



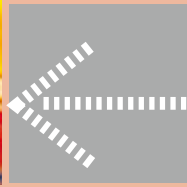
財國 證券投資人及期貨交易人保護中心
法人
Securities and Futures Investors Protection Center



中華民國97年年報



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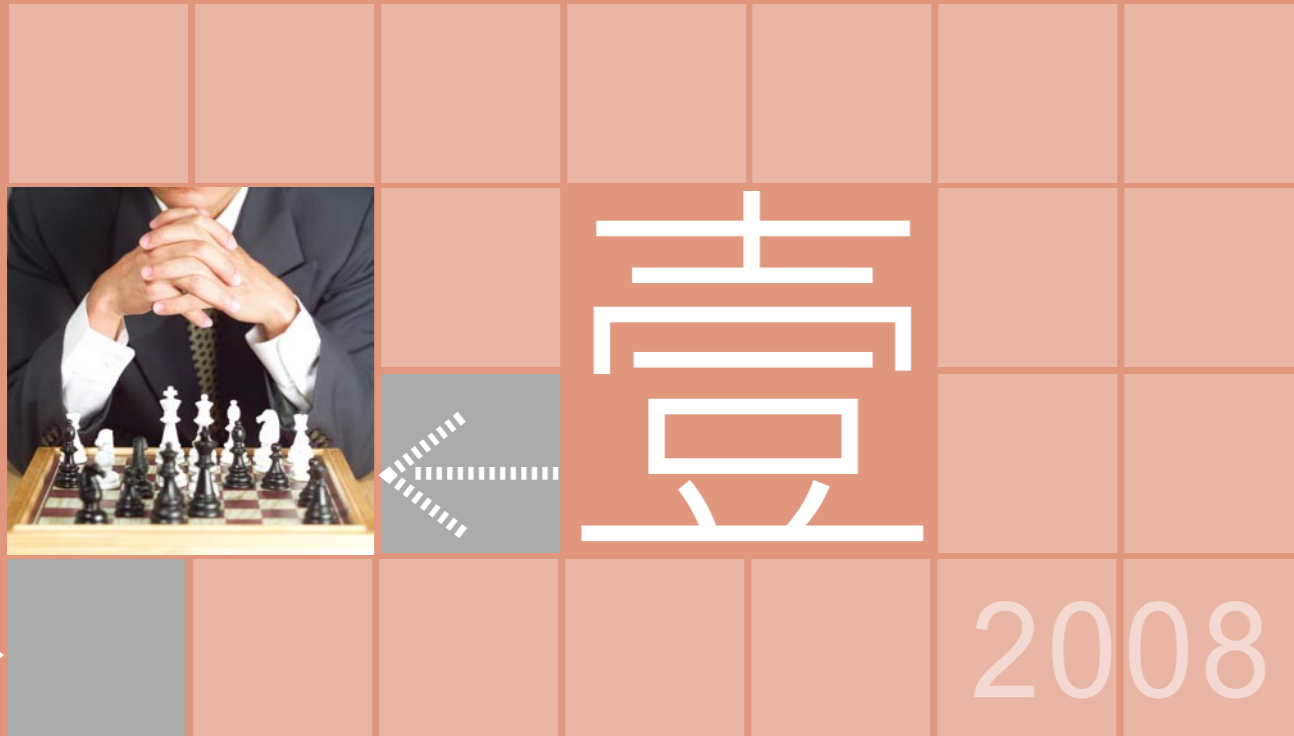
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壹、前言

A. Preface



邱欽庭／董事長
Chin-Ting Chiu／Chairman

自 從投資人保護中心於92年1月依法成立後，迄今已近6年的時間，為戮力實踐投資人保護法所賦與本中心保障投資人權益、促進市場健全發展之任務，本中心在主管機關督促指導下，無論是在團體訴訟的落實及股東權益的維護上皆有長足之進展，有效增進投資人對市場交易秩序的信心。

回顧過去一年，在團體訴訟方面，本中心公告受理團體訴訟的案件高達39件，其中有15件已繫屬法院。另在97年度就皇統及大穎等2件財報不實案獲勝訴確定判決，一審勝訴3件，二審勝訴1件；期間亦完成為雅新公司投資人委任申報重整債權，受理委任人數達17,971人，申報債權金額新台幣（下同）75.6億餘元。截至97年底，獲得勝訴判決確定之案件有11件，另一審判決勝訴案件有7件，二審判決勝訴案件亦有3件，而勝訴之類型包含財報不實、公開說明書不實、股價操縱及內線交易等不同

吳復興／總經理

Fu-Hsing Wu / President



Over the past six years since its establishment in January 2003, the Securities and Futures Investors Protection Center (“SFIPC” or the “Center”) has devoted its efforts to protecting investors’ rights and interests, as well as facilitating a sound market development in accordance with the Securities and Futures Investor Protection Act. Under the supervision and guidance of the competent authorities, the Center has made significant progress both in the fulfillment of class actions and in the protection of shareholders’ equity. It has effectively enhanced the investors’ confidence in market trading orders.

Looking back over the past year, in terms of class actions, the number of cases publicly announced and accepted by the Center topped 39, of which 15 cases are already pending in court. In addition, the Center won two absolute court rulings regarding the matter of false financial statements by Summit Computer Technology Co., Ltd. and Dahin Co.,

類型，應負賠償責任人亦包含公司及其負責人、董監事、會計師、承銷商及金融機構等；再者，為使投資人能夠獲得實質的補償，本中心亦替投資人與被告等達成12.33億餘元之補償和解金，並已於97年中將獲得補償的金額，按求償金額比例分配予投資人，對提振市場信心具有一定的幫助。

在執行股東行動主義方面，本中心以股東身分積極行使股東權，參加歌林、遠航、大毅、國巨、宏億、東森國際等23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薪酬等攸關股東重大權益事項提出質詢，事後並就相關議題追蹤。截至97年底，本中心對上市櫃公司股東會之召集程序或決議方法、內容有違反法令或章程者，提起股東會決議無效或撤銷股東會決議之訴，共計有7件；其中3件勝訴，1件在高院審理，另外3件與發行公司協商保障股東權益方案後撤回，提昇公司對股東權益之重視。

另在增進股東權益及健全市場發展方面，如有價證券之私募、解除董事競業禁止案、董監酬勞分配、上市櫃公司涉有財、業務重大爭議案件及以臨時動議修改公司章程事等予以加強監督，其中針對所有上市櫃公司辦理私募案件加以檢視，並彙整最近3年度公司實際私募定價成數低於股東會通過之私募價格成數者資料，報請主管機關酌參。此外，就上市櫃公司股東會通過解除董事競業議案多有流於形式而未符合法律規定，亦整理近3年度上市櫃公司之辦理情形，向主管機關提出改進建議，並由主管機關分別函請相關單位加強宣導，或就修改公司法部分請主管部會參酌。再者，針對上市櫃公司提出修改章程議案，以臨時提案方式增修董監事選舉方法，採全額連記法有害股東平等原則事，就97

Ltd. in 2008, and made three cases prevailed over the first instance, while one case prevailed over the second instance. During the period, as entrusted by the investors of Ya Hsin Industrial Co., Ltd., the Center had also completed the declaration of right of creditors in reorganization in which the number of entrusting investors reached 17,971 with a declared value reaching NT\$7.56 billion. As of the end of 2008, the courts handed down the absolute rulings on 11 cases in favor of the investors represented by the Center, while the Center also made another 7 cases prevailed over the first instance and 3 cases over the second instance. The scope of the winning cases covered the issuance of false financial statements, false prospectuses, manipulation of stock prices, and insider trading. The parties held liable for indemnification included the companies and their persons-in-charge, directors, supervisors, certified public accountants, underwriters, and financial institutions, etc., furthermore, the Center successfully helped the investors obtain more than NT\$1.233 billion of compensation from the settlement with the defendants, which was already distributed pro rata to the investors in 2008 according to their entitlement. Such a move is believed to be conducive to boosting market confidence.

In carrying out the spirit of shareholder activism, the Center had actively exercised shareholders’ rights in the shareholders meetings of the 23 exchange-listed and over-the-counter (OTC)-listed companies, including: Kolin Co., Ltd., Far Eastern Air Transport Corporation, Ta-I Technology Co., Ltd., Yageo Corporation, Lih Duo International Co., Ltd., and Eastern Media International Corporation. At the meetings, the Center brought forth issues concerning shareholders’ substantive equity, such as: private placement, merger and consolidation, asset disposal, reinvestments, block loan endorsement, as well as director and supervisor remuneration. After the meetings, the Center has



年度仍採全額連記法之公司名單，檢具建議方案陳報主管機關，經主管機關函請證交所及櫃買中心對該等公司加強宣導宜採累積投票制選任董監事外；目前經濟部並將公司法第198條有關選舉方法強制改為累積投票制之修正案送請立法機關審議。

有關投資人權益之保護，本中心之功能運作僅是市場最後一道防線，而且善後工作只能盡到警惕及部分彌補的作用；預防重於治療，相關市場機制之公平合理與落實執行更應該被重視。展望未來，本中心除持續改善申訴、調處及團體訴訟業務之執行效率，努力促成訴訟案件之和解補償，將宣導工作重點延伸至教導投資人風險意識，期使投資人能作出正確之投資判斷外，另擬與國外保護機構簽訂合作備忘錄，並就發行公司有重大影響股東權益之情事時，採取參與公司股東會質詢，並視其是否違法提起撤銷股東會決議訴訟、結合機構法人共同促進公司治理、建請相關主管機關修正有關法令及舉辦座談會宣導等多重方式，俾有效的維護投資人之權益，暨期能健全證券及期貨市場之發展。

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continued to follow up on the progress of these issues. As of the end of 2008, the Center had filed a total of 7 lawsuits against the exchange-listed or OTC-listed companies whose shareholder meeting's convening procedures or resolution methods and contents were found to be in violation of laws and regulations or their Articles of Incorporation. In these lawsuits, the Center requested invalidating or revoking the resolutions made at the shareholders meetings. In the end, the Center won three cases, one case is still pending in the High Court, and the other three cases were withdrawn after completing negotiations with the public companies over a shareholder protection scheme. Such actions were aimed at significantly enhancing the companies' awareness in regard to shareholders' interests and rights.

To further help promote shareholders' interests and rights and to encourage sound market development, the Center has intensified its monitoring on the private placement of securities, removal of the ban on directors' engagement in similar businesses, distribution of directors' and supervisors' remuneration, cases with the

involvement of exchange-listed and OTC-listed companies in material disputes in financial and business matters, revision of the company's Articles of Incorporation by extempore motion, and so forth. Meanwhile, the Center has conducted a thorough review of private placement cases from all exchange-listed and OTC-listed companies. In addition, the Center has compiled data from the companies whose actual private placement pricing ratios were lower than the ones passed at the shareholders meetings for the past three years, and reported the data to competent authorities for reference. Furthermore, given that the resolutions made by the shareholders meetings of many exchange-listed and OTC-listed companies for removal of the ban on directors' engagement in similar businesses have been just a formality and do not actually comply with the regulatory requirements, the Center has also collected data with regard to such matters for the past three years and submitted them, along with suggestions and recommendations, to the competent authorities which in turn requested relevant government agencies, through written notices, to enhance the awareness on the issue, the Center also proposed the competent authorities taking the data into account when amending relevant provisions in the Company Act. Moreover, in view of the exchange-listed and OTC-listed companies' violation of the principle of shareholders' equity by changing the director and supervisor election method to the block voting method via extempore motion at the shareholders' meetings, the Center submitted a list of the companies that still used the block voting method in 2008, along with suggestions and recommendations, to the competent authorities. The authorities requested the Taiwan Stock Exchange Corporation (TWSE) and the GreTai Securities Market (GTSM) accordingly, through written notices, to raise the aforementioned companies' awareness to adopt the accumulated voting method

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for electing their directors and supervisors. In addition, the Ministry of Economic Affairs (MOEA) has submitted a draft amendment to Article 198 of the Company Act, which is aimed at requiring companies in Taiwan to adopt the accumulated voting method for electing their directors and supervisors, to the legislature for review.

