



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

中華民國 **101** 年年報 ANNUAL REPORT 2012





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壹、前言

I. Introduction





本中心於 92 年 1 月間依證券投資人及期貨交易法（下稱「投保法」）規定成立，迄今已近 10 年的時間，回顧過去，本中心基於投保法賦予之職權，在主管機關督導下，無論在保障投資人權益或促進證券期貨市場健全發展上，持續發揮功能。

隨著金融市場日新月異，證券及期貨市場快速變遷的同時，投資人權益之保護機制為不可或缺的一環，為順應市場發展及切合實際需求，投保法於 98 年修正，賦予本中心提起代表訴訟及解任訴訟的權限；另 99 年就有關保護基金之償付金



The Securities and Futures Investors Protection Center (hereafter referred to as the “Center” or the “SFIPC”), established in January 2003 under the “Securities Investors and Futures Traders Protection Act” (hereafter referred to as the “Act”), would mark its 10th anniversary in 2013. Under supervisions of the competent authority, the Center takes the responsibilities to protect investors’ rights and ensure a healthy development of the securities and futures markets in accordance with the Act.

Amid the financial market transformation, the securities and futures markets have undergone drastic changes and that makes investor protection even more important for pursuing market stability and satisfying practical needs of the public. The 2009 Act amendment authorizes the Center with greater power to file derivative lawsuit and discharge request. Meanwhile, from 2012, the maximum compensation paid to one individual was raised from NT\$1 million to NT\$1.2 million and that for one single case from NT\$1 billion to NT\$1.2 billion. The raised quotas will help strengthen investors’ confidence on the market and their own rights.

Below are the Center’s major accomplishments over the past year:

1. Class-action lawsuits

The Center has filed a total of 161 class-action lawsuits (including those commissioned by the Securities and Futures Institute) for 103,000 persons and collected total compensation fund of NT\$41.8 billion. By the end of 2012, 38 of these cases had received completely or partially favorable judgments, with investors receiving NT\$14.3 billion from public companies, guilty individuals, directors/supervisors, and other defendants for their losses. In 22 of these cases, the court judgments have been finalized. The Center also helped investors reach settlements with some of the criminal defendants, directors/

邱欽庭 / 董事長

Chin-Ting Chiu / Chairman

額部分，個人償付上限由新台幣(下同)100萬元提高至120萬元，單一事件償付總額上限，則由10億元提高至12億元，償付上限的提高，就投資人對市場信心的提升及權益的保障，均有重大助益。

回顧過去一年，本中心辦理相關主要業務事項成果如下：

一、協助投資人進行團體訴訟，主張權益：

在團體訴訟方面，總計協助投資人進行161件團體求償案件(包含自財團法人中華民國證券暨期貨市場發展基金會承接之案件)，求償金額共計418億餘元，人數10.3萬餘人。截至101年底，計有38件業經法院判決全部或部分勝訴，包括發行公司、不法行為人及董監事等相關民事被告應對受有損害投資人負連帶賠償責任，判決勝訴金額達143億餘元，其中22件並已勝訴判決確定。同時，本中心為投資人與部分刑事被告、董監事、會計師、承銷商等達成和解，至101年底，本中心已替投資人取得高達20.59億餘元之和解金，其中101年度取得之和解金額即達5.15億餘元(含爾必達乙案取得之3.71億餘元)，並陸續分配予投資人，提振投資人對市場的信心。

團體訴訟經法院判決勝訴之案件中，特別值得一提的是已有多案認定董監事及會計師於財報不實案件中之責任，其等皆為我國證券市場重要之民事判決，除投資人權益獲得更大保障外，該等判決同時也進一步提高上市櫃公司投保董監事責任保險之意願，並間接促使會計師事務所強化風險意識，嚴謹查核公司財務報表之效果。

另近來因應海外企業來台上市，投保中心也增訂相關投資人權益保護之處理程序，在日本爾必達公司因進入更生程序，而使其發行之臺灣存託憑證終止掛牌之事件中，本中心積極協助投資

supervisors, accountants, and underwriters. By the end of 2012, the Center has secured NT\$2.059 billion in settlements, of which NT\$515 million was obtained in 2012 alone (including the NT\$371 million of the Elpida Memory TDR case). The money has been continually distributed to investors and restores their confidence on the market.

Notably, among the successful class-action lawsuit cases, certain judgments considered that directors/supervisors and accountants should be liable for the false financial statement. The judgments of these cases are very important to secure investor protection and meanwhile raise listed companies' willingness to have liability insurance for their directors/supervisors. It will accordingly encourage accounting firms to strengthen risk control and work even more cautiously in checking company's financial statements.

In cope with the increasing listing of overseas enterprises, the SFIPC made proper procedures for protection of the investors who purchase securities issued by these enterprises. In 2012, the Japan-based Elpida Memory, Inc. entered the reorganization procedure and it led to termination of its TDR listing. The Center took initiative to help investors reach settlement with the Japanese company and get compensation based on the average price of Elpida Memory TDR, at NT\$6.95, over the last month prior to the listing termination, compared to its final closing price of merely NT\$1.6. Those who requested to authorize the Center to help them claim their rights in this case account for around over 70% of Elpida Memory TDR in circulation on the market. Afterwards, the Center invited other investors of the Elpida Memory TDR to join their action to authorize the Center to negotiate with the Japanese company based on the same settlement conditions. Finally, in this case, the total request amount is equivalent to around 98.5% of the Elpida Memory TDR in



人以該公司聲請更生前 1 個月之臺灣存託憑證收盤平均價 6.95 元為據 (終止上市前 1 日之收盤價僅為 1.6 元) 達成和解，並在原受理持有總流通量之 70% 以上之投資人以外，主動爭取其餘於達成和解當時尚未授權之投資人，得授權本中心以同一條件進行和解；該案最終計持有高達總流通量 98.5% 以上之投資人委託本中心，總計取得共 3.71 億餘元之和解金，圓滿協助投資人主張權益；此外，就處理該案之經驗提供相關單位參考，並進一步增修海外企業來台上市櫃案件之相關投資人權益保障措施，期使在證券及期貨商品推陳出新之際，也能同時兼顧投資人權益之保障，讓興利與除弊間獲得平衡。



circulation, equivalent to around NT\$371 million. The SFIPC smoothly accomplished its mission to help investors claim their rights in this case and has provided its successful experience to related institutions for their references. That's helpful to urge the government to strengthen protection for those investors who purchased securities issued by foreign enterprises, in a hope to pursue a balanced development of the market where investor protection should be even more emphasized amid the proliferation of new securities and futures products.

2. Shareholder activism and corporate governance

In aspect of corporate governance, for those of the companies engaged in private placement, merger and acquisition, disposal of company assets, reinvestment, large-sum endorsement, and payout to directors/supervisors in questionable manners, the Center has sent letters to them to demand an explanation. Since 2006, for companies involved in major disputes, the Center has dispatched staffs to attend shareholders' meetings of dozens companies to express its concerns on these issues. In 2012, the Center's staffs participated in 27 shareholders' meetings and discussed important issues at these meetings. Once it found any wrongdoing or inconsistency on the companies' behaviors before and after the meetings, the Center would enter a petition in the court for annulment of a resolution under the related provisions, or require competent authority to take actions for the sake of investor protection.

The Center, based on its experiences in attending the shareholders' meetings, has proposed substantial suggestions to the government and actively works with the competent authority in strengthening corporate governance and making revisions to existing regulations.

吳崇權 / 總經理

Chung-Chuan Wu / President

二、積極踐行股東行動主義，促進公司治理：

在促進公司治理方面，針對上市櫃公司私募、合併、處分公司資產、轉投資、大額背書保證、董監事酬金或其他重大攸關投資人權益事件等，若涉有相關疑義，本中心除函請公司說明外，就其中有重大爭議者，自 95 年度開始每年皆派員參與十數家以上之上市上櫃公司股東會，101 年度出席場次達 27 場，本中心持續關注前述之各類重大議題，一旦發現上市櫃公司在召開股東會前後有脫法行為時，能在法令規範內透過撤銷股東會決議或建請主管機關修法等方式維護投資人之權益。

本中心並就出席股東會之經驗向主管機關提出多項具體建議，並積極配合主管機關推動強化公司治理之措施及法令修訂。本中心就近年上市

As for the contest for corporate control cases which occurred in listed companies in recent years , in case the Center found any behaviors against the law or at law-breaking brim such as recalling the commission of shareholder services, making any wrongdoing behaviors which hinder shareholders in exercising their rights, etc., the Center would report to the competent authority or regulators to request companies to make improvement. Besides, it would dispatch staffs to attend shareholders' meetings of these companies to express its concerns on one hand and work closely with satellite institutions in this regard on the other hand. All these are to ensure company's compliance with law in holding shareholders' meetings and secure smooth operations of the meetings. Meanwhile, the Center publishes news releases and arranging seminars to arouse investors' attention to the important issues and help companies operate stably.





櫃公司所發生之經營權爭奪案件，有發現違反法令或近似違法邊緣之行為，如藉由股務收回自辦，妨礙股東行使權利之情形等，本中心除就過往出席股東會累積之經驗向主管機關或監理機關提出具體之改善建議外，也積極參與有類似問題之公司股東會，並與周邊單位及主管機關密切配合，共同促使股東會得依法召開及順利運作；另輔以發佈新聞稿及舉辦座談會等方式，提高投資人對相關議案之認知與關注，俾使公司能夠永續經營。

就投保法 98 年間修正所賦予之代表訴訟及訴請裁判解任董監事權限，本中心亦妥適運用，截至 101 年底，本中心計提起 18 件代表訴訟及 8 件解任訴訟案件，在對大同公司與大同大學間不動產債權債務爭議案，督促公司方面收回仲裁金額 8 億餘元款項，有效保障公司及股東權益。

展望未來，本中心除持續改善申訴、調處及團體訴訟業務之執行效率，努力取得勝訴判決或和解補償，以填補投資人損害外，並將致力於下列重點工作：（一）繼續踐行攸關股東權益事項之工作。（二）舉辦座談會或刊登文章等方式教導投資人風險意識。（三）持續配合主管機關，針對完備法令規章等提出建議。（四）就攸關投資人權益之新型態證券期貨事件，積極研議保護投資人措施。

證券市場為國家重要資產，亦為國家經濟發展之基石，然若投資人權益保障不足，將降低投資人信心，而影響市場之正常功能，我國證券期貨市場欲健全發展，對投資人權益保障的重視乃不可或缺之一環。本中心未來仍將基於法定職能，積極發揮保障投資人功能，並配合主管機關之指導、監督，以達促進市場健全發展之設立宗旨。

Meanwhile, the Center exercised the power in accordance with 2009 Act amendment and had filed 18 derivative lawsuits and 8 discharge requests by the end of 2012. Regarding the debt dispute between Tatung Co. and Tatung University, the Center has required Tatung Co. to take back the over NT\$800 million arbitration payment to protect the rights of company and shareholders.

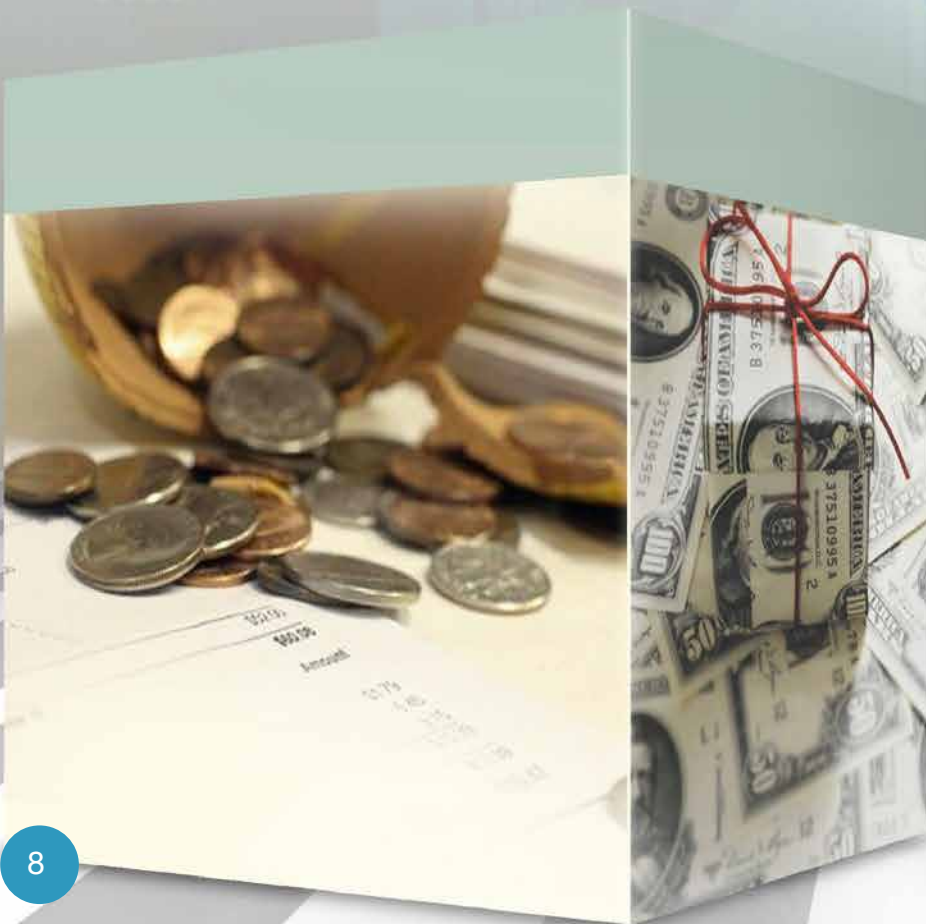
In the future, the Center will continue to improve the efficiency of its complaint-filing, mediation, class-action lawsuit operations, as well as make efforts to strive for litigation success or obtain settlement compensation. At the same time, it will also focus on the following: 1) protecting shareholders' rights; 2) educating investors about risk awareness; 3) working with competent authority to improve laws and regulations; and 4) protecting investors of new types of securities/futures products.

