

2014 Annual report

中華民國一〇三年年報



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

2014 Annual report

中華民國一〇三年年報



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前言

INTRODUCTION



證券、期貨市場為國家重要資產，亦為國家經濟發展之基石，隨著金融市場日新月異，證券及期貨市場快速變遷的同時，投資人權益保護之機制更為不可或缺的一環。本中心於民國（下同）92年1月依證券投資人及期貨交易人保護法（下稱「投保法」）規定成立，迄今已有12餘年之時間，經過本中心全體同仁之努力，除持續踐行投保法所賦予本中心之任務，辦理提供投資人有關證券及期貨相關爭議之申訴及調處、督促公司歸入權之行使，以及主管機關委託交辦有關投資人權益維護、促進市場健全發展等工作外，在團體訴訟之執行，以及為公司對董事或監察人提起代表訴訟或訴請法院裁判解任等事項上，亦有長足之進展，為我國證券市場民事責任之落實及投資人保護開創了新的里程。

回顧過去這一年來，本中心辦理相關主要業務事項成果如下：

一、落實我國證券市場民事責任，保障投資人權益：

證券期貨事件團體訴訟為本中心最重要的業務項目。由於證券民事訴訟具有高度專業性，且訴訟成本及障礙高，致一般散戶投資人往往裹足不前，放棄主張權利，然透過投保法團體訴訟機制，除能達訴訟經濟，減輕投資人訟累外，透過團體訴訟之進行，亦有填補投資人之損失，並嚇阻違法行為的發生，對於證券市場秩序之維護，已持續發揮功能。

董事長

邱欽庭

CHAIRMAN

CHIN-TING CHIU





• 協助投資人主張權益，進行團體訴訟

截至 103 年底，本中心總計協助投資人進行 187 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 439 億餘元，人數 11.2 萬餘人。其中計有 47 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、董監事及會計師暨事務所等相關民事被告應對受有損害投資人負賠償責任，判決勝訴金額達 146 億餘元，當中 27 件並已勝訴判決確定。

其中，特別值得一提的是，本中心協助投資人之團體訴訟求償案件中，有關財務報告不實、公開

competent authority. The Center has made significant progress in representing class action suits as well as filing derivative suits and discharge suits against directors or supervisors, thereby bringing investor protection to a whole new level as it watches over civil liabilities of the securities market.

Highlights of the Center's major business operations over the past year are presented below:

1. PROTECTING INVESTORS' INTERESTS BY ENSURING THE FULFILLMENT OF CIVIL LIABILITIES IN THE SECURITIES MARKET:

Class action suits for securities and futures related disputes remain the Center's primary service. Most securities-related civil lawsuits are too sophisticated and costly to be executed by individuals on their own, and as a result they tend to waive their right of claim. However, the Investor Protection Act has introduced a class action suit mechanism that relieves investors of the financial and mental stress involved, and has proven to be effective in compensating investors' losses, deterring further wrongdoing, and restoring discipline within the securities market.

• Helping investors establish claims through class action suits

As of year-end 2014, the Center has assisted investors in 187 class action suits (including cases transferred from Securities & Futures Institute) with claim amount exceeding NT\$43.9 billion and involving 112,000 claimants. In those suits, the courts have rendered decisions that represent total or partial victory for claimants in 47 cases, requiring civil defendants, including securities issuers, law-breaking individuals, corporate directors and supervisors, accountants and CPA firms to assume liabilities, and awarding claimants more than NT\$14.6 billion in compensation. Of those 47 cases, the rulings on 27 cases are final and non-appealable.

One worthy note of the Center's efforts is that there are already numerous precedent judgments ruled in investors' favor, whether the disputes involved misrepresentation of financial reports, misstatements in the prospectus, manipulation of share prices, insider trading or other major misconducts in the securities market. This gives the Center much more to work with to secure investors'



總經理

呂淑玲

DIRECTOR AND PRESIDENT

SHU-LIN LU

說明書不實、操縱股價及內線交易等主要證券市場不法案件類型，皆已有相關民事求償勝訴判決之案例，相較於過去在司法實務上極其少見有關證券交易法之民事判決情形，實已不可同日而語。這幾年證券事件團體訴訟累積之民事判決案例，已逐步落實證券交易法上所明定之民事責任，並讓司法實務判決得不斷地檢視相關法規之適用，該等判決已使上市櫃公司董事監察人更瞭解其權利義務，同時也間接促使上市櫃公司投保董監事責任保險，並強化會計師事務所之風險意識，嚴謹查核公司財務報表，為投資人把關。

- 洽商和解，使投資人儘速取償，填補損害

在團體訴訟之過程，為使投資人迅速取得賠償，免去訟累，投保中心並與部分刑事被告、董監事、會計師、承銷商等達成和解，截至 103 年底已替投資人爭取高達 29.28 億餘元之和解金，其中 103 年度取得之和解金額即達 7.19 億餘元，創本中心成立以來，單年度取得和解金款項的最高紀錄，另透過強制執行等程序，亦為投資人爭取到 3.1 億餘元的金額。前述取得的款項並陸續分配，具體達成填補投資人損失之目的，也大大提振投資人對市場的信心。

二、踐行股東行動主義，促進公司治理：

本中心依投保法規定係所有上市櫃公司股東，為落實公司治理，維護投資人之權益，本中心亦配合主管機關及周邊單位的協助，積極實踐股東行動主義，促進公司治理並保障股東權益。

- 攸關公司、股東權益議題之監督與積極參與股東會

本中心針對上市櫃公司私募、減資、董監酬金異常、股利政策失衡、重大轉投資或轉投資虧損、大額背書保證或資金貸與等涉及影響公司及股東權益之重大議題，均以股東身分依個案評估函請公司提出說明或改善，每年度發函督促件數皆達數百件，並視個案狀況派員出席公司股東會表達意見，俾利

claims than it did at a time when precedents were scarce. Civil court judgments accumulated through class action suits over the years are starting to define and enforce the notion of civil liabilities under the Securities and Exchange Act, while in the meantime enabling the court decisions to constantly review the application of relevant laws. Furthermore, these court judgments have made directors and supervisors of TWSE/TPEX listed companies more aware of their rights and obligations, thus indirectly prompted listed companies to purchase liability insurance for directors and supervisors, and CPA firms to exercise greater risk awareness and due diligence when auditing financial statements to protect investors.

- Negotiating settlement for faster compensation of investors' losses

In order to give investors faster access to their claims over the course of class action, the Center would negotiate settlements with parts of criminal defendants, directors, supervisors, accountants, and underwriters. As at the end of 2014, the Center had helped investors claim a total of NT\$2,928 million in settlements, of which NT\$719 million were claimed in 2014 alone, setting record for the highest amount of settlements made in a single year since the Center was founded. In addition, the Center helped investors claim an additional NT\$310 million by the procedure of compulsory enforcement. Payments obtained from the above sources were distributed to cover investors' losses, which served justice and strengthened investors' confidence in the market.

2. SHAREHOLDER ACTIVISM AND CORPORATE GOVERNANCE:

Pursuant to the Investor Protection Act, the Center is a shareholder of all TWSE/TPEX listed companies. To ensure the corporate governance and protect the investors' interests, the Center has taken the initiative to promote shareholder activism, corporate governance and investors' protection with help from the competent authority and other government agencies.

- Monitoring of corporate/shareholder issues and active participation in shareholders' meetings

In cases of private placement, capital decrease, excess compensation for directors and supervisors, disproportionate dividend policy, major reinvestments, significant losses from reinvestment, large-sum endorsement/guarantee or excessive loans to others, which have material influence on the rights and interests of TWSE/TPEX listed companies and shareholders, the Center will send an inquiry letter in the capacity of a shareholder, asking the company concerned to provide explanation or to take remedial



保護投資人權益，103 年度本中心出席股東會場次即達 34 場。

就重大攸關投資人權益之案件，或涉有經營權紛爭之公司，本中心皆納入控管，並就有損及股東權益之虞的個案，研議處置方案。由於近年有部分上市櫃公司為爭奪經營權，進而採取不當手段，技術性的妨礙股東權利的行使，產生股東提案權、董事候選人提名權制度之爭議，本中心除就出席股東會之經驗，針對個案或通案問題，向主管機關、周邊單位提出多項具體改善建議，積極配合主管機關推動強化公司治理之措施及法令之修訂外，同時另輔以舉辦諮詢會、座談會等方式，就股東權益之維護、如何協助促進公司治理之方式持續研議精進，以提高投資人對相關議案之認知與關注，促進市場共同發揮監督之力量。

● 提起代表訴訟及解任訴訟

為加強公司治理機制，維護股東權益，對於公司經營階層背信掏空或董事、監察人違反善良管理

actions. The Center issues hundreds of such letters a year, and if deemed necessary, sends staffs to express opinions in the interest of shareholders at various shareholders' meetings. In 2014, the Center participated in a total of 34 shareholders' meetings.

The Center also intervenes whenever companies have major cases that are of great concern to investors' interests or whenever dispute arises regarding a company's management/control right. The Center would help devise solutions if these cases pose any concerns to shareholders' interests. In recent years, there have been cases of inappropriate measures taken to fight control over a TWSE/TPEx listed company. Some of these measures involved exploiting technicalities to stop shareholders from exercising their rights, which therefore gave rise to disputes over the shareholder proposal right and nomination right. Based on the Center's experience of attending shareholders' meetings, both on a general and case-by-case basis, the Center has been suggesting improvements to the competent authority and related government agencies, and promoting corporate governance practices, and amendment of relevant laws. In addition, the Center also organizes seminars and conferences to refine the methods through which corporate governance is practiced, and promote investors' awareness to the issues discussed, thereby involving them as part of the market's monitoring force.



人注意義務等情事，進行相關措施，投保法於 98 年增訂本中心就上市、櫃公司之董監事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情形者，得為公司對董監事提起訴訟及訴請法院裁判解任董監事。

自增訂以來，本中心已進行 27 件代表訴訟及 20 件解任訴訟案件，其中部分個案經投保中心依法督促或進行訴訟後，不法行為人自行賠償及與公司達成協議賠償金額約為 14 億餘元，具體保障公司及股東權益。

三、未來展望

展望未來，本中心除持續改善申訴、調處業務等，在既有執行保護投資人功能基礎上繼續努力外，並將致力於下列重點工作：（一）發揮團體訴訟功能，累積證券期貨事件團體訴訟之民事訴訟判決案例，落實證券交易法明定之民事責任並填補投資人損害。（二）就重大案件或社會矚目之證券期貨不法案件，於檢察官起訴前即積極與監理機關協調合作，以達保障投資之目標。（三）積極踐行股東行動主義，督促上市（櫃）公司建立良好公司治理制度之相關業務；另針對現行運作模式，依相關制度變革或實務運作上所遭遇之問題，提出具體建議，以提高執行效益及促進公司治理。（四）持續透過強制執行或和解程序取得賠償款項，並擬提升賠償款項分配作業之效率，就授權人尚未領取分配款項部分，亦持續透過媒體傳遞相關訊息，以使團體訴訟授權人實際獲償。

隨著市場不斷發展，未來有關證券期貨之爭議案件預期仍會不時出現，面對攸關投資人權益的證券期貨事件，本中心仍將秉於法定職能，持續加強投資人之教育宣導與風險意識外，亦將積極研議相關保護投資人措施，並配合主管機關之督導，以達本中心設立之宗旨。

• Filed derivative suit and discharge suit

The Center has been taking actions for the purpose of enhancing corporate governance and protecting shareholders from misconducts such as breach of trust, misappropriation of assets, and breaches of fiduciary duty that involve a company's management, directors or supervisors. Since 2009, the Center has been empowered by the Investor Protection Act to take legal actions against directors or supervisors and request discharge of those who have acted severely against the interests of TWSE/TPEX listed companies or those who have committed major violations against laws or the articles of incorporation on behalf of the companies.

