92年度	
	金額	%
收入		
財務收入	\$ 12,697,391	35.13
投資收入	653,704	1.81
其他收入	20,241	0.06
基金撥用業務	22,767,485	63.00
合 計	36,138,821	100.00
支出		
人事支出	24,889,154	68.87
業務支出	11,249,667	31.13
合 計	36,138,821	100.00
本期餘(絀)	\$ 0	0.00



Securities and Futures Investors Protection Center
STATEMENT OF INCOME AND DISBURSEMENTS

For the period from January 10, 2003 (inception) through December 31, 2003

(Expressed in New Taiwan Dollars)

	2003	
	Amount	%
REVENUES		
Financial income	\$ 12,697,391	35.13
Investment income	653,704	1.81
Other income	20,241	0.06
Income from fund transferred to operation	22,767,485	63.00
Total Revenues	36,138,821	100.00
EXPENSES		
Personnel expenses	24,889,154	68.87
Operating expenses	11,249,667	31.13
Total Expenses	36,138,821	100.00
Surplus (deficit) for the period ended	\$ 0	0.00

財團法人 證券投資人及期貨交易人保護中心

保護基金變動表

民國九十二年一月十日(設立日)至十二月三十一日

單位:新台幣元

項目	創立基金	待轉撥基金	累積餘(絀)	合計
民國九十二年一月十日(設立日)餘額	\$ 0	\$ 0	\$ 0	\$ 0
募集創立基金	1,031,000,000			1,031,000,000
受撥收入		447,884,988		447,884,988
捐贈收入		29,154,168		29,154,168
訴訟仲裁動用基金		(1,332,670)		(1,332,670)
業務支出動用基金		(22,767,485)		(22,767,485)
九十二年度餘(絀)			0	0
民國九十二年十二月三十一日餘額	<u>\$1,031,000,000</u>	<u>\$ 452,939,001</u>	<u>\$ 0</u>	<u>\$1,483,939,001</u>



Securities and Futures Investors Protection Center
STATEMENT OF CHANGES IN INSTITUTE FUND

For the period from January 10, 2003 (inception) through December 31, 2003

(Expressed in New Taiwan Dollars)

	Institute Fund	Fund To Be Transferred	Accumulated Surplus (Deficit)	Total
Balance, January 10, 2003 (Inception)	\$0	\$0	\$0	\$0
Initial establishment fund	1,031,000,000			1,031,000,000
Contribution income to fund		447,884,988		447,884,988
Donation income to fund		29,154,168		29,154,168
Allocation to class action and arbitration		(1,332,670)		(1,332,670)
Allocation to operation revenue		(22,767,485)		(22,767,485)
Surplus (deficit) for 2003			0	0
Balance, December 31, 2003	<u>\$1,031,000,000</u>	<u>\$452,939,001</u>	<u>\$0</u>	<u>\$1,483,939,001</u>

財團法人證券投資人及期貨交易人保護中心

現金流量表

民國九十二年一月十日(設立日)至十二月三十一日

單位：新台幣元

項目	92年度
業務活動之現金流量：	
本期餘絀	\$0
調整項目：	
折舊	504,239
處分長期投資利益	(2,900)
業務用資產及負債增減淨額	
短期投資	(309,000,000)
應收帳款	(39,651,639)
其他流動資產	(11,943,401)
應付票據	2,286,248
應付費用	3,217,508
其他流動負債	267,358
業務活動之淨現金流出	(354,322,587)
投資活動之現金流量：	
長期投資增加數	(12,010,477)
長期投資減資退回股款	3,000
出售長期投資價款	30,200
存出保證金增加	(915,460)
購置固定資產	(34,076,872)
取得現金股利	516,899
投資活動之淨現金流出	(46,452,710)
融資活動之現金流量：	
募集創立基金	1,031,000,000
待轉撥基金增加	443,811,919
融資活動之淨現金流入	1,474,811,919
本期現金及約當現金增加數	1,074,036,622
期初現金及約當現金餘額	-
期末現金及約當現金餘額	\$1,074,036,622



Securities and Futures Investors Protection Center

STATEMENT OF CASH FLOWS

For the period from January 10, 2003 (inception) through December 31, 2003

(Expressed in New Taiwan Dollars)