The securities market is an important asset to a nation and serves as the foundation of the nation's economic development. A lack of protective measures will lower investor confidence and hinder the normal operations of the market. A healthy development of the securities and futures markets can't exist without proper protection of investors' rights. In the future, the Center will continue to fulfill its mission of protecting investors and will work with the government to ensure the market's healthy development.



貳、組織架構

II. Organization Structure





一、組織系統

1. Organizational Chart





財團 證券投資人
法人
Securities and Future





二、人事結構

本中心除董事長、總經理外，現有專職員工三十一人。其中男性十二人，女性十九人；配置法律服務處二十二人，管理處九人；全體員工平均年齡三十七歲；員工教育程度具碩士學位者十一人，大學學位者十八人及其他二人。

2. Staff

The Center is staffed with 31 full-time employees at an average age of 37, in addition to the Chairman and President. Among them, 12 are males and 19 are females; 22 at the Legal Affairs Department and 9 at the Administrative Department; 11 hold Master's degree, 18 university graduates, and 2 senior high school graduates.



參、董事、監察人名錄

III. Directors and Supervisors



董事長 **邱欽庭**

財團法人證券投資人及期貨交易人保護中心董事長

Chairman

Chin-Ting Chiu

Chairman, Securities and Futures Investors Protection Center



董事 **丁克華**

臺灣集中保管結算所董事長

Director

Kung-Wha Ding

Chairman, Taiwan Depository & Clearing Corporation



董事 **王中愷**

臺灣期貨交易所股份有限公司總經理

Director

Steve C. Wang

President, Taiwan Futures Exchange



董事 **邱顯比**

臺灣大學財務金融學系教授

Director

Shean-Bii Chiu

Professor of Finance, National Taiwan University



董事 **劉連煜**

政治大學法律學系教授

Director

Len-Yu Liu

Professor of Law, National Chengchi University



董事 **簡鴻文**

中華民國證券商業同業公會理事長

Director

Hung-Wen Chien

Chairman, Taiwan Securities Association



董事 **簡明哲**

台北大學經濟學系副教授

Director

Ming-Che Chien

Associate Professor of Economics, National Taipei University



董事兼總經理 **吳崇權**
財團法人證券投資人及期貨交易人保護中心總經理

Director and President
Chung-Chuan Wu
President, Securities and Futures Investors Protection Center



董事 **林國全**
政治大學法律學系教授

Director
Kuo-Chuan Lin
Professor of Law, National Chengchi University



董事 **林火燈**
臺灣證券交易所股份有限公司副總經理

Director
Michael Lin
Senior Executive Vice President, Taiwan Stock Exchange



董事 **莊永丞**
東吳大學法律學系教授

Director
Yung-Cheng Chuang
Professor of Law, Soochow University



監察人 **林美花**
政治大學會計學系教授

Supervisor
Mei-Hwa Lin
Professor of Accounting, National Chengchi University



監察人 **林瑛珪**
財團法人中華民國證券櫃檯買賣中心副總經理

Supervisor
Ying-kuei Lin
Vice President, GreTai Securities Market.



監察人 **許崇源**
政治大學會計學系教授

Supervisor
Chung-Yuan Hsu
Professor of Accounting, National Chengchi University

※ 董事、監察人名錄除董事長外，其餘依姓氏筆畫排列
In the order of the strokes of their Chinese surname

肆.調處委員會名錄

IV. Members of Mediation Committee

| 稱謂 | 姓名 | 現職 |
|------|-----|-------------------------|
| 主任委員 | 邱欽庭 | 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 | 臺灣大學法律學系教授 |
| 委員 | 林仁光 | 臺灣大學法律學系教授 |
| 委員 | 周玲臺 | 政治大學會計學系教授 |
| 委員 | 南雪貞 | 中華民國律師公會全國聯合會秘書長 |
| 委員 | 張仲岳 | 臺北大學會計學系教授 |
| 委員 | 陳伯松 | 財團法人中華民國會計研究發展基金會秘書長 |
| 委員 | 陳惟龍 | 財團法人中華民國證券暨期貨市場發展基金會總經理 |
| 委員 | 莊太平 | 中華民國證券商業同業公會秘書長 |
| 委員 | 黃良瑞 | 中華民國證券投資信託暨顧問商業同業公會秘書長 |
| 委員 | 游智惠 | 中華民國會計師公會全國聯合會秘書長 |
| 委員 | 廖大穎 | 中興大學法律學系教授 |
| 委員 | 盧廷劼 | 中華民國期貨業商業同業公會秘書長 |
| 委員 | 顏信輝 | 淡江大學會計研究所專任教授兼財務長 |

※ 調處委員會名錄除主任委員外，其餘依姓氏筆畫排列



| Title | Name | Position |
|----------|-----------------------|--|
| Chairman | Chin-Ting Chiu | Chairman, Securities and Futures Investors Protection Center |
| Member | Wen-Yeu Wang | Professor of Law, National Taiwan University |
| Member | Andrew Jen-Guang Lin | Professor of Law, National Taiwan University |
| Member | Ling-Tai Lynette Chou | Professor of Accounting, National Chengchi University |
| Member | Hsueh-Chen Nan | Secretary General, Taiwan Bar Association |
| Member | Conrad C. Chang | Professor of Accounting, National Taipei University |
| Member | Po-Sung Chen | Secretary General, Accounting Research and Development Foundation |
| Member | Wei-Lung Chen | President, Securities & Futures Institute |
| Member | Tai-Ping Chuang | Secretary General, Taiwan Securities Association |
| Member | Liang-Jui Huang | Secretary General, Securities Investment Trust & Consulting Association of the R.O.C. |
| Member | Misher Yu | Secretary General, National Federation of Certified Public Accountants Association of the R.O.C. |
| Member | Paying Liaow | Professor of Law, National Chung Hsing University |
| Member | Ting-Chieh Lu | Secretary General, Chinese National Futures Association |
| Member | Sin-Hui Yen | Professor, Department of Accounting & Dean of Financial Affairs, Tamkang University |

In the order of the strokes of their Chinese surname



伍、業務報告

V. Operation Report





一、保護基金

本中心之創立基金為新台幣（以下同）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及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零一八五，各期貨商按其前月受託買賣成交契約數依契約別提撥新臺幣零點四二元、零點二六元、零點一八元或零點零九元，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。自九十二年一月至一〇一年十二月止，本中心共收受撥保護基金金額約計五十六億八千餘萬元。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，可運用於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

1. Investor Protection Fund

The Center was established with an initial fund of NT\$1.031 billion, which was donated by related institutions in the securities and futures markets, including Taiwan Stock Exchange Corp., Taiwan Futures Exchange, GreTai Securities Market, Taiwan Depository & Clearing Corporation, Taiwan Securities Association, Securities Investment Trust & Consulting Association of the ROC, Taipei Futures Association, Fuh Hwa Securities Finance Corp., Global Securities Finance Corp., Fubon Securities Finance Corp., and EnTei Securities Financing Corp.

In order to make the Center effectively provide investor protection services and contribute to healthy market development, Article 18 of the Act stipulates that the Investor Protection Fund (hereafter referred to as the "Fund") should also include contributions from securities and futures firms, in addition to donations as stipulated by Article 7, paragraph 2 of the Act, based on the following formula: for securities firms, they should contribute an amount equivalent to 0.0185/10,000 of their total transaction amount in the previous month by the 10th of every month; for futures firms, they should contribute NT\$0.42, NT\$0.26, NT\$0.18 or NT\$0.09, based on the future-trading contract category, for each contract they traded in the previous month by the 10th of every month; and for the Taiwan Stock Exchange, Taiwan Futures Exchange and GreTai Securities Market, they should contribute 5% of total transaction fees collected in the previous month by the 10th of every month. From January 2003 to December 2012, contributions from these entities totaled NT\$5.68 billion.

According to Article 19 of the Act, the Fund should be deposited in banks or used to purchase government bonds. Nevertheless, with the approval of competent authority, the Fund can be invested, with the amount of investment not exceeding 30% of the Fund's net worth, on the following: self-

金之保管運用，至一〇一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六十八億九千餘萬元，保管於銀行存款及政府債券約佔百分之七十五，運用於自用不動產、上市上櫃股票及金融債券等約佔百分之二十五。

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。

used real estate property not exceeding 10% of the Fund's donated assets; stocks where the original investment on each TWSE/GTSM-listed company should not exceed 1,000 shares; other types of value-maintenance investments. The Fund's investments are executed in accordance with the "Guidelines for SFIPC Protection Fund's Investments and Application," and at the end of 2012, the Fund's value stood at NT\$6.89 billion, made up of its initial fund as well as contributions, donations from other sources, and accrued interest. Of the total, about 75% was deposited in banks or used to purchase government bonds, and the rest 25% was invested on property for self-use, TWSE/GTSM-listed stocks, and financial debentures.

2. Consultation and Complaint-filing

The Center provides consultation on rules and regulations for securities and futures trading, and





統計本年度迄十二月底止，本中心接獲電話諮詢九千餘通，書面申訴案共五百一十七件；而本中心成立以來，接獲電話諮詢計十萬零八百餘通，書面申訴案計七千九百五十七件。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或投資人詢問團體訴訟受理求償事宜。書面申訴之類型，主要係發行公司合併、分割資訊不透明或財務資訊不實造成股價大幅波動、公司債發生無法如期履約清償、電子交易紛爭、未經許可買賣客戶股票、買賣未上市櫃股票衍生紛爭、融資融券追繳、期貨保證金追繳、投顧退費糾紛及投顧分析有誤導投資人之嫌等申訴類型。本中心處理投資人申訴證券暨期貨交易糾紛案件時，均本熱誠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，移請主管機關或相關機關處理。

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，透過本中心調處委員調停排解，避免進入訴訟程序，尋求救濟，自為最佳途徑；故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。另投保法修正案自九十八年八月一日施行，增訂小額爭議事件擬制

on civil disputes arising from transactions related to securities and futures or other relevant issues among investors and securities issuers, securities firms, securities services providers, futures firms, the Taiwan Stock Exchange, GreTai Securities Market, clearing institutions, and others. Investors have access to professional consultants at the Center by telephone during its office hours. Investors may also send written requests to the Center by mail, fax or e-mail, or come to the Center in person.

In 2012, the Center received more than 9,000 phone requests and 517 written requests for consultation. Since the Center was established, it has received some 100,800 phone requests and 7,957 written requests. The matters that Investors make phone counseling are mostly in concern with the following: inquiring about securities rules and regulations, complaining about illegal actions by listed firms, disputes with securities firms, futures firms, investment consulting firms and other firms, and the application for class-action cases. Written complaints were filed mostly for: irregular stock price fluctuations resulting from the unclear information regarding mergers and acquisitions and spin-off deals, or the misleading financial information provided by listed firms; failure in redemption of corporate bonds; disputes from electronic transactions; trading of securities without the approval of clients; disputes from the trading of unlisted securities; collection of payments from investors trading on margin or selling short; margin calls on futures contracts; and disputes involving getting refunds from investment consulting firms or the reporting of misleading information by investment consulting firms.