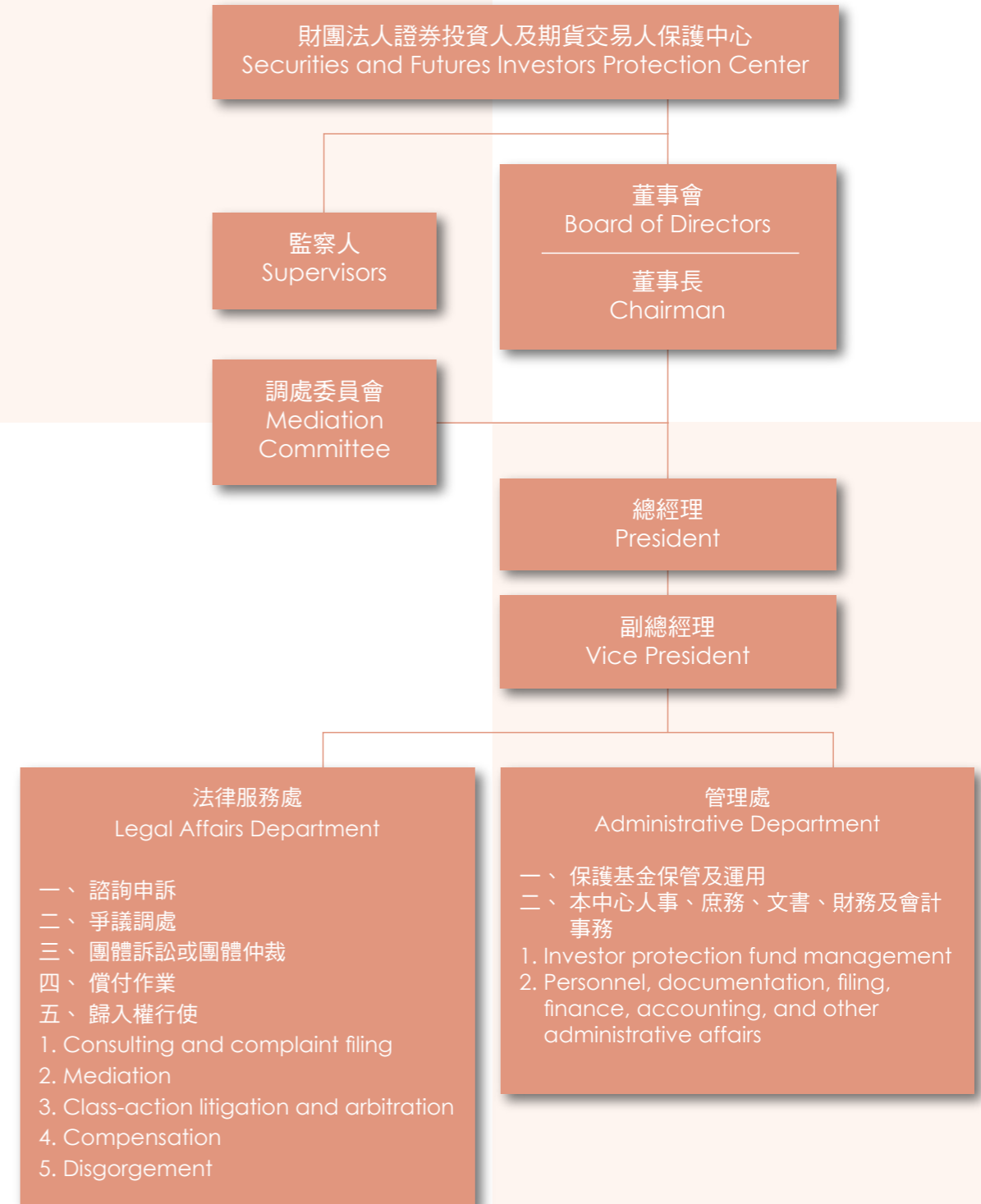
With regard to protecting investors' rights and interests, the Center could only serve as a final line of defense and make efforts after the disputes occur. A greater degree of importance should be focused on the prevention of the disputes, and more attention should be paid regarding the fairness and implementation of related market mechanisms. Looking to the future, the Center will continue to enhance the efficiency of complaint filing, mediation, and class-action services, as well as striving to seek fair settlements or compensation in class-action lawsuits. The center will also extend the focus of the promotional work on educating investors' risk awareness and help investors make the right investment decisions. In addition, the Center is planning to sign a Memorandum of Understanding with a foreign investor protection institution. To prevent public companies from severely infringing shareholders' equity, the Center will participate in shareholders' meeting to enquire company executives on major issues, and initiate lawsuits to invalidate illegal resolutions made at shareholders' meetings when necessary. The Center will also cooperate with institutional investors to improve corporate governance and propose competent authorities to amend related status as well as organizing seminars, in order to effectively safeguard investors' rights and interests. It is also hoped that these measures will lead to a healthy development of the securities and futures markets.

貳 · 組織結構

B. Organizational Structure

一、組織系統

1. Organizational Chart



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二、人事結構

本中心除董事長、總經理外，現有專職員工二十五人。其中男性十二人，女性十三人；配置法律服務處十八人，管理處七人；全體員工平均年齡三十五歲；員工教育程度具碩士學位者六人，大學學位者十八人。



2. Staff

In addition to the chairman and president, the Center has 25 employees (12 males and 13 females), 18 of whom work at the Legal Affairs Department and 7 at the Administrative Department. The average age of employees is 35, with 6 holding a master's degree, and 18 holding a bachelor's degree.



叁 · 董事、監察人名錄

C. 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, Securities and Futures Investors Protection Center
Chin-Ting Chiu
Chairman, Securities and Futures Investors Protection Center



董事
丁克華
財團法人中華民國證券暨期貨市場發展基金會董事長
Director
Kung-Wha Ding
Chairman, Securities & Futures Institute



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
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
葉銀華
輔仁大學國際貿易與金融學系教授
Director
Yin-Hua Yeh
Professor of International Trade & Finance, Fu Jen Catholic University



董事
劉連煜
政治大學法律學系教授
Director
Len-Yu Liu
Professor of Law, National Chengchi University



董事
謝易宏
東吳大學法律學系教授
Director
Yi-Hong Hsieh
Professor of Law, Soochow University



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
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



董事兼總經理
吳復興
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
Fu-Hsing Wu
President, Securities and Futures Investors Protection Center



董事
許仁壽
臺灣證券交易所股份有限公司總經理
Director
Samuel J.S. Hsu
President, Taiwan Stock Exchange



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

肆·調處委員名錄

D. Members of the Mediation Committee

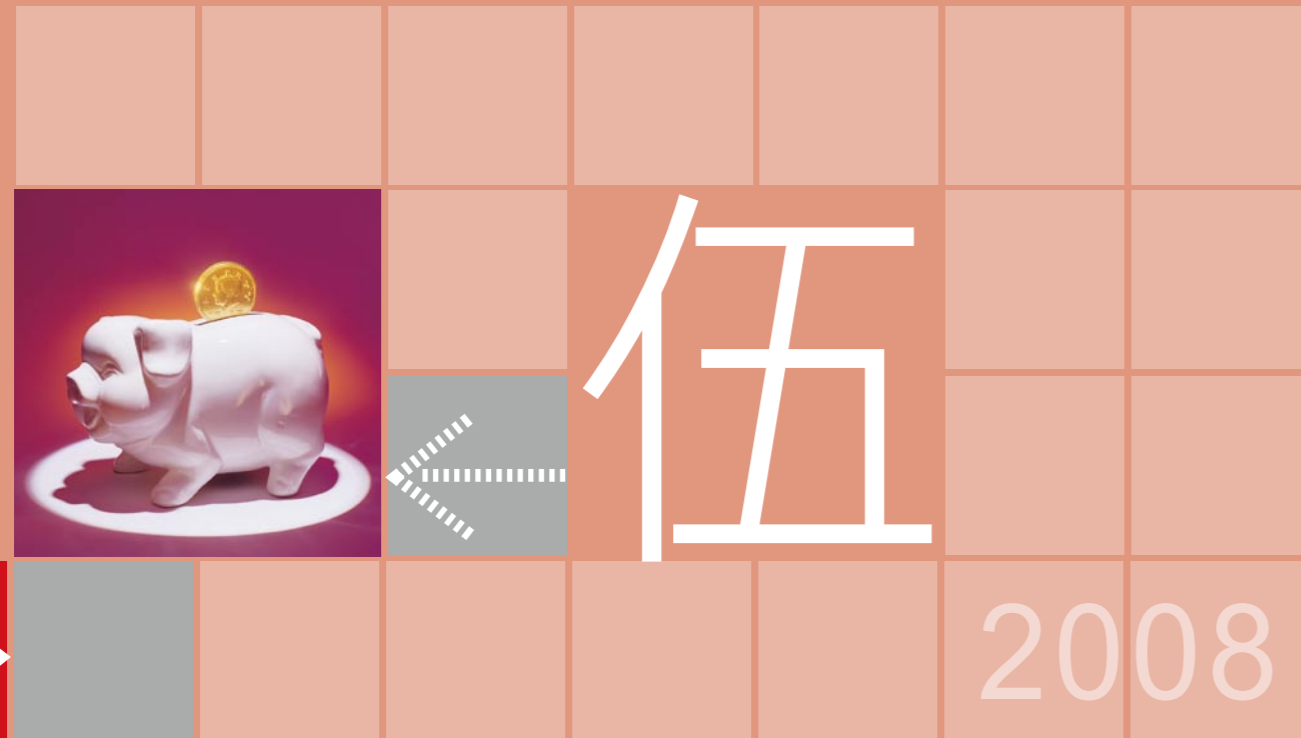


稱謂	姓名	現職
主任委員	邱欽庭	財團法人證券投資人及期貨交易人保護中心董事長
委員	王文宇	臺灣大學法律學系教授
委員	李家慶	中華民國律師公會全國聯合會秘書長
委員	林英哲	中華民國證券商業同業公會秘書長
委員	邱顯比	臺灣大學財務金融學系教授
委員	馬秀如	政治大學會計學系教授
委員	莊太平	臺灣綜合股務資料處理股份有限公司總經理
委員	張世興	安達法律事務所律師
委員	陳伯松	財團法人中華民國會計研究發展基金會秘書長
委員	曾宛如	臺灣大學法律學系教授
委員	黃古彬	寶來證券公司總經理
委員	薛富井	臺北大學會計學系教授
委員	謝國松	中華民國會計師公會全國聯合會秘書長
委員	謝夢龍	中華民國期貨業商業同業公會秘書長
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	Chia-Ching Li	Secretary General, Taiwan Bar Association
Member	Tony Lin	Secretary General, Taiwan Securities Association
Member	Shean-Bii Chiu	Professor of Finance, National Taiwan University
Member	Shiaw-Ru Ma	Professor of Accounting, National Chengchi University
Member	Tai-Ping Chuang	President, Taiwan Integrated Shareholder Service Company
Member	Lawrence Chang	Attorney at Law, Anda Law Offices
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	Fu-Jiing Shiue	Professor of Accounting, National Taipei University
Member	Kuo-Sung Hsieh	Secretary General, National Federation of Certified Public Accountants Association of the R.O.C.
Member	Simon Hsieh	Secretary General, Chinese National Futures Association
Member	Pi-Yen Hsiao	Secretary General, Securities Investment Trust & Consulting Association of the R.O.C.

※ 按姓氏筆劃排序 In the order of the strokes of their Chinese surname

伍·業務報告 E. Business Report



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。自九十二年一月至九十七年十二月止，本中心共收受撥保護基金金額約計三十三億三千餘萬元。

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

1. Investor Protection Fund

The Center raised NT\$1.031 billion for its founding fund, from donations by relevant organizations in the securities and futures markets. These included: the Taiwan Stock Exchange Corporation (TWSE), the Taiwan Futures Exchange Corporation (TAIFEX), the GreTai Securities Market (GTSM), the Taiwan Depository & Clearing Corporation (TDCC), the Taiwan Securities Association, the Securities Investment Trust and Consulting Association of the R.O.C., the Taipei Futures Association, Fuh Hwa Securities Finance Corporation, Global Securities Finance Corporation, Fubon Securities Finance Corporation, and EnTie Securities Finance Corporation.

In order to effectively serve and protect securities investors and futures traders, help establish a sound market and expand the market size, securities and futures firms and organizations are required to contribute a portion of their assets to the investor protection fund in accordance with Article 7, paragraph 2 of the Securities Investor and Futures Trader Protection Act. Article 18 of the Act also requires contributions of: 0.000285% (2.85 millionths) of the total volume of consigned securities transactions in the previous month from securities firms, by the tenth of each month; NT\$1.06, NT\$0.66, NT\$0.44, or NT\$0.22, respectively, for each consigned futures transaction made in the previous month from futures commission merchants; and 5% of the total transaction fees received in the previous month by the TWSE, the Taiwan Futures Exchange, and the GTSM, respectively. Total contributions to the protection fund, from January 2003 to December 2008, amounted to more than NT\$3.33 billion.

櫃公司股票及其他有利基金保值之投資，經訂定「本中心基金及保管運用作業要點」執行有關保護基金之保管運用，至九十七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四十三億九千餘萬元，保管於銀行存款及政府債券約佔百分之七十七，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二十三。

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一萬六千六百餘通，書面申訴案共一千二百零六件。電話諮詢主要係諮詢法令制度等相關規定，亦



Article 19 of the Act provides that the protection fund shall be under custody by means of government bond purchases or deposits in financial institutions. However, if approved by competent authorities, amounts totaling no more than 30% of the fund's net value may be utilized for the purchase of self-used real estate (not exceeding 10% of the total contributed assets), or invested in exchange-listed and over-the-counter (OTC)-listed stocks and other investments beneficial to the fund's capital maintenance, with each original investment being no more than 1,000 shares. The Center prescribed Guidelines for the Investor Protection Fund Management for the due management of the protection fund. As of December 2008, the total value of the funds, which includes the founding fund, contributions by the securities firms and organizations, other donations and accrued interests, amounted to over NT\$4.39 billion. Around 77 percent of the funds has been deposited in banks or used to purchase government bonds, while the remaining 23 percent has been invested in self-used real estate, financial bonds, as well as exchange-listed and OTC-listed stocks.