	2003
CASH FLOWS FROM OPERATING ACTIVITIES	
Surplus (deficit)	\$0
Adjustments to reconcile net surplus (deficit) to net cash provided by (used in) operating activities:	
Depreciation expense	504,239
Gain on disposal of long-term investments	(2,900)
Net changes in operating assets and liabilities	
Short-term investments	(309,000,000)
Accounts receivable	(39,651,639)
Other current assets	(11,943,401)
Notes payable	2,286,248
Accrued expenses	3,217,508
Other current liabilities	267,358
Net cash used in operating activities	<u>(354,322,587)</u>
CASH FLOWS FROM INVESTING ACTIVITIES	
Increase in long-term investments	(12,010,477)
Proceeds received from capital reduction of long-term investments	3,000
Proceeds from disposal of long-term investments	30,200
Increase in refundable deposits	(915,460)
Purchases of property and equipment	(34,076,872)
Cash dividends received	516,899
Net cash used in investing activities	<u>(46,452,710)</u>
CASH FLOWS FROM FINANCING ACTIVITIES	
Institute Fund	1,031,000,000
Increase in fund to be transferred	443,811,919
Net cash provided by financing activities	<u>1,474,811,919</u>
NET INCREASE IN CASH AND CASH EQUIVALENTS	<u>1,074,036,622</u>
CASH AND CASH EQUIVALENTS AT BEGINNING OF PERIOD	<u>-</u>
CASH AND CASH EQUIVALENTS AT END OF PERIOD	<u><u>\$1,074,036,622</u></u>



柒、大事紀要

VII. Important Events





日期 Date	事項 Event
91.07.17 July 17, 2002	<p>總統令公布「證券投資人及期貨交易人保護法」。</p> <p>The Presidential Office promulgated the “Securities Investors and Futures Traders Protection Act.”</p> <p>備註：華總一義字第09100142260號函。</p> <p>Note：Presidential Office: No. 09100142260</p>
91.10.31 Oct. 31, 2002	<p>行政院核定「證券投資人及期貨交易人保護法」自九十二年一月一日施行。</p> <p>The Executive Yuan approved the draft of the “Securities Investors and Futures Traders Act,” which became effective on January 1, 2003.</p> <p>備註：院臺財字第0910054773號。</p> <p>Note：Ministry of Finance, Executive Yuan: No. 0910054773</p>
91.12.30 Dec. 30, 2002	<p>主管機關發布「證券投資人及期貨交易人保護機構管理規則」。</p> <p>The Securities and Futures Commission (SFC) published the regulations governing the securities investors and futures traders protection institutions.</p> <p>備註：台財證三字第0910006393號函。</p> <p>Note：Securities and Futures Commission (3)*, Ministry of Finance: No. 0910006393</p>
91.12.30 Dec. 30, 2002	<p>主管機關發布「證券投資人及期貨交易人保護機構調處委員會組織及調處辦法」。</p> <p>The SFC published the regulations on the mediation committee of the securities investors and futures traders protection institutions.</p> <p>備註：台財證（三）字第0910005706號函。</p> <p>Note：Securities and Futures Commission (3), Ministry of Finance: No. 0910005706</p>
91.12.30 Dec. 30, 2002	<p>主管機關發布「證券投資人及期貨交易人保護基金償付作業辦法」。</p> <p>The SFC published the regulations on the operations of the investors protection fund.</p> <p>備註：台財證（三）字第0910006008號函。</p> <p>Note：Securities and Futures Commission (3), Ministry of Finance: No.0910006008</p>
92.01.03 Jan. 3, 2003	<p>主管機關依投保法第十一條第二項第一款規定遴選臺灣證券交易所董事長陳冲、臺灣期貨交易所董事長施敏雄、財團法人中華民國證券櫃檯買賣中心董事長李義燦先生等三人為第一屆董事；依同法第十五條第四項準用第十一條第二項第一款規定遴選中華民國證券商業同業公會理事長簡鴻文為第一屆監察人。</p>

