

中華民國99年年報

ANNUAL REPORT 2010



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

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財團法人證券投資人及期貨交易人保護中心

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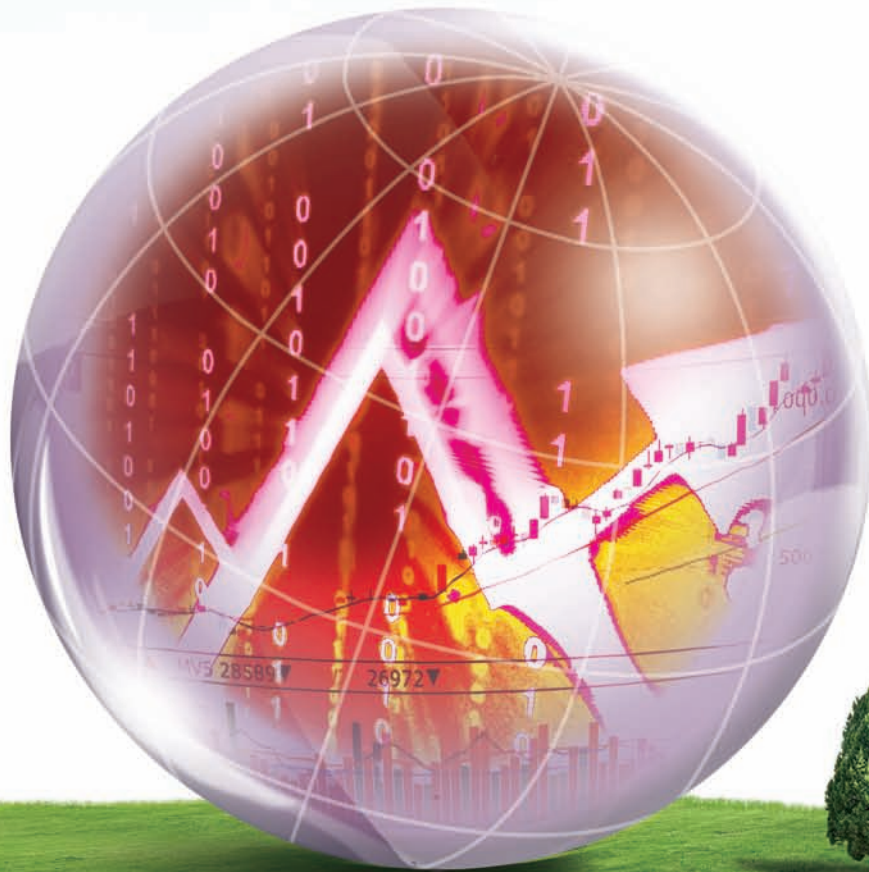
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壹.前言

I. Preface



The protection of securities investors and futures traders (hereafter referred to as “investors”) is closely linked to the healthy development of the securities and futures market. It becomes increasingly important to provide a fair and safe trading environment, especially in the trend of internationalization and liberalization. Since most of the investors



邱欽庭／董事長
Chin-Ting Chiu / Chairman

證券投資人及期貨交易人（下稱投資人）之保護，與證券及期貨市場之健全發展有密切之關係，尤其隨著國際化、自由化的腳步，提供公平及安全之交易環境益形重要。鑑於我國證券及期貨市場由散戶參與者眾，當其權益受損時，往往必須耗時費事提起訴訟，故多裹足不前；另目前證券商或期貨商因財務困難無法清償投資人應得之款券或保證金等而違約時，投資人尚無法獲得充分保障；為加強投資人權益之保障，並健全市場發展，立法院於民國（下同）91年6月間通過「證券投資人及期貨交易人保護法」（下稱投保法），並於同年7月17日總統公布，92年1月開始施行。

本中心依投保法規定於92年1月間成立，迄今已近8年的時間，回顧過去8年，本中心在主管機關督促指導下，無論在保障投資人權益或促進證券期貨市場健全發展上，已陸續發揮功能，其重要事項如下：

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137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），求償金額共計新台幣（下同）385億餘元，人數9.3萬餘人。截至99年底，計有17件業已勝訴判決確定；另有13件業經法院一審或二審判決全部或部分



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123億餘元。

截至99年底，針對團體訴訟案件，投保中心為投資人與部分刑事被告、董監事、會計師、承銷商等達成和解之金額，達14.29億餘元，大部分金額並已於近三年內陸續分配予投資人，提振投資人對市場的信心。

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，針對上市櫃公司股東會議案中，涉有私募、合併、處分公司資產、轉投資、大額背書保證及董監事酬金等，若有相關疑義，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

in Taiwan are individuals, their fear of time-consuming litigation procedure as the last resort to protect their rights makes them reluctant to file suits when their rights are violated. Moreover, failure of insolvent securities or futures companies to repay money or securities to investors and thus leads to default situations is another problem in this regard.

In order to strengthen investors protection and to ensure healthy market development, the Legislative Yuan passed the “Securities Investors and Futures Traders Protection Act” (hereafter referred to as the “Investors Protection Act” or the “Act”) in June 2002. The legislation was signed into law by the R.O.C. President on July 17 that year and became effective in January 2003.

The Securities and Futures Investors Protection Center (hereinafter referred to as the “Center” or the “SFIPC”) was established in January 2003 in accordance with the Act. Under the government’s supervision, the Center has



performed its function in protecting investors' rights and promoting the healthy market development over the past eight years. Below are the major tasks that the Center achieved:

1. File class-action lawsuits and claim investor rights

The Center has filed a total of 137 class-action lawsuits (including those transferred from the Securities and Futures Institute) for more than 93,000 investors, seeking total compensations of over NT\$38.5 billion. By the end of 2010, 17 of the cases have been won with final and absolute judgments, and 13 have received either completely or partially favorable judgments over the first or second instance, whereby law-breaking stock issuers, company directors/supervisors and other civil defendants were ruled to compensate investors with more than NT\$12.3 billion for their losses.

By the end of 2010, the Center has reached settlements with part of the criminal defendants, directors/supervisors, accountants, and underwriters, totaling the amount of NT\$1.429 billion that has been distributed to the investors over the past three years. The foregoing achievement has apparently raised investors' confidence in the stock market.

2. Implement shareholder activism and promote corporate governance

In terms of promoting corporate governance, the Center has sent inquiry letters to publicly traded firms, regarding their practices in private placements, mergers, acquisitions, disposal of company assets, reinvestment, large-sum endorsements, and payout to directors/supervisors. Since 2006, the Center has sent out staffs to attend the shareholders meetings of dozens of publicly traded firms involving in the aforementioned activities to express relevant concerns.

The government has greatly strengthened

皆派員參與十數家以上之上市上櫃公司股東會，關注前述重大議題。

而主管機關自 99 年度起大幅度強化私募有價證券監理，本中心亦積極配合主管機關，建立與周邊單位之通報機制，並訂定本中心參與私募案件監理的作業流程，對涉有異常情形的公司除函請其說明外，必要時並將影響股東權益的內容公告於本中心網站或發布新聞稿，新聞稿內容並置於公開資訊觀測站



吳崇權／總經理
Chung-Chuan Wu / President



私募專區供外界知悉，透過資訊揭露，以強化股東權益的保障。99年度檢視私募議案共計215家，發函詢問公司家數139家，其中56家已具體改善或說明，並出席其中16家公司股東會提出質詢。其他就上市櫃公司有董監酬金偏高及大額背書保證、資金貸與超限及大幅減資情形等情事，亦協助加強監督，就異常者並函請公司說明及督促其改善。以上皆有達成導正市場之作用。

另本中心亦積極辦理投保法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，截至99年底，本中心計提起6件代表訴訟及3件解任訴訟案件，另在督促金鼎證券公司追償結構債事件重大損失乙案，該公司

monitoring on private placements issue since 2010. The Center, in cope with the competent authority, has set up an information-reporting system with its related institutions and drafted guidelines on how private placement activities should be monitored. For those firms which conduct private placements in a way that may hurt shareholders' interest, the Center will send inquiry letters and, if necessary, announce these activities on the Center's website or through news releases and contents of the news releases will be also posted on the private placement section of the Website of Market Observation Post System. By urging the completeness of information disclosure, to strengthen the protection of investors' rights. In 2010, the Center monitored matters of private placements conducted by 215 firms, and sent inquiry letters to 139 firms. Of them, 56 have either rectified the inappropriate situations or have responded to the inquiry. The Center also attended the shareholders meetings of 16 firms to raise relevant concerns. For publicly traded firms that have given high remunerations to directors/supervisors, made large-sum endorsements, made excessive loans, to affiliated company and made capital decrease by a significant margin, the Center has sent inquiry letters, asking them to correct the possible wrongdoing. All the aforementioned actions would help rectify the market operations.

Moreover, in accordance with an amendment that the Financial Supervisory Commission (FSC) made to the Investors Protection Act in 2009, the Center has filed six derivative suits on behalf of companies for compensations, and another three for discharging the wrongdoing directors/supervisors by the end of 2010. Meanwhile, the Center has also urged Taiwan International Securities Corp. (TISC) to actively seek for recovery for the event of structured note losses. TISC has worked with the Center to get compensations worth NT\$170 million to protect the interest of the company as well as its shareholders in this case.

As for TISC's stake ownership dispute,

the Center has helped prosecutors claim for an election of temporary managers to handle the following related issues and disputes, in order to protect the interest of the company's shareholders and avoid further disorder in the market.

In the future, the Center will continue to improve the operation efficiency of complaint-filing, mediations, class-action lawsuits on behalf of investors, and reaching settlements to get compensation. Meanwhile, the Center will also ensure shareholders' protection, promote corporate governance, educate the public on risk awareness, and hold forums and seminars to perform the foregoing.

The Center will also file derivative suits on behalf of companies, request courts to discharge wrongdoing directors/supervisors, and, with continuing evolvement of the market, protect investors against losses resulting from new type of securities or futures controversy event.