2. Consultation and Complaint Filing

When an investor has any concern with respect to the securities and futures regulations, or has a civil dispute regarding : public offerings, issuance, trading, futures transactions, or other securities-related matters with an issuer, a securities firm, a securities service provider, a futures commission merchant, the TWSE, the GTSM, a clearing house, or another interested party, the investor may call the investor hotline, visit the Center in person for consultation, or file a complaint either by phone or in writing (via fax or e-mail).

As of the end of December 2008, the Center has received more than 16,600 telephone inquiries and



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，主要係發行公司撤銷合併、財務資訊不實造成股價下跌、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

1,206 written complaints. In their phone calls, investors inquired mostly about the relevant laws and regulations. Some investors also complained about illegal activities of issuers, and some reported transaction disputes with securities firms, futures commission merchants, investment consulting firms, or securities finance companies, while others asked questions about how they could request compensation through class-action lawsuits. The written complaints focused mostly on: merger cancellations by issuers, false financial statements that caused a fall in companies' stock prices, companies' inability to honor their corporate bonds, disputes from online transactions, stock transactions made without the clients' permission, disputes arising from the trading of non-exchange-listed or non-OTC-listed stocks, margin calls, margin calls on futures contracts, requests for refunds from investment consulting firms, and allegedly misleading analysis made by investment consulting firms.

When handling investors' complaints regarding transactions of securities and futures, the Center has been committed to assisting investors in resolving disputes. The Center explains the issue to complainants by telephone as well as requesting an explanation from the defendant in writing. Also, if the dispute is too complex or if a large amount of indemnification is demanded, the Center will suggest investors to apply for mediation. Furthermore, when investors report any case involved in illegal activities, the Center may transfer such cases to competent or other related authorities based on the nature of the cases.

3. Mediation

When securities investors or futures traders fail to make claims for their rights because of the highly complicated lawsuit procedures involved



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。

本中心本年度迄十二月底止共受理十七件調處案，其中調處成立一件，不成立四件，召開調處會議前即達成和解二件，相對人拒絕調處九件，不予受理調處一件。

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。

in filing a civil lawsuit in disputes arising from public offering, issuance, and trading of securities or futures, it is the best way to seek mediation through the Center in order to settle the case and avoid litigation procedures. Article 22 of the Act provides that securities investors or futures traders may apply to the Center for mediating civil disputes.

As of the end of December 2008, the Center had received 17 mediation requests, one of which was established, four were not established, and two had been reached settlements before the mediation meeting was held, nine were refused for mediation by the interested parties, and one was declined by the Center.

To maximize the Center's mediation function, the Securities and Futures Bureau of the Financial Supervisory Commission of the Executive Yuan, reached a resolution with the Center and other related securities agencies that all complaints or cases received by the various agencies can be referred to the Center regardless of the severity of the violations. The resolution was also aimed at fully protecting investors' rights and ensuring that all investors will receive material compensation. Where cases involve specific parties and civil compensation, such cases may be referred to the Center for mediation, which should be beneficial in assisting investors to resolve civil disputes.

4. Class-Action Lawsuit

In light of the fact that most of the stock investors in Taiwan are individuals, who usually hesitate to take any legal action when their rights are infringed, either because of the lack of sufficient information or because they regard the filing of a lawsuit as an action which consumes both time and money. Pursuant to Article 28 of the

四、團體訴訟

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

本中心成立以來，已就紐新、楊鐵南港、訊碟—89年內線、大穎—財報、大穎—內線、榮美、博達—公開說明書、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、華映、全坤興業、寶成建設、勁永—操縱、力霸、嘉食化、中華商銀、洪氏英、南港、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、福葆、鼎大、零壹、力特光電、東森國際、九德、律勝、兆豐金、綠點、亞智等四十七件不法案件提起訴訟，計有六萬三百餘名投資人授與訴訟實施權進行民事求償，金額共約



Act, if the Center is authorized to initiate a lawsuit or arbitration when 20 or more of such securities or futures traders have damage from the same securities or futures events, the Center may file a class-action lawsuit or an arbitration claim.

Since its establishment in January 2003, the Center has filed lawsuits for 47 cases against the following companies: New Sun Metal Industrial, Yang Iron Works, Nan Kang Rubber Tire, Infodisc (insider trading in 2000), Dahin (false financial statements), Dahin (insider trading), Aceland-Dynasty, Procomp Informatics (misleading prospectus), Procomp Informatics (false financial statements), Chou Chin Industrial, Pacific Electric Wire & Cable, Infodisc (false financial statements and insider trading), Summit Computer Technology, Well Communication, National Aerospace Fasteners, Power Quotient International (insider trading), King's International Multimedia, Hold Key, Xepex Electronics, Mosel Vitelec, Sainfoin Technology, Chunghwa Picture Tubes, Chainqui Development, Bao-Chen Construction, Power Quotient International (securities price manipulation), Rebar, Chia Hsin Synthetic Fiber, The Chinese Bank, Horng Technical Enterprise, Nan Kang Rubber Tire, Dinttap International, Rebar Group (insider trading), Eastern Multimedia, Global Sun Technology (false financial statements), Jet Power Technology, Gold Rain Enterprises, Global Sun Technology (insider trading), Glotech Industrial, FuPo Electronics, Protop Technology, Zero One Technology, Optimax Technology, Eastern Media International, Yeti Electronics, Microcosm Technology, Mega Financial Holdings, Taiwan Green Point Enterprises, and Manz Intech Machines. The Center was authorized by more than 60,300 investors to initiate the aforesaid lawsuits for civil compensation totaling more than NT\$23.821 billion. As of the end of 2008, a total of 57 cases, including indemnification cases

新台幣（以下同）二百三十八億二千一百餘萬元，截至本年度止，連同接續辦理原證基會受理投資人求償案件共計五十七件繫屬於各級法院。此外，九十七年度受理投資人求償登記尚未繫屬法院之案件，有雅新、新竹商銀、英華達、泰偉電子、海德威、鈺創、安碁、偉訓等案，人數共計七千一百餘人，金額合計約四十六億八千餘萬元。

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）等十一案業已勝訴判決確定；正義（財報不實）、東榮纖維（內線交易）、順大裕（內線交易）、紐新（財報不實）、中櫃（操縱股價）、博達（財報不實）、中華商銀（財報不實）等七案業經地院一審判決全部或部分勝訴；大中鋼（財報不實）、立大（財報不實）、訊碟（財報不實）等三案業經高院二審判決全部

transferred from the Securities & Futures Institute, were still pending in the courts. Also, in 2008, the indemnification cases which investors had registered with the Center but haven't been started the court proceedings including those against: Ya Hsin Industrial, Hsinchu Commercial Bank (already acquired by Standard Chartered Bank), Inventec Appliances, Astro, Higher Way Electronic, Etron Technology, Aker Technology, and Compucase Enterprise. These cases involved more than 7,100 investors for a combined value of over NT\$4.68 billion.

As of the end of 2008, the Center received finalized rulings in its favor for 11 cases among the aforementioned class-action lawsuits, including: Tong Lung Metal Industry (false financial statements and false prospectus), Tai Yu Products (false financial statements and false prospectus), Infodisc (insider trading in 2000), Dahin (insider trading), Dahin (false financial statements), Aceland-Dynasty (securities price manipulation), Taiwan Fertilizer (securities price manipulation), Kent World (insider trading), Master Home Furniture (false financial statements), Chinese Automobile (securities price manipulation), and Summit Computer Technology (false financial statements). Also, the Center fully or partially prevailed over the first instance in the district courts in seven cases: Cheng I Food (false financial statements), Tung Zong Textile (insider trading), Tai Yu Products (insider trading), New Sun Metal Industrial (false financial statements), China Container Terminal (securities price manipulation), Procomp Informatics (false financial statements), and The Chinese Bank (false financial statements); and fully or partially prevailed over the second instance in the high courts in three cases: Tah Chung Steel (false financial statements), Lee Tah Farm Industries (false financial statements), and Infodisc (false financial statements). In



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十二億三千三百餘萬元之和解金，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、九十七年度為一億五千八百餘萬元，投資人之損害可望獲得部分之實質補償。

五、歸入權行使

依證券交易法第一百五十七條及其施行細則第十一條規定，上市（櫃）公司之董事、監察人、經理人及持股超過百分之十之大股東，對公司之股票及具有股權性質之其他有價證券，於取得後六個月內再行賣出，或於賣出後六個月內再行買進，因而獲得利益者，公司應請求將其利益歸於公司。本中心成立後業依主管機關函釋，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。

these cases, the issuers, perpetrators and some of the civil defendants shall jointly provide indemnification for damages to investors. Also, in the class-action lawsuits, the Center has reached settlements with a number of criminal defendants, directors, supervisors, accountants, and underwriters. As of the end of 2008, the Center has collected settlements amounting to more than NT\$1.233 billion on behalf of the investors, over NT\$22 million of which was collected in 2004, over NT\$302 million in 2005, over NT\$554 million in 2006, over NT\$197 million in 2007, and more than NT\$158 million in 2008. Investors could thus be expected to receive material compensation for some of their damages.

5. Disgorgement

According to Article 157 of the Securities Exchange Act and Article 11 of the Securities Exchange Act Enforcement Rules, in the event that any director, supervisor, managerial officer, or shareholder holding more than 10 percent of a company's shares, sells those listed securities of his or her own company within six months after its acquisition, or repurchases those securities within six months after its sale, the company shall claim for the disgorgement of any profit realized from such sale and purchase. The Center is required, by written order of its regulatory authority, to take the Securities & Futures Institute's work to conduct matters related to force disgorgement of profits obtained by insiders of exchange-listed or OTC-listed companies from short-swing trading. The Center will act as a shareholder and request the companies to exercise the right to disgorge the profits.

To urge exchange-listed and OTC-listed companies to enforce disgorgement, the Center will send written requests to these companies based on





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，本年度共處理九十六年下半年度上市（櫃）公司及九十七年上半年度上市（櫃）公司之案件計一百九十二件，催促行使中。總計辦理八十三年度至九十七年度歸入權案件計五千一百八十六件，截至本年度結案計四千九百三十五件，催促行使二百一十二件，申復六件，進入訴訟程序而仍未歸入者三十三件。

六、基金償付

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

惟因保護基金總額有限，主管機關為避免單一之鉅額償付事件即嚴重影響保護基金及本中心之

the reports of short-swing trading provided by the TWSE and the GTSM for every six months, and ask the said companies to comply with related laws and regulations. Since its foundation, this year the Center has handled 192 cases in connection with exchange-listed and OTC-listed companies during the second half of 2007 and the first half of 2008. In total, the Center had handled 5,186 disgorgement cases from 1994 to 2008, 4,935 cases of which have been closed, 212 are still being processed, six were appealed and re-examined, and 33 are still pending in court with no disgorgement having yet been carried out as of the end of 2008.

6. Compensation

In accordance with the Securities Investor and Futures Trader Protection Act, the Center has set up a protection fund to better protect those investors who make small investments in securities. When the securities or futures firms consigned by investors become insolvent due to financial difficulties, leaving investors unable to acquire their entitled securities, proceeds, deposits, or royalties, the Center may use the fund to compensate these investors first, in order to minimize their losses.

However, given the limited amount of the protection fund and the possibility that even a significant payment of a single compensation could seriously hamper the operation of both the fund and the Center, the Center was instructed by the competent authorities not to cover the investors' full loss, but rather places a limit on the compensation amounts. This limit is made based on the consideration that the fund has been contributed by individual securities firms and futures commission merchants. It is also designed to protect the rights of investors who make small investments in securities. The

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。

七、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「投資人權益之保護」、「團體訴訟勝訴判決案例介紹—董事、監察人責任」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「上市櫃公司召開股東會問題面面觀」、



maximum compensation for a single payment is capped at NT\$1 million for a single investor. For all securities investors or futures commission merchants from the same securities or futures firm, the maximum amount for a single payment is limited to 1,000 times of the average amount of the contributions made to the Center by the firm during the past one or three years, whichever is higher, and the combined amounts shall not exceed NT\$1 billion. Any amount less than NT\$100 million will be calculated as NT\$100 million. The Center did not receive any compensation requests during the 2008 business year.

7. Investor Education

In 2008, other than specifically providing investors with free handbooks regarding “Protection of Investors’ Rights and Interests” and “Case Study on the Winning Cases of Class-action Lawsuits – Directors’ and Supervisors’ Responsibilities”, the Center has also co-organized two seminars with the print media to promote the protection of investors’ rights and interests. The seminars were titled “Issues Arising from Shareholders’ Meetings held by Exchange-listed and OTC-listed Companies” and the “Study of Private Placement and its Related Issues.” The Center also wrote articles in newspaper and magazine columns to discuss various issues related to the investors’ rights and interests, in order to highlight the importance of proper investments, and to urge investors to pay greater attention to the importance of their legal rights. Such efforts are aimed at promoting the sound development of Taiwan’s securities and futures markets.