主管機關另依投保法第十一條第二項第二款規定指派陳樹先生、許仁壽先生、林筠女士、趙揚清女士、陳春山先生、林仁光先生、呂東英先生及葉景成先生等八人為第一屆董事；依同法第十五條第四項準用第十一條第二項第二款規定指派周行一先生及杜榮瑞先生二人為第一屆監察人。

The SFC appointed Taiwan Stock Exchange Chairman Sean Chen, Taiwan Futures Exchange Chairman Ming-Hsiung Shih and GreTai Securities Market Chairman Li Yi-Tsan as members of the Center's first board of directors in accordance with Article 11.2.1 of the Securities Investors and Futures Traders Protection Act (the Act), and named Taipei Securities Association Chairman Hung-Wen Chien supervisor per Articles 15.4 and 11.2.1 of the Act.

Meanwhile, the SFC named Gordon S. Chen, Samuel J.S. Hsu, Yun Lin, Yang-Ching Chao, Louis C.S. Chen, Andrew Jen-Guang Lin, Dang-Yen Lu and Andy Yen the eight members of the first board of directors per Article 11.2.2 of the Act, and named Edward H. Chow and Rong-Ruey Duh supervisors of the Center per Articles 15.4 and 11.2.2 of the Act.

備註：台財證三字第09200000020號函。

Note：Securities and Futures Commission (3), Ministry of Finance: No. 09200000020

92.01.03
Jan. 3, 2003

主管機關核備本中心捐助章程。

The SFC approved the donation charter of the Center.

備註：台財證三字第09100168231號函。

Note：Securities and Futures Commission (3), Ministry of Finance: No. 09100168231

92.01.07
Jan. 7, 2003

主管機關遴選財團法人中華民國證券櫃檯買賣中心董事長李庸三先生為第一屆董事，替代屆齡退休原櫃檯買賣中心董事長李義燦先生職務。

The SFC appointed Yung-san Lee, new chairman of the GreTai Securities Market (GTSM), to replace the GTSM's former chairman Yi-Tsan Li as a member of the board of directors after Li retired from the GTSM.

備註：台財證三字第09200100486號函。

Note：Securities and Futures Commission (3), Ministry of Finance: No. 09200100486

92.01.07
Jan. 7, 2003

召開本中心第一屆第一次董事監察人會議：

- 一、決議通過本中心「業務規則」、「組織規程」。
- 二、推選陳樹先生為保護機構董事長。聘任許仁壽先生為總經理。

Directors and supervisors held their first joint meeting, passing the drafts of the operation guidelines and organizational charter of the Center. Meanwhile, it approved the appointments of Gordon S. Chen as chairman and Samuel J.S. Hsu as president of the Center.



備註：「業務規則」經主管機關92.2.6台財證三字第092000010號函核備。
「組織規程」經主管機關92.2.24台財證三字第0920104381號函核備。

Note : Operation guidelines was filed with Section 3 of the Securities and Futures Commission, Ministry of Finance: No., 092000010, February 6, 2003
Organizational charter was filed with Section 3 of the Securities and Futures Commission, Ministry of Finance: No. 092014381, February 24, 2003

92.01.10	主管機關核備本中心設立許可。
Jan. 10, 2003	The SFC approved the application for establishing the Center. 備註：台財證（三）字第09200000111號函。 Note : Securities and Futures Commission (3), Ministry of Finance: No. 09200000111
92.01.22	召開本中心第一屆第二次董事監察人會議：
Jan. 22, 2003	一、通過處長、副處長人事案。 二、決議通過本中心「人事管理辦法」草案及年度業務計畫與預算書。 Directors and supervisors held their second joint meeting, approving the appointments of manager and deputy manager of each division of the Center. Meanwhile, it passed the drafted guidelines for the Center's personnel management and the proposals of the Center's annual operational plan and budget for 2003. 備註：人事管理辦法經主管機關92.3.17台財證三字第0920105804號函核備。 Note : The approved personnel management guidelines was filed with the Securities and Futures Commission (3), Ministry of Finance: No. 0920105804, March 7, 2003
92.01.22	財團法人證券投資人及期貨交易人保護中心登記設立及報財政部備查。
Jan. 22, 2003	The Center registered with the government and reported its registration to the Ministry of Finance. 備註：玖貳證財字第貳號登記簿第100冊第五頁第2524號。 Note : Registered with the Ministry of Finance (No. 2524, on page 5 of the 100th volume)
92.01.28	遷入台北市忠孝東路二段88號17樓新址辦公。
Jan. 28, 2003	The Center was relocated to: 17F, No. 88, Chunghsiao E. Rd., Taipei.
92.02.20	本中心開幕典禮。
Feb. 20, 2003	The Center held its opening ceremony.
92.02.26	召開本中心第一屆第三次董事監察人會議：
Feb. 26, 2003	一、決議通過本中心「團體訴訟或仲裁事件處理辦法」。 二、決議通過本中心「調處委員會委員遴選及運作原則」。 三、授權受理華夏租賃（股）公司股票投資人授與訴訟實施權提起民事求償。