The securities market is an important asset to a nation and serves as the foundation of a nation's economic development. However, lack of necessary protection will affect investors' confidence to the market, cause the market not to function well as it is supposed to be. In conclusion, a healthy development of the securities and futures market cannot exist without proper protection of investors' rights. In the future, the Center will continue to fulfill its mission of protecting investors and will, by working with the government, to reach the goal of promoting a healthy development of the market.



也配合積極取回 1.7 億元的補償金額，有效保障公司及股東權益。

此外針對金鼎證券公司股權爭議事件，亦協助檢察官聲請選任臨時管理人及其後續相關事宜，使該事件得以順利落幕，避免進一步影響公司股東權益及市場秩序。

展望未來，本中心除將繼續改善申訴、調處及團體訴訟業務之執行效率，努力促成訴訟案件之和解補償外，並持續踐行攸關股東權益事項及促進公司治理，另在投資人風險意識之教育宣導部分亦將持續舉辦座談會

或宣導會等予以深化。此外，就投保法所賦予本中心代表訴訟及訴請法院裁判解任董監事權限，亦將加強行使，而隨著市場不斷發展，面對未來新型態證券期貨爭議案件，本中心亦將展開更積極及具有建設性的作為，以維護股東權益。

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。



貳. 組織架構

II. Organization Structure



一、組織系統 Organization Chart





二、人事結構

本中心除董事長、總經理外，現有專職員工二十八人。其中男性十三人，女性十五人；配置法律服務處二十一人，管理處七人；全體員工平均年齡三十六歲；員工教育程度具碩士學位者九人，大學學位者十八人。



2. Staff

The Center, in addition to the Chairman and President, is staffed by 28 full-time employees at an average age of 36. Among them, 13 are males and 15 are females; 21 at the Legal Service Department and 7 at the Administrative Department; 9 hold Master's degree and 18 are university 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

林仁光

臺灣大學法律學系副教授

Director

Andrew Jen-Guang Lin

Associate Professor of Law,
National Taiwan 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

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

黃敏助

中華民國證券商業同業公會
理事長

Director

Min-Juh Hwang

Chairman, Taiwan Securities
Association



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

簡明哲

台北大學經濟學系副教授

Director

Ming-Che Chien

Associate Professor of
Economics, National Taipei
University



監察人

杜榮瑞

臺灣大學會計學系教授

Supervisor

Rong-Ruey Duh

Professor of Accounting,
National Taiwan University



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



監察人

寧國輝

財團法人中華民國證券櫃檯
買賣中心副總經理

Supervisor

Kuo-Huei Ning

Vice President, GreTai
Securities Market

※董事與監察人均案姓氏筆劃排序 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	林英哲	中華民國證券商業同業公會首席副秘書長
委員	林重宏	中華民國律師公會全國聯合會秘書長
委員	周行一	政治大學財務管理學系教授
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	曾宛如	臺灣大學法律學系教授
委員	黃古彬	寶來證券股份有限公司總經理
委員	詹彩虹	曾任財團法人證券投資人及期貨交易人保護中心董事長
委員	薛富井	臺北大學會計學系教授
委員	謝國松	中華民國會計師公會全國聯合會秘書長
委員	謝夢龍	中華民國期貨業商業同業公會顧問
委員	蕭碧燕	中華民國證券投資信託暨顧問商業同業公會秘書長



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	Tony Lin	Chief-Deputy Secretary General, Taiwan Securities Association
Member	Justin C.H. Lin	Secretary General, Taiwan Bar Association
Member	Edward H. Chow	Professor at Financial Management Department, National Chengchi University
Member	Conrad C. Chang	Professor of Accounting, Taipei University
Member	Po-Sung Chen	Secretary General, Accounting Research and Development Foundation
Member	Wan-Ju Tseng	Professor of Law, National Taiwan University
Member	Peter Huang	President, Polaris Securities Co., Ltd.
Member	Tasi-Hung Chan	Former Chairman, Securities and Futures Investors Protection Center
Member	Fu-Jiing Shiue	Professor of Accounting, Taipei University
Member	Kuo-Sung Hsieh	Secretary General, National Federation of Certified Public Accountants Association of the R.O.C.
Member	Simon Hsieh	Consultant, Chinese National Futures Association
Member	Pi-Yen Hsiao	Secretary General, Securities Investment Trust & Consulting Association of the R.O.C.





伍.業務報告

V. Operation Report



1. Investor Protection Fund

The Center was established with an initial Investor Protection Fund (hereafter referred to as the “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 Fund should also include contributions from securities and futures firms, in addition to donations stipulated by Article 7, Section 2 of the Act, based on the following formula: for securities firms, they should contribute an amount equivalent to 0.0285/10,000 of their total transaction amount of the previous month by the 10th day of every month; for futures firms, they should contribute NT\$1.06, NT\$0.66, NT\$0.44 or NT\$0.22, based on the category of future-trading contract, for each contract they traded in the previous month by the 10th of every month; 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 day of every month. From January 2003 to December 2010, contributions from these entities totaled over NT\$4.65 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, within a total amount not exceeding 30% of the net worth of the Fund, on the following: real estate property for self-use (up to 10% of the Fund’s donated assets), stocks where the original investment to each

一、保護基金

本中心之創立基金為新台幣十億三千一百萬元，由證券及期貨市場相關機構捐助，包括：臺灣證券交易所股份有限公司、臺灣期貨交易所股份有限公司、財團法人中華民國證券櫃檯買賣中心、臺灣證券集中保管股份有限公司、中華民國證券商業同業公會、中華民國證券投資信託暨顧問商業同業公會、台北市期貨商業同業公會、復華證券金融股份有限公司、環華證券金融股份有限公司、富邦證券金融股份有限公司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零二八五，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一點零六元、零點六六元、零點四四元或零點二二元，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。自九十二年一月至九十九年十二月止，本中心共收受撥保護基金金額約計四十六億五千餘萬元。

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



他有利基金保置之投資，經訂定「本中心基金及保管運用作業要點」執行有關保護基金之保管運用，至九十九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五十八億餘萬元，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。

company with its shares traded in Taiwan Stock Exchange or GreTai Securities Market should not exceed 1,000 shares, and other types of value-maintenance investments. The Fund's investments are executed in accordance with the "Guidelines for SFIPC Investor Protection Fund's Investments and Application." At the end of 2010, the Fund's value stood at NT\$5.8 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 self-used property, stocks traded in Taiwan Stock Exchange or GreTai Securities Market, and financial

debentures.

2. Consultation and Complaint-filing

The Center provides consultation on rules and regulations for securities and futures trading, and 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, or others. Investors can access to professional consultants at the Center by telephone during its office hours, or may send written requests to the Center by mail, fax, or e-mail.

In 2010, the Center received more than 8,000 phone requests and 954 written requests for consultation or complaints. Since the Center was established, it has received over 80,100 phone requests and 6,781 written requests. Most phone counseling is about the following issues: inquiring about securities rules and regulations, complaining about illegal actions by publicly-traded firms, disputes with securities firms, futures firms, investment consulting firms or others, and the application for class-action cases. Written complaints were filed mostly for:

irregular stock price fluctuations resulting from the unclear information regarding mergers, acquisitions, spin-off deals, or the false financial information by publicly-traded 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 investor's margin trading or selling short; margin calls on futures contracts; and disputes involving getting refunds from investment consulting firms or the misleading analysis information by investment consulting firms.

Upon receiving these complaints, the Center will explain the situation to investors by phone or request written explanation from relevant institutes. For more complicated cases or cases in which the amount of damages may be higher, the Center will recommend that investors apply for mediation. For cases where illegal activities may be involved, the Center will refer them to competent authorities 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 to each securities or futures trading dispute at a value below NT\$1 million.

In 2010, the Center handled 14 mediation cases. Of them, 1 was successful, 7 were unsuccessful, and 6 were rejected by the counterpart or not meeting the case criteria. Since the Center's founding, it has handled 258 mediation cases, of which 32 were successful and were sent to court for approval and 25 cases were settled by relevant parties before mediation. Through mediation, the Center

統計本年度迄十二月底止，本中心接獲電話諮詢八千餘通，書面申訴案共九百五十四件；而本中心成立以來，接獲電話諮詢計八萬一百餘通，書面申訴案計六千七百八十一件。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調處機制，小額證券投資或期貨交易爭議之額度為新台幣一百萬元以下。

本年度迄十二月底止共受理十四件調處案，其中調處成立一件，不成立七件，不予受理調處六件。而本中心成立以來，已受理二百五十八件調處案，其中有三十二件調處成立送請法院核定，另有二十五件當事人自行和解，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，主管機關行政院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。

截至九十九年底，本中心辦理團體訴訟案件，繫屬於法院者有正義、順大裕-內線及操縱、順大裕-財報、萬有紙廠、台鳳、

achieves the goal of settling the disputes in a more speedy way as well as reducing litigation involvement.

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.

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 or futures traders in the same incident, after being authorized by them to do so.

As of the end of 2010, there were 89 cases pending at court, including those of Chengyi, Tai Yu Products (insider trading, stock price manipulation), Tai Yu Products (false financial statement), Ban Yu Paper Mill, Taiwan Pineapple, China Container Terminal, 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, Bao Cheng Construction, Rebar, 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, Global Sun Technology (false financial statement), Asia Link, Alona, Global Sun Technology (insider trading), Glotech Industrial, Fupo Electronics, CyberHome Entertainment, Zero One Tech, Optimax Technology, Eastern Media International (false financial statement), Cutes, Microcosmos Tech, Mega Holdings, Taiwan Green Point Enterprise, Intech Machines, Hsin Chu International Commercial Bank, Qisda, Inventec Appliances, Yah Hsin Industrial (false financial statement, insider trading), Highway, Far Eastern Air Transport, China Life Insurance, Simplo Technology, Sunvic, AboMem Technology, Macronix, AKER, Astro, Vertex Precision Electronics, Union Leather & Printing, Ming Jong Technologies (false financial statement), Ming Jong Technologies (insider trading), Lih Duo International, Eastern Media International (insider trading), BAFO Technology, China Development Financial Holding, AVID Electronics, Me Ke Long, Gintech Energy, Prince Housing & Development, Feya Technologies, Kolin, Everskill, AMTC, Pan Asia Chemical, Chin Mai Precision Machinery, Gigastorage, Taikong, AIT Group, Tung-kai Technology Development, Nankang Rubber Tire (stock price manipulation-2), Da Han Construction, Eternal Chemical, and Free Power Energy. A total of over 86,000 investors of the 89 pending cases authorized the Center to file suits on their behalf, seeking to collect civil compensations worth NT\$34.392 billion.