In early December of 2008, the Center held an international forum focusing on investor protection, and invited the grand justice and attorneys from Delaware, USA, the secretary general of the Asian

「私募案件相關問題研討」座談會；另亦在報章媒體撰寫投資人保護中心專欄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。

另於本年度十二月初舉辦投資人保護國際論壇，邀請德拉瓦州大法官及律師團隊、亞洲公司治理協會秘書長、國內重量級的學者專家與談，以宣導台灣投資人保護制度及未來修法前瞻，增加國際投資人信賴。

八、股東行動主義

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，在本年度中就攸關股東權益之事項採取較積極性的作法，除參加歌林、遠航、大毅、國巨、宏億、東森國際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

2008

Corporate Governance Association, as well as some eminent scholars and experts in Taiwan to discuss and promote the investor protection system in Taiwan and shed light on future law improvements, in an attempt to boost international investors' confidence in investing in Taiwan.

8. Shareholder Activism

In order to realize the ideal of shareholder activism, the Center has actively participated in 23 exchange-listed and OTC-listed companies shareholders' meetings, including: Kolin, Far Eastern Air Transport, Ta-I Technology, Yageo, Lih Duo International, and Eastern Media International. At these meetings, the Center enquired company executives on major issues concerning the shareholders' interests and rights in areas such as private placement, merger, asset disposal, investment cases, block loan endorsement and director and supervisor remuneration. After the meetings, the Center has continued to follow up on the progress of these issues. The goal of these actions is to help improve corporate governance, while maintaining the shareholders' rights and interests.

The Center has also filed lawsuits against exchange-listed or OTC-listed companies whose convening procedures or resolution methods, and contents of their shareholders' meetings were found to be in violation of laws and regulations or company's Articles of Incorporation. In these lawsuits, the Center requested invalidating or revoking the resolutions made in these shareholders' meetings. As of the end of 2008, the Center had filed a total of seven lawsuits, three of which were ruled in favor of the investors and one case was still pending in the High Court. The remaining three cases were withdrawn after the Center reached agreements with the public



2008

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。

針對股東會召集程序或決議方法、內容有違反法令或章程者，提起股東會決議無效或撤銷股東會決議之訴，截至九十七年底為止，共計七件；其中三件勝訴，一件仍在高院審理中，另外三件與發行公司協商保障股東權益方案後撤回，對於股東會上普遍不重視股東權益的現象有導正作用。

九、增進股東權益及健全市場發展

為健全市場發展及增進股東權益，本中心針對上市櫃公司辦理私募案件，股東會通過私募參考

companies on the resolution of shareholder protection. These actions have prompted public companies to pay greater attention to the importance of their shareholders' rights and interests.

9. Reinforcement of shareholders' rights and interests and the advancement of a sound market development

To advance the market development and enhance shareholders' rights and interests, the Center has taken a number of measures against exchange-listed and OTC-listed companies that have passed resolutions at shareholders' meetings to offer a relatively low reference price ratio for private placement. For instance, the Center provided NT\$100 million to the court as a deposit and successfully requested an injunction against Allied Material Technology in defense of its shareholders' rights and interests. The Center has also collected information about the exchange-listed and OTC-listed companies in Taiwan that have conducted private placements in the past three years, and found that there were 30 companies which had decided to lower their private placement price ratios at their shareholders' meetings, and 20 which had actual price ratios lower than the ones determined by their shareholders' meetings. All 50 of these companies have been reported to competent authorities for further review. Meanwhile, in view of an increasing number of exchange-listed and OTC-listed companies that have held their shareholders' meetings on the same date, which has severely affected the shareholders' rights to attend the meetings in person, the Center has compiled a list showing the dates most frequently chosen by these companies for their annual meetings over the past three years. The Center also discovered that, during the last three years, up to 152 companies in





價成數偏低等情事，除就展茂公司私募價格過低事，向法院提供一億元擔保金聲請假處分，成功防制損害股東權益行為外，並彙整最近三年度上市櫃公司辦理私募案實務運作現況，其中在股東會通過之私募價格成數偏低者有三十家，私募實際定價成數低於股東會通過之私募價格成數者有二十家，已報請主管機關酌參。另鑒於近年來選擇同一天召開股東會的上市櫃公司家數激增，影響股東親自出席權利，本中心針對上市櫃公司最近三年度每年皆選擇股東會開會集中度最高日期予以彙整，其中有一百五十二家每年皆集中於特定日期召開，俾供投資大眾知悉，作為出席股東會之參考。

此外，就上市櫃公司股東會通過解除董事競業議案多有流於形式而未符合法律規定之情形提出分析建議，本中心向主管機關陳明後，已由主管機關函請證交所及櫃買中心加強宣導，並就涉及修改公司法部分，函請主管部會參酌辦理。再者，針對上市櫃公司提出修改章程議案，以臨時提案方式增修董監事選舉方法，採取全額連記法有害股東平等

Taiwan had chosen certain dates every year. Such information has now been made publicly available to investors.

Given that the decisions calling for a removal of the ban on their directors' engagement in similar businesses that are made by many of the exchange-listed and OTC-listed companies shareholders' meetings have been just a formality and do not actually comply with regulatory requirements, the Center has provided its analysis and suggestions on the issue to competent authorities who have already requested the TWSE and the GTSM, through written notices, to raise their awareness of such practices. In addition, the Center also proposed the competent authorities to take into account of the issues that require amending provisions in the Company Act. Moreover, in view of the exchange-listed and OTC-listed companies' violations of the principle of shareholders' equity by changing the directors' and supervisors' election method to the block voting method via extempore motion at shareholders' meetings, the Center has appealed to the competent authorities to amend relevant laws and regulations, and submitted a list of those companies that used the block voting method in 2008. Subsequently, the authorities have requested the TWSE and the GTSM by way of written notices to raise the aforementioned companies' awareness to adopt the accumulated voting method to elect their directors and supervisors. The Ministry of Economic Affairs (MOEA) has submitted to the legislature for review, a draft amendment to Article 198 of the Company Act, which is aimed at requiring companies in Taiwan to adopt the accumulated voting method for electing their directors and supervisors.

Regarding the high remunerations given to directors and supervisors of exchange-listed and OTC-listed companies in Taiwan, the Center

原則，為增進股東權益，本中心除建請主管機關修正相關法規外，並就九十七年度採全額連記法之公司陳報主管機關，主管機關已函請證交所及櫃買中心對該等公司加強宣導宜採用累積投票制選任董監事；目前經濟部已將公司法第一百九十八條有關選舉方法強制改為累積投票制之修正案送立法院審議。

另針對上市櫃公司董監酬勞分配過高等情事，經篩選後函請三十九家公司說明，有部分公司回應表示會於明年股東會中考慮酌減，本中心將持續注意追蹤後續情形。又就雅新公司涉嫌財報不實案，本中心代理投資人約一萬七千九百七十一人申報七十五億餘元重整債權乙事，經地方法院裁定准予列入重整債權。

十、其他

主管機關依行政處分命本中心自本年度十月二十日起成立窗口，受理金額新台幣一百萬元（含）以下與雷曼兄弟相關結構型金融商品糾紛之投資人，申請向銀行公會之金融消費爭議案件評議委員會進行評議案件。其中本中心積極協助提出處理流程方案，申請書件函稿、建議評量表方式進行審閱等相關處理意見供主管機關參考，另亦洽商租借場地成立連動債處理中心專責辦理事項事宜，截至本年度十二月底已收受三千六百二十三件申訴案（含相關單位轉件），並有五百件案件已移請評議委員會辦理。

targeted 39 companies and requested them, by way of written notices, to provide explanations. Some of the companies responded that they would consider placing the issue of remuneration cuts on their agendas for shareholders' meetings next year. The Center will continue to follow up on this issue. In the case of Ya Hsin Industrial, which allegedly made false financial statements, the Center successfully represented 17,971 investors to obtain a court approval for company reorganization including more than NT\$7.5 billion of the declaration for right of creditors in reorganization.

10. Others

In accordance with an administrative disposition from the competent authorities, the Center established a special unit on October 20, 2008 to help investors file their complaints against banks for investors' losses, at a value of no more than NT\$1 million, in the structured financial products related to Lehman Brothers. The unit helped file complaints with the Bankers Association's committee tasked with handling disputes in financial services. During the process, the Center has proactively managed to put forth a scheme aimed at facilitating the handling process, drafted a standard application form and proposed an assessment scale for the competent authorities' reference. In addition, the Center helped rent a facility where a special unit was established to cope exclusively, with matters related to structured financial products issues. As of the end of December 2008, the center had received a total of 3,623 complaint applications (including cases transferred from other agencies), 500 of which have already been referred to the committee for further actions.

陸·財務報告

F. Financial Statements



陸

2008

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九十七年十二月三十一日及民國九十六年十二月三十一日之資產負債表，暨民國九十七年一月一日至十二月三十一日及民國九十六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。

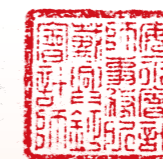
本會計師係依照會計師查核簽證財務報表規則暨一般公認審計準則規劃並執行查核工作，以合理確信財務報表有無重大不實表達。此項查核工作包括以抽查方式獲取財務報表所列金額及所揭露事項之查核證據、評估管理階層編製財務報表所採用之會計原則及所作之重大會計估計，暨評估財務報表整體之表達。本會計師相信此項查核工作可對所表示之意見提供合理之依據。

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九十七年十二月三十一日及民國九十六年十二月三十一日之財務狀況，暨民國九十七年一月一日至十二月三十一日及民國九十六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

安永會計師事務所

會計師：



中華民國九十八年二月十六日

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, 2008 and 2007, and the related statements of income and disbursements, changes in institute fund, and cash flows for the years ended December 31, 2008 and 2007. 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 "Guidelines for Certificated Public Accountants' Examination and Reporting on Financial Statements" 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, 2008 and 2007, and the results of its operations, changes in the institute fund and its cash flows for the years ended December 31, 2008 and 2007 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 16, 2009
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

民國九十七年十二月三十一日及民國九十六年十二月三十一日

單位：新台幣元

資 產	九十七年十二月三十一日		九十六年十二月三十一日	
	金 額	%	金 額	%
流動資產				
現金及約當現金	\$1,091,504,245	22.53	\$734,565,552	15.98
應收帳款	41,411,592	0.85	46,341,375	1.01
其他流動資產	67,775,018	1.40	45,274,413	0.98
流動資產合計	1,200,690,855	24.78	826,181,340	17.97
基金及投資				
備供出售金融資產-非流動	28,716,814	0.59	59,912,049	1.30
持有至到期日之金融資產-非流動	3,014,008,001	62.21	2,631,845,199	57.25
基金及投資合計	3,042,724,815	62.80	2,691,757,248	58.55
固定資產				
土地	71,070,000	1.47	71,070,000	1.55
房屋及裝修設備	35,527,377	0.73	35,527,377	0.77
辦公設備	7,890,961	0.16	6,960,961	0.15
成本小計	114,488,338	2.36	113,558,338	2.47
減：累計折舊	(10,261,521)	(0.21)	(8,097,583)	(0.18)
預付設備款	27,000	-	27,000	-
固定資產淨額	104,253,817	2.15	105,487,755	2.29
其他資產				
受限制資產	442,080,301	9.12	792,599,021	17.24
存出保證金	55,602,156	1.15	181,710,767	3.95
其他資產合計	497,682,457	10.27	974,309,788	21.19
資產總計	\$4,845,351,944	100.00	\$4,597,736,131	100.00

負債、基金及累積餘絀	九十七年十二月三十一日		九十六年十二月三十一日	
	金 額	%	金 額	%
流動負債				
應付費用	\$12,573,717	0.26	\$14,580,072	0.32
其他流動負債	597,529	0.01	276,116	0.01
流動負債合計	13,171,246	0.27	14,856,188	0.33
其他負債				
代收款	438,242,090	9.05	788,844,289	17.16
存入保證金	3,848,211	0.08	3,764,732	0.08
其他負債合計	442,090,301	9.13	792,609,021	17.24
負債總計	455,261,547	9.40	807,465,209	17.57
基金及累積餘絀				
創立基金	1,031,000,000	21.28	1,031,000,000	22.42
增撥基金	2,734,934,645	56.44	2,055,658,882	44.71
待轉撥基金	632,061,816	13.04	679,275,763	14.77
備供出售金融商品未實現損益	(7,906,064)	(0.16)	24,336,277	0.53
基金及累積餘絀總計	4,390,090,397	90.60	3,790,270,922	82.43
負債、基金及累積餘絀總計	\$4,845,351,944	100.00	\$4,597,736,131	100.00

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

BALANCE SHEETSDecember 31, 2008 and 2007
(Expressed in New Taiwan Dollars)

ASSETS	December 31,	
	2008	2007
CURRENT ASSETS		
Cash and cash equivalents	\$1,091,504,245	\$734,565,552
Accounts receivable	41,411,592	46,341,375
Other current assets	67,775,018	45,274,413
Total Current Assets	1,200,690,855	826,181,340
INVESTMENTS AND FUNDS		
Available-for-sale financial assets-non current	28,716,814	59,912,049
Held-to-maturity financial assets-non current	3,014,008,001	2,631,845,199
Total investments and funds	3,042,724,815	2,691,757,248
PROPERTY AND EQUIPMENT		
Land	71,070,000	71,070,000
Buildings	35,527,377	35,527,377
Office equipment	7,890,961	6,960,961
Total Cost	114,488,338	113,558,338
Less : accumulated depreciation	(10,261,521)	(8,097,583)
Advanced payment for equipment	27,000	27,000
Net Property and Equipment	104,253,817	105,487,755
OTHER ASSETS		
Restricted assets	442,080,301	792,599,021
Refundable deposits	55,602,156	181,710,767
Total Other Assets	497,682,457	974,309,788
TOTAL ASSETS	\$4,845,351,944	\$4,597,736,131

LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	December 31,	
	2008	2007
CURRENT LIABILITIES		
Accrued expenses	\$12,573,717	\$14,580,072
Other current liabilities	597,529	276,116
Total Current Liabilities	13,171,246	14,856,188
OTHER LIABILITIES		
Receipts in custody	438,242,090	788,844,289
Guarantee deposits received	3,848,211	3,764,732
Total Other Liabilities	442,090,301	792,609,021
TOTAL LIABILITIES	455,261,547	807,465,209
FUNDS AND ACCUMULATED SURPLUS		
Institute fund	1,031,000,000	1,031,000,000
Additional capitalized fund	2,734,934,645	2,055,658,882
Fund to be transferred	632,061,816	679,275,763
Unrealized gain on available-for-sale financial assets	(7,906,064)	24,336,277
TOTAL FUNDS AND ACCUMULATED SURPLUS	4,390,090,397	3,790,270,922
TOTAL LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	\$4,845,351,944	\$4,597,736,131

財團法人證券投資人及期貨交易人保護中心

收支餘絀表

民國九十七年一月一日至十二月三十一日及民國九十六年一月一日至十二月三十一日

單位：新台幣元

項 目	九十七年度		九十六年度	
	金 額	%	金 額	%
收入				
財務收入	\$96,093,879	99.93	\$73,991,289	94.78
處分投資收益	68,320	0.07	155,438	0.20
其他收入	952	-	18,256	0.02
捐贈收入	-	-	3,906,000	5.00
合 計	96,163,151	100.00	78,070,983	100.00
支出				
人事支出	45,201,581	47.00	47,199,792	60.45
業務支出	15,623,677	16.25	22,271,585	28.53
業務撥回基金	35,337,893	36.75	8,599,606	11.02
合 計	96,163,151	100.00	78,070,983	100.00
本期餘絀	\$-	-	\$-	-

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

STATEMENTS OF INCOME AND DISBURSEMENTS

For the years ended December 31, 2008 and 2007
(Expressed in New Taiwan Dollars)

	2008	2007
REVENUES		
Financial income	\$96,093,879	\$73,991,289
Gain on disposal of investments	68,320	155,438
Other income	952	18,256
Donation income	-	3,906,000
Total Revenues	96,163,151	78,070,983
EXPENSES		
Personnel expenses	45,201,581	47,199,792
Operating expenses	15,623,677	22,271,585
Operation transferred to institute fund	35,337,893	8,599,606
Total Expenses	96,163,151	78,070,983
Surplus (deficit) for the year	\$-	\$-

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

民國九十七年一月一日至十二月三十一日及民國九十六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
民國九十六年一月一日餘額	\$1,031,000,000	\$1,530,463,624	\$525,195,258	\$23,714,830	\$-	\$3,110,373,712
待轉撥基金轉入		525,195,258	(525,195,258)			-
受撥收入			671,189,401			671,189,401
受贈收入			5,100,000			5,100,000
訴訟仲裁動用基金			(5,613,244)			(5,613,244)
業務撥回基金			8,599,606			8,599,606
備供出售金融資產未實現損益				621,447		621,447
民國九十六年度餘絀					-	-
民國九十六年十二月三十一日餘額	1,031,000,000	2,055,658,882	679,275,763	24,336,277	-	3,790,270,922
待轉撥基金轉入		679,275,763	(679,275,763)			-
受撥收入			580,873,082			580,873,082
受贈收入			8,876,200			8,876,200
訴訟仲裁動用基金			(8,352,704)			(8,352,704)
代墊訴訟仲裁撥回基金			15,327,345			15,327,345
業務撥回基金			35,337,893			35,337,893
備供出售金融資產未實現損益				(32,242,341)		(32,242,341)
民國九十七年度餘絀					-	-
民國九十七年十二月三十一日餘額	\$1,031,000,000	\$2,734,934,645	\$632,061,816	(\$7,906,064)	\$-	\$4,390,090,397

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

STATEMENTS OF CHANGES IN INSTITUTE FUND

For the years ended December 31, 2008 and 2007
(Expressed in New Taiwan Dollars)

	Institute Fund	Additional Capitalized Fund	Fund To Be Transferred	Unrealized Gain On Available-for-sale Financial Assets	Accumulated Surplus (Deficit)	Total
Balance, January 1, 2007	\$1,031,000,000	\$1,530,463,624	\$525,195,258	\$23,714,830	\$-	\$3,110,373,712
Fund capitalized from fund to be transferred		525,195,258	(525,195,258)			-
Contribution income to fund			671,189,401			671,189,401
Donation income to fund			5,100,000			5,100,000
Allocation to litigation and arbitration			(5,613,244)			(5,613,244)
Operation transferred to institute fund			8,599,606			8,599,606
Unrealized gain on available-for-sale financial assets				621,447		621,447
Surplus (deficit) for 2007					-	-
Balance, December 31, 2007	1,031,000,000	2,055,658,882	679,275,763	24,336,277	-	3,790,270,922
Fund capitalized from fund to be transferred		679,275,763	(679,275,763)			-
Contribution income to fund			580,873,082			580,873,082
Donation income to fund			8,876,200			8,876,200
Allocation to litigation and arbitration			(8,352,704)			(8,352,704)
Payment for litigation and arbitration transferred to institute fund			15,327,345			15,327,345
Operation transferred to institute fund			35,337,893			35,337,893
Unrealized gain on available-for-sale financial assets				(32,242,341)		(32,242,341)
Surplus (deficit) for 2008					-	-
Balance, December 31, 2008	\$1,031,000,000	\$2,734,934,645	\$632,061,816	(\$7,906,064)	\$-	\$4,390,090,397

財團證券投資人及期貨交易人保護中心
法人

現金流量表

民國九十七年一月一日至十二月三十一日及民國九十六年一月一日至十二月三十一日

單位：新台幣元

項 目	九十七年度	九十六年度
業務活動之現金流量：		
本期餘絀	\$-	\$-
調整項目：		
折舊	2,163,938	2,041,736
處分投資利益	(68,320)	(155,438)
業務用資產及負債增減淨額		
應收帳款	4,929,783	634,399
其他流動資產	(22,500,605)	(5,123,166)
受限制資產	350,518,720	(243,411,953)
存出保證金	126,108,611	(130,430,436)
應付費用	(2,006,355)	2,044,685
其他流動負債	321,413	42
代收款	(350,602,199)	255,340,721
存入保證金	83,479	(11,928,768)
業務活動之淨現金流入(出)	108,948,465	(130,988,178)
投資活動之現金流量：		
備供出售金融資產增加數	(1,342,710)	(3,501,006)
備供出售金融資產減資退回股款	36,531	32,444
備供出售金融資產處分價款	327,393	241,744
持有至到期日之金融資產增加數	(382,162,802)	(554,801,879)
購置固定資產	(930,000)	(313,950)
投資活動之淨現金流出	(384,071,588)	(558,342,647)
融資活動之現金流量：		
待轉撥基金增加	632,061,816	679,275,763
融資活動之淨現金流入	632,061,816	679,275,763
本期現金增加(減少)數	356,938,693	(10,055,062)
期初現金及約當現金餘額	734,565,552	744,620,614
期末現金及約當現金餘額	\$1,091,504,245	\$734,565,552

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

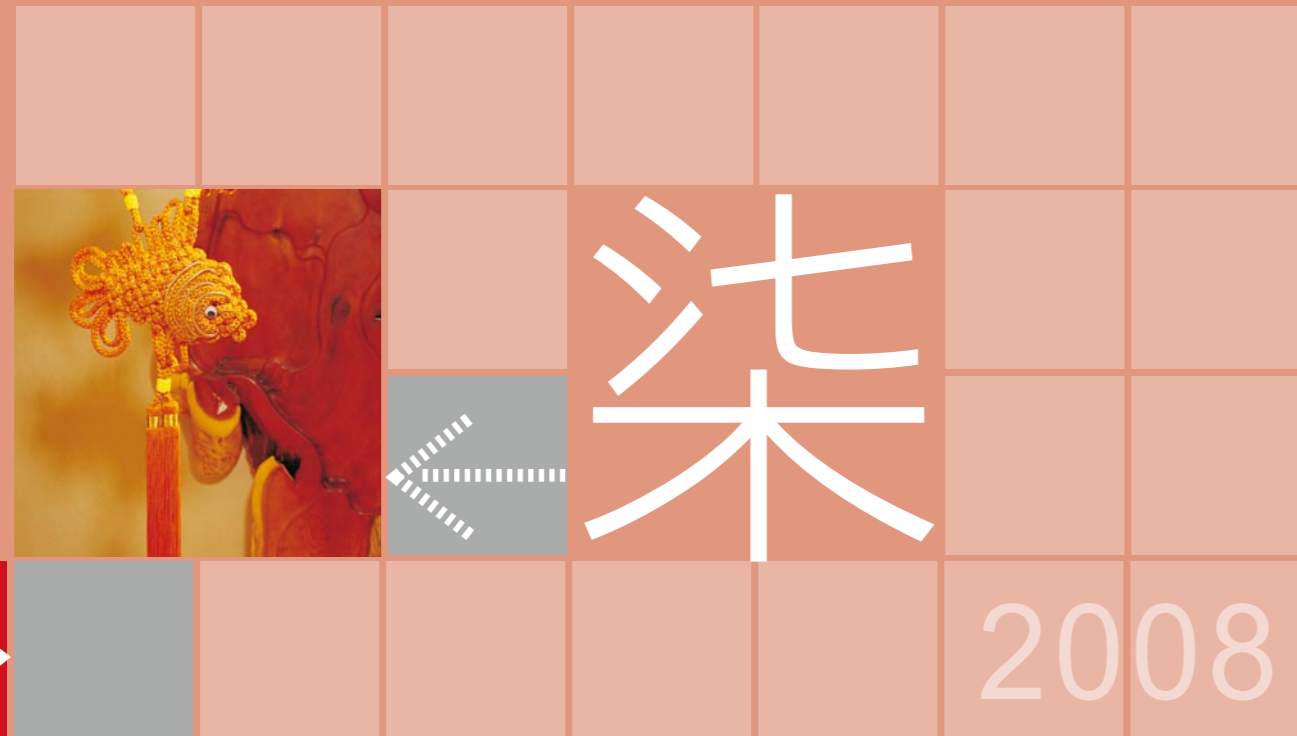
STATEMENTS OF CASH FLOWS

For the years ended December 31, 2008 and 2007
(Expressed in New Taiwan Dollars)

	2008	2007
CASH FLOWS FROM OPERATING ACTIVITIES		
Surplus (deficit)	\$-	\$-
Adjustments to reconcile net surplus (deficit) to net cash provided by operating activities:		
Depreciation expense	2,163,938	2,041,736
Gain on disposal of long-term investments	(68,320)	(155,438)
Net changes in operating assets and liabilities		
Accounts receivable	4,929,783	634,399
Other current assets	(22,500,605)	(5,123,166)
Restricted assets	350,518,720	(243,411,953)
Refundable deposits	126,108,611	(130,430,436)
Accrued expenses	(2,006,355)	2,044,685
Other current liabilities	321,413	42
Receipts in custody	(350,602,199)	255,340,721
Guarantee deposits received	83,479	(11,928,768)
Net cash used in operating activities	108,948,465	(130,988,178)
CASH FLOWS FROM INVESTING ACTIVITIES		
Increase in available-for-sale financial assets	(1,342,710)	(3,501,006)
Proceeds from capital reduction of available-for-sale financial assets	36,531	32,444
Proceeds from disposal of available-for-sale financial assets	327,393	241,744
Increase in held-to-maturity financial assets	(382,162,802)	(554,801,879)
Purchases of property and equipment	(930,000)	(313,950)
Net cash used in investing activities	(384,071,588)	(558,342,647)
CASH FLOWS FROM FINANCING ACTIVITIES		
Increase in fund to be transferred	632,061,816	679,275,763
Net cash provided by financing activities	632,061,816	679,275,763
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	356,938,693	(10,055,062)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	734,565,552	744,620,614
CASH AND CASH EQUIVALENTS AT END OF YEAR	\$1,091,504,245	\$734,565,552