Upon receiving these complaints, the Center will take active actions and enthusiastically explain the situation to investors over the phone or request detailed explanation from relevant institutes in writing. For more complicated cases, or cases in which the amount of damages may be higher, the

調處機制，小額證券投資或期貨交易爭議之額度為一百萬元以下。本年度迄十二月底止共受理九件調處案，其中調處成立二件，不成立三件，召開調處會議前即達成和解二件，相對人拒絕調處二件。而本中心成立以來，已受理二百八十二件調處案，其中有三十八件調處成立送請法院核定，另有二十七件當事人自行和解，達成為投資人迅速解決民事糾紛及減少訴訟之目的。為發揮本中心申訴調處功能，主管機關金融監督管理委員會證券期貨局，邀集證券周邊單位及本中心協商，決議為充分保障投資人權益，期使受害投資人獲得實質民事上之補償，各單位接獲投資人申訴或檢舉個案，無論違規或違法情節輕重，若有明確之雙方當事人，且涉及民事求償事宜，均可先移由本中心進行調處，對於協助投資人解決民事爭議，應有助益。

Center will recommend that investors apply for mediation. For cases where illegal activities may be involved, the Center will refer them to competent authority or relevant institutes, depending on the nature of the case.

3. Mediation

Due to lengthy and complicated litigation procedures, investors or traders might fail to claim their rights by law when involving in disputes arising from the trading of securities or futures. Settling such disputes through mediation by the Center would be considered a more viable solution. Given such, Article 22 of the Act provides that investors facing civil disputes may apply for mediation with the Center. In addition, based on an amendment to the Act effective from Aug. 1, 2009, the Center provides small-claim mediation system applying for each securities or futures trading dispute at a value below NT\$1 million.

In 2012, the Center handled 9 mediation cases. Of them, 2 were successful, 3 were unsuccessful, 2 were settled before mediation proceedings, and another 2 were rejected by the counterparty. Since the Center's establishment, it has handled 282 mediation cases, of which 38 were successful and sent to court for approval and other 27 of the cases were settled by relevant parties before mediation. The Center has thus achieved the purpose of settling the disputes in a more speedy way as well as reducing cases involved in litigation.

To fully fulfill the function of mediation service by the Center, the Securities and Futures Bureau under the Financial Supervisory Commission (FSC), and relevant securities agencies have reached the conclusion that, for complaints received by these entities, where civil disputes are involved and where both parties in the dispute clearly exist, such cases may be transferred to the Center for mediation, and by doing so, it should be helpful to assist investors resolving civil disputes.





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原因所引起之證券、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。截至一〇一年底，本中心辦理團體訴訟案件，仍於法院進行相關程序者，有正義、順大裕 - 內線及操縱、順大裕 - 財報、萬有紙廠、台鳳、宏福建設、紐新、台肥、訊碟 - 89年內線、大穎 - 財報、大穎 - 內線、榮美、博達 - 財報、久津、太電、訊碟 - 財報及內線、皇統、宏傳、宏達科、勁永 - 內線、協和國際、合機電纜、銳普、茂矽、欣煜、力霸 - 財報、嘉食化、中華商銀、洪氏英、南港 - 操縱一、鼎太、力霸集團 - 內線、東森媒體科技、捷力、金雨、力特光電、東森國際 - 財報、兆豐金、綠點、亞智、新竹商銀、佳世達、雅新 - 財報及內線、遠航、中壽、友昱、旺宏、泰偉、佳鼎、名鐘 - 財報、名鐘 - 內線、宏億、東森國際 - 內線、聯豪、金鼎、合邦、太子建設、飛雅、歌林、仕欽 - 財報、展茂、勤美、邨港、同開、南港 - 操縱二、飛寶動能、倚天、港建、新泰伸 - 財報、唐鋒、陞泰 / 四維 / 勤美 / 豐藝 / 東貿 / 宏遠證、新泰伸 - 內線、日揚、吉祥全 / 佳必琪、怡華、吉祥全 - 財報、慶豐富、川飛、聯明 - 操縱一、聯明 - 操縱二、優盛等八十一件投資人求償案件，計有八萬八千餘名投資人授與訴訟實施權進行民事求償，請求金額共

4. Class-action Litigation

The major participants in the securities and futures markets in Taiwan are individual investors, who are often reluctant to seek court actions to protect their rights due to lack of time and resources. As such, per Article 28 of the Act, the Center may file class-action lawsuits or arbitration for groups with at least 20 securities investors or futures traders in the same incident, after being authorized by them to do so.

As of the end of 2012, there were 81 cases pending at court, including those of Chengyi, Tai Yu Products (insider trading, stock price manipulation), Tai Yu Products (false financial statement), Baw Yu Paper Mill, Taiwan Pineapple, Hung Fu Construction, New Sun Metal Industry, Taiwan Fertilizer, Infodisk Technology (insider trading in 2000), Dayin (false financial statement), Dayin (insider trading), Aceland Corporation, Procomp (false financial statement), Chou Chin Industry, Pacific Electric Wire & Cable, Infodisk Technology (false financial statement, insider trading), Summit Computer Technology, Well Communication Corporation, NAFCO, PQI (insider trading), Sayho Information Technology, Hold-Key Electric Wire & Cable, Xepex Electronics, Mosel Vitelic, ABIT Computer, Rebar Group (false financial report), Chia Hsin Food & Synthetic Fiber, Chinese Commercial Bank, Hong Technical Enterprise, Nankang Rubber Tire (stock price manipulation-1), Ding Tai, Rebar Group (insider trading), EThome, Jet Power Technology, Alona, Optimax Technology, Eastern Media International (false financial statement), Mega Holdings, Taiwan Green Point Enterprises, Intech Machines, Hsin Chu International Commercial Bank, Qisda, Yah Hsin Industrial (false financial statement, insider trading), Far Eastern Air Transport, China Life Insurance, AboMem Technology, Macronix, Astro, Vertex Precision Electronics, Ming Jong Technologies (false financial statement), Ming Jong Technologies (insider trading), Lih Duo International, Eastern Media International (insider trading),

計三百六十一億六千四百餘萬元。此外，一〇一
年度受理投資人求償登記尚未繫屬法院之案件，
有聯明 - 財報、碩天、眾星、旭軟等案。

前揭團體訴訟案件截至本年度，計有東隆五
金（財報不實、公開說明書不實）、順大裕（財
報不實、公開說明書不實）、訊碟（89年內線）、
大穎（內線交易）、大穎（財報不實）、榮美（操
縱股價）、台肥（操縱股價）、廣大興業（內線
交易）、美式家具（財報不實）、國產車（操縱
股價）、皇統（財報不實）、全坤興（內線交易）、
合機電纜（操縱股價）、立大農畜（財報不實）、
博達（公開說明書不實）、紐新（財報不實）、
零壹 / 凱衛 / 宏都（操縱股價）、洪氏英（操縱股
價）、亞智（操縱股價）、中櫃（操縱股價）、
安基（內線交易）及統盟（內線交易）等二十二
案業已勝訴判決確定；另有正義（財報不實）、
順大裕（內線交易）、博達（財報不實）、訊碟

BAFO Technology, Taiwan International Securities,
AVID Electronics, Prince Housing & Development,
Feya Technologies, Kolin, Everskill (false financial
statement), AMTC, Chin Mei Precision Machinery,
Taikong, Tung Kai Technology Development, Nan
Kang Rubber Tire (stock price manipulation-2),
Free Power Energy, Eten Information System, TKK
Technologies, HTS Tech (false financial statement),
Airlux Electrical, AV Tech/ Shih Wei Navigation/Chin
Mei Precision Machinery/Promate/Enfield Medical/
Horizon Securities, HTS Tech (insider trading),
Highlight Tech, Infodisk Technology/Jess-Link
Products, I-Hwa Industrial, Infodisk Technology (false
financial statement), Ching Feng Home Fashion,
Falcon Power, Lien Ming (stock price manipulation-1),
Lien Ming (stock price manipulation-2), and Rossmax.
A total of over 88,000 investors of the 81 pending
cases authorized the Center to file suits on their
behalf, seeking to collect civil compensation worth
NT\$36.164 billion. Meanwhile, some other cases that
have been authorized by investors in 2012 but have
not been brought to court, including the cases of Lien
Ming (false financial statement), Cyber Power, Astral
Epoch, and Sunflex.

Of the aforementioned cases that the Center has
filed class-action litigation on behalf of investors by
the end of 2012, there are 22 cases which have been
won with final and absolute judgments, including the
Tong Lung Metal Industry (false financial statement,
misleading prospectus), Tai Yu Products (false
financial statement, misleading prospectus), Infodisk
Technology (insider trading in 2000), Dayin (insider
trading), Dayin (false financial statement), Aceland
(stock price manipulation), Taiwan Fertilizer (stock
price manipulation), Kent World (insider trading),
Master Home Furniture (false financial statement),
Chinese Automobile (stock price manipulation),
Summit Computer Technology (false financial
statement), Chain Qui Development (insider trading),
and Hold-Key Electric Wire & Cables (stock price
manipulation), Lee Ta Farm Industry (false financial
statement), Procomp (misleading prospectus), New





(財報不實)、中華商銀(財報不實)、銳普(財報不實)、宏福(操縱股價)、金雨(財報不實)、台鳳(操縱股價)、新竹商銀(內線交易)、宏傳(財報不實)、宏億(財報不實)、捷力(財報不實)、仕欽(財報不實)、東森媒體科技(股票收購詐欺)及名鐘(財報不實)等十六案業經法院一審或二審判決全部或部分勝訴，發行公司、不法行為人及部分民事被告等應對受有損害投資人負連帶賠償責任。此外，針對團體訴訟案件，本中心亦與部分刑事被告、董監事、會計師、承銷商等達成和解，截至本年度止，本中心已替投資人取得高達二十億五千九百餘萬元之和解金，其中九十三年度為二千二百餘萬元、九十四年度為三億二百餘萬元、九十五年為五億五千四百餘萬元、九十六年度為一億九千七百餘萬元、九十七年度為一億六千六百餘萬元、九十八年度為一億六百餘萬元、九十九年度為八千二百餘萬元、一〇一年度為一億一千三百餘萬元、一〇一年度為五億一千五百餘萬元，投資人之損害可望獲得部分之實質補償。

五、代表訴訟及解任訴訟：

為加強公司治理機制，投保法修正案於九十八年八月一日施行，亦增訂保護機構有股東代表訴訟及訴請法院裁判解任董監事權。保護機構辦理業務，發現上市或上櫃公司之董事或監察人執行業務，有重大損害公司之行為或違反法令或章程之重大事項，得依規定為公司對董事或監察人提起訴訟及訴請法院裁判解任董事或監察人，俾得督促公司管理階層善盡忠實義務。截至一〇一年底，本中心計提起十八件代表訴訟及八件解任訴訟案件。

Sun Metal Industry (false financial statement), Zero One Tech/K Way Information/Hungtu Construction (stock price manipulation), Hong Technical (stock price manipulation), Intech Machines (stock price manipulation), China Container Terminal (stock price manipulation), AKER (insider trading), and T-mac Techvest Pcb.

Another 16 cases have been granted totally or partially favorable judgment in the District or High Court, including Chengyi (false financial statement), Tai Yu Products (insider trading), Procomp (false financial statement), Infodisk Technology (false financial statement), Chinese Commercial Bank (false financial statement), Xepex Electronics (false financial statement), Hung Fu Construction (stock price manipulation), Alona (false financial statement), Taiwan Pineapple (stock price manipulation), Hsin Chu International Commercial Bank (insider trading), Well Communication (false financial statement), Lih Dou International (false financial statement), Jet Power Technology (false financial statement), Everskill (false financial statement), EThome (deception in proxy purchase), and Ming Jong Technologies (false financial statement). In these cases, securities issuers, law-breaking individuals, and part of civil case defendants were held jointly liable for investors' losses.

Meanwhile, the Center has reached settlement deals with part of the defendants, including criminal defendants, directors/supervisors, accountants, and securities underwriters in some of the cases that the Center has filed class-action suits. By the end of 2012, the Center has helped investors collect compensations totaling NT\$2.059 billion. This includes NT\$22 million for the year of 2004, NT\$302 million for 2005, NT\$554 million for 2006, NT\$197 million for 2007, NT\$166 million for 2008, NT\$106 million for 2009, NT\$82 million for 2010, NT\$113 million for 2011, NT\$515 million for 2012. Investors can get at least partial compensation for their losses.

六、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釋，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督促行使業務，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。本中心本年度共處理一百年上半年度上市（櫃）公司、一百年下半年度上市（櫃）

5. Derivative Suit and Discharge Request

In order to strengthen the corporate governance mechanism, the Act amendment, effective from Aug. 1, 2009, stipulates that the Center has the right to file lawsuit on behalf of companies and request the court to discharge directors/supervisors as wrongdoers. In case of any listed company's directors/supervisors whose behaviors are harmful to the company's interest or violate the law or articles of incorporation, the Center would, in accordance with the Act, file lawsuit against the wrongdoing directors/supervisors for compensation or request discharge of their positions from the company. By doing the foregoing, the Center is acting as an important role to urge company's managing staff to faithfully fulfill their fiduciary duties. As of the end of 2012, the Center has filed 18 derivative suits on behalf of companies and another 8 requesting the court to discharge wrongdoing company directors/supervisors from their positions.