Meanwhile, there are cases in the process of accepting applications from investors but have not been brought to courts by the end of 2010. Such cases are: Universe Opto Electronic, Eten Information System, Service & Quality Technology, Shieh Yih Machinery Industry, TKK Technologies, Quintain Steel, AV Tech, Shih Wei Navigation, Chin Mai Precision Machinery Promate, Enfield Medical, and Horizon Securities.

Of the aforementioned cases that the Center has filed class-action litigation on behalf of investors by the end of 2010, 17 have been won with final and absolute judgments, including those of Tong Lung

中國貨櫃、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、寶成建設、力霸、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、陽慶-財報、捷力、金雨、陽慶-內線、德宏、福祿、鼎大、零壹、力特光電、東森



國際-財報、九德、律勝、兆豐金、綠點、亞智、新竹商銀、佳世達、英華達、雅新-財報及內線、海德威、遠航、中壽、新普、勝昱、友昱、旺宏、安基、泰偉、佳鼎、合發、名鐘-財報、名鐘-內線、宏億、東森國際-內線、聯豪、開發金、合邦、金美克能、昱晶、太子建設、飛雅、歌林、仕欽、展茂、磐亞、勤美、國碩、邵港、詮鼎、同開、南港-操縱二、大漢、長興化工、飛寶動能等八十九件投資人求償案件，計有八萬六千餘名投資人授與訴訟實施權進行民事求償，請求金額共



計新台幣（以下同）三百四十三億九千二百餘萬元。此外，九十九年度受理投資人求償登記尚未繫屬法院之案件，有大學光、倚天資訊、倚強、協易機械、港建、官田鋼鐵、陞泰、四維、勤美、豐藝、東貿、宏遠證等案。

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）及零壹、凱衛、宏都（操縱股價）等十七案業已勝訴判決確定；另有正義（財報不實）、順大裕（內線交易）、中櫃（操縱股價）、博達（財報不實）、訊碟（財報不實）、中華商銀（財報不實）、銳普（財報不實）、德宏（內線

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 Corporation (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), Hold-Key Electric Wire & Cables (stock price manipulation), Lee Tah Farm Industry (false financial statement), Procomp (misleading prospectus), New Sun Metal Industry (false financial statement), Zero One Tech, Astro, K Way Information, and Hungtu Construction (stock price manipulation).

Another 13 have been granted totally or partially favorable judgment over the first or second instance, including Chengyi (false financial statement), Tai Yu Products (insider trading), China Container Terminal (stock price manipulation), Procomp (false financial statement), Infodisk Technology (false financial statement), Chinese Commercial Bank (false financial statement), Xepex Electronics (false financial statement), Glotech Industrial (insider trading), Hung Fu Construction (stock price manipulation), Intech Machines (stock price manipulation), Hong Technical Enterprise (stock price manipulation), Microcosmos Tech (stock price manipulation), and AKER (insider trading). 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 of the companies, accountants as well as their firms, and securities underwriters, in some of the cases that the Center has filed class-action suits. By the end of 2010, the Center has helped investors collect compensations totaling NT\$1.429 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, and NT\$82 million for 2010. Investors can get at least partial compensations for their losses.

5. Derivative Suit and Discharge Request

In order to strengthen the system of corporate governance, the amendment to the Act, 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 company 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 company charter, the Center would, in accordance with the Act, file lawsuit against the wrongdoing directors/supervisors for compensation and 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 2010, the Center has filed 6 derivative suits on behalf of companies and another three requesting the court to discharge wrongdoing company directors/supervisors from their positions. In addition, the Center has also urged Taiwan International Securities Corp. (TISC) to actively seek for recovery for the event of structured note losses. TISC has worked with the Center to get compensations worth NT\$170 million in September 2010.

6. Disgorgement

According to Article 157 of the Securities and Exchange Law and Article 11 of the Securities and Exchange Law Enforcement Rules, directors, supervisors, managers, or shareholders holding more than 10% of the shares of a company who sell shares within six months after acquisition, or repurchase them within six months after its sale, shall return any profits realized from the sale or purchase. The Center, as one of the shareholder of the companies, has been required by the written order of the competent authority to take over the duty of enforcing disgorgement formerly handled by the Securities & Futures Institute

交易)、宏福(操縱股價)、亞智(操縱股價)、洪氏英(操縱股價)、律勝(操縱股價)及安基(內線交易)等十三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十四億二千九百餘萬元之和解金,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,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。

截至九十九年底,本中心計提起六件代表訴訟及三件解任訴訟案件,另在督促金鼎證券公司追償結構債事件重大損失乙案,該公司也配合積極於九十九年九月間取回一億七千餘萬元的補償金額。



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。本中心成立後，本年度共處理九十八年下半年度上市（櫃）公司及九十九年上半年度上市（櫃）公司之案件計三百二十二件，其中結案二百九十件，催促行使二十六件，申復五件，進入法律程序一件。總計辦理八十三年度至九十九年度歸入權案件計五千八百零三件，截至本年度結案計五千七百五十件，催促行使三十件，申復五件，進入訴訟程序而仍未歸入者十八件。

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。

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 2010, the Center processed 322 such cases, including cases occurring in the second half of 2009 and the first half of 2010. Of these cases, 290 have been closed, 26 have been followed up on, 5 have been applied for exemption and explanation, and one has been brought into legal proceedings. In total, the Center has processed 5,803 cases from 1994 to 2010, of which 5,750 have been closed, 30 have been followed up on, 5 have been applied for exemption and explanation, and 18 have been brought into legal 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 case 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. 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, concluded that the coverage shall be provided up to NT\$1 million for each individual investor. Meanwhile, for securities investors or futures traders in each company, the Center shall make a payment 1,000 times the average amount the securities or futures company has contributed to the fund over the past one year or three years (whichever amount is higher), and the payment shall not exceed NT\$1 billion. If the compensation amount derived from the aforementioned method is less than NT\$100 million, the Center

will process the compensation under the ceiling amount of NT\$100 million. In 2010, the Center received no requirements for making any such compensation.

8. Public Education

The Center has printed various public education booklets free of charge, including “The Introduction of Mediation System and Mediation Cases” and “Protection of Investor Right and Interest” that are. The Center has also cooperated with the media and organized forums to educate the public. In 2010, the Center held two seminars called “Protecting Rights of Investors” and each was divided into two sessions, with discussion the following topics: “How to Select Good Futures Consulting Firms for Obtaining Reliable Market Analysis” and “Underground Futures and Related Problems.” The Center provided 31 articles to the investor protection column in print media, teaching investors about their rights and responsibilities, reminding investors to develop proper ideas about investment and pay attention to the legal rights, by doing so it is in a hope that the development of securities and futures market in Taiwan could be more complete.

9. Shareholder's Interests and Rights

(a) To execute shareholder activism as company shareholder

In order to realize the concept of corporate governance with respect to investor protection, the Center is an active participant of shareholder activism in cope with the government's policy. Starting from 2006, the Center has sent out staffs to attend the shareholders' meeting of dozens public-traded companies every year. In 2010, the shareholders' meetings includes those held by ASUS, Hei Song, Tatung, Far Eastern Department Store, and other 19 companies, to raise its concerns regarding private placement, merger or acquisition, company assets disposal, reinvestment, large-sum endorsement, and payout for company directors/supervisors, and other issues which may hurt investors' rights. The Center has also kept an eye on whether problematic practices at the firms have been

惟因保護基金總額有限，主管機關為避免單一之鉅額償付事件即嚴重影響保護基金及本中心之運作，在考量個別證券商或期貨商對保護基金貢獻之公平性、保護基金之運作及對小額投資人權益之保護，而無法完全滿足投資人所有受損額度，故有償付限額，即對每一投資人一次之償付，以新臺幣一百萬元為限；對每家證券商或期貨商之全體證



券投資人或期貨交易人一次之償付總額，以證券商或期貨商最近一年或最近三年平均提撥保護基金數額（取其數額高者為準）之一千倍為準，並不超過新台幣十億元為償付總額上限，前開計算金額最高未達一億元者，以一億元為準。本年度尚無應進行償付作業案件。

八、保護宣導

本中心本年度特地撰寫與投資人投資權益息息相關之「調處制度及調處成立案例介紹」、「投資人權益之保護」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「交易人對獲取期貨交易分析建議應慎選期貨顧問公司」、「地下期貨問題知多少」座談會；另亦在報章媒體撰寫投資人保護中心專欄計三十一篇，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，在本年度參加華碩、黑松、大同、遠百等二十三家上市櫃公司的股東會，就私募案、合併案、處分資產案、轉投資案、大額背書保證及董監事酬勞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) 私募案件及減資案件：

配合主管機關辦理強化私募有價證券監理，自九十九年八月始除參與主管機關會議、邀請周邊單位共同商議並建立通報機制外，亦訂定本中心私募監理作業流程，對涉有異常情事公司除發函請其限期說明，並將影響股東權益之內容公告於中心網站或發

rectified in order to advocate the effectiveness of corporate governance and the protection of shareholder's rights.

(b) Private placement and capital decrease cases

To support the government's policy for strengthening its monitoring over the private placement procedures conducted by publicly-traded companies, the Center has, since August 2010, participated in the meetings arranged by the competent authorities in regard of this issue and invited related institutions to set up a joint information-reporting system. Meanwhile, the Center has made standard procedures for monitoring company's practice in making private placement.



In case where any abnormal situation occurs, the Center will send a request letter to the company and ask for explanation, and at the same time post the information which may influence investors' interests on the Center's website or publish press release to mass media. Contents of the press release would be also posted on the private placement section of the Market Observation Post System website. In 2010, the Center reviewed a total of 215 private placement cases, and sent out request letters to 139 companies for explanation. Among them, 56 have rectified the situation or have responded to the inquiry.