Since then, the Center has made 27 derivative suits and 20 discharge suits in total. In some cases, by applying legal pressure, the Center was able to force wrongdoers into committing a total settlement of NT\$1.4 billion out of their personal wealth or from assets of their companies, and thereby protected the interests of companies and their shareholders.

3. FUTURE PROSPECTS

Looking into the future, the Center will continue to improve its service in handling investors' complaints, mediation and other businesses, and protect investors' interests. The Center will also focus on the following tasks: (1) Assist investors in class action suits. Accumulate civil court judgments made on securities and futures related disputes to ensure the civil liabilities and compensate investors' losses, as stated in the Securities and Exchange Act. (2) Protect investors by actively working with supervisory authorities for material cases with social attention that involve securities or futures before the cases are prosecuted. (3) Promote shareholder activism and urge the development of sound corporate governance practices within TWSE/TPEX listed companies. Raise constructive suggestions as to how policy execution and practical difficulties can be resolved to ensure more efficient corporate governance. (4) Assist investors in obtaining compensation for their losses by compulsory enforcement or settlements. Improve the efficiency at which settlement payments are distributed, and use the media to remind class plaintiffs of unclaimed payments.

Ongoing changes of the market will undoubtedly give rise to new forms of securities and futures related disputes that impact investors' interests in the future. In light of this challenge, the Center shall remain committed to its legal authorities of promoting investors' education and risk awareness as well as working with the competent authority to devise new investor protection measures, which have been the main purpose for the Center's establishment.



組織架構

ORGANIZATION STRUCTURE



一、組織系統

1. ORGANIZATIONAL CHART





財團證券投資人
法人
Securities and Futures I



二、人事結構

本中心除董事長、總經理外，現有專職員工三十二人。其中男性十二人，女性二十人；配置法律服務處二十四人，管理處八人；全體員工平均年齡三十八歲；員工教育程度具碩士學位者十三人，大學學位者十八人及其他一人。

2. STAFF

Aside from the Chairman and President, the Center is staffed with 32 full-time employees with an average age of 38 years. Among them, 12 are males and 20 are females; the Legal Affairs Department is staffed with 24 employees and the Administrative Affairs Department is staffed with 8 employees; 13 of the employees hold a master's degree, 18 are university graduates, and 1 is a senior high school graduate.

及期貨交易人保護中心

Investors Protection Center





董事、監察人名錄

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



董事兼總經理

呂淑玲

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

SHU-LIN LU

President, 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

王志誠

中正大學財經法律學系 教授

DIRECTOR

CHIH-CHENG WANG

Professor of Department
of Financial & Economic
Law, National Chung Cheng
University



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

張心悌

台北大學法律學系 教授

DIRECTOR

HSIN-TI CHANG

Professor of Law, National Taipei University



董事

莊永丞

東吳大學法律學系 教授

DIRECTOR

YUNG-CHENG CHUANG

Professor of Law, Soochow University



董事

劉連煜

臺灣期貨交易所股份有限公司
董事長

DIRECTOR

LEN-YU LIU

Chairman, Taiwan Futures Exchange



董事

簡立忠

臺灣證券交易所股份有限公司
副總經理

DIRECTOR

LIH-CHUNG CHIEN

Senior Executive Vice President,
Taiwan Stock Exchange



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

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



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, Taipei
Exchange



監察人

劉啟群

台灣大學會計學系 教授

SUPERVISOR

CHI-CHUN LIU

Professor of Accounting,
National Taiwan University



肆. 調處委員會委員名錄

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	朱德芳	政治大學法律學系副教授
委員	吳崇權	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	邱顯比	臺灣大學財務金融學系教授
委員	李愛玲	財團法人中華民國證券櫃檯買賣中心主任秘書
委員	邵慶平	臺灣大學法律學院副教授
委員	林仁光	臺灣大學法律學院教授
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律師訓練所副執行長
委員	陳錫琪	臺灣期貨交易所股份有限公司協理
委員	莊太平	中華民國證券商業同業公會秘書長
委員	許崇源	政治大學會計學系教授
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	蔡英欣	臺灣大學法律學院副教授

※ 調處委員會委員名錄除主任委員外，其餘依姓氏筆畫排列

※ 任期自 104 年 5 月 5 日至 107 年 5 月 4 日止

Title	Name	Position
Chairman	Chin-Ting Chiu	Chairman, Securities and Futures Investors Protection Center
Member	Te-Fang Chu	Associate Professor of Law, National Chengchi University
Member	Chung-Chuan Wu	President, Securities & Futures Institute
Member	Shean-Bii Chiu	Professor of Finance, National Taiwan University
Member	Li-Ling Lee	Secretary General, Taipei Exchange
Member	Ching-Ping Shao	Associate 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	Vice Chief Executive Officer of Attorney Study Center, Taiwan Bar Association
Member	Hsi-Chi Chen	Executive Vice President, Taiwan Futures Exchange
Member	Tai-Ping Chuang	Secretary General, Taiwan Securities Association
Member	Chung-Yuan Hsh	Professor of Accounting, National Chengchi University
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	Ying-Hsin Tsai	Associate Professor of Law, National Taiwan University

※ With the exception of chairman, members of the Mediation Committee are arranged in the order of the strokes of their Chinese surname

※ Term of office begin at May 5, 2015 to May 4, 2018



業務報告

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、零點二二元、零點一八元、零點零三元或零點零九元，證券交易所、期貨交易所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。自九十二年一月至一〇三年十二月止，本中心共收受撥保護基金金額約計六十二億六千餘萬元。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「本中心基金保管及運用作業要點」執行有關保護基金之保管運用，至一〇三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七十五億六千餘萬元，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。

1. INVESTOR PROTECTION FUND

The Center was established with an initial fund of NT\$1.031 billion donated by institutions in the securities and futures markets, including: Taiwan Stock Exchange, Taiwan Futures Exchange, Taipei Exchange, Taiwan Depository and Clearing Corporation, Taiwan Securities Association, Securities Investment Trust and Consulting Association of R.O.C., Taipei Futures Association, Fuhwa Securities, Global Securities Finance, Fubon Securities, and Entie Securities.

To ensure that the tasks of protection and services of securities investors and futures traders are carried out effectively, to promote sound market development and to expand market size, Article 18 of the Investor Protection Act stipulates that in addition to assets donated in accordance with Paragraph 2, Article 7 of the Act, sources of the Investor Protection Fund (or "the Fund") assets shall include the following: (1) every securities firm shall contribute 0.00000185 (1.85 millionths) of the total trading amount of its brokerage trades in the previous month; (2) every futures commission merchant shall contribute NT\$0.42, NT\$0.22, NT\$0.18, NT\$0.035, or NT\$0.09 per contract based on the number of brokerage trade contract executed in the previous month; and (3) Taiwan Stock Exchange and the Taiwan Futures Exchange shall contribute 5 percent of the transaction fees received in the previous month to the Center's Fund by the 10th of each month. Between January 2003 and December 2014, the Center has received contributions in the sum of more than NT\$6.26 billion. Also pursuant to Article 19 of the Investor Protection Act, the Investor Protection Fund shall be under custody by means of government bond purchases or deposit with financial institutions, and subject to approval by the competent authority, within the extent of not more than 30 percent of the net value of the Fund in total, up to 10 percent of the total assets donated at the time of the Fund's establishment may be used to purchase real estate for own use, and the Fund may invest in TWSE/TPEX listed stocks with original investment not exceeding 1,000 shares of each company, and make other investments that help maintain the value of the Fund. The Center has established a "Guideline for Custody and Management of Investor Protection Fund"



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。統計本年度迄十二月底止，本中心接獲電話諮詢七千餘通，書面申訴案共二千六百一十四件；而本中心成立以來，接獲電話諮詢計十一萬三千四百餘通，書面申訴案計一萬一千零二十三件。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；投保法第二十二

and operates the Fund accordingly. As of December 2014, the Investor Protection Fund is valued at more than NT\$7.56 billion, including the initial fund, the aforementioned contributions, other donations and interest earned. Approximately 75% of the Fund assets are bank deposits and government bonds, and the other 25% are real estate (for own use), stocks of TWSE/TPEX listed companies and bank debentures.

2. CONSULTATION AND COMPLAINT-FILING

Investors who have question over the provisions of securities or futures regulations, or have a civil dispute with a securities issuer, securities firm, securities service provider, futures firm, Taiwan Stock Exchange, Taipei Exchange, clearing house or other institutions over the offering, issuance, or transaction of securities, or futures trading can call the Center's investor service hotline or visit the Center in person for consultation. Investors can also file a complaint with the Center by mail, in writing (including fax and e-mail), or in person if investors have civil disputes with the said institutions. This year, the Center received more than 7,000 phone inquiries for consultation and 2,614 written complaints by the end of December. The Center has received more than 113,400 phone inquiries and 11,023 written complaints since it was founded. The phone calls concerned mainly inquiries about securities rules and regulations and complaints about illegal actions of securities issuers, trading disputes with securities firms, futures firms, investment consulting firms or securities finance firms, and inquiries about class action. Written complaints were filed mostly for: irregular stock price fluctuations resulting from non-transparent information on mergers and acquisitions or spin-off deals, or from false financial information provided by securities issuers; failure in payment of corporate bonds; disputes over electronic transactions; trading of stocks without the consent of clients; disputes arising from the trading of non TWSE/TPEX listed stocks; collection of payment or securities from investors trading on margin or short sale; margin calls on futures contracts; and disputes over fee refunds from investment consultant or misleading analysis reports of investment consultant. Upon receiving the complaints, the Center actively

條規定，投資人有前開民事爭議時，得向本中心申請調處；同法於九十八年五月二十日修正時，增訂小額爭議事件擬制調處機制，目前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二十三件調處案，其中調處成立三件，不成立四件，召開調處會議前即達成和解三件，相對人拒絕調處十件，不予受理調處二件，函請申請人補正文件一件。而本中心成立以來，已受理三百一十七件調處案，其中有四十四件調處成立送請法院核定，另有三十件當事人自行和解，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。

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

helped investors find solutions to their problems. In addition to explaining the situation to investors over the phone or sending a letter to the institutions concerned requesting detailed explanation of the matter, the Center recommended that investors apply for mediation if the case was complex or in cases with high claims amounts. For cases where illegal activities may be involved, the Center may refer them to the competent authority or relevant institutions, depending on the nature of the case.