公司及一〇一年上半年度上市（櫃）公司之案件計四百零五件，其中結案三百九十六件，催促行使九件。總計辦理八十三年度至一〇一年度歸入權案件計六千三百七十四件，截至本年度結案計六千三百四十五件，催促行使十二件，進入訴訟程序而仍未歸入者十七件。

七、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，以一百二十萬元為限；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，並不超過十二億元為償付總額上限，前開計算金額最高未達一億元者，以一億元為準。自本中心成立以來，未有償付案件。

八、保護宣導

本中心特地透過與報章媒體合辦座談會之方

6. Disgorgement

According to Article 157 of the Securities and Exchange Act and Article 11 of the Securities and Exchange Act Enforcement Rules, directors, supervisors, managerial officer, or shareholders holding more than 10% of the company's shares sells the shares they have purchased for less than six months or repurchase the shares they have sold for less than six months, shall return any profits realized from such transactions.

The Center, as one of the shareholder of the companies, has been required by the written order of competent authority to take over the duty of enforcing disgorgement formerly handled by the Securities & Futures Institute to make sure that profits obtained from short-swing securities trading are properly returned. The Center exercises the disgorgement enforcement based on the short-swing trading reports provided by the Taiwan Stock Exchange and the GreTai Securities Market. In 2012, the Center processed 405 such cases, including cases occurring in the first half of 2011, in the second half of 2011 and the first half of 2012. Of these cases, 396 have been closed and 9 have been followed up on. In total, the Center has processed 6,374 cases from 1994 to 2012, of which 6,345 have been closed, 12 have been followed up on, and 17 have been brought into litigation proceedings.

7. Fund Coverage

To protect investors with small investments in the market, the Center has set up a fund, in accordance with the Act, to help investors minimize their losses in cases they are unable to get their entitled securities, cash, deposit, premium, or royalties from insolvent securities or futures companies, the said fund may be used to compensate these investors first.

However, the money in the fund is limited.

式，進行投資人權益保護宣導，本年度計辦理「投資人權益保護系列座談會」二場，分別為「從公司法與證券交易法之修正看投資人權益之保護」、「強化上市櫃公司股務作業導正股東會亂象」座談會；另亦在報章媒體刊登文章或專欄計六十四篇，宣導各項與投資人權益有關之議題，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。

九、攸關股東權益事項

（一）以股東身分行使股東權踐履股東行動主義精神：

為落實公司治理之理念以維護投資人權益，本中心亦配合主管機關積極實踐股東行動主義保障股東權益，自九十五年開始每年度皆參加十數家以上的上市櫃公司股東會，本年度參加中石化、眾星、科風、三陽工業等二十七場次之股東常會

The competent authority, which considered the possibility that one incident of huge coverage amount for one single case might seriously influence the fund's normal operations, and the fairness among securities and futures companies which contribute different amount of donations based on their transaction volume, and to make sure sufficient money in the fund to be used for protection of all investors, concluding a maximum coverage for one single individual investor at NT\$1.2 million and that for one single case. Meanwhile, for securities investors or futures traders of the same company, the Center will make a payment 1,000 times the amount the securities or futures company has contributed to the fund over the past one year or the average over the latest three years (whichever amount is higher), with a maximum payment set at NT\$1.2 billion. If the compensation amount derived from the aforementioned method is less than NT\$100 million, the Center shall make a payment of NT\$100 million anyway.

Since its establishment, the Center hasn't received requirements for making any such compensation.

8. Public Education

The Center has cooperated with the media and organized forums to educate the public. In 2012, the Center held two seminars called "Protecting Rights of Investor" and each was divided into two sessions, with discussions on the following topics: "Review Investor Protection Measures Based on Amendments to Company Act and Securities and Exchange Law" and "Strengthen Shareholder Services of TWSE/GTSM-listed Companies and Correct Malfunctions of Their Shareholders Meetings." In addition, the Center provided 64 articles to the investor protection column in print media, teaching investors about their rights and liabilities, reminding investors to develop proper ideas about investment and pay attention to the legal rights, in a hope that the development





或臨時會，就私募案、合併案、減資案、處分資產案、轉投資案、大額背書保證、董監事酬金及股利分配等攸關股東重大權益事項提出詢答，會後並持續注意追蹤其處理情形，發揮督促公司治理及維護股東權益的功效。

(二) 安泰銀行股東會決議提起撤銷訴訟案：

安泰銀行股東會涉及違反公司法第一百九十七條之一關於董事設質超過選任當時持股二分之一不得行使表決權此一攸關公司治理之規範，提起撤銷股東會決議之訴，以貫徹立法意旨。

(三) 中石化公司董監事改選爭議案：

中石化公司股東會收回股務自辦並有延遲股東報到等情，多次與主管機關聯繫，針對本件涉及違法事項後續可行之處置方案進行研議並提供意見，本件經多方努力，最終以和解方式收場。

of securities and futures market in Taiwan could be more complete.

9. Shareholder's Rights and Interests

(a) To execute shareholder activism as company shareholder:

In order to realize the concept of corporate governance with respect to investor protection, the Center plays an active role to promote shareholder activism in support to the government's policy.

Starting from 2006, the Center has sent out staffs to attend the shareholders' meeting of dozens listed companies every year. In 2012, it attended 27 annual and extraordinary shareholders' meetings of over 10 companies, including China Petrochemical Development Corp., Astral Epoch International, Powercom, Sanyang Industry, etc. During these meetings, the Center raised its concerns regarding private placement, merger or acquisition, capital decrease, disposal of company's assets, reinvestments, large-sum endorsement, and payout for company directors/supervisors, stock dividends, and other issues which may hurt investors' rights. The Center has also kept a close eye on whether problematic practices at the firms have been rectified in order to advocate the effectiveness of corporate governance and the protection of shareholders' rights.

(b) Enter a petition in the court for annulment of EnTie Bank shareholders' meeting resolutions:

EnTie Bank's shareholders' meeting allegedly violated Article 197-1 of the Company Act that stipulates that company directors who pledge more than half of their holdings at the time of election shall not exercise their voting rights. A lawsuit was filed to annul resolutions reached at the meeting to upkeep the law.



(四) 科風公司遲延發放一百年度現金股利案：

本中心出席股東會並函請公司董監事依法行使職權，另請聯貸銀行團協助辦理系爭現金股利及所衍生之利息發放，督促公司儘速發放股利及衍生之利息，公司方面已函復表示，將於取得聯貸管理銀行及銀行團同意後，於一〇一年十二月二十八日發放現金股利之利息（以年利率百分之一計算）；至應發放現金股利本金部分，將在不影響公司經營之前提下，與現金股利之利息一同發放，將續行與該公司協商後續處理方式。

(五) 私募案件及減資案件：

本年度檢視私募議案件數共計一百五十五家，發函詢問公司家數計一百五十家，其中一百四十九家已具體改善、函復或為說明，並出席其中十三家公司股東會提出質詢。另依主管機關函囑就上市櫃公司彌補虧損之減資案，請公司提報股東會說明或進行決議，並追蹤辦理情形事，本年度檢視四十八家上市櫃公司並函請其中三十七家公司予以說明、函復本中心，並持續追蹤一百年度列有減資議案之四十二家上市櫃公司後續辦理情形。

(六) 董監事酬金、大額背書保證及資金貸與超限等：

為健全市場發展及增進股東權益，本中心針對九十九、一百年度董監事酬金有超過主管機關參考規範一定標準之四十七家上市櫃公司，經發函詢問，其中計四十六家已具體改善、函復或為

(c) CPDC's directors/supervisors election dispute:

At a shareholders' meeting of China Petrochemical Development Corp., the firm took back commission of shareholder services and delayed shareholders' registration. Discussions were held with competent authority on possible punitive actions. A settlement was reached in the end.

(d) Powercom's delayed distribution of cash dividends for 2011:

The Center has attended Powercom's shareholders' meeting and urged directors/supervisors to perform their duties. It has also asked banks in the syndication loan case to urge the firm to expedite distribution of stock dividends and interest. The firm has agreed that after receiving the banks' approval, it will distribute the interest accrued on from the money set for stock dividend distribution (at annualized 1% rate) on December 28, 2012. The principal should be distributed along with the interest as long as company operations aren't affected. The Center will continue to negotiate with the firm on future handling of the case.

(e) Private placement and capital decrease:

In 2012, the Center reviewed a total of 155 private placement cases, and sent out request letters to 150 companies for explanation. Among them, 149 have rectified the situation or responded to the inquiry. Furthermore, the Center sent out staffs to attend the shareholders' meetings of 13 companies and raised its concerns regarding their practices of private placement during these meetings.

As for the capital decrease projects proposed by the listed companies for making up their losses, the Center, in accordance with the government's instructions, also proposed requests to companies and asked for their approval by voting process at the shareholders' meeting. The Center would then keep



說明，尚未回復者持續追蹤管理。另就十一家公司董監事酬勞或員工紅利分派，涉有損及股東權益情事，發函詢問，該十一家皆已函復說明或提出改善措施。另就一百年度及一〇一年上半年度有關大額背書保證、資金貸與超限及重大轉投資虧損等一百三十二家上市櫃公司，經評估函請公司說明者有八十五家，其中有八十四家回復說明或提出改善計畫，持續追蹤其辦理情形。

monitoring the follow-up proceedings of these cases. In 2012, the Center reviewed the capital decrease projects of 48 companies and sent request letters to 37 companies for explanation in this regard, and would keep follow-up monitoring on the 42 companies which made capital decrease in 2011.

(f) Director/supervisor remuneration, large-sum endorsement, and excessive loans:

In order to promote healthy market development and strengthen investor protection, the Center sent request letters to 47 listed companies where their director/supervisor remunerations for 2010 or 2011 exceeded the average or certain standard set by the competent authority. Among them, 46 have made substantial improvement and replied that they would take the Center's concern into account and made improvement later. Meanwhile, regarding the 11 companies where their remuneration payment for directors/supervisors would violate the interest of shareholders, the Center sent letters to them for explanation and they all made reply to promise rectification.

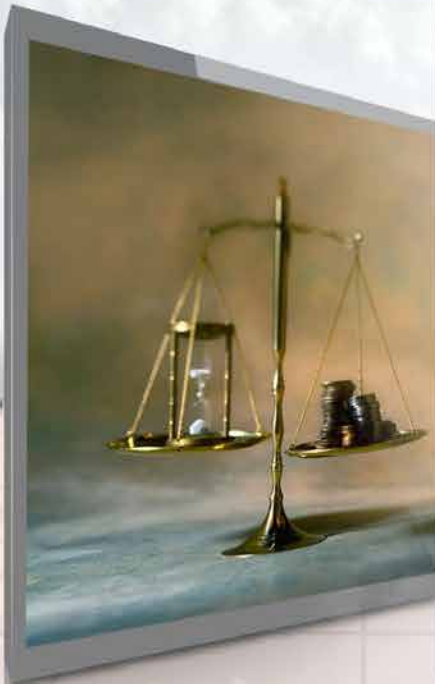
As for the 132 listed companies which made large-sum endorsement, excessive loans or suffered considerable losses resulting from their investment projects in 2011 and the first half of 2012, the Center sent out request letters to 85 of the aforesaid companies and asked for rectification or improvement. Among them, 84 have made reply and express their improvement plans. The Center will keep monitoring on their follow-up practices.





陸、財務報告

VI. Financial Statements





會計師查核報告

財團法人證券投資人及期貨交易人保護中心民國一〇一年十二月三十一日及民國一〇〇年十二月三十一日之資產負債表，暨民國一〇一年一月一日至十二月三十一日及民國一〇〇年一月一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金融監督管理委員會頒布之「金融監督管理委員會主管財團法人監督管理要點」及一般公認會計原則編製，足以當表達財團法人證券投資人及期貨交易人保護中心民國一〇一年十二月三十一日及民國一〇〇年十二月三十一日之財務狀況，暨民國一〇一年一月一日至十二月三十一日及民國一〇〇年一月一日至十二月三十一日之經營結果、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

安永聯合會計師事務所

會計師：



中華民國一〇二年三月二十七日

REPORT OF INDEPENDENT AUDITORS

Securities and Futures Investors Protection Center

We have audited the accompanying balance sheets of Securities and Futures Investors Protection Center as of December 31, 2012 and 2011, and the related statements of income and disbursements, changes in institute fund, and cash flows for the years ended December 31, 2012 and 2011. 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 "Regulations Governing Auditing and Certification of Financial Statements by Certificated Public Accountants" and auditing standards generally accepted in the Republic of China. 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 statements presentation. We believe that our audit provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Securities and Futures Investors Protection Center as of December 31, 2012 and 2011, and the results of its operations, changes in the institute fund and its cash flows for the years ended December 31, 2012 and 2011 in conformity with "Guidelines Regarding the Supervision and Governance of Funds with Juridical Person Status" stipulated by Financial Supervisory Commission, Executive Yuan and accounting principles generally accepted in the Republic of China.