Furthermore, the Center sent out staffs to attend the shareholders' meeting of 16 companies and raised its concerns regarding their practices of private placement during these meetings.

As for the capital decrease projects proposed by publicly-traded companies for making up their losses, the Center, in accordance the government's instructions, also sent out staffs to attend companies' shareholders meetings and urged companies to explain the capital decrease projects to the shareholders and ask for their approval by the voting process. The Center would then keep monitoring the follow-up proceedings of these cases. In 2010, the Center sent request letters to 56 companies for explanation in this regard, and would make follow-up monitoring on their practices.

(c) 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 82 listed companies to those director/supervisor remunerations for 2008 and 2009 are much higher than the average or certain standard set by the competent authority. Among them, Nanchiao Chemical Industrial and other 10 companies have made substantial improvement and Teco Electric & Machinery, along with three others, replied that they would take the Center's concern into account and made improvement later. Meanwhile, for the 107 publicly-traded companies which made large-sum endorsement or excessive loans or suffered considerable losses resulted from their re-investment projects, the Center sent out request letters to 46 of the aforesaid companies and ask for rectification or improvement, and the Center will keep monitoring on their follow-up practices.

(d) Conference

Questions and controversial issues regarding Company Law and related regulations often arise when the Center dealt with company reorganization cases. In order to acquire professional knowledge and opinion, the Center held a conference with the topic of "Company Reorganization and Related Legal Issues" on June 22, 2010, during which Grand Judge Lai In-Jaw and other legal experts were invited to give speeches. The papers presented in the conference will be the reference to the Center, and also published in law journals.

布新聞稿，新聞稿內容則置於公開資訊觀測站私募專區中。本年度檢視私募議案件數共計二百一十五家，發函詢問公司家數計一百三十九家，其中五十六家已具體改善或說明，並出席其中十六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，提報股東會說明或進行決議，並追蹤辦理情形事，本年度已函請五十六家上市櫃公司予以說明，並持續追蹤其辦理情形。

(三) 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，本中心針對九十七年及九十八年度董監事酬金有超過主管機關規範平均值或一定標準之八十二家上市櫃公司，函請公司就相關疑義予以說明，其中公司回復已具體調整者有南僑化工等十家公司，另回復爾後作為調整參考者有東元電機等四家公司。另就九十八年度及九十九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一百零七家上市櫃公司，經評估函請公司說明並回復改善計畫者有四十六家，持續追蹤其辦理情形。

(四) 舉辦研討會：

為辦理本中心重整案件，遇有公司法及相關法規適用等疑義，本中心於九十九年六月二十二日舉辦「公司重整制度法律問題」研討會，邀請賴院長英照及專家學者與會討論，除將開會內容作為中心辦理案件之參考外，並刊載於法學雜誌中。



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九十九年十二月三十一日及民國九十八年十二月三十一日之資產負債表，暨民國九十九年一月一日至十二月三十一日及民國九十八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。

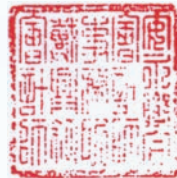
依本會計師之意見，第一段所述財務報表在所有重大方面係依照行政院金融監督管理委員會頒布之「行政院金融監督管理委員會主管財團法人監督管理要點」及一般公認會計原則編製，足以允當表達財團法人證券投資人及期貨交易人保護中心民國九十九年十二月三十一日及民國九十八年十二月三十一日之財務狀況，暨民國九十九年一月一日至十二月三十一日及民國九十八年一月一日至十二月三十一日之收支結果、基金變動與現金流量。

此 致

財團法人證券投資人及期貨交易人保護中心 公鑒

安永聯合會計師事務所

會計師：



中華民國一〇〇年二月二十三日

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, 2010 and 2009, and the related statements of income and disbursements, changes in institute fund, and cash flows for the years ended December 31, 2010 and 2009. 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, 2010 and 2009, and the results of its operations, changes in the institute fund and its cash flows for the years ended December 31, 2010 and 2009 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.

February 23, 2011
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

民國九十九年十二月三十一日
及民國九十八年十二月三十一日

單位：新台幣元

資 產	九十九年十二月三十一日		九十八年十二月三十一日	
	金 額	%	金 額	%
流動資產				
現金及約當現金	\$574,125,251	8.27	\$884,899,417	14.90
應收帳款	63,657,788	0.92	64,216,690	1.08
其他流動資產	79,028,671	1.14	75,691,531	1.27
流動資產合計	716,811,710	10.33	1,024,807,638	17.25
基金及投資				
備供出售金融資產 - 非流動	72,868,048	1.05	65,700,760	1.11
持有至到期日之金融資產 - 非流動	4,874,149,624	70.18	3,892,893,769	65.57
基金及投資合計	4,947,017,672	71.23	3,958,594,529	66.68
固定資產				
土地	71,070,000	1.02	71,070,000	1.20
房屋及裝修設備	35,527,377	0.51	35,527,377	0.60
辦公設備	8,262,796	0.12	7,873,481	0.13
成本小計	114,860,173	1.65	114,470,858	1.93
減：累計折舊	(12,972,087)	(0.19)	(11,710,941)	(0.20)
固定資產淨額	101,888,086	1.46	102,759,917	1.73
其他資產				
受限制資產	1,126,521,323	16.22	805,448,482	13.57
存出保證金	52,954,048	0.76	45,577,591	0.77
其他資產合計	1,179,475,371	16.98	851,026,073	14.34
資產總計	\$6,945,192,839	100.00	\$5,937,188,157	100.00



負債、基金及累積餘絀	九十九年十二月三十一日		九十八年十二月三十一日	
	金額	%	金額	%
流動負債				
應付費用	\$14,367,233	0.21	\$12,339,230	0.21
其他流動負債	231,352	-	366,924	0.01
流動負債合計	14,598,585	0.21	12,706,154	0.22
其他負債				
代收款	576,634,715	8.30	564,973,940	9.51
存入保證金	549,896,608	7.92	240,484,542	4.05
其他負債合計	1,126,531,323	16.22	805,458,482	13.56
負債總計	1,141,129,908	16.43	818,164,636	13.78
基金及累積餘絀				
創立基金	1,031,000,000	14.85	1,031,000,000	17.37
增撥基金	4,060,368,488	58.46	3,366,996,461	56.71
待轉撥基金	681,203,265	9.81	693,372,027	11.68
備供出售金融商品未實現損益	31,491,178	0.45	27,655,033	0.46
基金及累積餘絀總計	5,804,062,931	83.57	5,119,023,521	86.22
負債、基金及累積餘絀總計	<u>\$6,945,192,839</u>	<u>100.00</u>	<u>\$5,937,188,157</u>	<u>100.00</u>



SECURITIES AND FUTURES INVESTORS PROTECTION CENTER BALANCE SHEETS

December 31, 2010 and 2009
(Expressed in New Taiwan Dollars)

ASSETS	December 31	
	2010	2009
<i>CURRENT ASSETS</i>		
Cash and cash equivalents	\$574,125,251	\$884,899,417
Accounts receivable	63,657,788	64,216,690
Other current assets	79,028,671	75,691,531
Total Current Assets	716,811,710	1,024,807,638
<i>INVESTMENTS AND FUNDS</i>		
Available-for-sale financial assets-non current	72,868,048	65,700,760
Held-to-maturity financial assets-non current	4,874,149,624	3,892,893,769
Total investments and funds	4,947,017,672	3,958,594,529
<i>PROPERTY AND EQUIPMENT</i>		
Land	71,070,000	71,070,000
Buildings	35,527,377	35,527,377
Office equipment	8,262,796	7,873,481
Total Cost	114,860,173	114,470,858
Less : accumulated depreciation	(12,972,087)	(11,710,941)
Net Property and Equipment	101,888,086	102,759,917
<i>OTHER ASSETS</i>		
Restricted assets	1,126,521,323	805,448,482
Refundable deposits	52,954,048	45,577,591
Total Other Assets	1,179,475,371	851,026,073
TOTAL ASSETS	\$6,945,192,839	\$5,937,188,157



LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	December 31	
	2010	2009
<i>CURRENT LIABILITIES</i>		
Accrued expenses	\$14,367,233	\$12,339,230
Other current liabilities	231,352	366,924
Total Current Liabilities	14,598,585	12,706,154
<i>OTHER LIABILITIES</i>		
Receipts in custody	576,634,715	564,973,940
Guarantee deposits received	549,896,608	240,484,542
Total Other Liabilities	1,126,531,323	805,458,482
<i>TOTAL LIABILITIES</i>	1,141,129,908	818,164,636
<i>FUNDS AND ACCUMULATED SURPLUS</i>		
Institute fund	1,031,000,000	1,031,000,000
Additional capitalized fund	4,060,368,488	3,366,996,461
Fund to be transferred	681,203,265	693,372,027
Unrealized gain (loss) on available-for-sale financial assets	31,491,178	27,655,033
TOTAL FUNDS AND ACCUMULATED SURPLUS	5,804,062,931	5,119,023,521
TOTAL LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	\$6,945,192,839	\$5,937,188,157



財團法人證券投資人及期貨交易人保護中心

收支餘絀表

民國九十九年一月一日至十二月三十一日
及民國九十八年一月一日至十二月三十一日

單位：新台幣元

項 目	九十九年度		九十八年度	
	金 額	%	金 額	%
收入				
財務收入	\$101,714,423	100.00	\$95,511,451	99.97
處分投資收益	-	-	11,993	0.01
其他收入	-	-	21,523	0.02
合 計	101,714,423	100.00	95,544,967	100.00
支出				
人事支出	51,457,339	50.59	47,111,725	49.31
業務支出	16,484,722	16.20	16,433,823	17.20
業務撥回基金	33,756,092	33.19	31,999,419	33.49
處分投資損失	16,270	0.02	-	-
合 計	101,714,423	100.00	95,544,967	100.00
本期餘絀	\$-	-	\$-	-

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER STATEMENTS OF INCOME AND DISBURSEMENTS

For the years ended December 31, 2010 and 2009
(Expressed in New Taiwan Dollars)