3. MEDIATION

Overwhelmed by the lengthy and complex litigation process, many securities investors or futures traders whose rights were harmed in connection with the offering, issuance or transaction of securities or futures trading are not be able to make claims as provided by law. To avoid the litigation process, settling such disputes through mediation by the Center should be a more viable solution. Thus Article 22 of the Investor Protection Act provides that investors involved in a civil dispute may apply for mediation with the Center. In addition, the Center has set up a small claim mediation mechanism pursuant to the amended Investor Protection Act amended on May 20, 2009. The small claim mechanism applies to securities or futures trading dispute involving claim of NT\$1 million or less. By the end of December 2014, the Center handled a total of 23 mediation cases, of which 3 were successful, 4 were unsuccessful, 3 were settled prior to mediation, 10 were rejected by the counterparty, 2 were denied mediation by the Center, and 1 required additional documentation. Since the Center's establishment, it has handled 317 mediation cases, of which 44 were successful and sent to court for approval and 30 were settled by parties concerned before mediation. The Center has thus achieved the objectives of settling civil disputes for investors in an expedited manner and curtailing litigation. To bring the dispute mediation function of the Center into full play, the Securities and Futures Bureau of the Financial Supervisory Commission (FSC) invited relevant securities agencies and the Center to a consultation meeting. It was decided in the meeting that to fully protect the interests of investors and to help victimized investors to obtain financial





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。截至一〇三年底，本中心辦理團體訴訟案件，仍於法院進行相關程序者，有八十四件，計有九萬三千餘名投資人授與訴訟實施權進行民事求償，請求金額共計三百七十三億一千餘萬元。另已和解或勝訴確定且已執行結案者計有一〇三件，金額六十六億餘元，人數一萬八千餘人。

於一〇三年度，本中心協助投資人進行團體求償案件計有十二案，求償金額共計十二億餘元，人數四千餘人，其中財報不實案有一件，操縱股價案有四件，內線交易案有五件，另有二件兼具財報不實及其他不法類型。

前揭團體訴訟案件截至本年度，計有二十七案業已勝訴判決確定；另有二十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賠償責任。

compensation, complaints involving civil dispute received by relevant agencies, where both parties in the dispute clearly exist and a civil claim is made, may be transferred to the Center for mediation, regardless of the severity of violation involved. Such practice should be helpful for assisting investors in resolving civil disputes.

4. CLASS ACTION LITIGATION

Investors in Taiwan's securities and futures markets are predominantly individual investors, who are often reluctant to resort to legal actions to protect their rights due to lack of time and resources when their interests are damaged. Pursuant to Article 28 of the Investor Protection Act, the Center may file a class action lawsuit or an arbitration claim in its own name with respect to a securities or futures matter arising from a single cause that is injurious to multiple securities investors or futures traders, after having been so empowered by not less than 20 securities investors or futures traders. By the end of 2014, there were 84 class action cases pending in the court and more than 93,000 investors empowered the Center to file class action suits in civil claims for a total amount of more than NT\$37.31 billion. A total of 103 cases had been either settled or rendered final judgment, favorable or unfavorable; these cases represented more than 18,000 investors and concerned more than NT\$6.6 billion.

In 2014 alone, the Center assisted more than 4,000 investors in 12 class action suits for a total claim of more than NT\$1.2 billion. One of those cases involved false financial statements, whereas four were related to stock price manipulation, five concerned insider trading, and two were simultaneously involved false financial statements and other misconducts.

By the end of 2014, 27 of all class action suits mentioned above have been awarded final judgments in favor of investors, whereas another 20 cases have been granted fully or partially in favor of investors in the first or second instance. These judgments required securities issuers, wrongdoers, and parts of the civil defendants to compensate investors' losses. In addition, the Center has reached settlements with certain criminal defendants, corporate directors/supervisors, accountants, and securities underwriters in some of the class action suits mentioned above.



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二十九億二千八百餘萬元之和解金，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、九十五年度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、一百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、一〇二年度為一億三千七百餘萬元、一〇三年度為七億一千九百餘萬元，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，投保法九十八年五月二十日修正時，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。

截至一〇三年底，本中心計提起二十七件代表訴訟及二十件解任訴訟案件。



By the end of 2014, the Center has helped investors collect more than NT\$2,928 million in settlements; of which NT\$22 million in 2004, NT\$302 million in 2005, NT\$554 million in 2006, NT\$197 million in 2007, NT\$166 million in 2008, NT\$106 million in 2009, NT\$82 million in 2010, NT\$113 million in 2011, NT\$515 million in 2012, NT\$137 million in 2013, and NT\$719 million in 2014, which partially compensated investors' losses.

5. DERIVATIVE SUIT AND DISCHARGE SUIT

In order to strengthen the corporate governance mechanism, the amended Investor Protection Act on May 20, 2009 stipulates that the Center has the right to file lawsuit on behalf of a company and request the court to discharge its wrongdoing director/supervisor. In case any director/supervisor of a TWSE/TPEX listed company is found to have committed acts resulting in material damages to the company's interest or violate the laws or articles of incorporation, the Center may, in accordance with the Investor Protection Act, file lawsuit against the wrongdoing director/supervisor for compensation on behalf of the company or request the court to discharge him/her as director/supervisor of the company. This is one way to urge the management of companies to faithfully fulfill their fiduciary duties.

As of the end of 2014, the Center has filed 27 derivative suits and another 20 discharge suits.

6. DISGORGEMENT

According to Article 157 of the Securities and Exchange Act and Article 11 of the Securities and Exchange Act Enforcement Rules, in the event that any director, supervisor, managerial officer, or shareholder holding more than 10% of the company's shares sells the shares and other securities with the nature of equity shares they have purchased for less than six months or repurchases the securities they have sold in less than six months, the company shall claim for the disgorgement of any profits realized from such transactions. The Center, by the order of the competent authority, has taken over the duty of enforcing disgorgement claims formerly handled by the Securities & Futures Institute by asking corporate insiders in the capacity of a shareholder to return profits obtained by them from short-swing trading



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一〇二年上半年度上市（櫃）公司、一〇二年下半年度上市（櫃）公司之案件計二百八十八件，其中結案二百八十四件，催促行使一件，進入訴訟程序而仍未歸入者三件。總計辦理八十三年度至一〇二年度歸入權案件計六千七百六十二件，截至本年度結案計六千七百四十六件，催促行使四件，進入訴訟程序而仍未歸入者十二件。

to the company. The Center takes disgorgement enforcement actions based on the short-swing trading data provided by Taiwan Stock Exchange and the Taipei Exchange once every half a year. The Center handled 288 cases of such disputes involving TWSE/TPEX listed companies throughout the first and second halves of 2013; among which 284 cases have been closed, 1 is still in the process of collection and 3 have been brought into litigation proceedings. In total, the Center has handled 6,762 cases from 1994 to 2013, of which a total of 6,746 cases have been closed, 4 are still in the process of collection, and 12 have been brought into litigation proceedings.

7. FUND PAYMENT

To protect small investors in the market, the Center has set up the Investor Protection Fund in accordance with the Investor Protection Act. In case investors are unable to receive their entitled securities or payment, or entitled margin deposit or premium from insolvent securities or futures brokers, the Fund may be used to pay out to those investors first to help investors to minimize their losses.

Considering that money in the Fund is limited and the possibility that payout in one single case could deplete the Fund and jeopardize the operation of the Center, the competent authority, after taking into account fairness to individual securities or futures firms who make different amount of contribution to the Fund, operation of the Fund, and protection for small investors, decided to set limits on maximum payments from the Fund. For individual investors, the compensation is limited to NT\$1.2 million in a single payment. For all securities investors or futures traders of a securities firm or futures firm, the aggregate compensation in a single payment shall be 1,000 times the amount the securities or futures firm has contributed to the Fund over the past one year or the average over the past three years (whichever amount is higher) with the maximum set at NT\$1.2 billion. If the compensation amount calculated by the aforesaid method is less than NT\$100 million, the Center shall make a payment of NT\$100 million.

The Center has not made any such compensation payment since establishment.



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

本中心特地撰寫與投資人投資權益息息相關之「投資人權益的保護者 - 證券投資人及期貨交易人保護中心」、「投資人權益的守護者」宣導手冊等宣導品免費提供投資人取閱參考，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，本年度計辦理「投資人權益保護系列座談會」二場，分別為「少數股東提案權之妨礙行為及股利遲延發放之預防及處置」、「從股東行動主義談公司治理之落實」座談會；另亦在報章雜誌等媒體刊登文章或專欄計五十七篇，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。

8. PUBLIC EDUCATION

The Center has published manuals titled “Protector of Investors’ Interests- Securities and Futures Investors Protection Center” and “Guardian of Investors’ Interests” which the public may access for free. In addition, the Center promotes public awareness towards investor protection by organizing seminars in collaboration with the media. This year, the Center held two “Investor Protection Forum” sessions titled “Preventing and Handling Obstruction to Minority Shareholders’ Right of Proposal and Delay of Dividend Payments” and “Corporate Governance from a Shareholder Activism Perspective.” In addition, the Center published 57 articles on investor protection in various print media, advocating various topics relating to investor protection and reminding investors to develop the correct investment concepts and be aware of their legal rights. The Center’s public education effort is also directed at the sound development of securities and futures markets.

9. MATTERS RELATED TO SHAREHOLDERS' RIGHTS AND INTERESTS

(1) EXERCISE SHAREHOLDER ACTIVISM:

In the efforts of promoting corporate governance and investor protection, the Center has been exercising shareholder activism in support to the government’s policy. Starting from 2006, the Center has sent staffs to attend the shareholders’ meeting of dozens TWSE/TPEX listed companies every year. This year, the Center attended 34 annual and special shareholders’ meetings of companies. In those meetings, the Center raised its concerns regarding private placement, merger or acquisition, capital decrease, disposal of company’s assets, reinvestments, large-sum endorsement/guarantee, and compensation of company directors/supervisors, stock dividends, and other issues which have a material bearing on shareholders’ interests. The Center also keeps a close eye on whether problematic practices at those firms have been rectified in the effort to advocate the effectiveness of corporate governance and the protection of shareholders’ rights.



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，本年度計參加三十四場次之股東常會或臨時會，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) 私募案件：

本年度檢視私募議案件數共計一百四十五家，發函詢問公司家數計一百四十家，其中一百三十八家已具體改善、函復或為說明，尚未回復者持續追蹤管理。另就發函詢問之公司，其中有十六家公司回復情況尚有疑義，已出席該等公司股東會提出質詢。

另配合主管機關強化私募有價證券監理，增加檢視辦理私募有價證券涉及經營權重大變動者，採取股東權益保護措施，持續加強私募案件之管控。

(三) 董監事酬金案件：

為健全市場發展及增進股東權益，本中心針對一〇一年度、一〇二年度董監事酬金有超過主管機關參考規範一定標準之五十八家上市櫃公司，發函詢問公司家數計五十七家，其中計五十六家已具體改善、函復或為說明，尚未回復者持續追蹤管理。另就四十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，該四十家皆已函復說明或提出改善措施。

(2) PRIVATE PLACEMENT CASES:

This year, the Center reviewed 145 cases of private placement and issued written inquiries to a total of 140 companies, of which 138 of the companies had already made improvements, replies or explanations to these inquiries, and the Center is continuously following up on non-replies. In addition, 16 of those companies that had replied did not provide satisfactory responses, and the Center had followed up with further questions by attending their shareholders' meetings.

Furthermore, to support the effort of the competent authority to step up the supervision of private placement practice, when a private placement case involves material change in management right, the Center will take measures to protect the interests of shareholders and continue to monitor the case.

(3) DIRECTOR/SUPERVISOR REMUNERATION CASES:

In order to promote healthy market development and enhance shareholders' interests, the Center issued written queries to 57 out of the 58 TWSE/TPEx listed companies that had exceeded the competent authority's guidelines on directors' and supervisors' remuneration between 2012 and 2013. Of the queried companies, 56 had already made improvements, replies or explanations, and the Center is continuously following up on non-replies. Regarding another 40 companies where their compensation for directors/supervisors or employee bonus may have impaired the interests of shareholders, the Center sent inquiry letters to them for explanation and all of the 40 companies have made reply to provide explanation or promise rectification.

(4) LARGE-SUM ENDORSEMENT/GUARANTEE AND EXCESSIVE LENDING CASES:

As for the 73 TWSE/TPEx listed companies on the list provided by relevant agencies that made large-sum endorsement/guarantee, excessive loans or suffered significant loss on major investment projects in 2013 and the first half of 2014, the Center sent inquiry letters to 33 of the aforesaid companies, asking for explanation. All of the 33 companies have made reply or proposed improvement plans. The Center will follow up on their improvement actions.