Directors and supervisors held their third joint meeting, approving the guidelines for dealing with class-action lawsuits or arbitrations and the guidelines for the Center's mediation committee and the criteria for selecting the committee's members. Meanwhile, it took the project for filing lawsuit and compensation request for the shareholders of the Hwa Hsia Leasing.

備註：「團體訴訟或仲裁事件處理辦法」經主管機關92.4.8台財證三字第0920109594號函核備。

「調處委員會委員遴選及運作原則」經主管機關92.4.18台財證三字第092011353號函核備。

Note：The guideline for dealing with class-action lawsuits or arbitrations were filed with the Securities and Futures commission (3), Ministry of Finance: No. 0920109594, April 8, 2003

The guidelines for the Center's mediation committee and selection of its members were filed with the Securities and Futures Commission (3), Ministry of Finance: No. 092011353, April 18, 2003

92.03.17 受理華夏租賃股票投資人求償(自三月十七日至四月四日)，並於四月十七日
March 17, 2003 提起投資人團體訴訟（刑附民）。

The Center dealt with the compensation request of the shareholders of Hwa Hsia Leasing on March 17- April 4, 2003, and filed a class-action lawsuit on April 17, 2003.

92.04.02 召開本中心第一屆第四次董事監察人會議：
April 2, 2003 一、決議通過本中心董事、監察人及經理人，申報持股方式。
二、決議通過本中心「基金保管及運用作業要點」。
三、訂定本中心調處案件收費標準。

四、決議通過本中心「取得或處分固定資產處理程序」。

Directors and supervisors held their fourth joint meeting and reached the following decisions:

- 1.The means for the Center's directors and supervisors to report their shareholdings
- 2.The regulations governing the investors protection fund.
- 3.The guidelines for setting the rates of the fees charged for the Center's mediation services
- 4.The procedures for the Center to acquire or sell its fixed assets



備註：「調處案件收費標準」經主管機關92.4.21台財證三字第0920114075號函核備。

「取得或處分固定資產處理程序」經主管機關92.5.23台財證三字第0920114304號函核備。

Note：Notification from the SFC (3), MOF, of the filing of the rate-setting guidelines for the Center's mediation service: No. 0920114075, April 21, 2003

Notification from the SFC (3), MOF, of the filing of the approved procedures for the Center to acquire assets: No. 0920114304, May 23, 2003

92.04.03 主管機關指派朱兆銓先生自四月七日起為本中心第一屆董事，替代陳董事樹
April 3, 2003 之職務。

Jaw-Chyuan Chu was appointed by the SFC to replace Goldon S. Chen as a member of the Center's board of directors.

備註：92.4.3台財證三字第0920001407號函。

Note：Securities and Futures Commission (3), Ministry of Finance: No. 0920001407, April 3, 2003

92.04.07 召開本中心第一屆第一次董事監察人臨時會議：

April 7, 2003 一、推選朱董事兆銓擔任本保護中心董事長。
二、決議通過許總經理仁壽自四月十五日起辭卸總經理職務；總經理職務由董事長兼任。

Directors and supervisors held their first extraordinary meeting, appointing Jaw-Chyuan Chu the Center's chairman and approved the resignation of President Samuel J.S. Hsu, effective on April 15, 2003. Chu also took position of the Center's president while he assumed the chairmanship following Hsu's leaving on April 15, 2003.