	2010	2009
<i>REVENUES</i>		
Financial income	\$101,714,423	\$95,511,451
Gain on disposal of investments	-	11,993
Other income	-	21,523
Total Revenues	<u>101,714,423</u>	<u>95,544,967</u>
<i>EXPENSES</i>		
Personnel expenses	51,457,339	47,111,725
Operating expenses	16,484,722	16,433,823
Operation transferred to institute fund	33,756,092	31,999,419
Loss on disposal of investments	16,270	-
Total Expenses	<u>101,714,423</u>	<u>95,544,967</u>
<i>Surplus (deficit) for the year</i>	<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

民國九十九年一月一日至十二月三十一日
及民國九十八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	備供出售金融資產未實現損益	累積餘絀	合計
民國九十八年一月一日餘額	\$1,031,000,000	\$2,734,934,645	\$632,061,816	\$(7,906,064)	\$-	\$4,390,090,397
待轉撥基金轉入		632,061,816	(632,061,816)			-
受撥收入			673,526,352			673,526,352
訴訟仲裁動用基金			(12,153,744)			(12,153,744)
業務撥回基金			31,999,419			31,999,419
備供出售金融資產未實現損益				35,561,097		35,561,097
民國九十八年度餘絀					-	-
民國九十八年十二月三十一日餘額	1,031,000,000	3,366,996,461	693,372,027	27,655,033	-	5,119,023,521
待轉撥基金轉入		693,372,027	(693,372,027)			-
受撥收入			651,699,733			651,699,733
訴訟仲裁動用基金			(4,252,560)			(4,252,560)
業務撥回基金			33,756,092			33,756,092
備供出售金融資產未實現損益				3,836,145		3,836,145
民國九十九年度餘絀					-	-
民國九十九年十二月三十一日餘額	\$1,031,000,000	\$4,060,368,488	\$681,203,265	\$31,491,178	\$-	\$5,804,062,931

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

For the years ended December 31, 2010 and 2009

(Expressed in New Taiwan Dollars)

	Institute Fund	Additional Capitalized Fund	Fund To Be Transferred	Unrealized Gain (Loss) On Available-for-sale Financial Assets	Accumulated Surplus (Deficit)	Total
Balance, January 1, 2009	\$1,031,000,000	\$2,734,934,645	\$632,061,816	\$(7,906,064)	\$-	\$4,390,090,397
Fund capitalized from fund to be transferred		632,061,816	(632,061,816)			-
Contribution income to fund			673,526,352			673,526,352
Allocation to litigation and arbitration			(12,153,744)			(12,153,744)
Operation transferred to institute fund			31,999,419			31,999,419
Unrealized gain on available-for-sale financial assets				35,561,097		35,561,097
Surplus (deficit) for 2009					-	-
Balance, December 31, 2009	1,031,000,000	3,366,996,461	693,372,027	27,655,033	-	5,119,023,521
Fund capitalized from fund to be transferred		693,372,027	(693,372,027)			-
Contribution income to fund			651,699,733			651,699,733
Allocation to litigation and arbitration			(4,252,560)			(4,252,560)
Operation transferred to institute fund			33,756,092			33,756,092
Unrealized gain on available-for-sale financial assets				3,836,145		3,836,145
Surplus (deficit) for 2010					-	-
Balance, December 31, 2010	\$1,031,000,000	\$4,060,368,488	\$681,203,265	\$31,491,178	\$-	\$5,804,062,931



財團法人證券投資人及期貨交易人保護中心

現金流量表

民國九十九年一月一日至十二月三十一日
及民國九十八年一月一日至十二月三十一日

單位：新台幣元

項 目	九十九年度	九十八年度
業務活動之現金流量：		
本期餘絀	\$-	\$-
調整項目：		
折舊	1,592,850	1,850,600
處分投資損(益)	16,270	(11,993)
處分固定資產利益	-	(18,667)
業務用資產及負債增減淨額		
應收帳款	558,902	(22,805,098)
其他流動資產	(3,337,140)	(7,916,513)
受限制資產	(321,072,841)	(363,368,181)
存出保證金	(7,376,457)	10,024,565
應付費用	2,028,003	(234,487)
其他流動負債	(135,572)	(230,605)
代收款	11,660,775	126,731,850
存入保證金	309,412,066	236,636,331
業務活動之淨現金流出	(6,653,144)	(19,342,198)
投資活動之現金流量：		
備供出售金融資產增加數	(3,429,100)	(1,445,780)
備供出售金融資產減資退回股款	22,398	16,131
備供出售金融資產處分價款	59,289	18,793
持有至到期日之金融資產增加數	(981,255,855)	(878,885,768)
購置固定資產	(721,019)	(356,700)
出售固定資產價款	-	18,667
投資活動之淨現金流出	(985,324,287)	(880,634,657)
融資活動之現金流量：		
待轉撥基金增加	681,203,265	693,372,027
融資活動之淨現金流入	681,203,265	693,372,027
本期現金減少數	(310,774,166)	(206,604,828)
期初現金及約當現金餘額	884,899,417	1,091,504,245
期末現金及約當現金餘額	\$574,125,251	\$884,899,417

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

STATEMENTS OF CASH FLOWS

For the years ended December 31, 2010 and 2009
(Expressed in New Taiwan Dollars)

	2010	2009
CASH FLOWS FROM OPERATING ACTIVITIES		
Surplus (deficit)	\$-	\$-
Adjustments to reconcile net surplus (deficit) to net cash provided by (used in) operating activities:		
Depreciation expense	1,592,850	1,850,600
Loss (Gain) on disposal of long-term investments	16,270	(11,993)
Gain on disposal of property and equipment	-	(18,667)
Net changes in operating assets and liabilities		
Accounts receivable	558,902	(22,805,098)
Other current assets	(3,337,140)	(7,916,513)
Restricted assets	(321,072,841)	(363,368,181)
Refundable deposits	(7,376,457)	10,024,565
Accrued expenses	2,028,003	(234,487)
Other current liabilities	(135,572)	(230,605)
Receipts in custody	11,660,775	126,731,850
Guarantee deposits received	309,412,066	236,636,331
Net cash used in operating activities	<u>(6,653,144)</u>	<u>(19,342,198)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Increase in available-for-sale financial assets	(3,429,100)	(1,445,780)
Proceeds from capital reduction of available-for-sale financial assets	22,398	16,131
Proceeds from disposal of available-for-sale financial assets	59,289	18,793
Increase in held-to-maturity financial assets	(981,255,855)	(878,885,768)
Purchases of property and equipment	(721,019)	(356,700)
Proceeds from disposal of property and equipment	-	18,667
Net cash used in investing activities	<u>(985,324,287)</u>	<u>(880,634,657)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Increase in fund to be transferred	681,203,265	693,372,027
Net cash provided by financing activities	<u>681,203,265</u>	<u>693,372,027</u>
NET DECREASE IN CASH AND CASH EQUIVALENTS	(310,774,166)	(206,604,828)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	884,899,417	1,091,504,245
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$574,125,251</u>	<u>\$884,899,417</u>



柒.大事紀要

VII. Chronicle



日期 Date	事 項 Event
99.01.07	<p>受理太子建設股票投資人求償登記（自99年1月7日至2月5日），並於99年4月20日提起投資人團體訴訟。</p> <p>Processed Prince Housing & Development investors' claim application (from Jan. 7 to Feb. 5), and filed a class-action suit on April 20.</p>
99.01.22	<p>博達案中有關確認葉素菲對林華德1千萬元債權存在並代位請求之訴，經最高法院裁定駁回林華德及葉素菲對臺灣高等法院再審判決之上訴，本件再審之訴勝訴確定。</p> <p>The Supreme Court overruled Walter Lin and Sophia Yeh's appeal of Procomp case where the Center was granted a favorable judgment by the court for its derivative suit to request Yeh's creditor right of NT\$10 million against Lin. The said proceeding of this case is final and absolute.</p>
99.01.27	<p>召開本中心第3屆第14次董事監察人會議：</p> <p>Held the 14th board of directors and supervisors meeting of the third term:</p> <p>一、提報鈺創公司內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟。</p> <p>1. To report the motion that the Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Etron Technology insider trading case.</p> <p>二、提報陽慶公司內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>2. To report the motion that the Taiwan High Court overruled the Center's appeal of Global Sun Technology insider trading case (collateral to criminal proceedings) where the Central's civil lawsuit.</p> <p>三、決議公告受理仕欽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。</p> <p>3. To announce the Center's decision to process Everskill Technology (false financial statement case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>四、決議通過昱晶公司98年度現金增資原股東優先認股權爭議事件之後續處理方式。</p> <p>4. To approve the proposed solution for dealing with the disputes arising from the current shareholders' preemptive right of Gintech Energy in its capital increase project.</p>
99.01.29	<p>受理昱晶股票投資人求償登記（自99年1月29日至2月28日），並於99年4月2日提起投資人團體訴訟。</p> <p>Processed Gintech Energy investors' claim application (from Jan 29 to Feb 28), and filed class-action suit on April 2.</p>
99.02.03	<p>受理仕欽股票投資人求償登記（自99年2月3日至3月5日），並於99年6月24日提起投資人團體訴訟。</p> <p>Processed Everskill Technology investors' claim application (from Feb. 3 to March 5), and filed class-action suit on June 24.</p>
99.02.24	<p>佳鼎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 civil lawsuit (collateral to criminal proceedings) of Vertex Precision Electronics insider trading case.</p>
99.02.24	<p>召開本中心第3屆第15次董事監察人會議：</p> <p>Held the 15th board of directors and supervisors meeting of the third term :</p>