(四) 大額背書保證及資金貸與超限等：

就相關單位函送一〇二年度及一〇三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七十三家上市櫃公司，經全面評估函請公司說明者有三十三家，該三十三家公司皆已回復說明或提出改善計畫，持續追蹤其辦理情形。

(五) 減資案件：

依主管機關函囑就上市櫃公司彌補虧損之減資案，提報股東會說明或進行決議，並追蹤辦理情形，本年度檢視五十九家上市櫃公司，並函請其中三十七家公司予以說明、函復本中心，並持續追蹤一〇二年度列有減資議案之三十五家上市櫃公司後續辦理情形，針對其中已辦理減資事宜但未於一〇三年度股東會報告執行情形者，函請監察人或審計委員會獨立董事請其督促公司改善。

(5) CAPITAL DECREASE CASES:

As for capital decrease actions proposed by TWSE/TPEx listed companies for making up their losses, the Center, in accordance with the instruction of the competent authority, asked those companies to explain or submit the proposal for a vote in the shareholders' meeting. The Center would then keep monitoring the follow-up actions of those cases. This year, the Center reviewed the capital decrease actions of 59 companies and sent inquiry letters to 37 of them. The Center also continues to monitor the follow-up actions of 35 companies which made capital decrease in 2013. For those companies that have undertaken capital decrease but failed to report the implementation status in their 2014 shareholders' meetings, the Center also sent letter to their supervisors or independent directors in their audit committee, asking them to urge the company to rectify the situation.





財務報告

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一〇三年十二月三十一日及民國一〇二年十二月三十一日之資產負債表，暨民國一〇三年一月一日至十二月三十一日及民國一〇二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」及財團法人中華民國會計研究發展基金會所公布之財務會計準則公報及其解釋編製，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一〇三年十二月三十一日及民國一〇二年十二月三十一日之財務狀況，暨民國一〇三年一月一日至十二月三十一日及民國一〇二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：張 嵐 菁

張嵐菁



中華民國一〇四年三月二十五日

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, 2014 and 2013, and the related statements of income and disbursements, changes in institute fund, and cash flows for the years ended December 31, 2014 and 2013. 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 audits.

We conducted our audits in accordance with the "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 audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial positions of Securities and Futures Investors Protection Center as of December 31, 2014 and 2013, and the results of its operations, changes in the institute fund and its cash flows for the years ended December 31, 2014 and 2013 in conformity with the "Guidelines Regarding the Supervision and Governance of Funds with Juridical Person Status" stipulated by the Financial Supervisory Commission and Statements of Financial Accounting Standards and its interpretations pronounced by Accounting Research and Development Foundation.

March 25, 2015

Taipei, Taiwan

Republic of China

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

民國一〇三年十二月三十一日
及民國一〇二年十二月三十一日

單位：新台幣元

資 產	一〇三年十二月三十一日		一〇二年十二月三十一日	
	金 額	%	金 額	%
流動資產				
現金及約當現金	\$1,110,196,750	12.60	\$1,168,783,873	14.08
應收票據及帳款	28,896,275	0.33	19,354,443	0.23
其他流動資產	65,465,210	0.74	62,019,404	0.75
流動資產合計	1,204,558,235	13.67	1,250,157,720	15.06
基金及投資				
備供出售金融資產 - 非流動	105,813,104	1.20	94,204,679	1.14
持有至到期日之金融資產 - 非流動	6,109,986,415	69.31	5,729,429,382	69.03
基金及投資合計	6,215,799,519	70.51	5,823,634,061	70.17
固定資產				
土 地	71,070,000	0.80	71,070,000	0.86
房屋及裝修設備	35,527,377	0.40	35,527,377	0.43
辦公設備	13,215,861	0.15	13,601,554	0.16
成本小計	119,813,238	1.35	120,198,931	1.45
減：累計折舊	(18,892,104)	(0.21)	(17,864,293)	(0.22)
預付設備款	490,000	0.01	-	-
固定資產淨額	101,411,134	1.15	102,334,638	1.23
其他資產				
受限制資產	1,233,612,811	13.99	1,065,518,101	12.84
存出保證金	59,568,359	0.68	57,739,759	0.70
其他資產合計	1,293,181,170	14.67	1,123,257,860	13.54
資產總計	\$8,814,950,058	100.00	\$8,299,384,279	100.00

負債、基金及累積餘絀	一〇三年十二月三十一日		一〇二年十二月三十一日	
	金	額	金	額
流動負債				
應付費用	\$12,511,713	0.14	\$11,072,090	0.13
其他流動負債	602,284	0.01	252,011	0.01
流動負債合計	13,113,997	0.15	11,324,101	0.14
其他負債				
代收款	740,588,002	8.40	617,405,718	7.44
存入保證金	493,034,809	5.59	448,122,383	5.40
其他負債合計	1,233,622,811	13.99	1,065,528,101	12.84
負債總計	1,246,736,808	14.14	1,076,852,202	12.98
基金及累積餘絀				
創立基金	1,031,000,000	11.70	1,031,000,000	12.42
增撥基金	6,157,982,312	69.86	5,852,381,290	70.52
待轉撥基金	339,081,099	3.85	305,601,022	3.68
備供出售金融商品未實現損益	40,149,839	0.45	33,549,765	0.40
基金及累積餘絀總計	7,568,213,250	85.86	7,222,532,077	87.02
負債、基金及累積餘絀總計	\$8,814,950,058	100.00	\$8,299,384,279	100.00



SECURITIES AND FUTURES INVESTORS PROTECTION CENTER
BALANCE SHEETS

December 31, 2014 and 2013
(Expressed in New Taiwan Dollars)

	December 31,	
ASSETS	2014	2013
CURRENT ASSETS		
Cash and cash equivalents	\$1,110,196,750	\$1,168,783,873
Notes and accounts receivable	28,896,275	19,354,443
Other current assets	65,465,210	62,019,404
Total Current Assets	1,204,558,235	1,250,157,720
INVESTMENTS AND FUNDS		
Available-for-sale financial assets - noncurrent	105,813,104	94,204,679
Held-to-maturity financial assets - noncurrent	6,109,986,415	5,729,429,382
Total investments and funds	6,215,799,519	5,823,634,061
PROPERTY AND EQUIPMENT		
Land	71,070,000	71,070,000
Buildings	35,527,377	35,527,377
Office equipment	13,215,861	13,601,554
Total Cost	119,813,238	120,198,931
Less : accumulated depreciation	(18,892,104)	(17,864,293)
Prepayment for equipment	490,000	-
Net Property and Equipment	101,411,134	102,334,638
OTHER ASSETS		
Restricted assets	1,233,612,811	1,065,518,101
Refundable deposits	59,568,359	57,739,759
Total Other Assets	1,293,181,170	1,123,257,860
TOTAL ASSETS		
	\$8,814,950,058	\$8,299,384,279

	December 31,	
LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	2014	2013
CURRENT LIABILITIES		
Accrued expenses	\$12,511,713	\$11,072,090
Other current liabilities	602,284	252,011
Total Current Liabilities	13,113,997	11,324,101
OTHER LIABILITIES		
Receipts in custody	740,588,002	617,405,718
Guarantee deposits received	493,034,809	448,122,383
Total Other Liabilities	1,233,622,811	1,065,528,101
TOTAL LIABILITIES	1,246,736,808	1,076,852,202
FUNDS AND ACCUMULATED SURPLUS		
Institute fund	1,031,000,000	1,031,000,000
Additional capitalized fund	6,157,982,312	5,852,381,290
Fund to be transferred	339,081,099	305,601,022
Unrealized gain on available-for-sale financial assets	40,149,839	33,549,765
TOTAL FUNDS AND ACCUMULATED SURPLUS	7,568,213,250	7,222,532,077
TOTAL LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	\$8,814,950,058	\$8,299,384,279



財團法人證券投資人及期貨交易人保護中心

收支餘絀表

民國一〇三年一月一日至十二月三十一日
及民國一〇二年一月一日至十二月三十一日

單位：新台幣元

項 目	一〇三年度		一〇二年度	
	金 額	%	金 額	%
收入				
財務收入	\$112,149,004	99.98	\$107,229,105	99.99
處分固定資產利益	6,821	0.02	-	-
其他收入	<u>2,857</u>	<u>-</u>	<u>2,856</u>	<u>0.01</u>
合 計	<u>112,158,682</u>	<u>100.00</u>	<u>107,231,961</u>	<u>100.00</u>
支出				
人事支出	53,731,660	47.91	52,196,317	48.68
業務支出	18,618,670	16.59	18,239,562	17.00
業務撥回基金	39,612,053	35.32	36,733,830	34.26
處分投資損失淨額	<u>196,299</u>	<u>0.18</u>	<u>62,252</u>	<u>0.06</u>
合 計	<u>112,158,682</u>	<u>100.00</u>	<u>107,231,961</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, 2014 and 2013

(Expressed in New Taiwan Dollars)

	2014	2013
REVENUES		
Financial income	\$112,149,004	\$107,229,105
Gain on disposal of fixed assets	6,821	-
Other income	<u>2,857</u>	<u>2,856</u>
Total Revenues	<u>112,158,682</u>	<u>107,231,961</u>
EXPENSES		
Personnel expenses	53,731,660	52,196,317
Operating expenses	18,618,670	18,239,562
Operation transferred to institute fund	39,612,053	36,733,830
Loss on disposal of investments	<u>196,299</u>	<u>62,252</u>
Total Expenses	<u>112,158,682</u>	<u>107,231,961</u>
SURPLUS (DEFICIT) FOR THE YEAR		
	<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

民國一〇三年一月一日至十二月三十一日
及民國一〇二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
民國一〇二年 一月一日餘額	\$1,031,000,000	\$5,385,332,946	\$467,048,344	\$-	\$14,216,078	\$6,897,597,368
待轉撥基金轉入		467,048,344	(467,048,344)			-
受撥收入			272,839,234			272,839,234
基金撥用			(4,433,641)			(4,433,641)
訴訟仲裁支出						
訴訟仲裁支出 撥回基金			461,599			461,599
業務撥回基金			36,733,830			36,733,830
備供出售金融 資產未實現損益					19,333,687	19,333,687
民國一〇二年度餘絀				-		-
民國一〇二年 十二月三十一日餘額	1,031,000,000	5,852,381,290	305,601,022	-	33,549,765	7,222,532,077
待轉撥基金轉入		305,601,022	(305,601,022)			-
受撥收入			299,413,588			299,413,588
基金撥用			(9,119,560)			(9,119,560)
訴訟仲裁支出						
訴訟仲裁支出 撥回基金			9,175,018			9,175,018
業務撥回基金			39,612,053			39,612,053
備供出售金融 資產未實現損益					6,600,074	6,600,074
民國一〇三年度餘絀				-		-
民國一〇三年 十二月三十一日餘額	<u>\$1,031,000,000</u>	<u>\$6,157,982,312</u>	<u>\$339,081,099</u>	<u>\$-</u>	<u>\$40,149,839</u>	<u>\$7,568,213,250</u>

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

For the years ended December 31, 2014 and 2013

(Expressed in New Taiwan Dollars)

