

2015

ANNUAL REPORT

中華民國 104 年年報



財團法人證券投資人及期貨交易人保護中心

Securities and Futures Investors Protection Center

2015

ANNUAL REPORT
中華民國 104 年年報



02	壹 前言	I. Introduction
08	貳 組織架構	II. Organization Structure
	一、組織系統	1. Organizational Chart
	二、人事結構	2. Staff
12	參 董事、監察人名錄	III. Directors and Supervisors
14	肆 調處委員會委員名錄	IV. Members of Mediation Committee
16	伍 業務報告	V. Operation Report
	一、保護基金	1. Investors Protection Fund
	二、諮詢申訴	2. Consultation and Complaint Filing
	三、爭議調處	3. Mediation
	四、團體訴訟	4. Class Action Litigation
	五、代表訴訟及解任訴訟	5. Derivative Suit and Discharge Suit
	六、歸入權行使	6. Disgorgement
	七、基金償付	7. Fund Payment
	八、保護宣導	8. Public Education
	九、攸關股東權益事項	9. Matters related to Shareholders' Rights and Interests
26	陸 財務報告	VI. Financial Statements
38	柒 大事紀要	VII. Chronicle

壹

前言

Introduction





證券、期貨市場為國家重要資產，亦為國家經濟發展之基石，尤以隨著金融市場日新月異，證券及期貨市場快速變遷的同時，投資人權益保護之機制為不可或缺的一環。本中心於民國（下同）92年1月依證券投資人及期貨交易人保護法（下稱「投保法」）規定成立，迄今已有13餘年之時間，經過本中心全體同仁之努力，除持續踐行投保法所賦予本中心之任務，辦理提供投資人有關證券及期貨相關爭議之申訴及調處、督促公司歸入權之行使，以及主管機關委託交辦有關投資人權益維護、促進市場健全發展等工作外，在團體訴訟之執行，以及為公司對董事或監察人提起代表訴訟或訴請法院裁判解任等事項上，亦有長足之進展，為我國證券市場民事責任之落實及投資人保護開創了新的里程。

回顧過去這一年來，本中心辦理相關主要業務事項成果如下：

一、落實我國證券市場民事責任，保障投資人權益：

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

Securities and futures markets are crucial assets of a nation and provide a foundation for national economic development. Rapid changes in the capital market have steadily led to new innovations to securities and futures, making investor protection a vital facet of the system. The Securities and Futures Investors Protection Center (hereinafter referred to as "the Center") was established in January 2003 under the Securities Investor and Futures Trader Protection Act (hereinafter referred to as "Investor Protection Act"). Throughout the more than 13 years of its existence, the Center has been devoted to accomplishing the missions that the Investor Protection Act has vested upon it, from resolving investors' securities/futures related complaints and disputes, providing mediation service, urging companies to exercise disgorgement claims, to completing any investor protection-related and market development tasks assigned by the competent authority. The Center has made significant progress in representing class action suits as well as filing derivative suits and discharge suits against corporate directors and supervisors, thereby bringing investor protection to a whole new level as it watches over civil liabilities of the securities market.



董事長

邱欽庭

Chairman

CHIN-TING CHIU



• 協助投資人主張權益，進行團體訴訟

截至 104 年底，本中心總計協助投資人進行 201 件團體求償案件（包含自財團法人中華民國證券暨期貨市場發展基金會承接之案件），求償金額共計 446 億餘元，人數 11.5 萬餘人。其中計有 60 件業經法院判決全部或部分勝訴，包括發行公司、不法行為人、董監事及會計師暨事務所等相關民事被告應對受有損害投資人負賠償責任，判決勝訴金額達 197 億餘元，當中 28 件並已勝訴判決確定。

其中，特別值得一提的是，本中心協助投資人之團體訴訟求償案件中，有關財務報告不實、公開說明書不實、操縱股價及內線交易等主要證券市場不法案件類型，皆已有相關民事求償勝訴判決之案



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

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

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

• Helping investors establish claims through class action suits

As of the year-end 2015, the Center has assisted investors in 201 class action suits (including cases transferred from Securities & Futures Institute) with claim amount exceeding NT\$44.6 billion and involving 115,000 claimants. In those suits, the courts have rendered decisions that represent total or partial victory for claimants in 60 cases, requiring civil defendants, including securities issuers, law-breaking individuals and corporate directors and supervisors, accountants and CPA firms to assume liabilities, and awarding claimants more than NT\$19.7 billion in compensation. Of those 60 cases, the rulings on 28 cases are final and non-appealable.