	<p>一、提報歌林公司重整案授權人債權申報處理概況。</p> <p>1.To report the proceeding of Kolin reorganization case where the Center helps investors claim creditor right.</p> <p>二、決議公告受理邵港公司財報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>2.To announce the Center's decision to process Taikong Group(false financial statement and misleading prospectus case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>三、決議公告受理經緯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。</p> <p>3.To announce the Center's decision to process Universal Technology Systems (false financial statement case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p>
99.03.03	<p>一、受理邵港股票投資人求償登記（自99年3月3日至4月2日），並於99年8月27日提起投資人團體訴訟。</p> <p>1.Processed Taikong Group investors' claim application (from March 3 to April 2), and filed class-action suit on Aug. 27.</p> <p>二、受理經緯股票投資人求償登記（自99年3月3日至4月2日），並於99年9月4日提起投資人團體訴訟。</p> <p>2.Processed Universal Technology Systems investors' claim application (from March 3 to April 2), and filed class-action suit on Sept 4.</p>
99.03.05	<p>鈺創內線交易案經最高法院駁回本中心上訴。</p> <p>The Supreme Court overruled the Center's appeal of Etron Technology insider trading case.</p>
99.03.12	<p>召開「公司內部人行使員工認股權取得所屬公司股票是否得豁免證交法第157條歸入權之適用」諮詢會議。</p> <p>Held a meeting to discuss "Whether exercising employee's stock options can be exempted from Article 157of the Securities Exchange Law."</p>
99.03.24	<p>召開本中心第3屆第16次董事監察人會議：</p> <p>Held the 16th board of directors and supervisors meeting of the third term:</p> <p>一、決議通過本中心98年度業務報告書及經會計師查核簽證之財務報告。</p> <p>1.To approve the Center's 2010 annual business report and accountant-certified financial statement.</p> <p>二、決議公告受理展茂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>2.To announce the Center's decision to process Allied Material Technology (insider trading case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>三、決議公告受理同開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 Tung-kai Technology Engineering (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>四、決議公告受理磐亞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 Pan Asia Chemical (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p>
99.03.25	<p>訊碟財報不實案經最高法院駁回本中心對被告羅文慧上訴。 The Supreme Court overruled the Center' s appeal against defendant Lo Wen-hui of Infodisk Technology false financial statement case.</p>
99.03.31	<p>亞智操縱股價案經臺灣臺中地方法院判決本中心部分勝訴。 The Center was granted a partially favorable judgement by the Taichung District Court in the Manz Intech Machines Stock price manipulation case.</p>
99.03.31	<p>一、受理展茂股票投資人求償登記（自99年3月31日至4月30日），並於99年7月5日提起投資人團體訴訟。 1.Processed Allied Material Technology investors' claim application (from March 31 to April 30), and filed class-action suit on July 5. 二、受理磐亞股票投資人求償登記（自99年3月31日至4月30日），並於99年7月23日提起投資人團體訴訟。 2.Processed Pan Asia Chemical investors' claim application (from March 31 to April 30), and filed class-action suit on July 23. 三、受理同開股票投資人求償登記（自99年3月31日至4月30日），並於99年9月23日提起投資人團體訴訟。 3.Processed Tung-kai Technology Engineering investors' claim application (from March 31 to April 30), and filed class-action suit on Sep. 23.</p>
99.04.16	<p>旺宏內線交易案經臺灣新竹地方法院判決駁回本中心刑事附帶民事訴訟。 The Hsinchu District Court overruled the Center' s civil lawsuit (collateral to criminal proceedings) of Macronix International insider trading case.</p>
99.04.28	<p>召開本中心第3屆第17次董事監察人會議： Held the 17th board of directors and supervisors meeting of the third term: 一、提報亞智公司操縱股價案，經臺灣臺中地方法院判決本中心部分勝訴。 1.To report the motion that the Center was granted a partial favorable judgment by the Taichung District Court in Intech Machines stock price manipulation case . 二、提報遠航公司重整案授權人債權申報處理概況。 2. To report the proceeding of Far Eastern Air Transport reorganization case. 三、提報雅新公司重整程序經臺灣士林地方法院裁定終止之相關事宜。 3.To report the related issues regarding the Shilin District Court' s decision to bring terminate the corporate reorganization case of Yah Hsin Industrial. 四、提報鈺創公司內線交易案，經最高法院駁回本中心刑事附帶民事訴訟。 4.To report the motion that the Supreme Court overruled the Center' s civil lawsuit (collateral to criminal proceedings) of Etron Technology insider trading case. 五、提報訊碟公司財報不實案，經最高法院駁回本中心上訴，並就訊碟公司之上訴，廢棄原判決、發回更審。 5.To report the motion that the Supreme Court overruled the Center' s appeal and followed the company' s appeal to revoke Taiwan High court' s previous judgment for retrial in Infodisk Technology false financial statement case.</p>



	<p>六、決議通過本中心財產總額登記由新台幣四十三億九千七百九十九萬六千四百六十一元，變更更為五十億九千一百三十六萬八千四百八十八元。</p> <p>6.To approve the change in the Center’ s registered assets from NT\$4,397,996,461 to NT\$5,091,368,488.</p> <p>七、決議通過本中心「辦理證券期貨事件合作追償處理辦法」。</p> <p>7.To approve the Center’ s draft of the “Guidelines for Cooperating with Third Party in Getting Compensation in Securities or Futures Trading cases”</p> <p>八、決議公告受理詮鼎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>8.To announce the Center’ s decision to process Asian Information Technology (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>九、決議公告受理國碩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>9.To announce the Center’ s decision to process Gigastorage (insider trading case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>十、決議公告受理大學光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>10.To announce the Center’ s decision to process Universal Vision Biotechnology (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p>
99.04.28	<p>德宏內線交易案經臺灣高等法院臺中分院判決廢棄一審勝訴部分並駁回上訴。</p> <p>The Taiwan High Court, Taichung branch, revoked the favorable part of the Taichung District Court’ s judgment for the first instance and overruled the Center’ s appeal of Glotech Industrial insider trading case.</p>
99.05.05	<p>一、受理國碩股票投資人求償登記（自99年5月5日至6月4日），並於99年8月19日提起投資人團體訴訟。</p> <p>1.Processed Gigastorage investors’ claim application (from May 5 to June 4), and filed class-action suit on Aug. 19.</p> <p>二、受理大學光股票投資人求償登記（自99年5月5日至6月4日）。</p> <p>2.Processed Universal Vision Biotechnology investors’ claim application (from May 5 to June 4).</p> <p>三、受理詮鼎股票投資人求償登記（自99年5月5日至7月30日），並於99年9月1日提起投資人團體訴訟。</p> <p>3.Processed Asian Information Technology investors’ claim application (from May 5 to July 30), and filed class-action suit on Sep 1.</p>
99.05.10	<p>立大財報不實案經臺灣高等法院高雄分院判決本中心部分勝訴。</p> <p>The Center was granted a partial favorable judgment by the Taiwan High Court, Kaohsiung branch in the Lee Tah Farm Industries false financial statement case.</p>
99.05.26	<p>召開本中心第3屆第18次董事監察人會議：</p> <p>Held the 18th board of directors and supervisors meeting of the third term:</p> <p>一、提報陽慶公司內線交易案，經最高法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>1.To report the motion that the Supreme Court overruled the Center’ s appeal of Global Sun Technology insider trading case (collateral to criminal proceedings) .</p>



	<p>二、提報旺宏公司內線交易案，經臺灣新竹地方法院駁回本中心刑事附帶民事訴訟。</p> <p>2.To report the motion that the Taiwan High Court, Hsinchu branch, overruled the Center’ s civil lawsuit (collateral to criminal proceedings) of Macronix International insider trading case.</p> <p>三、提報德宏公司內線交易案，經臺灣高等法院臺中分院判決廢棄本中心一審勝訴部分，並駁回本中心上訴。</p> <p>3.To report the motion that the Taiwan High Court, Taichung branch, overruled the Center’ s appeal and revoked the favorable part of Taichung District Court’ s previous judgment of Glotech Industrial insider trading case.</p> <p>四、提報聯豪公司解任董事職務訴訟案，經向臺灣士林地方法院撤回訴訟。</p> <p>4.To report the motion that the Center withdrew its lawsuit requesting the court to dismiss board member of BAFO Technologies.</p> <p>五、提報力霸集團公司內線交易案，經臺灣臺北地方法院駁回本中心刑事附帶民事訴訟。</p> <p>5.To report the motion that the Taipei District Court overruled the Center’ s civil lawsuit (collateral to criminal proceedings) of China Rebar Group insider trading case.</p> <p>六、決議公告受理宇環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 T-Flex Techvest PCB (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>七、決議公告受理亞銳士公司、三顧公司、邁達康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 Taiwan Aries, MetaTech, and Dacome International (stock price manipulation cases) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>八、決議公告受理長興化工公司於公開資訊觀測站誤植財報數字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>8.To announce the Center’ s decision to process Eternal Chemical (misplaced company information on Market Observation Post System website case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p>
99.05.31	<p>洪氏英操縱股價案經臺灣高等法院臺南分院判決本中心部分勝訴。</p> <p>The Center was granted a partial favorable judgment by the Taiwan High Court, Tainan branch in Horng Technical stock price manipulation case.</p>
99.06.01	<p>一、受理宇環股票投資人求償登記（自99年6月1日至7月30日）。</p> <p>1.Processed T-Flex Techvest PCB investors’ claim application (from June 1 to July 30).</p> <p>二、受理長興化工股票投資人求償登記（自99年6月1日至6月30日），並於99年10月26日提起投資人團體訴訟。</p> <p>2.Processed Eternal Chemical investors’ claim application (from June 1 to June 30), and filed class-action suit on Oct. 26.</p> <p>三、受理亞銳士、三顧、邁達康股票投資人求償登記（自99年6月1日至7月30日）。</p> <p>3.Processed Taiwan Aries, MetaTech, and Dacome International investors’ claim application (from June 1 to July 30).</p>
99.06.10	<p>召開「林爭輝等人操縱南港輪胎公司股價犯行之認定疑義」討論會議。</p> <p>Held a meeting to discuss “How to address the wrongdoing behaviors of Lin Cheng-hui and other people in the Nankang Rubber Tire stock price manipulation case” .</p>