柒 · 大事紀要

G. Major Events



日期 Date	事項 Event
97.01.23 January 23, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第26次董事監察人會議： 一、決議公告受理赤崁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。 二、提報本中心辦理團體訴訟案件取得和解金額，依董監事會議決議辦理分配事宜。 ● The Center held the 26th meeting of directors and supervisors of the second term board and reached the following decisions: 1. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Chih Kan Technology (now known as Free Power Energy), and filing a class-action lawsuit on behalf of the investors for civil compensation against its misconduct of making false financial statements. 2. Reported on the settlement amount acquired from the class-action lawsuits initiated by the Center, in which the settlements were distributed in accordance with the resolution made at the board directors and supervisors' meeting.
97.01.24 January 24, 2008	<p>訊駁財報不實案，板橋地方法院民事庭判決本中心部分勝訴，並就判決駁回部分上訴高等法院。</p> <p>The Civil Division of the Taiwan Banciao District Court partially ruled in favor of the Center in the case of false financial statements allegedly made by Infodisc. The Center has appealed to the Taiwan High Court in regard to the overruled part of the case.</p>
97.02.04 February 4, 2008	<p>受理赤崁科技股票投資人求償登記（自97年2月4日至3月7日）。</p> <p>Accepted the registration of claims application from the investors of Chih Kan Technology (now known as Free Power Energy) (from February 4 to March 7, 2008).</p>
97.02.27 February 27, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第27次董事監察人會議： 一、提報主管機關核准本中心新任董事長及核備總經理案。 二、決議公告受理蜜望實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。 三、決議公告受理兆豐金控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。 四、決議公告受理鼎太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。 五、決議公告受理旺矽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。

97.02.27 February 27, 2008	<ul style="list-style-type: none"> ● The Center held the 27th meeting of directors and supervisors of the second term board and reached the following decisions: 1. Submitted the names of the new chairman and president of the Center to the competent authorities for approval and record. 2. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Honey Hope Honesty Enterprise, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 3. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Mega Financial Holdings, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 4. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors in Dinttap International, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of making false financial statements. 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors in MPI, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation.
97.03.03 March 3, 2008	<p>受理鼎太國際股票投資人求償登記。(自97年3月3日至3月26日)。並於97年4月28日提起投資人團體訴訟。</p> <p>Accepted the registration of claims application from the investors of Dinttap International (from March 3 to 26, 2008) and filed a class-action lawsuit on April 28, 2008, on behalf of the investors.</p>
97.03.03 March 3, 2008	<p>受理蜜望實股票投資人求償登記(自97年3月3日至3月31日)。</p> <p>Accepted the registration of claims application from the investors of Honey Hope Honesty Enterprise (from March 3 to 31, 2008)</p>
97.03.06 March 6, 2008	<p>京元電子公開說明書不實案，最高法院民事庭宣判，駁回本中心對公司及其負責人之上訴，全案已告確定。</p> <p>The Civil Division of the Supreme Court overruled the Center's claim against King Yuan Electronics and its person-in-charge for allegedly making false prospectuses. The ruling was final.</p>
97.03.07 March 7, 2008	<p>與友聯案民事被告於台北地院當庭簽訂和解筆錄。</p> <p>The Center signed an agreement to settle with all the civil defendants of Union Insurance at the Taipei District Court.</p>
97.03.10 March 10, 2008	<p>受理兆豐金控股票投資人求償登記(自97年3月10日至4月10日)。並於97年12月10日提起投資人團體訴訟。</p> <p>Accepted the registration of claims application from the investors of Mega Financial Holdings (from March 10 to April 10, 2008) and filed a class-action lawsuit on December 10, 2008, on behalf of the investors.</p>
97.03.11 March 11, 2008	<p>皇統財報不實案，經台北地院判決被告應對投資人負民事賠償責任。</p> <p>The Taipei District Court ruled, in the case of false financial statements allegedly made by Summit Computer Technology, that the defendants be held liable for civil compensation to investors.</p>
97.03.11 March 11, 2008	<p>博達二財報及公開說明書不實案，經士林地院宣判，被告博達公司、葉素菲等12人應對授權人負民事賠償責任。</p> <p>The Shihlin District Court ruled, in the cases of false financial statements and false prospectuses allegedly made by Procomp Informatics II, that the 12 defendants of Procomp Informatics and the company's chairperson Yeh Suh-fei, be held liable for civil compensation to the authorized persons.</p>
97.03.14 March 14, 2008	<p>受理旺矽股票投資人求償登記。(自97年3月14日至4月10日)。</p> <p>Accepted the registration of claims application from the investors of MPI (from March 14 to April 10, 2008)</p>

97.03.26 March 26, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第28次董事監察人會議： <ul style="list-style-type: none"> 一、提報主管機關遴選監察人1人，補足原任監察人未滿之任期。 二、決議通過本中心97年度第2季(4月至6月)保護基金保管運用方針。 三、決議通過本中心96年度業務報告書及經會計師查核簽證之財務報告。 四、決議公告受理捷力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。 五、決議公告受理九德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。 六、決議公告受理陽慶公司財報及公開說明書不實及內線交易案股票及公司債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。 七、決議公告受理天馳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。 八、決議通過主管機關函囑本中心就保障投資人權益提起之訴訟，須經董事會決議並檢討建立標準作業流程。 ● The Center held the 28th meeting of directors and supervisors of the second term board and reached the following decisions: <ul style="list-style-type: none"> 1. Reported a newly elected supervisor who is expected to complete the remaining term of the original supervisor to the competent authorities. 2. Resolved to approve guidelines for the Center's investor protection fund management for the second quarter (April to June) of 2008. 3. Resolved to approve the Center's 2007 business reports and financial reports audited and certified by certified public accountants (CPAs). 4. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Jet Power Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against its misconduct of making false financial statements. 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Yeti Electronics, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 6. Resolved on the announcement of accepting the application of actions and arbitration authorization from the stock and corporate bond investors of Global Sun Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of false financial statements, false prospectuses and insider trading. 7. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Termtek Computer, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 8. Resolved to comply with the competent authorities' written request that all lawsuits filed by the Center on behalf of the investors for their rights and interests require resolutions made by the board of directors, and that a set of standard operating procedures (SOPs) shall be established.
97.03.28 March 28, 2008	<p>受理捷力科技股票投資人求償登記。(自97年3月28日至4月30日)。並於97年8月21日提起投資人團體訴訟。</p> <p>Accepted the registration of claims application from the investors of Jet Power Technology (from March 28 to April 30, 2008) and filed a class-action lawsuit on August 21, 2008, on behalf of the investors.</p>
97.04.01 April 1, 2008	<p>受理天馳股票投資人求償登記(自97年4月1日至4月30日)。</p> <p>Accepted the registration of claims application from the investors of Termtek Computer (from April 1 to 30, 2008).</p>
97.04.02 April 2, 2008	<p>受理陽慶股票投資人求償登記(自97年4月2日至4月30日)。並於97年8月20日提起投資人團體訴訟。</p> <p>Accepted the registration of claims application from the investors of Global Sun Technology (from April 2 to 30, 2008) and filed a class-action lawsuit on August 20, 2008, on behalf of the investors.</p>

97.04.18 April 18, 2008	<p>撤銷大毅公司96年股東會決議以臨時動議提出增訂董監事選舉方式為全額連記法之章程修正案之訴，桃園地方法院民事庭判決，駁回本中心之訴，本中心上訴高等法院。</p> <p>The Taoyuan District Court overruled a lawsuit filed by the Center to revoke Ta-I Technology's resolution made in its 2007 shareholders' meeting by an extempore motion to revise its Articles of Incorporation and adopt the block voting method for electing directors and supervisors. The Center has appealed to the Taiwan High Court.</p>
97.04.30 April 30, 2008	<p>● 召開本中心第2屆第29次董事監察人會議：</p> <p>一、提報皇統財報不實案經台北地院判決本中心勝訴。</p> <p>二、提報博達財報及公開說明書不實案經士林地院判決本中心部分勝訴。</p> <p>三、提報本中心財產總額登記由新台幣30億8千6百65萬8千8百82元，變更為37億6千5百93萬4千6百45元。</p> <p>四、提報撤銷大毅公司股東會決議之訴遭桃園地院駁回本中心請求及擬提上訴。</p> <p>五、決議公告受理鼎大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>六、決議公告受理勝昱公司內線交易及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>七、決議公告受理零壹公司、宏都公司、凱衛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>● The Center held the 29th meeting of directors and supervisors of the second term board and reached the following decisions:</p> <ol style="list-style-type: none"> 1. Reported on the ruling of the Taipei District Court in favor of the Center in the case of false financial statements allegedly made by Summit Computer Technology. 2. Reported on the ruling of the Shihlin District Court partially in favor of the Center in the case of false financial statements and false prospectuses allegedly made by Procomp Informatics. 3. Reported a change in the total registered assets of the Center from NT\$3,086,658,882 to NT\$3,765,934,645. 4. Reported on the judgment overruled by the Taoyuan District Court of the Center's lawsuit to revoke Ta-I Technology's resolution made in their shareholders' meeting. The Center plans to file an appeal. 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Protop Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 6. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Sunvic Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading and securities price manipulation. 7. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Zero One Technology, Hung Tu Construction and K Way Information, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation.
97.05.06 May 6, 2008	<p>受理鼎大科技股票投資人求償登記（自97年5月6日至6月6日）。並於97年9月12日提起投資人團體訴訟。</p> <p>Accepted the registration of claims application from the investors of Protop Technology (from May 6 to June 6, 2008) and filed a class-action lawsuit on September 12, 2008, on behalf of the investors.</p>
97.05.09 May 9, 2008	<p>受理零壹、宏都、凱衛股票投資人求償登記（自97年5月9日至6月6日、97年8月4日至8月29日）。並於97年10月13日提起投資人團體訴訟。</p> <p>Accepted the registration of claims application from the investors of Zero One Technology, Hung Tu Construction and K Way Information (from May 9 to June 6, 2008 and from August 4 to 29, 2008) and filed a class-action lawsuit on October 13, 2008, on behalf of the investors.</p>

97.05.12 May 12, 2008	<p>一、受理勝昱股票投資人求償登記。（自97年5月12日至6月10日、97年8月4日至9月12日）。</p> <p>二、召開「本中心對大毅公司提起股東會決議無效或得撤銷之訴，相關後續問題探討」諮詢會議。</p> <p>1. Accepted the registration of claims application from the investors of Sunvic Technology (from May 12 to June 10, 2008 and from August 4 to September 12, 2008)</p> <p>2. Organized a consultation meeting to follow up on the Lawsuit Filed by the Center against Ta-I Technology to Invalidate or Revoke the Resolution at its Shareholders' Meeting"</p>
97.05.22 May 22, 2008	<p>召開「上市櫃公司召開股東會問題面面觀」座談會。</p> <p>Organized a seminar on "Issues Arising from Shareholders' Meetings of Exchange-listed and OTC-listed Companies"</p>
97.05.27 May 27, 2008	<p>召開「有價證券私募制度問題探討」座談會。</p> <p>Organized a seminar on "A Review of the Securities' Private Placement System"</p>
97.05.28 May 28, 2008	<p>● 召開本中心第2屆第30次董事監察人會議：</p> <p>一、提報楊鐵及南港財報不實案經台北地院判決本中心敗訴。</p> <p>二、決議公告受理英華達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>三、決議公告受理東森國際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>四、決議公告受理德宏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>五、決議公告受理力特光電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>● The Center held the 30th meeting of directors and supervisors of the second term board and reached the following decisions:</p> <ol style="list-style-type: none"> 1. Reported on the ruling of the Taipei District Court against the Center's lawsuit in the cases of false financial statements allegedly made by Yang Iron Works and Nan Kang Rubber Tire, unfavor ruling to the Center. 2. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Inventec Appliances, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 3. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Eastern Media International, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of making false financial statements. 4. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Glotech Industrial, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Optimax Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading.
97.06.02 June 2, 2008	<p>受理九德股票投資人求償登記（自97年6月02日至6月30日）。並於97年11月7日提起投資人團體訴訟。</p> <p>Accepted the registration of claims application from the investors of Yeti Electronics (from June 2 to 30, 2008) and filed a class-action lawsuit on November 7, 2008, on behalf of the investors.</p>
97.06.19 June 19, 2008	<p>召開「追認股東會決議之相關問題探討」諮詢會議。</p> <p>Organized a consultation meeting regarding "A Study on the Issues on Ratification of the Resolutions of Shareholders' Meetings"</p>

97.06.19 June 19, 2008	京元電子公開說明書不實案，最高法院民事庭宣判，駁回本中心對會計師及承銷商之上訴，全案已告確定。 The Civil Division of the Supreme Court (pronounced judgment that) overruled the Center's appeal against the accountants and underwriters in the case of false prospectuses allegedly made by King Yuan Electronics. The ruling was final.
97.06.20 June 20, 2008	百微撤銷股東會決議之訴案，經百微公司召開股東會議決議終止系爭股東臨時會決議，本中心撤回訴訟。 The Center withdrew the lawsuit against Bullwill after Bullwill held a shareholders' meeting to terminate the disputed resolutions made at the shareholders' ad hoc meeting.
97.06.23 June 23, 2008	受理東森國際股票投資人求償登記（自97年6月23日至7月18日）。並於97年10月28日提起投資人團體訴訟。 Accepted the registration of claims application from the investors of Eastern Media International (from June 23 to July 18, 2008) and filed a class-action lawsuit on October 28, 2008, on behalf of the investors.
97.06.25 June 25, 2008	<p>● 召開本中心第2屆第31次董事監察人會議：</p> <p>一、決議通過本中心97年度第3季（7月至9月）保護基金保管運用方針。</p> <p>二、決議通過大毅公司97年股東常會追認其96年股東常會決議，為免影響本中心對該公司進行中之訴訟，提起訴訟撤銷其追認案。</p> <p>三、決議公告受理金雨公司及彗典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>四、決議公告受理福葆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>五、決議公告受理雅新實業公司財報不實及內線交易案股票及公司債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>六、決議公告受理海德威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>● The Center held the 31st meeting of directors and supervisors of the second term board and reached the following decisions:</p> <p>1. Resolved to approve guidelines for the Center's investor protection fund management for the third quarter (July to September) of 2008.</p> <p>2. Resolved to approve a proposal to file a lawsuit to revoke a resolution made by Ta-I Technology in its 2008 shareholders' meeting to ratify the resolutions of the company's 2007 shareholders' meeting, in order to avoid any interference of the on-going lawsuit filed by the Center against the company.</p> <p>3. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Gold Rain Enterprises and Apex Science & Engineering, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of making false financial statements.</p> <p>4. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of FuPo Electronics, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading.</p> <p>5. Resolved on the announcement of accepting the application of actions and arbitration authorization from the stock and corporate bond investors of Ya Hsin Industrial, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of making false financial statements and insider trading.</p> <p>6. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Higher Way Electronic, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of making false financial statements.</p>