92.04.29 召開本中心第一屆第五次董事監察人會議：

April 29, 2003 一、決議通過本中心保護基金之動用時機與償付位階爭議。
二、授權受理紐新企業（股）公司股票投資人授與訴訟實施權提起民事求償。

Directors and supervisors held their fifth joint meeting, approving the guidelines for using the investors' protection fund. It also decided to file the class-action lawsuit and compensation request on behalf of the shareholders of New Sun Metal.

92.04.30 主管機關核定本中心調處委員會委員人選：依據證券投資人及期貨交易人保
April 30, 2003 護機構調處委員會組織及調處辦法第二條規定聘任朱兆銓先生、王文字先生、沈慧雅女士、邱顯比先生、洪秋榮先生、馬秀如女士、張世興先生、莊太平先生、黃古彬先生、劉玉珍女士、劉連煜先生、薛富井先生、謝金虎先生、謝國松先生、謝夢龍先生等十五人為本中心之調處委員。

The SFC appointed Mr. Jaw-Chyuan Chu, Mr. Wen-Yeu Wang, Ms. Hui-Ya Shen, Mr. Shean-Bii Chiu, Mr. Chiu-Jung Hung, Ms. Shiau-Ru Ma, Mr. Shyh-Shing Chang, Mr. Tai-Ping Chuang, Mr. Peter Huang, Ms. Yu-Jane Liu, Mr. Len-Yu Liu, Mr. Fu-Jiing Shiue, Mr. Miles Hsieh, Mr. Kuo-Sung Hsieh, and Simon Hsieh as the 15 members of the mediation committee, in accordance with Article 2 of the Act.

備註：台財證三字第0920115192號函。

Note：Securities and Futures Commission (3), Ministry of Finance: No. 0920115192

92.05.12 May 12, 2003	依證券投資人及期貨交易人保護機構調處委員會組織及調處辦法第二條規定，檢附調處委員相關資料報請管轄法院備查。 The Center filed the operation guidelines of its mediation committee and relevant documents to the court in jurisdiction.
92.05.16 May 16, 2003	受理紐新股票投資人求償(自五月十六日至六月十三日)，並於八月二十二日提起投資人團體訴訟（獨立民事訴訟）。 The Center dealt with the compensation request of the shareholders of New Sun Metal from May 16 to June 13, 2003, and filed the class-action lawsuit on behalf of them on August 22, 2003.
92.05.20 May 20, 2003	召開調處委員會第一屆第一次全體委員會議。 The mediation committee held its first meeting.
92.05.28 May 28, 2003	召開本中心第一屆第六次董事監察人會議： 一、委任致遠會計師事務所楊文安會計師，為本中心九十二年度財務報告及稅務報告簽證會計師。 二、決議通過本中心保護基金對每一家證券商或期貨商之全體投資人或交易人一次之償付總額上限之具體標準，函報主管機關。 Directors and supervisors held their sixth joint meeting, and reached two decisions: 1. To entrust David Yang, an accountant with Diwan, Ernst & Young, to review the Center's 2003 financial report and tax report. 2. Approved the criteria for setting the maximum amount for the compensation paid to all the clients of one single securities firm or futures firm in one case, and reported the approved criteria to the SFC.
92.06.25 June 25, 2003	召開本中心第一屆第七次董事監察人會議。 Directors and supervisors held their seventh joint meeting.
92.07.25 July 25, 2003	主管機關指派曾巨威先生為本中心第一屆董事，替代卸任許董事仁壽之職務。 The SFC appointed Chu-Wei Tseng to replace former chairman Samuel J.S. Hsu as a member of the Center's board of directors.



備註：台財證三字第0920003046號函。

Note：Securities and Futures Commission (3), Ministry of Finance: No. 0920003046

92.07.29
July 29, 2003

主管機關指派臺灣期貨交易所王董事長得山為本中心第一屆董事，替代卸任施董事敏雄之職務。

Taiwan Futures Exchange Chairman Der-Shan Wang was named by the SFC to replace TAIFEX's former chairman Ming-Hsiung Shih as a new member of the Center's board of directors.