	Institute Fund	Additional Capitalized Fund	Fund To Be Transferred	Accumulated Surplus (Deficit)	Unrealized Gain On Available-for-sale Financial Assets	Total
Balance, January 1, 2013	\$1,031,000,000	\$5,385,332,946	\$467,048,344	\$-	\$14,216,078	\$6,897,597,368
Fund capitalized from fund to be transferred		467,048,344	(467,048,344)			-
Contribution income to fund			272,839,234			272,839,234
Allocation to litigation and arbitration			(4,433,641)			(4,433,641)
Litigation and arbitration transferred to institute fund			461,599			461,599
Operation transferred to institute fund			36,733,830			36,733,830
Unrealized gain on available-for-sale financial assets					19,333,687	19,333,687
Surplus (Deficit) for 2013				-		-
Balance, December 31, 2013	1,031,000,000	5,852,381,290	305,601,022	-	33,549,765	7,222,532,077
Fund capitalized from fund to be transferred		305,601,022	(305,601,022)			-
Contribution income to fund			299,413,588			299,413,588
Allocation to litigation and arbitration			(9,119,560)			(9,119,560)
Litigation and arbitration transferred to institute fund			9,175,018			9,175,018
Operation transferred to institute fund			39,612,053			39,612,053
Unrealized gain on available-for-sale financial assets					6,600,074	6,600,074
Surplus (Deficit) for 2014				-		-
Balance, December 31, 2014	<u>\$1,031,000,000</u>	<u>\$6,157,982,312</u>	<u>\$339,081,099</u>	<u>\$-</u>	<u>\$40,149,839</u>	<u>\$7,568,213,250</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

民國一〇三年一月一日至十二月三十一日
及民國一〇二年一月一日至十二月三十一日

單位：新台幣元

項 目	一〇三年度	一〇二年度
業務活動之現金流量：		
本期餘絀	\$-	\$-
調整項目：		
折舊	1,973,671	2,018,623
處分投資損失	196,299	62,252
處分固定資產利益	(6,821)	-
業務用資產及負債增減淨額		
應收票據及帳款 (增加) 減少	(9,541,832)	15,186,937
其他流動資產 (增加) 減少	(3,445,806)	9,146,356
受限制資產增加	(168,094,710)	(70,538,735)
存出保證金增加	(1,828,600)	(1,260,889)
應付費用增加 (減少)	1,439,623	(3,141,650)
其他流動負債增加 (減少)	350,273	(130,984)
代收款增加	123,182,284	80,546,295
存入保證金增加 (減少)	44,912,426	(10,007,560)
業務活動之淨現金流 (出) 入	(10,863,193)	21,880,645
投資活動之現金流量：		
備供出售金融資產增加數	(5,449,850)	(3,061,100)
備供出售金融資產減資退回股款	64,471	39,776
備供出售金融資產處分價款	180,729	165,979
持有至到期日之金融資產增加數	(380,557,033)	(205,132,139)
購置固定資產	(1,050,167)	(2,616,758)
固定資產處分價款	6,821	-
投資活動之淨現金流出	(386,805,029)	(210,604,242)
融資活動之現金流量：		
待轉撥基金增加	339,081,099	305,601,022
融資活動之淨現金流入	339,081,099	305,601,022
本期現金增加數	(58,587,123)	116,877,425
期初現金及約當現金餘額	1,168,783,873	1,051,906,448
期末現金及約當現金餘額	\$1,110,196,750	\$1,168,783,873
不影響現金流量之投資活動：		
備供出售金融資產之未實現利益	\$6,600,074	\$19,333,687

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER
STATEMENTS OF CASH FLOWS

For the years ended December 31, 2014 and 2013

(Expressed in New Taiwan Dollars)

	2014	2013
CASH FLOWS FROM OPERATING ACTIVITIES		
Surplus (Deficit)	\$-	\$-
Adjustments to reconcile net surplus (deficit) to net cash provided		
by (used in) operating activities:		
Depreciation expense	1,973,671	2,018,623
Loss on disposal of long-term investments	196,299	62,252
Gain on disposal of fixed assets	(6,821)	-
Net changes in operating assets and liabilities		
(Increase) decrease in notes and accounts receivable	(9,541,832)	15,186,937
(Increase) decrease in other current assets	(3,445,806)	9,146,356
Increase in restricted assets	(168,094,710)	(70,538,735)
Increase in refundable deposits	(1,828,600)	(1,260,889)
Increase (decrease) in accrued expenses	1,439,623	(3,141,650)
Increase (decrease) in other current liabilities	350,273	(130,984)
Increase in receipts in custody	123,182,284	80,546,295
Increase (decrease) in guarantee deposits received	44,912,426	(10,007,560)
Net cash (used in) provided by operating activities	(10,863,193)	21,880,645
CASH FLOWS FROM INVESTING ACTIVITIES		
Increase in available-for-sale financial assets	(5,449,850)	(3,061,100)
Proceeds from capital reduction of available-for-sale financial assets	64,471	39,776
Proceeds from disposal of available-for-sale financial assets	180,729	165,979
Increase in held-to-maturity financial assets	(380,557,033)	(205,132,139)
Purchases of property and equipment	(1,050,167)	(2,616,758)
Proceeds from disposal of fixed assets	6,821	-
Net cash used in investing activities	(386,805,029)	(210,604,242)
CASH FLOWS FROM FINANCING ACTIVITIES		
Increase in fund to be transferred	339,081,099	305,601,022
Net cash provided by financing activities	339,081,099	305,601,022
NET INCREASE IN CASH AND CASH EQUIVALENTS	(58,587,123)	116,877,425
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	1,168,783,873	1,051,906,448
CASH AND CASH EQUIVALENTS AT END OF YEAR	\$1,110,196,750	\$1,168,783,873
NONCASH INVESTING ACTIVITY		
Unrealized gain on available-for-sale financial assets	\$6,600,074	\$19,333,687

VII 大事紀要

CHRONICLE



日期 Date	事項 Event
103.01.22	<p>召開本中心第 4 屆第 26 次董事監察人會議：</p> <p>一、提報協和公司財務報告及公開說明書不實案，經臺灣士林地方法院判決本中心部分勝訴。</p> <p>二、提報名鐘科技內線交易案，經臺灣高等法院判決駁回本中心上訴。</p> <p>三、提報東森國際財報不實案，經臺灣高等法院判決本中心敗訴。</p> <p>四、提報撤銷吉祥全公司信託行為之訴案，經臺灣臺北地方法院判決應予撤銷。</p> <p>五、提報慶豐富公司股價操縱案，經臺灣臺中地方法院判決本中心勝訴。</p> <p>六、提報飛寶動能代表訴訟案，經臺灣高等法院判決駁回本中心上訴。</p> <p>七、決議公告受理康富生技公司財報不實及公開說明書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>八、提報本中心 102 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。</p> <p>九、提報本中心 102 年下半年度團體訴訟和解程序遵行相關規定之內部稽核作業自行檢查報告一覽表。</p> <p>Held the 4th-term 26th board of directors and supervisors meeting :</p> <ol style="list-style-type: none"> 1. Reported that Taiwan Shilin District Court has rendered a judgment partially in favor of the Center in the King's International Multimedia false financial statements and prospectus case. 2. Reported that Taiwan High Court has dismissed the Center's appeal in the Ming Jong Technologies insider trading case. 3. Reported that Taiwan High Court has rendered a judgment against the Center in the Eastern Media International false financial statements cases. 4. Reported that Taiwan Taipei District Court has rendered a judgment in favor of the Center in the case of nullifying the trust arrangement of Infodisc Technology Co., Ltd. 5. Reported that Taiwan Taichung District Court has rendered a judgment in favor of the Center in the Ching Feng Home Fashions stock price manipulation case. 6. Reported that Taiwan High Court has dismissed the Center's appeal in the Free Power Energy derivative suit . 7. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the AnnCare Bio-Tech Center false financial statements and prospectus case, and to file class action suit seeking civil remedy. 8. Reported the Center's self-inspection report on collection, custody and management of Investors Protection Fund for the second half of 2013. 9. Reported the Center's self-inspection report on its internal audit regarding the compliance with relevant rules in class action settlement procedure for the second half of 2013.
103.01.24	<p>名鐘科技內線交易案經臺灣新北地方法院判決本中心敗訴。</p> <p>New Taipei District Court has rendered a judgment against the Center in the Ming Jong Technologies insider trading case.</p>
103.01.28	<p>受理康富生技公司股票投資人求償登記 (自 103 年 1 月 28 日至 3 月 7 日) 。</p> <p>Accepted claim applications from investors seeking compensation in the AnnCare Bio-Tech Center case. (from January 28 to March 7, 2014) .</p>
103.01.29	<p>名鐘科技內線交易案經臺灣高等法院裁定駁回本中心上訴。</p> <p>Taiwan High Court has dismissed the Center's appeal in the Ming Jong Technologies insider trading case.</p>
103.02.21	<p>召開「投資人保護中心財報不實類型團體訴訟案件和解執行模式爭點」諮詢會議。</p> <p>Held a consultation meeting on "Issues Concerning the Settlement Execution Mode of Class Action Suits in False Financial Statements Cases."</p>



日期 Date	事項 Event
103.02.26	<p>召開本中心第 4 屆第 27 次董事監察人會議：</p> <p>一、提報博達案中有關確認葉○○對林○○債權並代位請求之訴，經最高法院裁定駁回被告上訴，本件已勝訴確定。</p> <p>二、提報名鐘科技內線交易案，經臺灣高等法院裁定駁回本中心上訴，及臺灣新北地方法院判決本中心敗訴。</p> <p>三、提報邵港公司財務報告及公開說明書不實案，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>四、提報修正本中心「民事申訴調處等執行模式 - 參加股東會之流程及調處流程」。</p> <p>五、決議通過對和鑫光電公司前董事涉嫌掏空該公司資產，致公司遭受重大損害案提起代表訴訟。</p> <p>Held the 4th-term 27th board of directors and supervisors meeting :</p> <p>1. Reported that Taiwan Supreme Court has dismissed the defendant's appeal and rendered a final judgment in favor of the Center in the Procomp Informatics Ltd. subrogation claims against Yeh ○○ and Lin ○○ .</p> <p>2. Reported that Taiwan High Court has dismissed the Center's appeal, and that Taiwan New Taipei District Court has rendered a judgment against the Center in the Ming Jong Technologies insider trading case.</p> <p>3. Reported that Taiwan Taipei District Court has dismissed the Center's lawsuit in the Taikong Group false financial statements and prospectus case.</p> <p>4. Reported amendments to the Center's "Execution Modes of Civil Complaint and Mediation – Procures on Attending Shareholders' Meeting and Mediation."</p> <p>5. Resolved to file a derivative suit against former directors of Hanns Touch Solutions Incorporated for misappropriating the company's assets and causing significant losses to the company.</p>
103.02.26	<p>茂矽內線交易案經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>Taiwan Taipei District Court has dismissed the Center's lawsuit in the Mosel Vitelic insider trading case.</p>
103.03.12	<p>召開本中心第 4 屆第 1 次董事監察人臨時會議：</p> <p>決議通過修正本中心「團體訴訟執行模式－和解標準執行模式」。</p> <p>Held the 4th-term 1st special board of directors and supervisors meeting :</p> <p>Resolved to amend the Center's "Class Action Execution Mode - Standard Settlement Practices."</p>
103.03.17	<p>召開「內部人自員工持股信託帳戶領回所屬公司之有價證券是否有證券交易法第 157 條規定之適用」諮詢會議。</p> <p>Held a consultation meeting on the issue of "Whether Article 157 of the Securities and Exchange Act will apply when Insiders Withdraw securities from Employee Stock Trust Accounts."</p>
103.03.26	<p>召開本中心第 4 屆第 28 次董事監察人會議：</p> <p>一、提報茂矽公司內線交易案，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>二、提報本中心「團體訴訟執行模式－和解標準執行模式」。</p> <p>三、決議公告受理正峰新公司股價操縱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>四、決議通過 102 年度業務報告書、財務報告、立院格式決算書及效益評估報告。</p> <p>Held the 4th-term 28th board of directors and supervisors meeting :</p> <p>1. Reported that Taiwan Taipei District Court has dismissed the Center's lawsuit in the Mosel Vitelic insider trading case.</p>