97.06.27 June 27, 2008	皇統財報不實案，經台北地院判決被告應對投資人負民事賠償責任，全案已告確定。 The Taipei District Court ruled, in the case of false financial statements allegedly made by Summit Computer Technology, that the defendants be held liable for civil compensation to the investors. The ruling was final.
97.06.30 June 30, 2008	受理英華達內線交易案投資人求償登記（自97年6月30日至7月30日）。 Accepted the registration of claims application from the investors of Inventec Appliances (from June 30 to July 30, 2008).
97.06.30 June 30, 2008	公告受理德宏股票投資人求償登記（自97年6月30日至7月30日）。並於97年9月1日提起投資人團體訴訟。 Accepted the registration of claims application from the investors of Glotech Industrial (from June 30 to July 30, 2008) and filed a class-action lawsuit on September 1, 2008, on behalf of the investors.
97.07.01 July 1, 2008	受理金雨股票投資人求償登記。（自97年7月1日至8月1日）。並於97年8月29日提起投資人團體訴訟。 Accepted the registration of claims application from the investors in Gold Rain Enterprises (from July 1 to August 1, 2008) and filed a class-action lawsuit on August 29, 2008, on behalf of the investors.
97.07.01 July 1, 2008	受理彗典股票投資人求償登記。（自97年7月1日至8月1日）。 Accepted the registration of claims application from the investors of Apex Science & Engineering (from July 1 to August 1, 2008).
97.07.01 July 1, 2008	受理力特光電股票投資人求償登記。（自97年7月1日至8月1日）。並於97年10月15日提起投資人團體訴訟。 Accepted the registration of claims application from the investors of Optimax Technology (from July 1 to August 1, 2008) and filed a class-action lawsuit on October 15, 2008, on behalf of the investors.
97.07.03 July 3, 2008	公告受理福葆公司股票投資人求償登記(自97年7月3日至97年8月3日)。並於97年9月8日提起投資人團體訴訟。 Accepted the registration of claims application from the investors of FuPo Electronics (from July 3 to August 3, 2008) and filed a class-action lawsuit on September 8, 2008, on behalf of the investors.
97.07.07 July 7, 2008	受理海德威股票投資人求償登記（自97年07月07日至08月07日）。 Accepted the registration of claims application from the investors of Higher Way Electronic (from July 7 to August 7, 2008).
97.07.10 July 10, 2008	為大毅科技公司97年股東會決議追認該公司96年股東常會決議案，其決議內容及決議方式涉有違反法令之情事，提起確認決議不成立或無效、撤銷股東會決議之訴。地方法院民事庭於97年10月8日宣判，駁回本中心之訴。並於97年11月5日上訴高等法院。 In the case of Ta-I Technology's action to ratify the resolutions of its 2007 shareholders' meeting in its 2008 shareholders' meeting, the Center filed a lawsuit to nullify, invalidate or revoke the resolutions due to the company's suspected violation of relevant laws and regulations. The Civil Division of the District Court overruled the Center's lawsuit on October 8, 2008. The Center appealed to the Taiwan High Court on November 5, 2008.
97.07.16 July 16, 2008	召開「博達公司團體訴訟案判決確定後和解方案」諮詢會議。 Organized a consultation meeting regarding the "Settlement Scheme after the Finalized Ruling of the Class-action Lawsuit against Procomp Informatics."
97.07.18 July 18, 2008	召開「A公司交互授權重編財報後之相關問題探討」諮詢會議。 Organized a consultation meeting on "A Study on the Issues Arising from re-making the Financial Statements of Company A after Cross-licensing."

97.07.22 July 22, 2008	博達三案（確認葉素菲對林華德債權存在之訴，1,000萬元部分），高等法院判決駁回林華德之上訴。 The Taiwan High Court overruled an appeal filed by former Waterland Financial Holding Chief Walter Lin over the confirmation of the existence of Procomp Informatics Chairperson Yeh Suh-fei's creditor's right of NT\$10 million against Lin in the case of Procomp Informatics III.
97.07.23 July 23, 2008	勁永操縱股價案，台北地方法院刑事庭判決被告無罪，駁回本中心之刑事附帶民事訴訟，本中心上訴最高法院。 The Taipei District Court acquitted the defendants in a case where Power Quotient International was accused of manipulating its stock prices, and rejected the supplementary civil action in criminal proceeding filed by the Center. The Center has appealed to the Supreme Court.
97.07.29 July 29, 2008	大穎財報不實案，經台北地方法院宣判，被告應對投資人負民事賠償責任。 The Taipei District Court ruled, in the case of false financial statements allegedly made by Dahin, that the defendants be held liable for civil compensation to the investors.
97.07.30 July 30, 2008	訊碟財報不實案，高等法院民事庭判決本中心部分勝訴，並就判決駁回部分上訴最高法院 The Civil Division of the Taiwan High Court partially ruled in favor of the Center in the case of false financial statements allegedly made by Infodisc. The Center has appealed to the Supreme Court in regard to the overruled section of the lawsuit.
97.07.30 July 30, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第32次董事監察人會議： 一、提報立大農畜案財報不實案經最高法院裁定駁回本中心就董監事及會計師等人所提上訴，並將立大公司上訴最高法院部分發回高院更審。 二、提報博達財報不實案，被告於判決將確定之際洽商和解方案，依諮詢會議意見，建立通案處理原則後再行研議辦理。 三、決議公告受理綠點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。 四、決議公告受理律勝科技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。 五、決議公告受理協易機械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。 六、決議公告受理新竹商銀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。 ● The Center held the 32nd meeting of directors and supervisors of the second term board and reached the following decisions: 1. Reported on the case of false financial statements allegedly made by Lee Tah Farm Industries, in which the Supreme Court dismissed an appeal made by the Center against the directors, supervisors and accountants of Lee Tah Farm Industries, as well as remanding the case to the Taiwan High Court. 2. Reported on the case of false financial statements allegedly made by Procomp Informatics, in which the defendant proposed a settlement scheme before the final ruling was issued. To arrange a consultation meeting and to draw up a set of universal principles for their discussion. 3. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Taiwan Green Point Enterprises, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 4. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Microcosm Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation.

97.07.30 July 30, 2008	<ul style="list-style-type: none"> 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Shieh Yih Machinery, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 6. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Hsinchu Commercial Bank, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading.
97.08.07 August 7, 2008	受理雅新實業股票投資人求償登記。（自97年8月7日至9月12日）。 Accepted the registration of claims application from the investors of Ya Hsin Industrial (from August 7 to September 12, 2008).
97.08.07 August 7, 2008	受理律勝科技股票投資人求償登記（自97年8月7日至9月12日）。並於97年12月10日提起投資人團體訴訟。 Accepted the registration of claims application from the investors of Microcosm Technology (from August 7 to September 12, 2008) and filed a class-action lawsuit on December 10, 2008, on behalf of the investors.
97.08.07 August 7, 2008	受理協易機械股票投資人求償登記（自97年8月7日至9月12日）。 Accepted the registration of claims application from the investors of Shieh Yih Machinery (from August 7 to September 12, 2008).
97.08.11 August 11, 2008	受理綠點股票投資人求償登記（自97年8月11日至9月12日）。並於97年12月19日提起投資人團體訴訟。 Accepted the registration of claims application from the investors of Taiwan Green Point Enterprises (from August 11 to September 12, 2008) and filed a class-action lawsuit on December 19, 2008, on behalf of the investors.
97.08.11 August 11, 2008	受理新竹商銀股票投資人求償登記（自97年8月11日至9月12日）。 Accepted the registration of claims application from the investors of Hsinchu Commercial Bank (from August 11 to September 12, 2008).
97.08.13 August 13, 2008	召開「日勝生公司歸入權案件和解問題」諮詢會議。 Organized a consultation meeting on "The Settlement of Radium's Disgorgement Case."
97.08.27 August 27, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第33次董事監察人會議： 一、提報主管機關遴選董事3人，補足原任董事未滿之任期。 二、提報大穎財報不實案經台北地院判決被告應賠償投資人損害。 三、提報中華商銀財報不實案經台北地院判決部分被告應賠償投資人損害。 四、提報訊碟財報不實案經台灣高等法院判決本中心部分勝訴、部分敗訴。 五、決議公告受理秋雨印刷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。 六、決議公告受理百微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。 七、決議公告受理志嘉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。 八、決議公告受理寶島極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。 九、決議公告受理揚智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。 十、決議通過本中心與加拿大投資人保護基金簽署合作備忘錄。

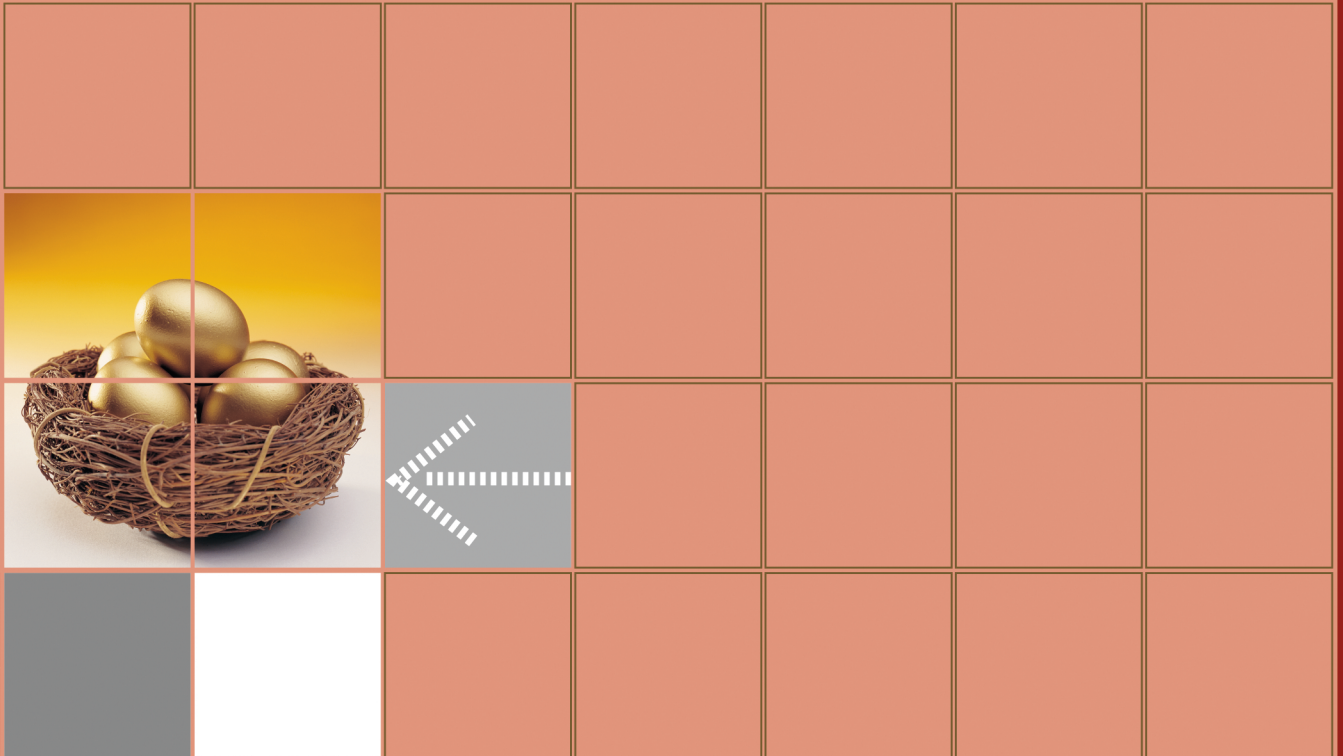
97.08.27 August 27, 2008	<ul style="list-style-type: none"> ● The Center held the 33rd meeting of directors and supervisors of the second term board and reached the following decisions: 1. Reported three newly elected directors who are expected to complete the remaining terms of the original directors, to the competent authorities. 2. Reported on the ruling of the Taipei District Court, in the case of false financial statements allegedly made by Dahin, that the defendants shall compensate investors' losses. 3. Reported on the ruling of the Taipei District Court, in the case of false financial statements allegedly made by the Chinese Bank, that some of the defendants shall compensate investors' losses. 4. Reported on the rulings of the Taiwan High Court in the case of false financial statements allegedly made by Infodisc, in which part of the rulings were in favor of the Center and the remaining part was unfavorable to the Center. 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Choice Lithograph, and filing a class-action lawsuit on behalf of the investors for civil compensation against securities price manipulation. 6. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors in Bullwill, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of making false financial statements and false prospectuses. 7. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors in Well Glory Development, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 8. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Trust-Search, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 9. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of ALi, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 10. Resolved to approve a proposal for the Center to sign a Memorandum of Understanding (MOU) with the Canadian Investor Protection Fund (CIPF).
97.09.01 September 1, 2008	<p>受理揚智股票投資人求償登記（自97年9月1日至9月30日）。</p> <p>Accepted the registration of claims application from the investors of ALi (from September 1 to 30, 2008).</p>
97.09.02 September 2, 2008	<p>受理寶島極股票投資人求償登記。（自97年9月2日至10月9日）</p> <p>Accepted the registration of claims application from the investors of Trust-Search (from September 2 to October 9, 2008).</p>
97.09.04 September 4, 2008	<p>受理志嘉股票投資人求償登記。（自97年9月4日至10月9日）</p> <p>Accepted the registration of claims application from the investors in Well Glory Development (from September 4 to October 9, 2008).</p>
97.09.04 September 4, 2008	<p>受理秋雨印刷股票投資人求償（自97年9月4日至10月4日）。</p> <p>Accepted the registration of claims application from the investors of Choice Lithograph (from September 4 to October 4, 2008).</p>
97.09.04 September 4, 2008	<p>受理百傲股票投資人求償登記。（自97年9月4日至10月9日）。</p> <p>Accepted the registration of claims application from the investors in Bullwill (from September 4 to October 9, 2008).</p>
97.09.12 September 12, 2008	<p>召開「本中心辦理團體訴訟事件和解事宜相關原則」諮詢會議。</p> <p>Organized a consultation meeting regarding "The Center's Principles on Handling Settlement for Class-action Lawsuits."</p>