99.06.22	召開「公司重整制度法律問題」研討會。 Held a conference on “Company Reorganization and Related Legal Issues” .
99.06.23	海德威財報不實案經臺灣臺中地方法院駁回本中心之民事訴訟。 The Taiwan High Court overruled the Center’ s civil lawsuit Electronic Way Electronic false financial statement case.
99.06.30	召開本中心第3屆第19次董事監察人會議： Held the 19th board of directors and supervisors meeting of the third term: 一、提報主管機關指派董事2人，補足原任董事未滿之任期。 1.To report the motion that the competent authorities has assigned two new members to take over the place of two discharged former board directors, and the new board directors will continue the duties till the end of term of the original directors. 二、提報本中心99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。 2. To submit the accounting report of the Center’ s Protection Fund for the first half of 2010. 三、提報本中心所訂定「辦理證券期貨事件合作追償處理辦法」，業經主管機關准予備查。 3.To report the motion that the competent authority approved the “Guidelines for Cooperating with Third Party in Getting Compensation in Securities or Futures Trading cases” 四、提報立大公司財報不實案，經臺灣高等法院高雄分院更一審判決本中心部分勝訴。 4.To report the motion that the Center was granted a partially favorable judgment by the Taiwan High Court, Kaohsiung branch, in Lee Tah Farm Industries false financial statement case. 五、提報碼斯特公司代表訴訟案，經向臺灣士林地方法院撤回訴訟並為訴訟參加。 5.To report the motion that the Center withdrew the derivative suit against wrongdoers in Must Tech case from the Shilin District Court, and claimed to intervene in the existing action. 六、提報洪氏英公司操縱股價案，經臺灣高等法院臺南分院判決本中心部分勝訴。 6.To report the motion that the Center was granted a partially favorable judgment by the Taiwan High Court, Kaohsiung branch, in Hong Technical stock price manipulation case. 七、提報勝昱公司操縱股價及內線交易案，經臺灣高等法院判決部分移民事庭審理，部分駁回本中心刑事附帶民事訴訟。 7.To report the motion that the Taiwan High Court ruled to transferr a part of the Center’ s civil lawsuit (originally collateral with criminal proceedings) to the civil court and overruled the part involved with criminal proceedings. 八、提報萬有公司內線交易案，經臺灣高等法院臺南分院駁回本中心刑事附帶民事訴訟上訴。 8.To report the motion that the Taiwan High Court, Tainan branch, overruled the Center’ s appeal in Ban Yu Paper Mill case (collateral to criminal proceedings)where the Center’ s civil lawsuit failed. 九、決議公告受理南港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。 9.To announce the Center’ s decision to process Nankang Rubber Tire (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization. 十、決議通過對元大京華證券公司董事長等人所為不利益交易提起代表訴訟。 10.To announced the Center’ s decision to file a derivative suit against Yuanta Securities chairman and related persons whose behaviors were allegedly . conducting transaction adverse to the company 十一、決議公告受理大漢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。 11.To announce the Center’ s decision to process Danhan Development (insider trading case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.

99.07.12	<p>召開「本中心擬訂私募程序標準作業內容」研商會議。 Held a meeting to discuss the Center's draft of the "Standard Private Placement Procedures."</p>
99.07.14	<p>一、受理大漢建設股票投資人求償登記（自99年7月14日至8月16日），並於99年10月25日提起投資人團體訴訟。 1. Processed Dahan Development investors' claim application (from July 14 to Aug. 16), and filed class-action suit on Oct. 25.</p> <p>二、受理南港輪胎股票投資人求償登記（自99年7月14日至8月16日），並於99年9月30日提起投資人團體訴訟。 2. Processed Nankang Rubber Tire investors' claim application (from July 14 to Aug. 16), and filed class-action suit on Sept. 30.</p>
99.07.20	<p>博達案中有關確認葉素菲對林華德8千萬元債權存在並代位請求之訴經臺灣高等法院判決駁回林華德及葉素菲所提上訴。 The Taiwan High Court overruled Walter Lin and Sophia Yeh's appeal of Procomp case where the Center had received the court's favorable judgment for its derivative suit to request Yeh's creditor right of NT\$80 million against Lin.</p>
99.07.21	<p>召開「興櫃公司內部人行使員工認股權及受贈股票如何計算取得成本暨內部人買賣衍生自所屬公司有價證券之金融商品應否納入證交法第157條、第157條之1規範範圍」諮詢會議。 Held a meeting to discuss "How to define the cost for insiders of emerging stock companies to exercise employee's stock options or acquire conferment shares and whether Article 157 and Article 157, Section 1, should be applied to the company insiders who purchase or sell the financial derivative products from their own companies."</p>
99.07.27	<p>召開「私募有價證券相關事項」研商會議。 Held a meeting to discuss "Private Placement and Related Issues"</p>
99.07.28	<p>召開本中心第3屆第20次董事監察人會議： Held the 20th board of directors and supervisors meeting of the third term:</p> <p>一、提報英業達公司內線交易案，經臺灣板橋地方法院駁回本中心刑事附帶民事訴訟。 1. The Panchiao District Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Inventec insider trading case.</p> <p>二、提報佳鼎公司內線交易案，經最高法院撤銷原審判決，並發回臺灣高等法院。 2. To report the motion that the Supreme Court revoked the Taiwan High Court's ruling of Vertex Precision Electronics insider trading case.</p> <p>三、提報雅新公司經士林地院裁定宣告破產，本中心為重整債權申報案委任人及財報不實案訴訟實施權授與人依破產程序申報破產債權。 3. To report the motion that the bankruptcy of Yah Hsin Industrial was announced by Shiling District Court, and the Center has claimed creditor's right upon authorization.</p> <p>四、提報海德威公司財報不實案，經臺灣臺中地方法院駁回本中心訴訟及假執行之聲請。 4. To report the motion that the Taichung District Court overruled the Center's lawsuit and provisional execution request of Higher Way Electronic false financial Statement case.</p> <p>五、決議公告受理皇田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。 5. To announce the Center's decision to process Macauto Industrial (false financial statement case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p>



	<p>六、決議公告受理倚強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 Service & Quality Technology (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>七、決議通過對亞洲化學公司董事侵占公司資產提起代表訴訟。</p> <p>7.To announce the Center' s decision to file a derivative suit against Achem Technology board members who allegedly invaded and occupy company' s assets.</p>
99.08.06	<p>福陞內線交易案經臺灣臺北地方法院判決本中心敗訴。</p> <p>The Taipei District Court made a judgment that the Center failed in Fortuna Technologies insider trade case.</p>
99.08.23	<p>博達公司初次上市公開說明書不實案經臺灣士林地方法院判決原告部分勝訴。</p> <p>The Center was granted a partially favorable judgment by the Shiling District Court in the misleading prospectus case of initially being enlisted in TWSE by Procomp.</p>
99.08.25	<p>召開本中心第3屆第21次董事監察人會議：</p> <p>Held the 21st board of directors and supervisors meeting of the third term:</p> <p>一、提報主管機關指派董事1人，補足原任董事未滿之任期。</p> <p>1.To report the motion that the competent authorities has assigned a new board director to take over the place of a discharged former board director, and the new board director will continue the duty till the end of term of the original director.</p> <p>二、提報博達案有關確認葉素菲對林華德8千萬元債權存在並代位請求之訴，經臺灣高等法院判決本中心勝訴。</p> <p>2.To report the motion that the Center was granted a favorable judgment by the Taiwan High Court in Procomp case where the Center filed a derivative suit to request Sophia Yeh' s creditor right of NT\$80 million against Walter Lin.</p> <p>三、提報安碁公司內線交易案，經臺灣臺中地方法院判決本中心一部勝訴、一部敗訴。</p> <p>3.To report the motion that the Center was granted a partially favorable and a partially failure judgment by the Taichung District Court in Aker Technology insider trading case.</p> <p>四、提報雅新公司重整債權申報案委任人及財報不實團體訴訟案訴訟實施權授與人依雅新公司破產程序申報之破產債權經臺灣士林地方法院裁定剔除事，本中心已提起抗告及預擬後續處置方式。</p> <p>4.To report the motions that the Shilin District Court ruled to exclude the Center' s claim for creditor' s right upon authorization in Yah Hsin Industrial bankruptcy case, and the Center has filed appeal for the said ruling as well as proposing solutions to deal with the subsequent issues.</p> <p>五、決議公告受理飛寶動能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對飛寶動能公司前董事長侵占公司資產提起代表訴訟及裁判解任董事職務訴訟。</p> <p>5.To announce the Center' s decision to process Free Power Energy (false financial statement) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization, file a derivative suit against the company' s chairman who allegedly invaded and occupy company' s assets, and request the court to dismiss the company' s board members.</p> <p>六、決議公告受理昱捷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 Sentronic International (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>七、決議公告受理協易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 Shieh Yih Machinery Industry (stock price manipulation case) claim application to file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>八、決議公告受理港建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>8. To announce the Center' s decision to process Taiwan Kong King (insider trading case) claim application and file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p>
99.08.30	<p>召開「關於內部人於海外開設共同帳戶買賣股票等相關事宜滋生適用證券交易法第157條規定之疑義」諮詢會議。</p> <p>Held a meeting to discuss “Whether Article 157 of the SEA is applicable to company insiders making stock transactions with overseas joint account.”</p>
99.09.01	<p>召開「99年度保護投資人權益系列－交易人對獲取期貨交易分析建議應慎選期貨顧問公司」座談會。</p> <p>Held the series forum of “Protecting Rights of Investors” on “How to Select Good Futures Consulting Firm for Obtaining Reliable Market Analysis”</p>
99.09.02	<p>一、受理港建股票投資人求償登記（自99年9月2日至10月1日）。</p> <p>1. Processed Taiwan Kong King investors' claim application (from Sept. 2 to Oct. 1).</p> <p>二、受理飛寶動能股票投資人求償登記（自99年9月2日至10月1日），並於99年12月31日提起投資人團體訴訟。</p> <p>2. Processed Free Power Energy investors' claim application (from Sept. 2 to Oct. 1), and filed class-action suit on Dec. 31.</p> <p>三、受理昱捷股票投資人求償登記（自99年9月2日至10月1日）。</p> <p>3. Processed Sentronic International investors' claim application (from Sept. 2 to Oct. 1).</p> <p>四、受理協易股票投資人求償登記（自99年9月2日至10月1日）。</p> <p>4. Processed Shieh Yih Machinery Industry investors' claim application (from Sept. 2 to Oct. 1).</p>
99.09.21	<p>律勝操縱股價案經臺灣臺南地方法院判決本中心勝訴。</p> <p>The Tainan District Court made a ruling in favor of the Center in Microcosm Technology stock price manipulation case.</p>
99.09.29	<p>召開本中心第3屆第22次董事監察人會議：</p> <p>Held the 22nd board directors and supervisors meeting of the third term:</p> <p>一、提報本中心100年度業務計畫、預算書案，業經主管機關核備。</p> <p>1. To report the motion that the competent authority approved the Center' s annual business plan and annual budget for 2011.</p> <p>二、提報博達公司公開說明書不實民事共同訴訟求償案，經臺灣士林地方法院判決原告部分勝訴。</p> <p>2. To report the motion that the plaintiffs were granted a partially favorable judgment by the Shilin District Court for their lawsuit against Procomp which allegedly published misleading prospectus.</p>