日期 Date	事 項 Event
103.03.26	<p>2. Reported the Center's "Class Action Execution Mode - Standard Settlement Practices."</p> <p>3. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Jenn Feng New Energy stock price manipulation case, and to file class action suit seeking civil remedy.</p> <p>4. Approved the Center's 2013 annual business report, financial report, the format of the final financial statement to be sent to the Legislative Yuan, and performance evaluation report.</p>
103.03.28	<p>佳大公司裁判解任案經臺灣臺南地方法院駁回本中心訴訟。</p> <p>Taiwan Tainan District Court has dismissed the Center's Chia Ta World discharge suit.</p>
103.03.31	<p>受理正峰新公司股票投資人求償登記 (自 103 年 3 月 31 日至 4 月 30 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Jenn Feng New Energy case (from March 31 to April 30, 2014).</p>
103.04.07	<p>久津財務報告及公開說明書不實案經臺灣高等法院判決本中心部份勝訴。</p> <p>Taiwan High Court has rendered a judgment partially in favor of the Center in the Chou Chin Industry false financial statements and prospectus case.</p>
103.04.15	<p>宏傳財務報告及公開說明書不實案經臺灣高等法院判決本中心部分勝訴。</p> <p>Taiwan High Court has rendered a judgment partially in favor of the Center in the Well Communication false financial statements and prospectus case.</p>
103.04.17	<p>飛寶動能裁判解任案經最高法院駁回本中心上訴。</p> <p>Taiwan Supreme Court dismissed the Center's appeal in the Free Power Energy discharge suit.</p>
103.04.22	<p>港建內線交易案經臺灣高等法院駁回本中心訴訟。</p> <p>Taiwan High Court has dismissed the Center's lawsuit in the Taiwan Kong King insider trading case.</p>
103.04.23	<p>召開本中心第 4 屆第 29 次董事監察人會議：</p> <p>一、提報圓方公司前董事等人涉嫌掏空公司資產，致公司受有損害乙事，因刑事二審法院判決渠等被告已無罪確定，擬不以本中心名義另行為圓方公司提起代表訴訟。</p> <p>二、提報本中心就佳大公司現任董事訴請法院裁判解任其董事職務事件，經臺灣臺南地方法院判決駁回本中心訴訟。</p> <p>三、決議通過本中心保護基金財產總額登記由新台幣 (以下同) 六十八億八千三百三十八萬一千二百九十元，變更為七十一億八千八百九十八萬二千三百一十二元。</p> <p>四、修正本中心人事管理辦法第六十三條及增訂第六十三條之一有關經董事會任免 (或聘任) 人員離退職金支給方式規定。</p> <p>五、決議公告受理基因國際公司內線交易案股票投資人授與訴訟及仲裁實施權提起團體訴訟進行民事求償並提起解任訴訟。</p> <p>六、決議訂定本中心個人資料檔案安全維護規則及就系爭規則未來修正授權經理部門核定。</p>



日期 Date	事項 Event
103.04.23	<p>Held the 4th-term 29th board of directors and supervisors meeting :</p> <ol style="list-style-type: none"> 1. Reported that criminal court of second instance has rendered a final judgment of not guilty for the misappropriation charges against former directors of Elements Innovation Co., Ltd., and that the Center will not file a derivative suit in its name against Elements Innovation Co., Ltd. 2. Reported that Taiwan Tainan District Court has dismissed the Center's discharge suit against the current directors of Chia Ta World Co., Ltd. 3. Resolved to change the registered size of the Investor Protection Fund from NT\$6,883,381,290 to NT\$7,188,982,312. 4. Amended Article 63 and added Article 63-1 to the Center's Personnel Management Regulation concerning the redundancy pay and severance pay for personnel appointed (or hired) under the authority of the board of directors. 5. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Genome International Biomedical insider trading case, and to file class action suit seeking civil remedy and discharge suit. 6. Resolved to establish the Center's own Personal Information Security Rules and to authorize the management in making future amendments to this rule.
103.04.30	<p>受理基因公司股票投資人求償登記 (自 103 年 4 月 30 日至 5 月 30 日) 。 辦理「錢找人」活動，就團體訴訟求償已獲賠償款項並分配之案件，因投資人失聯等原因致尚未領取者，透過函請證券商協助轉知投資人領取賠償分配。</p> <p>Accepted claim applications from investors seeking compensation in the Genome International Biomedical case (from April 30 to May 30, 2014) . Undertook the “search for missing claimants” activity for class action cases that have started distribution of compensation payment; with the aim of reaching investors who have not picked up compensation due to loss of communication, the Center ask the securities firms to help locate investors and inform them to claim uncollected payments.</p>
103.05.07	<p>召開本中心第 4 屆第 2 次董事監察人臨時會議： 決議公告受理 F- 再生公司股票股價操縱案股票投資人授與訴訟及仲裁實施權提起團體訴訟進行民事求償。</p> <p>Held the 4th-term 2nd special board of directors and supervisors meeting : Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Asia Plastic Recycling Holding stock price manipulation case, and to file class action suit seeking civil remedy.</p>
103.05.07	<p>飛寶動能代表訴訟案 (被告江○○、張○○、林○○部分) 經最高法院判決本件上訴為一部有理由，一部無理由。 公告受理 F- 再生公司股票投資人求償登記 (自 103 年 5 月 7 日至 5 月 21 日) 。 圓方代表訴訟案，經士林地方法院判決駁回本中心訴訟。</p> <p>Taiwan Supreme Court has rendered a judgment partially in favor and partially in disfavor of the Center's appeal in the Free Power Energy derivative suit. (defendants Chiang ○○ , Chang ○○ , and Lin ○○) . Accepted claim applications from investors seeking compensation in the Asia Plastic Recycling Holding case (from May 7 to May 21, 2014) . Shilin District Court has dismissed the Center's Elements Innovation derivative suit.</p>

日期 Date	事項 Event
103.05.09	大同公司裁判解任訴訟案經臺灣臺北地方法院判決駁回本中心訴訟。 Taiwan Taipei District Court has dismissed the Center's Tatung discharge suit.
103.05.19	召開「創櫃板之法律爭議」諮詢會議。 Held a consultation meeting on "Legal Issues Involving the Incubation Board."
103.05.22	科風請求股利給付案經臺灣新北地方法院判決駁回本中心訴訟。 Taiwan New Taipei District Court has dismissed the Center's lawsuit in the Powercom dividend payments case.
103.05.27	召開「投保中心辦理投保法有關解任訴訟疑義之探討」諮詢會議。 Held a consultation meeting on "Issues on Discharge Suit Filed by the Center per Investor Protection Act."
103.05.28	<p>召開本中心第 4 屆第 30 次董事監察人會議：</p> <ol style="list-style-type: none"> 一、提報宏傳公司財務報告及公開說明書不實案，經臺灣高等法院判決本中心部分勝訴。 二、提報本中心就飛寶動能現任董事長等人訴請法院裁判解任董監事職務事件，經最高法院判決駁回本中心上訴。 三、提報久津財務報告及公開說明書不實案，經臺灣高等法院判決本中心部份勝訴。 四、提報港建公司內線交易案，經臺灣高等法院判決駁回本中心訴訟。 五、提報勤美公司對內部人因涉有證券交易法第 157 條短線交易而提起民事訴訟，本中心向臺灣臺北地方法院為參加訴訟。 六、提報峰安公司財報不實案，經臺灣高雄地方法院判決駁回本中心訴訟。 七、提報修正本中心「民事申訴、調處等執行模式－歸入權」、「團體訴訟執行模式－公告後進行程序－和解」。 八、提報飛寶動能代表訴訟案，經最高法院判決本件上訴為一部有理由、一部無理由。 九、決議通過本中心 104 年度及 103 年度業務計畫比較表。 十、決議公告受理昇貿公司股價操縱案股票投資人授與訴訟實施權提起團體訴訟求償，並訴請法院裁判解任其董事職務。 <p>Held the 4th-term 30th board of directors and supervisors meeting :</p> <ol style="list-style-type: none"> 1. Reported that Taiwan High Court has rendered a judgment partially in favor of the Center in the Well Communication false financial statements and prospectus case. 2. Reported that Taiwan Supreme Court has dismissed the Center's appeal in the Free Power Energy discharge suit against the current directors and supervisors. 3. Reported that Taiwan High Court has rendered a judgment partially in favor of the Center in the Chou Chin Industry false financial statements and prospectus case. 4. Reported that Taiwan High Court has dismissed the Center's lawsuit in the Taiwan Kong King insider trading case. 5. Reported that the Center has filed a motion for intervention to Taiwan Taipei District Court in the China Metal Products disgorgement claim for violation of short swing trade activities prohibited under Article 157 of the Securities and Exchange Act. 6. Reported that Taiwan Kaohsiung District Court has dismissed the Center's lawsuit in the Feng An Metal Industrial false financial statements case.



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103.05.28	<p>7. Reported amendments to the Center's "Execution Modes of Civil Complaint and Mediation - Disgorgement" and "Class Action Execution Mode - Post-announcement Procedures - Settlement."</p> <p>8. Reported that Taiwan Supreme Court has render a judgment partially in favor and partially in disfavor of the Center in the Free Power Energy derivative suit.</p> <p>9. Resolved to pass the Center's 2015 and 2014 Business Plan Comparison.</p> <p>10. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Shenmao Technology stock price manipulation case, and to file class action suit seeking civil remedy and discharge suit.</p>
103.05.30	<p>受理昇貿公司股票投資人求償登記 (自 103 年 5 月 30 日至 6 月 13 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Shenmao Technology case (from May 30 to June 13, 2014).</p>
103.06.03	<p>召開「103 年度保護投資人權益系列座談會 - 少數股東提案權之妨礙行為及股利遲延發放之預防及處置」。</p> <p>Held "2014 Investor Protection Forum - Preventing and Handling Obstruction to Minority Shareholders' Right of Proposal and Delay of Dividend Payments."</p>
103.06.06	<p>合邦財報不實案經臺灣新竹地方法院判決本中心部分勝訴。</p> <p>Taiwan Hsinchu District Court has rendered a judgment partially in favor of the Center in the Avid Electronics false financial statements case.</p>
103.06.20	<p>沛波操縱股價案經臺灣新北地方法院判決駁回本中心訴訟。</p> <p>Taiwan New Taipei District Court has dismissed the Center's lawsuit in the TMP International stock price manipulation case.</p>
103.06.25	<p>召開本中心第 4 屆第 31 次董事監察人會議：</p> <p>一、提報圓方代表訴訟案，經士林地方法院判決駁回本中心訴訟。</p> <p>二、提報合邦公司財報不實案，臺灣新竹地方法院判決本中心部分勝訴。</p> <p>三、提報本中心就大同公司董事長訴請法院裁判解任董事職務事件，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>四、提報訴請科風公司給付股利案，經臺灣新北地方法院判決駁回本中心訴訟。</p> <p>五、提報本中心申報雅新公司破產債權，經最高法院裁定全數剔除確定。</p> <p>六、提報修正本中心「人事管理辦法」第六十三條及第六十三條之一條乙案，業經金融監督管理委員會一〇三年五月三十日金管證交字第 10300159423 號函准予核備。</p> <p>七、決議公告受理晨星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。</p> <p>八、決議修訂「財團法人證券投資人及期貨交易人保護中心辦理證券投資人及期貨交易人保護法第十條之一訴訟事件處理辦法」部分條文，有關強化本中心落實證券投資人及期貨交易人保護法第十條之一所賦予之任務。</p> <p>九、決議通過本中心內部稽核作業實施要點草案，及 103 年下半年度稽核作業查核計畫。</p> <p>十、決議通過本中心 104 年度預算書草案及年度目標草案。</p>