備註：台財證三字第0920135349號函

Note：Securities and Futures Commission (3), Ministry of Finance: No. 0920135349

92.07.30
July 30, 2003

召開本中心第一屆第八次董事監察人會議：
一、決議通過對紐新企業（股）公司股票投資人授與本中心訴訟及仲裁實施權，提起獨立民事求償。

二、決議通過本中心「保護機構管理規則第二十一條建議修正條文」，函報主管機關。

三、決議通過本中心內部控制制度，函報主管機關。

四、決議成立專案小組，評估續租或購置新辦公室乙案。

Directors and supervisors held their eighth joint meeting, and reached four decisions:

1. To file a class-action lawsuit compensation request on behalf of the shareholders of New Sun Metal.
2. Approved the revision to Article 21 of the Securities Investors and Futures Traders Protection Act, and reported it to the SFC.
3. Passed the proposal for the Center's internal control system and reported it to the SFC.
4. Set up an ad hoc committee to assess the two proposals—one for renewing the current office leasing contract and the other for moving to a new office building.

92.08.06
Aug. 6, 2003

就「資訊公司傳輸資訊錯誤」乙案召開第一次調處會議。
The mediation committee held a meeting to discuss how to deal with the case of the wrong information delivered from the information companies.

92.08.27
Aug. 27, 2003

就「證券投顧會費糾紛」乙案召開調處會議。
The mediation committee held a meeting to discuss how to solve the dispute involved with the consulting fees charged by the securities investment consulting companies to their clients.

92.08.27 Aug. 27, 2003	<p>召開本中心第一屆第九次董事監察人會議：</p> <p>一、授權受理緯城實業建設(股)公司(現改名京城建設(股)公司)股票投資人授與訴訟實施權提起民事求償。</p> <p>二、授權受理楊鐵及南港公司股票投資人授與訴訟實施權提起民事求償。</p> <p>三、決議通過「本中心依投保法第二十八條規定承作團體訴訟或仲裁事件之認定標準」函報主管機關。</p> <p>Director and supervisors held their ninth joint meeting and reached three decisions:</p> <p>1. To file class-action lawsuit and compension request on behalf of the shareholders of Wei Cheng Construction Company, which was later renamed as Ching-cheng Construction Company.</p> <p>2. To file the class-action lawsuits and compensation requests on behalf of the shareholders of Nan Kang Rubber Tile and Iron Yang Works.</p> <p>3. Passed the criteria for taking the class-action lawsuit and arbitration case in accordance with Article 28 of the Securities Investors and Futures Traders Protection Act, and reported it to the SFC.</p>
92.09.02 Sept. 24, 2003	<p>就「資訊公司傳輸資訊錯誤」乙案召開第二次調處會議。</p> <p>The mediation committee held the second meeting to discuss how to deal with the case of wrong information delivered from information companies.</p>
92.09.04 Sept. 4, 2003	<p>就「融資斷頭糾紛事件」乙案召開第一次調處會議。</p> <p>The mediation held its first meeting on how to deal with the disputes between the securities financing companies and their clients.</p>
92.09.08 Sept. 8, 2003	<p>受理楊鐵南港股票投資人求償(自九月八日至十月三日)，並於十月三日提起投資人團體訴訟(獨立民事訴訟)。</p> <p>The Center took the compensation request filed by the shareholders of the Iron Yang Works during Sept. 8-Oct. 3, 2003, and filed a class-action lawsuit on their behalf on Oct. 3, 2003.</p>
92.09.23 Sept. 23, 2003	<p>就「公開發行公司未依規定強制保管員工股票」乙案召開調處會議。</p> <p>The mediation committee held a meeting to discuss how to deal with the companies which fail to practice the mandatory reserve of the shares for employees.</p>
92.09.24 Sept. 24, 2003	<p>召開本中心第一屆第十次董事監察人會議：</p> <p>一、決議通過本中心人事管理辦法修正案，函報主管機關。</p> <p>二、決議通過與航廈辦公大樓業主議價購置新辦公室案，並提報下次董事會討論。</p> <p>三、授權受理台灣肥料(股)公司股票投資人授與訴訟實施權提起民事求償。</p>



四、授權受理中友百貨（股）公司股票投資人授與訴訟實施權提起民事求償。

Directors and supervisors held their ninth joint meeting and reached the following decisions:

1. Approved the revision to the Center's personnel management guidelines and reported it to the SFC.
2. Passed the proposal for acquiring a new office in the Hang-hsia office building, and decided to discuss the details during next meeting.
3. To file the lawsuit and compensation request on behalf of the shareholders of Taiwan Fertilizer.
4. To file the lawsuit and compensation request for the shareholders of Chung Yo Department Store.