March 27, 2013

Taipei, Taiwan

Republic of China

財團法人證券投資人及期貨交易人保護中心

資產負債表

民國一〇一年十二月三十一日及民國一〇〇年十二月三十一日

單位：新台幣元

| 資 產 | 一〇一年十二月三十一日 | | 一〇〇年十二月三十一日 | |
|----------------------|------------------------|---------------|------------------------|---------------|
| | 金 額 | % | 金 額 | % |
| 流動資產 | | | | |
| 現金及約當現金 | \$1,051,906,448 | 13.30 | \$704,656,037 | 9.34 |
| 應收帳款 | 34,541,380 | 0.44 | 32,145,727 | 0.43 |
| 其他流動資產 | 71,165,760 | 0.91 | 79,553,235 | 1.06 |
| 流動資產合計 | <u>1,157,613,588</u> | <u>14.65</u> | <u>816,354,999</u> | <u>10.83</u> |
| 基金及投資 | | | | |
| 備供出售金融資產 - 非流動 | 72,077,899 | 0.91 | 54,356,662 | 0.72 |
| 持有至到期日之金融資產 - 非流動 | <u>5,524,297,243</u> | <u>69.86</u> | <u>5,412,795,673</u> | <u>71.78</u> |
| 基金及投資合計 | <u>5,596,375,142</u> | <u>70.77</u> | <u>5,467,152,335</u> | <u>72.50</u> |
| 固定資產 | | | | |
| 土 地 | 71,070,000 | 0.90 | 71,070,000 | 0.94 |
| 房屋及裝修設備 | 35,527,377 | 0.45 | 35,527,377 | 0.47 |
| 辦公設備 | <u>8,809,796</u> | <u>0.11</u> | <u>8,527,796</u> | <u>0.11</u> |
| 成本小計 | 115,407,173 | 1.46 | 115,125,173 | 1.52 |
| 減：累計折舊 | (15,845,670) | (0.20) | (14,434,297) | (0.19) |
| 預付設備款 | <u>2,175,000</u> | <u>0.03</u> | <u>1,175,000</u> | <u>0.02</u> |
| 固定資產淨額 | <u>101,736,503</u> | <u>1.29</u> | <u>101,865,876</u> | <u>1.35</u> |
| 其他資產 | | | | |
| 受限制資產 | 994,979,366 | 12.58 | 1,099,538,828 | 14.58 |
| 存出保證金 | <u>56,478,870</u> | <u>0.71</u> | <u>55,801,389</u> | <u>0.74</u> |
| 其他資產合計 | <u>1,051,458,236</u> | <u>13.29</u> | <u>1,155,340,217</u> | <u>15.32</u> |
| 資產總計 | <u>\$7,907,183,469</u> | <u>100.00</u> | <u>\$7,540,713,427</u> | <u>100.00</u> |



| 負債、基金及累積餘絀 | 一〇一年十二月三十一日 | | 一〇〇年十二月三十一日 | |
|----------------|------------------------|---------------|------------------------|---------------|
| | 金額 | % | 金額 | % |
| 流動負債 | | | | |
| 應付費用 | \$ 14,213,740 | 0.18 | \$15,449,519 | 0.20 |
| 其他流動負債 | 382,995 | - | 629,201 | 0.01 |
| 流動負債合計 | <u>14,596,735</u> | <u>0.18</u> | <u>16,078,720</u> | <u>0.21</u> |
| 其他負債 | | | | |
| 代收款 | 536,859,423 | 6.79 | 566,507,074 | 7.51 |
| 存入保證金 | 458,129,943 | 5.79 | 533,041,754 | 7.07 |
| 其他負債合計 | <u>994,989,366</u> | <u>12.58</u> | <u>1,099,548,828</u> | <u>14.58</u> |
| 負債總計 | <u>1,009,586,101</u> | <u>12.76</u> | <u>1,115,627,548</u> | <u>14.79</u> |
| 基金及累積餘絀 | | | | |
| 創立基金 | 1,031,000,000 | 13.04 | 1,031,000,000 | 13.67 |
| 增撥基金 | 5,385,332,946 | 68.11 | 4,741,571,753 | 62.88 |
| 待轉撥基金 | 467,048,344 | 5.91 | 643,761,193 | 8.54 |
| 備供出售金融商品未實現損益 | 14,216,078 | 0.18 | 8,752,933 | 0.12 |
| 基金及累積餘絀總計 | <u>6,897,597,368</u> | <u>87.24</u> | <u>6,425,085,879</u> | <u>85.21</u> |
| 負債、基金及累積餘絀總計 | <u>\$7,907,183,469</u> | <u>100.00</u> | <u>\$7,540,713,427</u> | <u>100.00</u> |

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

BALANCE SHEETS

December 31, 2012 and 2011
(Expressed in New Taiwan Dollars)

| ASSETS | December 31, | |
|--|------------------------|------------------------|
| | 2012 | 2011 |
| CURRENT ASSETS | | |
| Cash and cash equivalents | \$1,051,906,448 | \$704,656,037 |
| Accounts receivable | 34,541,380 | 32,145,727 |
| Other current assets | 71,165,760 | 79,553,235 |
| Total Current Assets | <u>1,157,613,588</u> | <u>816,354,999</u> |
| INVESTMENTS AND FUNDS | | |
| Available-for-sale financial assets-non current | 72,077,899 | 54,356,662 |
| Held-to-maturity financial assets-non current | 5,524,297,243 | 5,412,795,673 |
| Total investments and funds | <u>5,596,375,142</u> | <u>5,467,152,335</u> |
| PROPERTY AND EQUIPMENT | | |
| Land | 71,070,000 | 71,070,000 |
| Buildings | 35,527,377 | 35,527,377 |
| Office equipment | 8,809,796 | 8,527,796 |
| Total Cost | 115,407,173 | 115,125,173 |
| Less : accumulated depreciation | (15,845,670) | (14,434,297) |
| Prepayment for equipment | 2,175,000 | 1,175,000 |
| Net Property and Equipment | <u>101,736,503</u> | <u>101,865,876</u> |
| OTHER ASSETS | | |
| Restricted assets | 994,979,366 | 1,099,538,828 |
| Refundable deposits | 56,478,870 | 55,801,389 |
| Total Other Assets | <u>1,051,458,236</u> | <u>1,155,340,217</u> |
| TOTAL ASSETS | <u>\$7,907,183,469</u> | <u>\$7,540,713,427</u> |



| | December 31, | |
|---|------------------------|------------------------|
| LIABILITIES, FUNDS AND ACCUMULATED SURPLUS | 2012 | 2011 |
| CURRENT LIABILITIES | | |
| Accrued expenses | \$14,213,740 | \$15,449,519 |
| Other current liabilities | 382,995 | 629,201 |
| Total Current Liabilities | <u>14,596,735</u> | <u>16,078,720</u> |
| OTHER LIABILITIES | | |
| Receipts in custody | 536,859,423 | 566,507,074 |
| Guarantee deposits received | 458,129,943 | 533,041,754 |
| Total Other Liabilities | <u>994,989,366</u> | <u>1,099,548,828</u> |
| TOTAL LIABILITIES | <u>1,009,586,101</u> | <u>1,115,627,548</u> |
| FUNDS AND ACCUMULATED SURPLUS | | |
| Institute fund | 1,031,000,000 | 1,031,000,000 |
| Additional capitalized fund | 5,385,332,946 | 4,741,571,753 |
| Fund to be transferred | 467,048,344 | 643,761,193 |
| Unrealized gain (loss) on available-for-sale financial assets | <u>14,216,078</u> | <u>8,752,933</u> |
| TOTAL FUNDS AND ACCUMULATED SURPLUS | <u>6,897,597,368</u> | <u>6,425,085,879</u> |
| TOTAL LIABILITIES, FUNDS AND ACCUMULATED SURPLUS | <u>\$7,907,183,469</u> | <u>\$7,540,713,427</u> |

財團法人證券投資人及期貨交易人保護中心

收支餘絀表

民國一〇一年一月一日至十二月三十一日及民國一〇〇年一月一日至十二月三十一日

單位：新台幣元

| 項 目 | 一〇一年度 | | 一〇〇年度 | |
|----------|--------------------|---------------|--------------------|---------------|
| | 金 額 | % | 金 額 | % |
| 收 入 | | | | |
| 財務收入 | \$113,270,877 | 99.99 | \$109,802,864 | 99.98 |
| 處分投資收益淨額 | - | - | 12,558 | 0.01 |
| 其他收入 | <u>1,904</u> | <u>0.01</u> | <u>4,760</u> | <u>0.01</u> |
| 合 計 | <u>113,272,781</u> | <u>100.00</u> | <u>109,820,182</u> | <u>100.00</u> |
| 支 出 | | | | |
| 人事支出 | 52,550,420 | 46.40 | 51,625,279 | 47.01 |
| 業務支出 | 18,396,425 | 16.24 | 18,128,464 | 16.51 |
| 業務撥回基金 | 42,300,046 | 37.34 | 40,066,439 | 36.48 |
| 處分投資損失淨額 | <u>25,890</u> | <u>0.02</u> | <u>-</u> | <u>-</u> |
| 合 計 | <u>113,272,781</u> | <u>100.00</u> | <u>109,820,182</u> | <u>100.00</u> |
| 本期餘絀 | <u>\$-</u> | <u>-</u> | <u>\$-</u> | <u>-</u> |



SECURITIES AND FUTURES INVESTORS PROTECTION CENTER STATEMENTS OF INCOME AND DISBURSEMENTS

For the years ended December 31, 2012 and 2011

(Expressed in New Taiwan Dollars)

| | 2012 | 2011 |
|--|--------------------|--------------------|
| REVENUES | | |
| Financial income | \$113,270,877 | \$109,802,864 |
| Gain on disposal of investments | - | 12,558 |
| Other income | <u>1,904</u> | <u>4,760</u> |
| Total Revenues | <u>113,272,781</u> | <u>109,820,182</u> |
| EXPENSES | | |
| Personnel expenses | 52,550,420 | 51,625,279 |
| Operating expenses | 18,396,425 | 18,128,464 |
| Operation transferred to institute fund | 42,300,046 | 40,066,439 |
| Loss on disposal of investments | <u>25,890</u> | <u>-</u> |
| Total Expenses | <u>113,272,781</u> | <u>109,820,182</u> |
| Surplus (deficit) for the year | <u><u>\$-</u></u> | <u><u>\$-</u></u> |

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

民國一〇一年一月一日至十二月三十一日及民國一〇〇年一月一日至十二月三十一日

單位：新台幣元

| 項 目 | 創立基金 | 增撥基金 | 待轉撥基金 | 累 積 餘 絀 | 備供出售 金融資產 未實現損益 | 合 計 |
|---------------------|------------------------|------------------------|----------------------|------------------|-----------------------|------------------------|
| 民國一〇〇年 一月一日餘額 | \$1,031,000,000 | \$4,060,368,488 | \$681,203,265 | \$- | \$31,491,178 | \$5,804,062,931 |
| 待轉撥基金轉入 | | 681,203,265 | (681,203,265) | | | - |
| 受撥收入 | | | 608,414,749 | | | 608,414,749 |
| 基金撥用 | | | | | | |
| 訴訟仲裁支出 | | | (6,656,929) | | | (6,656,929) |
| 訴訟仲裁支出 | | | | | | |
| 撥回基金 | | | 1,936,934 | | | 1,936,934 |
| 業務撥回基金 | | | | | | |
| 業務撥回基金 | | | 40,066,439 | | | 40,066,439 |
| 備供出售金融 資產未實現損益 | | | | | (22,738,245) | (22,738,245) |
| 民國一〇〇年度餘絀 | | | | - | | - |
| 民國一〇〇年 十二月三十一日餘額 | 1,031,000,000 | 4,741,571,753 | 643,761,193 | - | 8,752,933 | 6,425,085,879 |
| 待轉撥基金轉入 | | 643,761,193 | (643,761,193) | | | - |
| 受撥收入 | | | 424,129,936 | | | 424,129,936 |
| 基金撥用 | | | | | | |
| 訴訟仲裁支出 | | | (5,580,792) | | | (5,580,792) |
| 訴訟仲裁支出 | | | | | | |
| 撥回基金 | | | 6,199,154 | | | 6,199,154 |
| 業務撥回基金 | | | | | | |
| 業務撥回基金 | | | 42,300,046 | | | 42,300,046 |
| 備供出售金融 資產未實現損益 | | | | | 5,463,145 | 5,463,145 |
| 民國一〇一年度餘絀 | | | | - | | - |
| 民國一〇一年 十二月三十一日餘額 | <u>\$1,031,000,000</u> | <u>\$5,385,332,946</u> | <u>\$467,048,344</u> | <u>\$-</u> | <u>\$14,216,078</u> | <u>\$6,897,597,368</u> |