97.09.12 September 12, 2008	<p>大中鋼案，最高法院判決廢棄臺灣高等法院台中分院所為投資人勝訴判決，發回更審。</p> <p>The Supreme Court overruled and remanded the ruling of the Taiwan High Court (Taichung Branch) which was in favor of the investors' claim against Tah Chung Steel.</p>
97.09.12 September 12, 2008	<p>召開「本中心辦理團體訴訟事件和解事宜相關原則」諮詢會議。</p> <p>Organized a consultation meeting regarding "The Center's Principles on Handling Settlements for Class-action Lawsuits."</p>
97.09.24 September 24, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第34次董事監察人會議： <ul style="list-style-type: none"> 一、決議公告受理千興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。 二、決議公告受理安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。 三、決議公告受理偉訓公司操縱股價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。 ● The Center held the 34th meeting of directors and supervisors of the second term board and reached the following decisions: <ul style="list-style-type: none"> 1. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Chien Shing Stainless Steel, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 2. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Aker Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 3. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Compucase Enterprise, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation.
97.10.03 October 3, 2008	<p>受理偉訓股票投資人求償登記。（自97年10月3日至11月2日）。</p> <p>Accepted the registration of claims application from the investors of Compucase Enterprise (from October 3 to November 2, 2008).</p>
97.10.08 October 8, 2008	<p>為大毅科技公司97年股東會議決議追認該公司96年股東常會議案，其決議內容及決議方式涉有違反法令之情事，提起確認決議不成立或無效、撤銷股東會議之訴，地方法院民事庭判決，駁回本中心之訴，並上訴高等法院。</p> <p>In the case of Ta-I Technology's action to ratify the resolutions of its 2007 shareholders' meeting at its 2008 shareholders' meeting, the Center filed a lawsuit to nullify, invalidate or revoke the resolutions due to the company's suspected violation of relevant laws and regulations. The Civil Division of the District Court overruled the Center's lawsuit. The Center has appealed to the Taiwan High Court.</p>
97.10.13 October 13, 2008	<p>召開「本中心辦理連動債糾紛申訴事宜」諮詢會議。</p> <p>Organized a consultation meeting regarding "The Center's Handling of Disputes Arising from Investments in Structured Notes."</p>
97.10.14 October 14, 2008	<p>召開「有關明基公司內部人涉及內線交易之相關法律問題」諮詢會議。</p> <p>Organized a consultation meeting on "The Legal Issues arising from the Alleged Involvement of BenQ's Personnel in Insider Trading."</p>
97.10.16 October 16, 2008	<p>召開「本中心是否受理興櫃公司財報不實團體訴訟相關問題探討」諮詢會議。</p> <p>Organized a consultation meeting regarding "A Study on Whether the Center Should take on Class-action Lawsuits against False Financial Statements by Emerging Stock Companies."</p>
97.10.17 October 17, 2008	<p>受理千興股票投資人求償登記。（自97年10月17日至11月17日）。</p> <p>Accepted the registration of claims application from the investors of Chien Shing Stainless Steel (from October 17 to November 17, 2008).</p>

97.10.20 October 20, 2008	依金管會行政處分，自97年10月20日起成立窗口，受理求償金額100萬元以下（客戶說，這是指每筆投資契約，最多理賠100萬元）與雷曼兄弟公司相關結構型金融商品之投資人，申請向銀行公會之金融消費爭議案件評議委員會進行評議之案件。 In accordance with an administrative disposition of the Financial Supervisory Commission (FSC), the Center established a special unit on October 20, 2008 to help investors file their complaints with banks for the investors' losses, with each investment contract to be compensated for a maximum of NT\$1 million, in structured financial products related to Lehman Brothers. The unit helped file complaints with the Bankers Association's committee tasked with handling disputes in financial services.
97.10.22 October 22, 2008	受理安碁股票投資人求償登記（自97年10月22日至11月24日）。 Accepted the registration of claims application from the investors of Aker Technology (from October 22 to November 24, 2008).
97.10.27 October 27, 2008	新巨群財報及公開說明書不實、操縱股價案，經台北地院以所涉部分非刑事起訴效力所及，原附民起訴不合法為由，裁定駁回，全案已告確定。 On the grounds that the cases of false financial statements, false prospectuses and securities price manipulation against New Magnitude were beyond the effect of criminal prosecution and that the incidental civil action was in violation of laws, the Taipei District Court overruled the claims made by the Center. The ruling was final.
97.10.29 October 29, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第35次董事監察人會議： 一、提報行政院金融監督管理委員會以行政處分方式請本中心自97年10月20日起加入處理結構債金融商品投資人申請銀行公會評議案件之受理，受理期限至98年1月31日止。 二、提報就大毅公司97年度股東常會追認96年股東會決議，向桃園地院起訴爭執其效力，該院駁回本中心請求，提起上訴。 三、決議通過本中心98年度預算書草案及98年度業務計畫書。 四、決議公告受理亞智科技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。 五、決議公告受理鈺創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。 六、決議公告受理泰偉電子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。 七、決議公告受理和椿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。 ● The Center held the 35th meeting of directors and supervisors of the second term board and reached the following decisions: 1. Reported on the administrative disposition of the Financial Supervisory Commission (FSC) in requesting the Center to handle investors' complaint applications to the Bankers Association for the investors' losses of investments in structured financial products from October 20, 2008 to January 31, 2009. 2. Reported on the Taoyuan District Court's judgment overruled of the Center's lawsuit against the validity of Ta-I Technology's action to ratify the resolutions of its 2007 shareholders' meeting at its 2008 shareholders' meeting. The Center has filed an appeal. 3. Resolved to approve the 2009 budget proposal and the 2009 operational plan of the Center. 4. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Manz Intech Machines, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Etron Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading.

97.10.29 October 29, 2008	<ul style="list-style-type: none"> 6. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Astro, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading. 7. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Aurotek, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation.
97.10.31 October 31, 2008	召開「本中心保護基金償付制度相關問題探討」諮詢會議。 Organized a consultation meeting on "A Study of Issues Regarding the Payment System of the Center's Protection Fund."
97.11.05 November 5, 2008	受理鈺創股票投資人求償登記。（自97年11月5日至12月5日）。 Accepted the registration of claims application from the investors of Etron Technology (from November 5 to December 5, 2008).
97.11.05 November 5, 2008	受理和椿股票投資人求償登記。（自97年11月5日至12月5日）。 Accepted the registration of claims application from the investors of Aurotek (from November 5 to December 5, 2008).
97.11.05 November 5, 2008	受理泰偉電子股票投資人求償登記（自97年11月05日至12月05日）。 Accepted the registration of claims application from the investors of Astro (from November 5 to December 5, 2008).
97.11.05 November 5, 2008	受理亞智科技股票投資人求償登記。（自97年11月5日至12月5日）。並於97年12月31日提起投資人團體訴訟。 Accepted the registration of claims application from the investors of Manz Intech Machines (from November 5 to December 5, 2008) and filed a class-action lawsuit on December 31, 2008, on behalf of the investors.
97.11.24 November 24, 2008	召開「本中心受投資人委任申報重整債權相關問題探討」諮詢會議 Organized a consultation meeting on "A Study of the Issues Arising from the Application of Debt Restructure Entrusted by the Investors to the Center."
97.11.26 November 26, 2008	<ul style="list-style-type: none"> ● 召開本中心第2屆第36次董事監察人會議： 一、決議公告受理天良生技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。 二、決議公告受理友昱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。 ● The Center held the 36th meeting of directors and supervisors of the second term board and reached the following decisions: 1. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Tien Liang International, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation. 2. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Lucy Belle Biological Technology, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of making false financial statements.
97.12.01 December 1, 2008	受理天良生技股票投資人求償登記（自97年12月1日至12月31日）。 Accepted the registration of claims application from the investors of Tien Liang International (from December 1 to December 31, 2008).
97.12.03 December 3, 2008	舉辦「投資人保護國際論壇」。 Organized "The International Forum on Investors Protection."

97.12.10 December 10, 2008	<p>受理友昱股票投資人求償登記（自97年12月10日至98年1月10日）。</p> <p>Accepted the registration of claims application from the investors of Lucy Belle Biological Technology (from December 10, 2008 to January 10, 2009).</p>
97.12.12 December 12, 2008	<p>召開「證券交易法第157條短線交易歸入權相關問題探討」諮詢會議。</p> <p>Organized a consultation meeting on “A Study of Issues Regarding the Disgorgement of Short-swing Trading as in Article 157 of the Securities and Exchange Act.”</p>
97.12.12 December 12, 2008	<p>勁永操縱股價案，高等法院刑事庭判決被告無罪，駁回本中心之刑事附帶民事訴訟，本中心上訴最高法院。</p> <p>The Taiwan High Court acquitted the defendants in a case where Power Quotient International was accused of manipulating its stock prices, and overruled the supplementary civil action in criminal proceeding filed by the Center. The Center has appealed to the Supreme Court.</p>
97.12.15 December 15, 2008	<p>召開「興櫃公司財報不實團體訴訟是否將推薦證券商列為被告求償暨會計師法修正後對團體訴訟之影響」諮詢會議。</p> <p>Organized a consultation meeting on “The Necessity to Include Securities Firms as Defendants for Indemnification in the Class-action Lawsuit against Emerging Stock Companies Involved in False Financial Statements, and the Impact of the Amendment of Certified Public Accountant Act on Class-action Lawsuit.”</p>
97.12.16 December 16, 2008	<p>撤銷大毅公司96年股東會決議以臨時動議提出增訂董監事選舉方式為全額連記法之章程修正案之訴，高等法院民事庭判決，駁回本中心上訴。</p> <p>The Civil Division of the Taiwan High Court overruled an appeal filed by the Center to revoke Ta-I Technology's revision of its Articles of Incorporation made at its 2007 shareholders' meeting by an extempore motion to adopt the block voting method for electing directors and supervisors.</p>
97.12.24 December 24, 2008	<p>● 召開本中心第2屆第37次董事監察人會議：</p> <p>一、提報本中心98年度業務計畫、預算書案業經主管機關核備在案。</p> <p>二、提報本中心業務執行上有關參與公司治理及辦理團體訴訟事件所發現之問題提出檢討建議報告。</p> <p>三、決議通過本中心98年度保護基金保管運用方針。</p> <p>四、決議公告受理明基公司操縱股價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>五、決議公告受理佳鼎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>● The Center held the 37th meeting of directors and supervisors of the second term board and reached the following decisions:</p> <ol style="list-style-type: none"> 1. Reported that the 2009 operational plan and a budget proposal had been submitted to the competent authorities for record. 2. Reported on a review report on the problems found in the Center's participation in corporate governance and initiation of class-action lawsuits. 3. Resolved to approve the guidelines for the Center's investor protection fund management for 2009. 4. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of BenQ, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of securities price manipulation and insider trading. 5. Resolved on the announcement of accepting the application of actions and arbitration authorization by the investors of Vertex Precision Electronics, and filing a class-action lawsuit on behalf of the investors for civil compensation against the misconduct of insider trading.



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