備註：本中心「人事管理辦法修正案」經主管機關92.10.28台財證三字第0920148026號函核備。

Note : Notification from Securities and Futures Commission (3), Ministry of Finance, of the filing of the Center's personnel management guidelines: No. 0920148026, Oct. 28, 2003

92.09.25 Sept. 25, 2003	就「融資斷頭糾紛事件」乙案召開第二次調處會議。 The mediation committee held its second meeting on the dispute between securities financing companies and their clients.
92.10.13 Oct. 13, 2003	受理台肥股票投資人求償(自十月十三日至十一月七日)，並於九十三年一月六日提起投資人團體訴訟（獨立民事訴訟）。 The Center dealt with the compensation request of the shareholders of Taiwan Fertilizer from Oct. 13 to Nov. 7, 2003, and filed a class-action lawsuit one behalf of them on January 6, 2004.
92.10.23 Oct. 23, 2003	就「融資斷頭糾紛事件」乙案召開第三次調處會議。 The mediation committee held its third meeting on the disputes between securities financing companies and their clients.
92.10.27 Oct. 27, 2003	主管機關發布「證券投資人及期貨交易人保護機構管理規則」第二十一條修正條文。 The SFC announced the revision to Article 21 of the Securities Investors and Futures Traders Protection Act.

備註：台財證三字第0920004382號令修正發布。

Note : Securities and Futures Commission (3), Ministry of Finance: No. 0920004382

92.10.29 Oct. 29, 2003	<p>召開本中心第一屆第十一次董事監察人會議：</p> <p>一、授權受理訊碟科技（股）公司股票投資人授與訴訟實施權提起民事求償。</p> <p>二、決議通過購置航廈辦公大樓為新辦公室乙案。</p> <p>三、決議通過本中心九十三年度業務計畫及預算書，函報主管機關。</p> <p>Directors and supervisors held their 11th joint meeting and reached the following decisions:</p> <p>1. To file the lawsuit and compensation request on behalf of the shareholders of Infodisk Technology.</p> <p>2. Passed the proposal for acquiring an office space in the Hang-hsia office building as the new location of the Center.</p> <p>Meanwhile, it approved the Center's annual operational plan and budget for 2004, and reported them to the SFC.</p>
92.10.31 Oct. 31, 2003	<p>受理中友股票投資人求償(自十月三十一日至十一月二十八日)，並於十二月三十一日提起投資人團體訴訟（獨立民事訴訟）。</p> <p>The Center dealt with the compensation request of the shareholders of Chung Yo Department Store during Oct. 31-Nov. 28, 2003, and file a class-action lawsuit on behalf of them on Dec. 31, 2003.</p>
92.11.13 Nov. 13, 2003	<p>證期會召開『投資人權益保護』座談會。</p> <p>The Securities and Futures Commission held a securities investors protection seminar.</p>
92.11.19 Nov. 19, 2003	<p>本中心「職工退休基金管理委員會組織規章」及「職工退休基金保管、運用及分配辦法」經董事長核定後實施。</p> <p>The organizational charter of the Center's pension fund management committee and guidelines for the fund management, application and allocation took effect, following the approval of the Center's chairman.</p>
92.11.26 Nov. 26, 2003	<p>召開本中心第一屆第十二次董事監察人會議，決議通過本中心以股東身分對亞瑟科技（股）公司代位訴訟請求案。</p> <p>Directors and supervisors held their 12th joint meeting, passing the proposal for the Center to file the class-action lawsuit on behalf of the shareholders of CIS TECHNOLOGY ING.</p>



92.12.01 召開本中心第一屆「勞工退休準備金監督委員會」會議：
Dec. 1, 2003 一、由董事長指派黃處長如順為主任委員，並由勞方委員推選林組長俊宏為副主任委員。

二、決議通過本中心「勞工退休辦法」，報經主管機關核定後實施。

The Center's pension fund management committee held its first meeting and reached two decisions:

1. Chairman Jaw-Chyuan Chu appointed Ru-Chun Huang, a division chief, as the fund's convenor and the Center's labor union named Victor Lin as the fund's deputy convenor.