日期 Date	事項 Event
103.06.25	<p>Held the 4th-term 31st board of directors and supervisors meeting :</p> <ol style="list-style-type: none"> 1. Reported that Shilin District Court has dismissed the Center's Elements Innovation derivative suit. 2. Reported that Taiwan Hsinchu District Court has rendered a judgment partially in favor of the Center in the Avid Electronics false financial statements case. 3. Reported that Taiwan Taipei District Court has dismissed the Center's discharge suit against the chairman of Tatung Co. 4. Reported that Taiwan New Taipei District Court has dismissed the Center's lawsuit in the Powercom dividend payment case. 5. Reported that Taiwan Supreme Court has rendered a final judgment dismissing the Center's declaration of rights of creditors in the bankrupt proceeding of Ya Hsin Industrial Co., Ltd. 6. Reported that amendments to Article 63 and addition of Article 63-1 to the Center's "Personnel Management Regulation" have been approved by the Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-10300159423 dated May 30, 2014. 7. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Mstar Semiconductor insider trading case, and to file class action suit seeking civil remedy. 8. Resolved to partially amend the Center's "Litigation Handling Guidelines concerning Article 10-1 of the Investor Protection Act" to better accomplish the missions designated under Article 10-1 of the Investor Protection Act. 9. Resolved to pass the Center's Internal Audit Guidelines draft and audit plans for the second half of 2014. 10. Resolved to pass the Center's 2015 annual budget draft and annual target draft.
103.06.30	<p>元大證代表訴訟案經最高法院判決部分駁回本中心訴訟。</p> <p>Taiwan Supreme Court has dismissed the Center's Yuanta Securities Finance derivative suit.</p>
103.07.01	<p>受理晨星公司股票投資人求償登記 (自 103 年 7 月 1 日至 7 月 31 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Mstar Semiconductor case (from July 1 to July 31, 2014)</p>
103.07.08	<p>萬有內線交易案經臺灣高等法院臺南分院判決本中心部分勝訴。</p> <p>東森媒體股票收購詐欺案經臺灣高等法院判決本中心部分勝訴。</p> <p>Taiwan High Court Tainan Branch has rendered a judgment partially in favor of the Center in the Baw Yu Paper Mill insider trading case.</p> <p>Taiwan High Court has rendered a judgment partially in favor of the Center in the Eastern Multimedia fraudulent share purchases case.</p>
103.07.11	<p>為強化落實證券投資人及期貨交易人保護法第十條之一所賦予之任務，修正本中心「辦理證券投資人及期貨交易人保護法第十條之一訴訟事件處理辦法」第六條，案奉金融監督管理委員會一〇三年七月十一日金管證交字第 1030025850 號函准予辦理。</p> <p>To better accomplish the missions it has been designated under Article 10-1 of the Investor Protection Act, the Center amended Article 6 of its "Litigation Handling Guidelines concerning Article 10-1 of the Investor Protection Act" which was later approved by the Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-1030025850 dated July 11, 2014.</p>



日期 Date	事項 Event
103.07.18	<p>聯明股價操縱 (一) 案經臺灣臺北地方法院判決本中心勝訴。</p> <p>Taiwan Taipei District Court has rendered a judgment in favor of the Center in the Lien Ming Mobile Technology stock price manipulation (1) case.</p>
103.07.30	<p>召開本中心第 4 屆第 32 次董事監察人會議：</p> <p>一、提報 103 年上半年度團體訴訟和解程序遵行相關規定之內部稽核作業自行檢查報告一覽表。</p> <p>二、提報恩德公司股價操縱案，經臺灣苗栗地方法院判決部分駁回本中心訴訟。</p> <p>三、提報沛波公司股價操縱案，經臺灣新北地方法院判決駁回本中心訴訟。</p> <p>四、提報修正本中心「辦理證券投資人及期貨交易人保護法第十條之一訴訟事件處理辦法」第六條乙案，業經金融監督管理委員會一〇三年七月十一日金管證交字第 1030025850 號函准予照辦。</p> <p>五、提報 103 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。</p> <p>六、決議公告受理宏碁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。</p> <p>Held the 4th-term 32nd board of directors and supervisors meeting :</p> <ol style="list-style-type: none"> 1. Reported the Center's self-inspection report on its internal audit regarding the compliance with relevant rules in class action settlement procedure for the first half of 2014. 2. Reported that Taiwan Miaoli District Court has dismissed the Center's lawsuit in the Anderson Industrial stock price manipulation. 3. Reported that Taiwan New Taipei District Court has dismissed the Center's lawsuit in the TMP International stock price manipulation case. 4. Reported that amendments to Article 6 of the Center's "Litigation Handling Guidelines concerning Article 10-1 of the Investor Protection Act" have been approved by the Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-1030025850 dated July 11, 2014. 5. Reported the Center's self-inspection report on collection, custody and management of Investor Protection Fund for the first half of 2014. 6. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Acer insider trading case, and to file class action suit seeking civil remedy.
103.08.04	<p>受理宏碁公司股票投資人求償登記 (自 103 年 8 月 4 日至 9 月 4 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Acer case (from August 4 to September 4, 2014) .</p>
103.08.05	<p>捷力財報不實案經臺灣高等法院判決本中心部分勝訴。</p> <p>Taiwan High Court has rendered a judgment partially in favor of the Center in the Jet Power Technology false financial statements case.</p>
103.08.11	<p>吉祥全、佳必琪股價操縱案 (被告楊○○、辛○○、李籃○○、曾○○等刑事無罪部分) 經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>Taiwan Taipei District Court has dismissed the Center's lawsuit in the Infodisc Technology and Jess-Link Products (defendants Yang ○○, Hsin ○○, Li Lan ○○ and Tseng ○○ were cleared of criminal involvements) stock price manipulation cases.</p>
103.08.20	<p>飛雅財報不實案經臺灣高等法院判決駁回本中心上訴。</p> <p>Taiwan High Court has dismissed the Center's appeal in the Feya Technologies false financial statements case.</p>

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103.08.22	<p>恩德股價操縱案經臺灣苗栗地方法院裁定駁回本中心上訴。</p> <p>Taiwan Miaoli District Court has dismissed the Center's appeal in the Anderson Industrial stock price manipulation case.</p>
103.08.27	<p>召開本中心第 4 屆第 33 次董事監察人會議：</p> <ol style="list-style-type: none"> 一、提報修正本中心 104 年度預算書相關事項。 二、提報修正本中心「內部稽核作業實施要點」，業經金融監督管理委員會一〇三年七月十七日金管證交字第 1030026072 號函指示照辦。 三、提報東森媒體公司股票收購詐欺案，經臺灣高等法院判決本中心部分勝訴。 四、提報聯明公司股價操縱案，經臺灣臺北地方法院判決本中心勝訴。 五、提報萬有公司內線交易案，經臺灣高等法院臺南分院判決本中心部分勝訴。 六、提報元大證代表訴訟案，經最高法院判決部分駁回本中心訴訟。 七、決議公告受理黑松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及提起裁判解任訴訟。 八、決議公告受理奧斯特公司股價操縱案股票投資人授與訴訟及仲裁實施權提起民事訴訟求償及提起裁判解任訴訟。 <p>Held the 4th-term 33rd board of directors and supervisors meeting :</p> <ol style="list-style-type: none"> 1. Reported amendments made to the Center's 2015 annual budget. 2. Reported that the Center's "Internal Audit Guidelines" have been amended according to the instructions given by Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-1030026072 dated July 17, 2014. 3. Reported that Taiwan High Court has rendered a judgment partially in favor of the Center in the Easter Multimedia fraudulent share purchases case. 4. Reported that Taiwan Taipei District Court has rendered a judgment in favor of the Center in the Lien Ming Mobile Technology stock price manipulation case. 5. Reported that Taiwan High Court Tainan Branch has rendered a judgment partially in favor of the Center in the Baw Yu Paper Mill insider trading case. 6. Reported that Taiwan Supreme Court has partially dismissed the Center's Yuanta Securities Finance derivative suit. 7. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Hey-Song insider trading case, and to file class action suit seeking civil remedy and discharge suit. 8. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Taiwan Oster stock price manipulation case, and to file class action suit seeking civil remedy and discharge suit.
103.08.27	<p>撤銷安泰商業銀行股份有限公司 101 年股東常會決議之訴案經最高法院判決廢棄原判決發回臺灣高等法院。</p> <p>Taiwan Supreme Court has reversed and remanded the case of nullifying Entie Commercial Bank's 2012 annual shareholders' meeting to Taiwan High Court.</p>
103.08.29	<p>大同公司代表訴訟案（被告許○○刑事無罪部分）經臺灣臺北地方法院判決駁回本中心訴訟。勤美公司對內部人提起行使短線交易歸入權之民事訴訟，本中心為參加訴訟，經臺灣臺北地方法院判決勤美公司勝訴。</p> <p>Taiwan Taipei District Court has dismissed the Center's Tatung derivative suit (defendant Hsu ○ ○ was cleared of criminal involvements).</p>



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103.08.29	Taiwan Taipei District Court has rendered a judgment in favor of China Metal Products in the disgorgement claim over insiders' short swing trade profits, which the Center had filed a motion for intervention.
103.09.02	<p>銳普財報及月營收資訊不實案經臺灣高等法院判決本中心部分勝訴。 受理台灣奧斯特公司股票投資人求償登記 (自 103 年 9 月 2 日至 10 月 1 日)。 受理黑松公司股票投資人求償登記 (自 103 年 9 月 2 日至 10 月 1 日)。</p> <p>Taiwan High Court has rendered a judgment partially in favor of the Center in the Xepex Electronics false financial statements and monthly revenues case. Accepted claim applications from investors seeking compensation in the Taiwan Oster case (from September 2 to October 1, 2014). Accepted claim applications from investors seeking compensation in the Hey-Song case (from September 2 to October 1, 2014).</p>
103.09.05	<p>唐鋒公司股價操縱案經臺灣高等法院判決駁回本中心上訴。</p> <p>Taiwan High Court has dismissed the Center's appeal in the Airlux Electrical stock price manipulation case.</p>
103.09.23	<p>吉祥全公司代表訴訟案 (被告謝○○刑事侵占無罪部分) 經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>Taiwan Taipei District Court has dismissed the Center's Infodisc Technology derivative suit. (defendant Hsieh ○○ was cleared of criminal involvements).</p>
103.09.24	<p>召開本中心第 4 屆第 34 次董事監察人會議：</p> <p>一、提報捷力公司財報不實案，經臺灣高等法院判決本中心部分勝訴。 二、提報吉祥全公司及佳必琪公司股價操縱案，經臺灣臺北地方法院判決駁回本中心訴訟。 三、提報恩德股價操縱案，經臺灣苗栗地方法院裁定駁回本中心上訴。 四、提報飛雅公司財報不實案，經臺灣高等法院駁回本中心上訴。 五、提報勤美公司對內部人提起行使短線交易歸入權之民事訴訟，本中心為參加訴訟，經臺灣臺北地方法院判決勤美公司勝訴。 六、提報大同公司代表訴訟案，經臺灣臺北地方法院判決駁回本中心訴訟。 七、提報本中心就安泰銀行提起撤銷股東會決議之訴案，經最高法院判決廢棄原判決發回臺灣高等法院。 八、決議公告受理聯德公司股價操縱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。 九、決議公告受理松懋公司財報不實案股票投資人授與訴訟及仲裁實施權提起民事訴訟求償並提起代表訴訟。</p> <p>Held the 4th-term 34th board of directors and supervisors meeting :</p> <p>1. Reported that Taiwan High Court has rendered a judgment partially in favor of the Center in the Jet Power Technology false financial statements case. 2. Reported that Taiwan Taipei District Court has dismissed the Center's lawsuit in the Infodisc Technology and Jess-Link Products stock price manipulation cases. 3. Reported that Taiwan Miaoli District Court has dismissed the Center's appeal in the Anderson Industrial stock price manipulation case. 4. Reported that Taiwan High Court has dismissed the Center's appeal in the Feya Technologies false financial statements case.</p>