SECURITIES AND FUTURES INVESTORS PROTECTION CENTER STATEMENTS OF CHANGES IN INSTITUTE FUND

For the years ended December 31, 2012 and 2011
(Expressed in New Taiwan Dollars)

| | Institute Fund | Additional Capitalized Fund | Fund To Be Transferred | Accumulated Surplus (Deficit) | Unrealized Gain (Loss) On Available- for-sale Financial Assets | Total |
|--|------------------------|-----------------------------------|------------------------------|-------------------------------------|--|------------------------|
| Balance, January 1, 2011 | \$1,031,000,000 | \$4,060,368,488 | \$681,203,265 | \$- | \$31,491,178 | \$5,804,062,931 |
| Fund capitalized from fund to be transferred | | 681,203,265 | (681,203,265) | | | - |
| Contribution income to fund | | | 608,414,749 | | | 608,414,749 |
| Allocation to litigation and arbitration | | | (6,656,929) | | | (6,656,929) |
| Litigation and arbitration transferred to institute fund | | | 1,936,934 | | | 1,936,934 |
| Operation transferred to institute fund | | | 40,066,439 | | | 40,066,439 |
| Unrealized loss on available-for-sale financial assets | | | | | (22,738,245) | (22,738,245) |
| Surplus (deficit) for 2011 | | | | - | | - |
| Balance, December 31, 2011 | 1,031,000,000 | 4,741,571,753 | 643,761,193 | - | 8,752,933 | 6,425,085,879 |
| Fund capitalized from fund to be transferred | | 643,761,193 | (643,761,193) | | | - |
| Contribution income to fund | | | 424,129,936 | | | 424,129,936 |
| Allocation to litigation and arbitration | | | (5,580,792) | | | (5,580,792) |
| Litigation and arbitration transferred to institute fund | | | 6,199,154 | | | 6,199,154 |
| Operation transferred to institute fund | | | 42,300,046 | | | 42,300,046 |
| Unrealized gain on available-for-sale financial assets | | | | | 5,463,145 | 5,463,145 |
| Surplus (deficit) for 2012 | | | | - | | - |
| Balance, December 31, 2012 | <u>\$1,031,000,000</u> | <u>\$5,385,332,946</u> | <u>\$467,048,344</u> | <u>\$-</u> | <u>\$14,216,078</u> | <u>\$6,897,597,368</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

民國一〇一年一月一日至十二月三十一日及民國一〇〇年一月一日至十二月三十一日

單位：新台幣元

| 項 目 | 一〇一年度 | 一〇〇年度 |
|----------------|-----------------|----------------|
| 業務活動之現金流量： | | |
| 本期餘絀 | \$- | \$- |
| 調整項目： | | |
| 折舊 | 1,411,373 | 1,462,210 |
| 處分投資損失(利益) | 25,890 | (12,558) |
| 業務用資產及負債增減淨額 | | |
| 應收帳款(增加)減少 | (2,395,653) | 31,512,061 |
| 其他流動資產減少(增加) | 8,387,475 | (524,564) |
| 受限制資產減少 | 104,559,462 | 26,982,495 |
| 存出保證金增加 | (677,481) | (2,847,341) |
| 應付費用(減少)增加 | (1,235,779) | 1,082,286 |
| 其他流動負債(減少)增加 | (246,206) | 397,849 |
| 代收款減少 | (29,647,651) | (10,127,641) |
| 存入保證金減少 | (74,911,811) | (16,854,854) |
| 業務活動之淨現金流入 | 5,269,619 | 31,069,943 |
| 投資活動之現金流量： | | |
| 備供出售金融資產增加數 | (12,500,820) | (4,316,400) |
| 備供出售金融資產減資退回股款 | 25,547 | 19,146 |
| 備供出售金融資產處分價款 | 191,291 | 82,953 |
| 持有至到期日之金融資產增加數 | (111,501,570) | (538,646,049) |
| 購置固定資產 | (1,282,000) | (1,440,000) |
| 投資活動之淨現金流出 | (125,067,552) | (544,300,350) |
| 融資活動之現金流量： | | |
| 待轉撥基金增加 | 467,048,344 | 643,761,193 |
| 融資活動之淨現金流入 | 467,048,344 | 643,761,193 |
| 本期現金增加數 | 347,250,411 | 130,530,786 |
| 期初現金及約當現金餘額 | 704,656,037 | 574,125,251 |
| 期末現金及約當現金餘額 | \$1,051,906,448 | \$704,656,037 |
| 不影響現金流量之投資活動： | | |
| 金融資產之未實現利益(損失) | \$ 5,463,145 | \$(22,738,245) |



SECURITIES AND FUTURES INVESTORS PROTECTION CENTER STATEMENTS OF CASH FLOWS

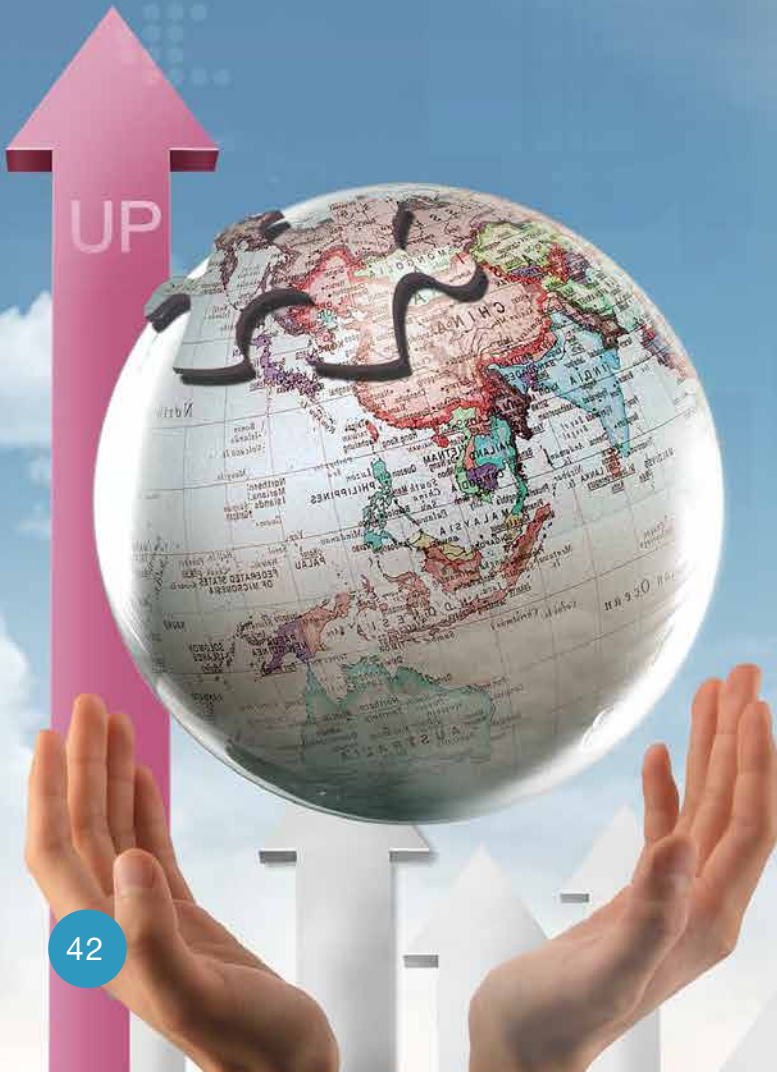
For the years ended December 31, 2012 and 2011
(Expressed in New Taiwan Dollars)

| | 2012 | 2011 |
|---|------------------------|-----------------------|
| CASH FLOWS FROM OPERATING ACTIVITIES | | |
| Surplus (deficit) | \$- | \$- |
| Adjustments to reconcile net surplus (deficit) to net cash provided by (used in) operating activities: | | |
| Depreciation expense | 1,411,373 | 1,462,210 |
| Loss (Gain) on disposal of long-term investments | 25,890 | (12,558) |
| Net changes in operating assets and liabilities | | |
| (Increase) Decrease in accounts receivable | (2,395,653) | 31,512,061 |
| Decrease (Increase) in other current assets | 8,387,475 | (524,564) |
| Decrease in restricted assets | 104,559,462 | 26,982,495 |
| Increase in refundable deposits | (677,481) | (2,847,341) |
| (Decrease) Increase in accrued expenses | (1,235,779) | 1,082,286 |
| (Decrease) Increase other current liabilities | (246,206) | 397,849 |
| Decrease in receipts in custody | (29,647,651) | (10,127,641) |
| Decrease in guarantee deposits receipts | (74,911,811) | (16,854,854) |
| Net cash provided by operating activities | <u>5,269,619</u> | <u>31,069,943</u> |
| CASH FLOWS FROM INVESTING ACTIVITIES | | |
| Increase in available-for-sale financial assets | (12,500,820) | (4,316,400) |
| Proceeds from capital reduction of available-for-sale financial assets | 25,547 | 19,146 |
| Proceeds from disposal of available-for-sale financial assets | 191,291 | 82,953 |
| Increase in held-to-maturity financial assets | (111,501,570) | (538,646,049) |
| Purchases of property and equipment | (1,282,000) | (1,440,000) |
| Net cash used in investing activities | <u>(125,067,552)</u> | <u>(544,300,350)</u> |
| CASH FLOWS FROM FINANCING ACTIVITIES | | |
| Increase in fund to be transferred | 467,048,344 | 643,761,193 |
| Net cash provided by financing activities | <u>467,048,344</u> | <u>643,761,193</u> |
| NET INCREASE IN CASH AND CASH EQUIVALENTS | 347,250,411 | 130,530,786 |
| CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR | 704,656,037 | 574,125,251 |
| CASH AND CASH EQUIVALENTS AT END OF YEAR | <u>\$1,051,906,448</u> | <u>\$ 704,656,037</u> |
| NONCASH INVESTING ACTIVITY | | |
| Unrealized(loss) gain on available-for-sale financial assets | <u>\$5,463,145</u> | <u>\$(22,738,245)</u> |