2. Passed the measures governing employee retirement, and reported it to the SFC.

備註：本中心「勞工退休辦法」經台北市國稅局92.12.18財北國稅審一字第0920123272號函核備。

Note : Notification from the tax bureau of the Taipei City Government of the filing of the guidelines for the Center's pension fund management: No. 0920123272, Dec. 18, 2003

92.12.01 召開本中心第一屆「職工退休基金管理委員會」會議：
Dec. 1, 2003 一、推選黃處長如順為主任委員。

二、決議通過本中心「經理人退休暨職工離職給付辦法」，函報主管稽徵機關。

The labor pension fund management committee held its first meeting and reached two decisions:

1. Approved the appointment of Ru-Chun Huang as the committee convenor

2. Passed the measures for paying the pension fund to retired employees and reported it to the regulatory agencies.

備註：本中心「經理人退休暨職工離職給付辦法」經台北市國稅局92.12.15財北國稅審一字第0920118879號函核備。

Note : Notification from the tax bureau of the Taipei City Government of the filing of the Center's pension payment guidelines: No. 0920118879, Dec. 15, 2003.

92.12.01 受理訊碟股票投資人求償(自十二月一日至十二月二十六日)。
Dec. 1, 2003 Dealt with the compensation request of the shareholders of InfoDisk companies from Dec. 1 to Dec. 26, 2003.

92.12.08 「財團法人證券投資人及期貨交易人保護中心勞工退休準備金監督委員會組織規章」經台北市勞工局核准後實施。

Dec. 8, 2003

The organizational charter for the Center's labor pension fund management committee took effect, following the approval of the bureau of labor affairs under the Taipei City Government.

備註：北市勞二字第09235965800號函核備。

Note : Bureau of Labor Affairs (2)**, Taipei City Government: No. 09235965800

92.12.31 召開調處委員會第一屆第二次全體委員會議。

Dec. 31, 2003

The mediation committee held the second general meeting.

92.12.31 召開本中心第一屆第十三次董事監察人會議：

Dec. 31, 2003

- 一、決議通過本中心九十三年度業務計畫、預算書（修正後）、購置辦公室及動用保護基金案由主管機關核備乙案。
- 二、決議通過本中心會計制度草案，函報主管機關。
- 三、決議通過本中心以股東身分對源益農畜企業（股）公司怠於對其董事長呂重九行使證券交易法第一五七條歸入權代位訴訟請求案。
- 四、授權受理大穎、延穎及易欣公司股票投資人授與訴訟實施權提起民事求償。

Directors and supervisors held their 13th joint meeting and reached three decisions:

1. Approved the Center's annual plans and budget for 2004 as well as the proposal for purchasing the new office with the money appropriated from the investors protection fund, and reported them to the SFC.
2. Approved the draft of the Center's accounting system and reported it to the SFC.
3. To file a request on behalf of shareholders of Yuan-I Livestock, requesting the company's chairman Chung-Chiou Lu to return the profits he made from insider trading, per Article 157 of the Securities Transaction Law.
4. To file the lawsuits and compensation requests on behalf of the shareholders of AHIN Co. and YANIN Co.

備註：本中心九十三年度業務計畫、預算書（修正後）、購置辦公室及動用保護基金案經主管機關台財證三字第0920153512號函核備。

Note : Notification from Securities and Futures Commission (3), MOF, of the filing of the Center's annual plan and budget for 2004 and office procurement proposal: No. 0920153512

Note: * Securities and Futures Commission (3) denotes the Section Three of the Securities and Futures Commission.

** Bureau of Labor Affairs (2) denotes the Section Two of the bureau.





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