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103.09.24	<p>5. Reported that Taiwan Taipei District Court has rendered a judgment in favor of China Metal Products in the disgorgement claim over insiders' short swing trade profits, which the Center had filed a motion for intervention.</p> <p>6. Reported that Taipei District Court has dismissed the Center's Tatung derivative suit.</p> <p>7. Reported that Taiwan Supreme Court has reversed and remanded the case of nullifying Entie Commercial Bank's 2012 annual shareholders' meeting to Taiwan High Court.</p> <p>8. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Bestec Power Electronics stock price manipulation case, and to file class action suit seeking civil remedy.</p> <p>9. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Metaltech Industrial false financial statements case, and to file class action suit seeking civil remedy and derivative suit.</p>
103.09.29	<p>受理聯德公司股票投資人求償登記 (自 103 年 9 月 29 日至 10 月 31 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Bestec Power Electronics case (from September 29 to October 31, 2014).</p>
103.10.01	<p>受理松懋公司股票投資人求償登記 (自 103 年 10 月 1 日至 11 月 3 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Metaltech Industrial case (from October 1 to November 3, 2014).</p>
103.10.07	<p>東森媒體股票收購詐欺案 (被告東○公司、百○公司部分) 經臺灣高等法院判決本中心部分勝訴。</p> <p>Taiwan High Court has rendered a judgment partially in favor of the Center in the Easter Multimedia(on the part involving defendants Dong ○ Co. and Bai ○ Co.) fraudulent share purchases case.</p>
103.10.09	<p>豐達科公司財報不實及股價操縱案經臺灣臺北地方法院判決本中心部分勝訴。</p> <p>Taiwan Taipei District Court has rendered a judgment partially in favor of the Center in the National Aerospace Fasteners false financial statements and stock price manipulation case.</p>
103.10.15	<p>太子公司內線交易案經臺灣高等法院臺南分院判決駁回本中心上訴。</p> <p>Taiwan High Court Tainan Branch has dismissed the Center's appeal in the Prince Housing & Development insider trading case.</p>
103.10.16	<p>召開「投保法第 10 條之 1 規定於重整程序中公司應如何適用」諮詢會議。</p> <p>Held a consultation meeting on "How to apply Article 10-1 of the Investor Protection Act in the Corporate Reorganization Proceeding."</p>
103.10.17	<p>陞泰公司等六家公司股價操縱案經臺灣新北地方法院判決駁回本中心訴訟。</p> <p>Taiwan New Taipei District Court has dismissed the Center's lawsuit in the six companies including Av Tech stock price manipulation case.</p>



日期 Date	事項 Event
103.10.22	<p>召開本中心第 4 屆第 35 次董事監察人會議：</p> <p>一、提報銳普公司財報不實案，經臺灣高等法院判決本中心部分勝訴。</p> <p>二、提報唐鋒公司股價操縱案，經臺灣高等法院判決駁回本中心上訴。</p> <p>三、提報吉祥全公司代表訴訟案，經臺灣臺北地方法院判決部分駁回本中心訴訟。</p> <p>四、提報久大公司轉投資瓷微科技股份有限公司涉有異常，本中心為參加訴訟。</p> <p>五、決議公告受理聯福生公司財報不實案股票投資人授與訴訟及仲裁實施權提起民事訴訟求償並提起代表訴訟及裁判解任訴訟。</p> <p>Held the 4th-term 35th board of directors and supervisors meeting :</p> <p>1. Reported that Taiwan High Court has rendered a judgment partially in favor of the Center in the Xepex Electronics false financial statements case.</p> <p>2. Reported that Taiwan High Court has dismissed the Center's appeal in the Airlux Electrical stock price manipulation case.</p> <p>3. Reported that Taiwan Taipei District Court has partially dismissed the Center's Infodisc Technology derivative suit.</p> <p>4. Reported the Center's intervention in the litigation against Gu TaInternet Information Co., Ltd. for abnormal activities concerning its reinvestment - CeraMicro Technology Corp.</p> <p>5. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the United Fu Shen Chen Technology false financial statements case, and to file class action suit seeking civil remedy, derivative suit and discharge suit.</p>
103.10.28	<p>受理聯福生公司股票投資人求償登記 (自 103 年 10 月 28 日至 11 月 30 日) 。</p> <p>Accepted claim applications from investors seeking compensation in the United Fu Shen Chen Technology case (from October 28 to November 30, 2014) .</p>
103.11.13	<p>太子公司內線交易案經臺灣高等法院臺南分院裁定駁回本中心上訴確定。</p> <p>Taiwan High Court Tainan Branch has rendered a final judgment dismissing the Center's appeal in the Prince Housing & Development insider trading case.</p>
103.11.24	<p>召開「投保法第 28 條規定之適用範圍」諮詢會議。</p> <p>Held a consultation meeting on “The Application Scope of Article 28 of the Investor Protection Act.”</p>
103.11.26	<p>召開本中心第 4 屆第 36 次董事監察人會議：</p> <p>一、提報豐達科公司財報不實及股價操縱案，經臺灣臺北地方法院判決本中心部分勝訴。</p> <p>二、提報陞泰公司等六家公司股價操縱案，經臺灣新北地方法院判決駁回本中心訴訟。</p> <p>三、提報東森媒體公司股票收購詐欺案，經臺灣高等法院判決本中心部分勝訴。</p> <p>四、提報太子建設公司內線交易案，經臺灣高等法院臺南分院判決駁回本中心上訴二審，另亦裁定駁回本中心上訴三審。</p> <p>五、決議通過對英群公司董事長使英群公司為不利益之交易，致公司遭受損害案提起代表訴訟。</p> <p>六、決議公告受理富味鄉公司資訊不實、股價操縱及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。</p> <p>七、決議公告受理智盛公司財報不實及公開說明書不實案股票投資人授與訴訟及仲裁實施權提起團體訴訟進行民事求償。</p> <p>Held the 4th-term 36th board of directors and supervisors meeting :</p> <p>1. Reported that Taiwan Taipei District Court has rendered a judgment partially in favor of the Center in the National Aerospace Fasteners false financial statements and stock price manipulation case.</p>

日期 Date	事項 Event
103.11.26	<ol style="list-style-type: none"> 2. Reported that Taiwan New Taipei District Court has dismissed the Center's lawsuit in the six companies including Av Tech stock price manipulation case. 3. Reported that Taiwan High Court has rendered a judgment partially in favor of the Center in the Easter Multimedia fraudulent share purchases case. 4. Reported that Taiwan High Court Tainan Branch has dismissed the Center's appeals to the second and third instances in the Prince Housing & Development insider trading case. 5. Resolved to file a derivative suit against the Chairman of BTC for causing losses to Behavior Tech Computer by engaging in deals to the detriments of the company. 6. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Flavor Full Foods misrepresentation, stock price manipulation, and insider trading case, and to file class action suit seeking civil remedy. 7. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Innovation & Infinity Global false financial statements and prospectus case, and to file class action suit seeking civil remedy.
103.12.02	<p>受理富味鄉公司股票投資人求償登記 (自 103 年 12 月 2 日至 104 年 1 月 5 日)。</p> <p>受理智盛公司股票投資人求償登記 (自 103 年 12 月 2 日至 104 年 1 月 5 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Flavor Full Foods case (from December 2, 2014 to January 5, 2015).</p> <p>Accepted claim applications from investors seeking compensation in the Innovation & Infinity Global case (from December 2, 2014 to January 5, 2015).</p>
103.12.08	<p>圓方公司裁判解任案經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>Taiwan Taipei District Court has dismissed the Center's Elements Innovation discharge suit.</p>
103.12.10	<p>金雨企業財報不實案經最高法院判決本中心部分勝訴。</p> <p>The Supreme Court has rendered a judgment partially in favor of the Center in the Gold Rain false financial statements case.</p>
103.12.16	<p>召開「未及時更新財務預測之法律責任」諮詢會議。</p> <p>Held a consultation meeting on "Legal Liabilities for Failing to Update Financial Forecast Timely."</p>
103.12.24	<p>召開本中心第 4 屆第 37 次董事監察人會議：</p> <ol style="list-style-type: none"> 一、提報尚志公司對大股東因涉有證券交易法第 157 條短線交易而提起民事訴訟，本中心向臺灣臺北地方法院為參加訴訟。 二、提報勤美公司對內部人因涉有證券交易法第 157 條短線交易而提起民事訴訟，本中心向臺灣臺北地方法院為參加訴訟。 三、提報本中心辦理相關業務，就業務執行模式進行年度檢討調整。 四、決議通過本中心 104 年度保護基金保管運用計畫。 五、決議修正本中心人事管理辦法部分條文，有關促進證券暨期貨周邊單位人員之交流。 六、決議修正「財團法人證券投資人及期貨交易人保護中心業務規則」部分條文。 七、決議通過本中心 104 年度稽核作業查核計畫。 八、決議公告受理捷波公司等 30 家公司股價操縱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。 九、決議通過為和桐公司董事長等人涉嫌違反證券交易法之行為，對其提起解任訴訟。 十、決議公告受理漢康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民事求償、代表及裁判解任訴訟。



日期 Date	事項 Event
103.12.24	<p>Held the 4th-term 37th board of directors and supervisors meeting :</p> <ol style="list-style-type: none"> 1. Reported that SAN CHIH Semiconductor Inc. Ltd. has filed a disgorgement claim against its major shareholder(s) for violation of short swing trade activities prohibited under Article 157 of the Securities and Exchange Act, and the Center has filed a motion for intervention to Taiwan Taipei District Court. 2. Reported that China Metal Products has filed a disgorgement claim against its insider(s) for violation of short swing trade activities prohibited under Article 157 of the Securities and Exchange Act, and The Center has filed a motion for intervention to Taiwan Taipei District Court. 3. Reported the services provided by the Center, and conducted an annual business execution modes review. 4. Approved the Center's 2015 Custody and Management Plan for Investor Protection Fund. 5. Resolved to make partial amendments to the Center's Personnel Management Regulation in relation to facilitating interactions among personnel in the relevant securities and futures agencies. 6. Resolved to make partial amendments to "Securities and Futures Investor Protection Center Business Rules." 7. Resolved to pass the Center's 2015 inspection plan on audit operation. 8. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the 30 companies including Jetway Information stock price manipulation case, and to file class action suit seeking civil remedy. 9. Resolved to file a discharge suit against the Chairman of Ho Tung Chemical Corp. for violating the Securities and Exchange Act. 10. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Fast Technologies false financial statements case, and to file class action suit seeking civil remedy, derivative suit and discharge suit.
103.12.25	<p>召開「103 年度保護投資人權益系列座談會 - 從股東行動主義談公司治理之落實」。</p> <p>Held "2014 Investor Protection Forum - Corporate Governance from a Shareholder Activism Perspective."</p>
103.12.30	<p>受理捷波等 30 家公司股票投資人求償登記 (自 103 年 12 月 30 日至 104 年 1 月 23 日)。</p> <p>受理漢康公司股票投資人求償登記 (自 103 年 12 月 30 日至 104 年 1 月 30 日)。</p> <p>Accepted claim applications from investors seeking compensation in the 30 companies, including Jetway Information case (from December 30, 2014 to January 23, 2015).</p> <p>Accepted claim applications from investors seeking compensation in the Fast Technologies case (from December 30, 2014 to January 30, 2015).</p>



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