柒、大事紀要

VII. Chronicle





| 日期 Date | 事項 Event |
|------------|--|
| 101.01.02 | <p>受理台翰股票投資人求償登記（自 101 年 1 月 2 日至 2 月 3 日），並於 101 年 3 月 14 日提起投資人團體訴訟。</p> <p>Processed Taihan Precision Technology investors claim application (from Jan. 2 to Feb. 3, 2012) and filed a class-action suit on March 14, 2012.</p> |
| 101.01.03 | <p>召開本中心第 4 屆第 1 次董事監察人會議：</p> <p>Held the 1st board of directors and supervisors meeting of the 4th term:</p> <p>一、提報主管機關遴選及指派本中心第 4 屆董事 11 人及監察人 3 人。</p> <p>1. To report the motion that the competent authority has selected and appointed 11 board members and 3 supervisors for the 4th term of the Center</p> |
| 101.01.18 | <p>召開本中心第 4 屆第 2 次董事監察人會議：</p> <p>Held the 2nd board of directors and supervisors meeting of the 4th term:</p> <p>一、提報主管機關核准本中心新任董事長及核備總經理案。</p> <p>1. To report the motion that the competent authority has approved the appointment of the Center's new chairman and president.</p> <p>二、提報主管機關核定提高保護基金償付金額上限。</p> <p>2. To report the motion that the competent authority has approved the maximum compensation amount to be paid by the Investor Protection Fund.</p> <p>三、提報勤美代表訴訟案，經臺灣臺南地方法院駁回本中心刑事附帶民事訴訟。</p> <p>3. To report the motion that the Tainan District Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Chin Mei Precision Machinery derivative suit case.</p> <p>四、提報銳普財報不實案，經臺灣高等法院判決本中心部分勝訴。</p> <p>4. To report the motion that the Center was granted a partial favorable judgment by the Taiwan High Court in Xepex Electronics false financial statement case.</p> <p>五、決議公告受理天剛公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>5. To announce the Center's decision to process CGS (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> |
| 101.01.30 | <p>九德內線交易案經臺灣士林地方法院駁回本中心民事訴訟。</p> <p>The Shihlin District Court overruled the Center's civil lawsuit of Cutes insider trading case.</p> |
| 101.01.31 | <p>受理天剛股票投資人求償登記（自 101 年 1 月 31 日至 3 月 1 日）。</p> <p>Processed CGS investors' claim application (from Jan. 31 to March 1, 2012)</p> |
| 101.02.10 | <p>唐鋒操縱股價案經臺灣臺北地方法院駁回本中心部分刑事附帶民事訴訟。</p> <p>The Taipei District Court partially overruled the Center's civil lawsuit(collateral to criminal proceedings) of Airlux Elextrical stock price manipulation case.</p> |

| 日期 Date | 事 項 Event |
|------------|---|
| 101.02.22 | <p>召開本中心第 4 屆第 3 次董事監察人會議： Held the 3rd board of directors and supervisors meeting of the 4th term:</p> <p>一、提報力霸集團內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟。 1. To report the motion that the Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Rebar Group insider trading case.</p> <p>二、提報宏億財報不實案，經臺灣板橋地方法院判決本中心部分勝訴。 2. To report the motion that the Center was granted a partial favorable judgment by the Panchiao District Court in Lih Duo International false financial statement case.</p> <p>三、提報飛寶動能裁判解任董監事職務案，經臺灣士林地方法院駁回本中心民事訴訟。 3. To report the motion that the Shihlin District Court overruled the Center's civil lawsuit of Free Power Energy director/supervisor discharge case.</p> <p>四、提報亞化公司代表訴訟案，經向臺灣臺北地方法院聲請參加訴訟。 4. To report the motion that the Taipei District Court has allowed the Center to take part in Achem Technology derivative suit case.</p> <p>五、提報九德內線交易案，經臺灣士林地方法院駁回本中心民事訴訟。 5. To report the motion that the Shihlin District Court overruled the Center's civil lawsuit of Cutes insider trading case.</p> |
| 101.02.29 | <p>陽慶財報不實案經臺灣臺北地方法院判決本中心敗訴。 The Taipei District Court made a judgment that the Center failed in Global Sun Technology false financial statement case.</p> |
| 101.02.29 | <p>捷力財報不實案經臺灣士林地方法院判決本中心部分勝訴。 The Center was granted a partial favorable judgment by the Shihlin District Court in Jet Power Technology false financial statement case.</p> |
| 101.03.12 | <p>東森媒體股票收購詐欺案經臺灣臺北地方法院判決本中心部分勝訴。 The Center was granted a partial favorable judgment by the Taipei District Court in Eastern Multimedia deceptive share purchase case.</p> |
| 101.03.28 | <p>倚天內線交易案刑事無罪部份經臺灣高等法院駁回本中心刑事附帶民事訴訟上訴。 The Taiwan High Court overruled the criminal part of the Center's appeal for its civil lawsuit (collateral to criminal proceedings) of Eten Information Systems insider trading case.</p> |
| 101.03.28 | <p>召開本中心第 4 屆第 4 次董事監察人會議： Held the 4th board of directors and supervisors meeting of the 4th term:</p> <p>一、提報唐鋒操縱股價案，經臺灣臺北地方法院駁回本中心部分刑事附帶民事訴訟。 1. To report the motion that the Taipei District Court overruled a portion of the Center's civil lawsuit (collateral to criminal proceedings) of Airlux Electrical stock price manipulation case.</p> <p>二、提報捷力財報不實案，經臺灣士林地方法院判決本中心部分勝訴。 2. To report the motion that the Center was granted a partial favorable judgment by the Shihlin District Court in Jet Power Technology false financial statement case.</p> |



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| 101.03.28 | <p>三、提報陽慶財報不實案，經臺灣臺北地方法院判決本中心敗訴。</p> <p>3. To report the motion that the Taipei District Court made a judgment that the Center failed in Global Sun Technology false financial statement case.</p> <p>四、決議通過本中心 100 年度業務報告書、財務報告及立院格式決算書。</p> <p>4. To approve the Center's 2011 annual business report, financial report, and the format of the final financial report to be sent to the Legislature.</p> <p>五、決議公告受理爾必達臺灣存託憑證持有人授與訴訟及仲裁實施權，進行團體訴訟或仲裁，並申報日本更生債權。</p> <p>5. To announce the Center's decision to file class-action lawsuit or arbitration, and file creditors' claims over Elpida Memory TDR case where the Japanese company had entered the reorganization procedures.</p> |
| 101.03.29 | <p>受理爾必達臺灣存託憑證持有人求償登記（自 101 年 3 月 29 日至 4 月 11 日）。</p> <p>Processed Elpida Memory TDR investors' claim application (from March 29 to April 11, 2012).</p> |
| 101.04.10 | <p>合發財報不實案經臺灣高等法院判決本中心敗訴。</p> <p>The Taiwan High Court made a judgment that the Center failed in Union Leather & Printing false financial statement case.</p> |
| 101.04.25 | <p>召開本中心第 4 屆第 5 次董事監察人會議：</p> <p>Held the 5th board of directors and supervisors meeting of the 4th term:</p> <p>一、提報倚天內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>1. To report that motion that the Taiwan High Court overruled the Center's appeal for its civil lawsuit (collateral to criminal proceedings) of Eten Information Systems insider trading case.</p> <p>二、提報東森媒體股票收購詐欺案，經臺灣臺北地方法院判決本中心部分勝訴。</p> <p>2. To report the motion that the Center was granted a partial favorable judgment by the Taipei District Court in Eastern Multimedia deceptive stock purchase case.</p> <p>三、決議通過本中心財產總額登記由新台幣五十七億七千二百五十七萬一千七百五十三元，變更為六十四億一千六百三十三萬二千九百四十六元。</p> <p>3. To approve the change in the Center's registered assets from NT\$5,772,571,753 to NT\$6,416,332,946.</p> |
| 101.04.25 | <p>台鳳操縱股價案經最高法院判決發回臺灣高等法院審理。</p> <p>The Supreme Court revoked the Taiwan High Court's ruling of Taiwan Pineapple stock price manipulation case.</p> |
| 101.04.27 | <p>訊碟財報不實案經臺灣高等法院更一審判決本中心勝訴。</p> <p>The Center was granted a partial favorable judgment by the Taiwan High Court at the first instance for Infodisk Technology false financial statement case.</p> |
| 101.05.08 | <p>九德內線交易案經臺灣高等法院判決本中心敗訴確定。</p> <p>The Taiwan High Court made a judgment that the Center failed in Cutes insider trading case and the proceeding of this case is final.</p> |

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| 101.05.18 | 國碩內線交易案經臺灣高等法院駁回本中心上訴。 The Taiwan High Court overruled the Center's appeal of Gigastorage insider trading case. |
| 101.05.23 | 召開本中心第 4 屆第 6 次董事監察人會議： Held the 6th board of directors and supervisors meeting of the 4th term: 一、提報合發財報不實案，經臺灣高等法院判決本中心敗訴。 1. To report the motion that the Taiwan High Court made a judgment that the Center failed in the Union Leather & Printing false financial statement case. 二、提報台鳳操縱股價案，經最高法院判決發回臺灣高等法院審理。 2. To report the motion that the Supreme Court revoked Taipei Pineapple stock manipulation case to the Taiwan High Court. 三、決議公告受理雷風公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 3. To announce the Center's decision to process Thunder Power (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization. |
| 101.06.01 | 受理雷風股票投資人求償登記（自 101 年 6 月 1 日至 7 月 2 日）。 Processed Thunder Power investors' claim application (from June 1 to July 2, 2012) |
| 101.06.13 | 飛雅財報不實案經臺灣士林地方法院判決本中心敗訴。 The Shihlin District Court made a judgment that the Center failed in the Feya Technologies false financial statement case. |
| 101.06.15 | 中壽內線交易案刑事無罪部分經臺灣臺北地方法院駁回本中心刑事附帶民事訴訟。 The Taipei District Court overruled the criminal part of the Center's civil lawsuit (collateral to criminal proceedings) of China Life Insurance insider trading case. |
| 101.06.26 | 仕欽內線交易案經臺灣高等法院駁回本中心刑事附帶民事訴訟。 The Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Everskill insider trading case. |
| 101.06.27 | 旺宏內線交易案經臺灣高等法院駁回本中心對被告黃俊欽刑事附帶民事訴訟。 The Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) against defendant Huang Chun-schin of Macronix insider trading case. |
| 101.06.27 | 召開本中心第 4 屆第 7 次董事監察人會議： Held the 7th board of directors and supervisors meeting of the 4th term: 一、提報訊碟財報不實案，經臺灣高等法院更一審判決本中心勝訴。 1. To report the motion that the Center was granted a favorable judgment by the Taiwan High Court at the first instance of Infodisk Technology false financial statement case. 二、提報國碩內線交易案，經臺灣高等法院駁回本中心上訴。 2. To report the motion that the Taiwan High Court overruled the Center's appeal of Gigastorage insider trading case. 三、提報九德內線交易案，經臺灣高等法院駁回本中心上訴。 3. To report the motion that the Taiwan High Court overruled the Center's appeal of Cutes insider trading case. |



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| 101.06.28 | <p>萬有內線交易案經臺灣高等法院臺南分院更二審駁回本中心所提部分刑事附帶民事訴訟上訴。 The Taiwan High Court, Tainan branch overruled the Center's appeal for its civil lawsuit (collateral to criminal proceedings) at the second instance of Baw Yu Paper Mill insider trading case.</p> |
| 101.07.17 | <p>新竹商銀內線交易案經臺灣高等法院判決本中心部分勝訴。 The Center was granted a favorable judgment by the Taiwan High Court in Hsinchu International Commercial Bank insider trading case.</p> |
| 101.07.18 | <p>新普內線交易案經最高法院駁回本中心上訴。 The Supreme Court overruled the Center's appeal in Simplo Technology insider trading case.</p> |
| 101.07.25 | <p>召開本中心第 4 屆第 8 次董事監察人會議： Held the 8th board of directors and supervisors meeting of the 4th term:</p> <ol style="list-style-type: none"> 一、提報本中心 101 年上半年度保護基金收取、保管及運用自行檢查報告一覽表。 1. To report the checking list to be used to examine the Center's Investor Protection Fund's application and management for the first half of 2012. 二、提報萬有內線交易案，經臺灣高等法院臺南分院更二審駁回本中心部分刑事附帶民事訴訟上訴。 2. To report the motion that the Taiwan High Court, Tainan branch overruled the Center's appeal for its civil lawsuit (collateral to criminal proceedings) at the second instance of Baw Yu Paper Mill insider trading case. 三、提報中壽內線交易案，經臺灣臺北地方法院駁回本中心刑事附帶民事訴訟。 3. To report the motion that the Taipei District Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of China Life Insurance insider trading case. 四、提報旺宏內線交易案，經臺灣高等法院駁回本中心對被告黃俊欽刑事附帶民事訴訟。 4. To report the motion that the Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) against defendant Huang Chun-schin of Macronix insider trading case. 五、提報仕欽內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟。 5. To report the motion that the Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Everskill insider trading case. 六、提報飛雅財報不實案，經臺灣士林地方法院判決本中心敗訴。 6. To report the motion that the Shihlin District Court made a judgment that the Center failed in the Feya Technologies false financial statement case. 七、公告受理優盛公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 7. To announce the Center's decision to process Rossmax (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization. 八、決議公告受理川飛公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 8. To announce the Center's decision to process Falcon (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization. |