- 三、提報大同公司與大同大學間不動產爭議事，本中心之相關處置方案。
3.To report the motion that the Center's solution for solving the assets ownership disputes between Tatung Co. and Tatung University.
- 四、提報福陞公司內線交易案，經臺灣臺北地方法院駁回本中心民事訴訟。
3.To report the motion that the Taipei District Court overruled the Center's civil lawsuit of Fortuna Technologies insider trading case.
- 五、提報金鼎公司內線交易案，經臺灣臺北地方法院駁回本中心刑事附帶民事訴訟。
5.To report the motion that the Taipei District Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Taiwan International Securities insider trading case.
- 六、提報歌林公司重整案本中心處理概況。
6. To report the proceeding of Kolin reorganization case.
- 七、提報遠航公司重整抗告事件處理概況。
7. To report the proceeding of Far Eastern Air Transpor reorganization case.
- 八、決議公告受理倚天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 E-Ten Information Systems (insider trading case) claim application and file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.
- 九、決議通過訂定「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」第三條第五款之處理標準。
9.To announce the approval of Article 3, Section 5 of the "Guidelines for SFIPC to deal with legal issues in accordance with Article 10-1" stated in.
- 十、決議通過對東森國際公司董事違反法令事提起裁判解任董事職務訴訟。
10.To announce the Center's decision to file a derivative suit against the law-breaking board members of Eastern Media International, requesting the court to dismiss them from their positions at the company.

99.10.06 受理倚天股票投資人求償登記（自99年10月6日至11月5日）。
Processed E-Ten Information Systems investors' claim application (from Oct. 6 to Nov. 5).

99.10.27 召開本中心第3屆第23次董事監察人會議：
Held the 23rd board directors and supervisors meeting of the third term:

一、提報律勝公司操縱股價案，經臺灣臺南地方法院判決本中心勝訴。
1.To report the motion that the Tainan District Court made a ruling in favor of the Center in Microcosm Technology stock price manipulation case.

二、提報力霸集團公司內線交易案，經最高法院駁回本中心再抗告。
2.To report the motion that the Supreme Court overruled the Center's appeal for a retrial of Rebar Group insider trading case after its lawsuit was revoked by the Taiwan High Court.

三、提報佳鼎公司內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟。
3.To report the motion that the Taiwan High Court overruled the Center's civil lawsuit (collateral to criminal proceedings) of Vertex Precision Electronics insider trading case.

四、提報遠航公司重整抗告案，已依法提起再抗告。
4.To report the motion that the Center made an appeal for retrial of Far Eastern Air Transportation reorganization case.

五、決議公告受理官田鋼鐵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。
5.To announce the Center's decision to process Quintain Steel (stock price manipulation case) claim application and file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.



	<p>六、決議公告重新受理大學光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 Universal Vision Biotechnology (stock price manipulation case) claim application and file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p> <p>七、決議通過對大同公司與大同大學間不動產爭議事件，對罹於時效期間擔任公司之董事提起代表訴訟。</p> <p>7.To approve the Center’ s solution for solving the assets ownership disputes between Tatung Corp and Tatung University.</p> <p>八、決議通過不針對歌林開發股份有限公司公開標售新莊歌林購物中心乙案聲請假處分。</p> <p>8.To announce the Center’ s decision that it would not file provisional assets divesture request for Kolin Hsinchuang shopping mall bidding case.</p>
99.10.29	<p>召開「關於內部人於海外開設共同帳戶買賣國內股票等相關事宜滋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 meeting to discuss “Whether Article157 of the SEA is applicable to company insiders making stock transactions with overseas joint account.”</p>
99.11.03	<p>一、受理大學光股票投資人求償登記（自99年11月3日至12月3日）。</p> <p>1 Processed Universal Vision Biotechnology investors’ claim application (from Nov. 3 to Dec. 3).</p> <p>二、受理官田鋼鐵股票投資人求償登記（自99年11月3日至12月3日）。</p> <p>2.Processed Quintain Steel investors’ claim application (from Nov. 3 to Dec. 3).</p>
99.11.24	<p>召開本中心第3屆第24次董事監察人會議：</p> <p>Held the 24th board directors and supervisors meeting of the third term:</p> <p>一、提報零壹公司、宏都公司、凱衛公司操縱股價案，經臺灣臺中地方法院判決本中心勝訴。</p> <p>1.To announce the motion that Taichung District Court made a ruling in favor of the Center in Zero One Technology, Hang Tu Construction, and K Way Information stock price manipulation casess.</p> <p>二、提報泰偉公司內線交易案，經臺灣臺北地方法院駁回本中心刑事附帶民事訴訟。</p> <p>2.To report the motion that the Taiwan High Court overruled the Center’ s civil lawsuit (collateral to criminal proceedings) of Astro insider trading case.</p> <p>三、決議公告受理陸泰公司、四維航業公司、勤美公司、豐藝公司、東貿公司及宏遠證券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 AV Tech, Shih Wei Navigation, China Metal Products, Promate Electronic, Excelsior Medical, and Horizon Securities (insider trading case) claim application and file class-action suit or conduct arbitration procedures for civil compensation on behalf of investors with authorization.</p>
99.12.01	<p>受理陸泰、四維航業、勤美、豐藝、東貿、宏遠證券股票投資人求償登記（自99年12月1日至12月31日）。</p> <p>Processed AV Tech, Shih Wei Navigation, China Metal Products, Promate Electronic, Excelsior Medical, and Horizon Securities investors’ claim application (from Dec. 1 to Dec. 31).</p>
99.12.14	<p>亞智操縱股價案經臺灣高等法院台中分院判決本中心勝訴。</p> <p>The Taiwan High Court, Taichung branch, made a ruling in favor of the Center in Manz Intech Machines stock price manipulation case.</p>



99.12.21	召開「99年度保護投資人權益系列—地下期貨問題知多少」座談會。 Held the series forum of “Protecting Rights of Investors” on “Underground Futures and Related Problems”
99.12.24	召開「團體訴訟案件和解原則」諮詢會議。 Held a meeting to discuss “The Principles on Handling Settlement for Class-action Lawsuit”
99.12.29	召開本中心第3屆第25次董事監察人會議： Held the 25th board directors and supervisors meeting of the third term 一、提報紐新公司財報不實案，經最高法院駁回本中心對董監事、財務協理及配合假交易廠商負責人等人所提之上訴。 1.To report the motion that the Supreme Court overruled the Center’ s appeal against defendant company’ s directors/supervisors, assistant vice president, and owners of the companies which made trading with the defendant of New Sun Metal Industry false financial statement case. 二、提報德宏公司內線交易案，經最高法院廢棄原判決發回臺灣高等法院臺中分院。 2.To report the motion that the Supreme Court revoked the ruling of the Taiwan High Court, Taichung branch, in Glotech Industrial insider trading case. 三、提報新普公司內線交易案，經臺灣臺北地方法院駁回本中心民事訴訟。 3.To report the motion that the Taipei District Court overruled the Center’ s civil lawsuit of Simplo Technology insider trading case. 四、提報宏福公司操縱股價民事共同訴訟求償案，經臺灣臺北地方法院判決原告部分勝訴。 4.To report the motion that the Taipei District Court partially ruled in favor of the Center’ s civil lawsuit (collateral to criminal proceedings) of Hung Fu Construction stock price manipulation case. 五、提報博達案中有關確認葉素菲對林華德8千萬元債權存在並代位請求之訴，經最高法院廢棄原判決並發回臺灣高等法院。 5.To report the motion that the Supreme Court revoked the ruling of the Taiwan High Court in Procomp case where the Center filed a derivative suit and request Sophia Yeh’ s creditor right of NT\$80 million against Walter Lin. 六、提報勝昱公司內線交易案，經最高法院判決部分發回高院更審，部分駁回本中心上訴。 6.To report the motion that the Supreme Court partially revoked the Taiwan High Court’ s ruling and partially overruled the Center’ s appeal of Sunvic Technology insider trading case. 七、提報名鐘公司內線交易案，經臺灣板橋地方法院駁回本中心對被告陳昌福、陳信銘之刑事附帶民事訴訟。 7.To report the motion that the Panchiao District Court overruled the Center’ s civil lawsuit (collateral to criminal proceedings) of Mingjong Technologies insider trading case. 八、提報遠航公司重整抗告案，經法院駁回再抗告。 8.To report the motion that the Center filed an appeal for retrial of Far Eastern Air Transport reorganization case where the Center’ s lawsuit was overruled by the court. 九、提報本中心99年下半年度保護基金收取、保管及運用自行檢查一覽表。 9.To report the checking list to be used to examine the Center’ s Investor Protection Fund’ s application and management for the second half of 2010. 十、決議通過本中心100年度保護基金保管運用計畫。 10.To approve the Center’ s 2011 annual working plan for the Investor Protection Fund. 十一、決議通過對協益電子公司董事掏空資產提起代表訴訟。 11.To announce the Center’ s decision to file a derivative suit against Sirtec International board members who allegedly embezzled company’ s assets.



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