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| 101.07.25 | 九、決議就安泰銀行 101 年股東常會之決議其決議方法涉及違反公司法規定事提起撤銷股東會決議之訴。 9. To announce the Center's decision to invalidate the resolutions of EnTie Bank's shareholders' meeting held in 2012, which allegedly violated the Company Act. |
| 101.08.01 | 受理川飛股票投資人求償登記（自 101 年 8 月 1 日至 8 月 30 日）。 Processed Falcon investors' claim application (from Aug. 1 to Aug. 30, 2012) 受理優盛股票投資人求償登記（自 101 年 8 月 1 日至 8 月 30 日），並於 101 年 11 月 28 日提起投資人團體訴訟。 Processed Rossmax investors' claim application (from Aug. 1 to Aug. 30, 2012), and filed class-action suit with authorization on Aug. 28, 2012. |
| 101.08.01 | 旺宏內線交易案經臺灣高等法院駁回本中心對被告黃俊欽刑事附帶民事訴訟上訴。 The Taiwan High Court overruled the Center's appeal for its civil lawsuit (collateral to criminal proceedings) against defendant Huang Chun-schin of Macronix insider trading case. |
| 101.08.14 | 統盟內線交易案經臺灣桃園地方法院判決本中心勝訴。 The Center was granted a favorable judgment by the Taoyuan District Court for T-MAC Techvest Pcb insider trading case. |
| 101.08.14 | 召開「101 年度保護投資人權益系列 從公司法與證券交易法之修正看投資人權益之保護」座談會。 Held the "Protecting Rights of Investors" seminar on "Review Investor Protection Measures Based on Amendments to Company Act and Securities and Exchange Law" |
| 101.08.14 | 召開「公司內部人行使員工認股權憑證是否有證交法第 157 條規定適用」諮詢會議。 Held the consulting meeting on "If Article 157 of Securities and Exchange Act applicable to company staff in subscribing warrants issued by their company?" |
| 101.08.21 | 勝昱操縱股價案經臺灣高等法院判決本中心敗訴。 The Taiwan High Court made a judgment that the Center failed in Sunvic stock manipulation case. |
| 101.08.22 | 昱晶九十八年度現金增資案經臺灣高等法院判決本中心敗訴。 The Taiwan High Court made a judgment that the Center failed in Gintech Energy capital increase (2009) case. |
| 101.08.22 | 召開本中心第 4 屆第 9 次董事監察人會議： Held the 9th board of directors and supervisors meeting of the 4th term: 一、提報本中心 102 年度業務計畫、預算書案，業經主管機關核定。 1. To report the motion that the competent authority approved the Center's annual business plan and annual budget for 2013. 二、提報新竹商銀內線交易案，經臺灣高等法院判決本中心部分勝訴。 2. To report the motion that the Center was granted a partial favorable judgment by the Taiwan High Court in Hsinchu International Commercial Bank insider trading case. 三、提報新普內線交易案，經最高法院駁回本中心上訴。 3. To report the motion that the Supreme Court overruled the Center's appeal in Simple Technology insider trading case. |



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| 101.08.22 | <p>四、提報雅新破產債權申報案，經臺灣士林地方法院更為裁定後予以部分剔除。</p> <p>4. To report the motion that the Shihlin District Court removed a portion of the creditors' claim application in Ya Hsin Industrial bankruptcy case.</p> <p>五、決議通過對大同公司董事長等人涉嫌掏空公司資產案提起代表訴訟及解任訴訟。</p> <p>5. To announce the Center's decision that it will file derivative suit and discharge request for Tatung embezzlement case.</p> <p>六、決議公告受理碩天公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>6. To announce the Center's decision to process Cyber Power (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>七、決議公告受理聯明公司操縱股價及財報不實案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>7. To announce the Center's decision to process Lien Ming (stock price manipulation and false financial statement) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> |
| 101.08.23 | <p>仕欽內線交易案經最高法院判決本中心敗訴。</p> <p>The Supreme Court made a judgment that the Center failed in the Everskill insider trading case.</p> |
| 101.08.23 | <p>召開「關於內部人之交易行為是否屬因非自發性之行為或非可歸責於自己之事由所生適用證券交易法第 157 條規定疑義之處理方式」諮詢會議。</p> <p>Held a consulting meeting on "If Article 157 of Securities and Exchange Act applicable to the insiders whose trading behaviors are not made on the decisions of their own?"</p> |
| 101.08.29 | <p>受理碩天股票投資人求償登記（自 101 年 8 月 29 日至 10 月 1 日）。</p> <p>Processed Cyber Power investors' claim application (from Aug. 29 to Oct. 1, 2012).</p> <p>受理聯明股票投資人求償登記（自 101 年 8 月 29 日至 10 月 1 日），並於 101 年 12 月 19 日提起投資人團體訴訟。</p> <p>Processed Lien Ming investors' claim application (from Aug. 29 to Oct. 1, 2012), and filed class-action suit with authorization on Dec. 19 of the same year.</p> |
| 101.08.29 | <p>港建內線交易案經臺灣桃園地方法院駁回本中心刑事附帶民事訴訟。</p> <p>The Taoyuan District Court overruled the Center's appeal for its civil lawsuit (collateral to criminal proceedings) in TTK Technologies insider trading case.</p> |
| 101.08.30 | <p>英華達內線交易案經臺灣高等法院駁回本中心刑事附帶民事訴訟。</p> <p>The Taiwan High Court overruled the Center's appeal for its civil lawsuit (collateral to criminal proceedings) in Inventec Appliance insider trading case.</p> |
| 101.09.21 | <p>仕欽財報不實案經臺灣板橋地方法院判決本中心部分勝訴。</p> <p>The Center was granted a partial favorable judgment by the Panchiao District Court in Everskill false financial statement case.</p> |

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| 101.09.26 | <p>召開本中心第 4 屆第 10 次董事監察人會議：</p> <p>Held the 10th board of directors and supervisors meeting of the 4th term:</p> <p>一、提報統盟內線交易案，經臺灣桃園地方法院判決本中心勝訴。</p> <p>1. To report the motion that the Center was granted a favorable judgment by the Taoyuan District Court in T-MAC Techvest Pcb insider trading case.</p> <p>二、提報勝昱操縱股價案，經臺灣高等法院判決本中心敗訴。</p> <p>2. To report the motion that the Taiwan High Court made a judgment that the Center failed in Sunvic stock manipulation case.</p> <p>三、提報仕欽內線交易案，經最高法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>3. To report the motion that the Supreme Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Everskill insider trading case.</p> <p>四、提報昱晶九十八年度現金增資案，經臺灣高等法院駁回本中心上訴。</p> <p>4. To report the motion that the Taiwan High Court overruled the Center's appeal for Gintech Energy capital increase (2009) case.</p> <p>五、提報英華達內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟。</p> <p>5. To report the motion that the Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) in Inventec Appliance insider trading case.</p> <p>六、提報港建內線交易案，經臺灣桃園地方法院駁回本中心刑事附帶民事訴訟。</p> <p>6. To report the motion that the Taoyuan District Court overruled the Center's civil lawsuit (collateral to criminal proceedings) in TKK Technologies insider trading case.</p> <p>七、決議公告受理聯明公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>7. To announce the Center's decision to process Lien Ming (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> |
| 101.09.28 | <p>亞化公司前董事長等人違背職務損害賠償參加訴訟案經臺灣臺北地方法院判決勝訴。</p> <p>The Center was granted a favorable judgment by the Taipei District Court in the Achem Technology case where the company's former chairman and others allegedly behaved against their responsibilities at the company.</p> |
| 101.10.11 | <p>受理聯明股票投資人求償登記（自 101 年 10 月 11 日至 11 月 12 日），並於 101 年 12 月 7 日提起投資人團體訴訟。</p> <p>Processed Lien Ming investors' claim application (from Oct. 11 to Nov. 12, 2012), and filed class-action suit with authorization on Dec. 7, 2012.</p> |
| 101.10.18 | <p>律勝股價操縱案經臺灣高等法院臺南分院判決本中心勝訴。</p> <p>The Center was granted a partially favorable judgment by the Taiwan High Court, Tainan Branch in Microcosm Tech stock price manipulation case.</p> |
| 101.10.24 | <p>正義財報暨公開說明書不實案經最高法院判決本中心部分勝訴。</p> <p>The Center was granted a partial favorable judgment by the Supreme Court in Chenhyi false financial statement and misleading prospectus case.</p> |



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| 101.10.24 | <p>召開本中心第 4 屆第 11 次董事監察人會議：</p> <p>Held the 11th board of directors and supervisors meeting of the 4th term:</p> <p>一、提報仕欽財報不實案，經臺灣板橋地方法院判決本中心部分勝訴。</p> <p>1. To report the motion that the Center was granted a partial favorable judgment by the Panchiao District Court in Everskill false financial statement case.</p> <p>二、提報亞化公司前董事長等人違背職務損害賠償參加訴訟案，經臺灣臺北地方法院判決勝訴。</p> <p>2. To report the motion that the Center was granted a favorable judgment by the Taipei District Court in the Achem Technology case where company's former chairman and others allegedly behaved against their responsibilities and caused the company's losses.</p> <p>三、決議通過對士林紙業董監事為不利益交易案提起代表訴訟。</p> <p>3. To announce the Center's decision that it will file a derivative suit for Shihlin Paper case where company directors/supervisors allegedly made the improper transaction harmful to company's interests.</p> <p>四、決議公告受理眾星公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>4. To announce the Center's decision to process Astral Epoch (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> |
| 101.10.26 | <p>英華達內線交易案經臺灣高等法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>The Taiwan High Court overruled the Center's appeal for its civil lawsuit (collateral to criminal proceedings) in Inventec Appliance insider trading case.</p> |
| 101.10.30 | <p>受理眾星股票投資人求償登記（自 101 年 10 月 30 日至 102 年 1 月 10 日）。</p> <p>Processed Astral Epoch investors' claim application (from Oct. 30, 2012 to Jan. 10, 2013).</p> |
| 101.11.16 | <p>召開「101 年度保護投資人權益系列 - 強化上市櫃公司股務作業導正股東會亂象」座談會。</p> <p>Held the "Protecting Rights of Investors" seminar on "Strengthen Shareholder Services of TWSE/GTSM-listed Companies and Correct Malfunctions of Their Shareholders Meetings"</p> |
| 101.11.28 | <p>召開本中心第 4 屆第 12 次董事監察人會議：</p> <p>Held the 12th board of directors and supervisors meeting of the 4th term:</p> <p>一、提報英華達內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>1. To report the motion that the Taiwan High Court revoked the Center's appeal for its civil lawsuit (collateral to criminal proceedings) in Inventec Appliance insider trading case.</p> <p>二、提報正義財報暨公開說明書不實案，經最高法院判決本中心部分勝訴。</p> <p>2. To report the motion that the Center was granted a partially favorable judgment by the Supreme Court in Chenhyi false financial statement and misleading prospectus case.</p> <p>三、決議公告受理旭軟公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>3. To announce the Center's decision to process Sunflex (stock price manipulation) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> |

| 日期 Date | 事項 Event |
|------------|---|
| 101.12.05 | 受理旭軟股票投資人求償登記（自 101 年 12 月 05 日至 102 年 1 月 10 日）。 Processed Sunflex investors' claim application (from Dec. 5, 2012 to Jan. 10, 2013). |
| 101.12.05 | 東森國際財報不實案經臺灣臺北地方法院判決本中心敗訴。 The Taipei District Court made a judgment that the Center failed in Eastern Media International false financial statement case. |
| 101.12.11 | 召開「團體訴訟之相關疑義」諮詢會議。 Held a consulting meeting on "Class-action Lawsuits and Related Questions" |
| 101.12.13 | 銳普財報不實案經最高法院判決原審不利本中心部分發回臺灣高等法院審理，並駁回對造上訴。 The Supreme Court revoked the portion unfavorable to the Center of the Taiwan High Court's ruling in Xepex Electronics false financial statement case, and overruled the other party's appeal. |
| 101.12.16 | 名鐘財報不實案經臺灣板橋地方法院判決本中心部分勝訴。 To report the motion that the Center was granted a partial favorable judgment by the Panchiao District Court in Ming Jong Technology false financial statement case. |
| 101.12.20 | 召開「投保中心訴訟業務相關法律適用疑義」諮詢會議。 Held a consulting meeting on "SFIPC Complaint-processing Services and Applicable Laws" |
| 101.12.26 | 召開本中心第 4 屆第 13 次董事監察人會議： Held the 13th board of directors and supervisors meeting of the 4th term: 一、提報本中心 101 年下半年度保護基金收取、保管及運用自行檢查報告一覽表。 1. To report the checking list to be used to examine the Center's Interior Protection Fund's application and management for the second half of 2012. 二、提報東森國際財報不實案，經臺灣臺北地方法院判決本中心敗訴。 2. To report the motion that the Taipei District Court made a judgment that the Center failed in Eastern Media International false financial statement case. 三、決議通過本中心 102 年度保護基金保管運用計畫。 3. To approve the Center's 2013 annual working plan for Protection Fund. 四、決議通過就吉祥全公司將其大吉祥國際建設股份有限公司股票交付信託事提起撤銷該信託行為之訴。 4. To announce the Center's decision to file a lawsuit against Infodisk Technology which withdrew the trusteeship for the shares issued by its construction subsidiary. 五、決議公告受理美嘉電公司財報不實案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起解任訴訟。 5. To announce the Center's decision to process Mega Biotech (false financial statement) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization and file a discharge request. 六、決議公告受理頡邦公司及飛信公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 6. To announce the Center's decision to process Chipbond Technology and International Semiconductor Technology (insider trading) claim application to file class-action suit and conduct arbitration procedures for civil compensation on behalf of investors with authorization. |



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