One worthy note of the Center's efforts is that there are already numerous precedent judgments ruled in investors' favor, whether the disputes involved misrepresentation of financial reports, misstatements in the prospectus, manipulation of share prices, insider trading or other major misconducts in the securities market. This gives the Center much more to work with to secure investors claims than it did at a time when precedents were scarce. Civil court judgments accumulated through class action suits over the years have been defining and enforcing the notion of civil liabilities under the Securities and Exchange Act, while in the meantime enabling the court decisions to constantly review the application of relevant laws. The framework of civil liabilities in the securities market are further

例，相較於過去在司法實務上極其少見有關證券交易法之民事判決情形，實已不可同日而語。這幾年證券事件團體訴訟累積之民事判決案例，已將證券交易法上所明定之民事責任逐步予以落實，並讓司法實務判決得不斷地檢視相關法規之適用，進一步增進、明確我國證券市場民事責任架構，維護投資人權益外，同時該等判決也間接促使上市櫃公司投保董監事責任保險，並強化會計師事務所之風險意識，嚴謹查核公司財務報表，為投資人把關。

• 洽商和解，使投資人儘速取償，填補損害

在團體訴訟之過程，為使投資人迅速取得賠償，免去訟累，投保中心並與部分刑事被告、董監事、會計師、承銷商等達成和解，截至 104 年底已替投資人爭取高達 30.1 億餘元之和解金，另透過強制執行等程序，亦為投資人爭取到 3.1 億餘元的金額；其中 104 年度取得之和解金額達 8,211 萬餘元。前述取得的款項並陸續分配，具體達成填補投資人損失之目的，也大大提振投資人對市場的信心。

二、踐行股東行動主義，促進公司治理：

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

• 攸關公司、股東權益議題之監督與積極參與股東會

本中心針對上市櫃公司私募、減資、董監酬金異常、股利政策失衡、重大轉投資或轉投資虧損、大額背書保證或資金貸與等涉及影響公司及股東權益之重大議題，均以股東身分依個案評估函請公司提出說明或改善，每年度發函督促件數皆達數百件，並視個案狀況派員出席公司股東會表達意見，俾利保護投資人權益，104 年度本中心出席股東會場次即達 34 場。

enhanced and explicitly established to protect investors' interests, thus these court judgments prompted TWSE/TPEX listed companies to insure against directors' and supervisors' liabilities, and CPA firms to exercise greater risk awareness and due diligence when auditing financial statements.

• Negotiating settlement for faster compensation of investors' losses

In order to give investors faster access to their claims over the course of class action, the Center would negotiate settlements with criminal defendants, directors, supervisors, accountants, and underwriters. As at the end of 2015, the Center had helped investors claim a total of NT\$3,010 million in settlements and NT\$82.11 million of which were claimed in settlement in 2015. In addition, the Center helped investors claim an additional NT\$310 million by the procedure of compulsory enforcement. Payments obtained from the above sources were distributed to cover investors' losses, which served justice and strengthened investors' confidence in the market.

2. SHAREHOLDER ACTIVISM AND CORPORATE GOVERNANCE:

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

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

In cases of private placement, capital decrease, excess compensation for directors and supervisors, disproportionate dividend policy, major reinvestments, significant losses from reinvestments, large-sum endorsement/guarantee and loans to others, which have material influence on the rights and interests of TWSE/TPEX listed companies and shareholders, the Center will send an inquiry letter in the capacity of a shareholder, asking the company concerned to provide explanations or improvements. The Center issues hundreds of such letters a year, and if deemed necessary, assigns staff to express opinions in the interest of shareholders at various shareholders' meetings. In 2015, the Center participated in a total of 34 shareholders' meetings.

The Center also intervenes whenever companies have major cases that are of great concern to

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

• 提起代表訴訟及解任訴訟

為加強公司治理機制，維護股東權益，對於公司經營階層背信掏空或董事、監察人違反善良管理人注意義務等情事，進行相關措施，投保法於 98 年增訂本中心就上市、櫃公司之董監事執行業務有重大損害公司之行為或違反法令或章程之重大事項情形者，得為公司對董監事提起訴訟及訴請法院裁判解任董監事。

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

• Filed derivative suit and discharge suit

The Center has been taking actions for the purpose of enhancing corporate governance and protecting shareholders from misconducts such as breach of trust, misappropriation of assets, and breach of fiduciary duty that involve a company's management, directors or supervisors. Since 2009, the Center has been empowered by the Investor



自增訂以來，本中心已進行 33 件代表訴訟及 29 件解任訴訟案件，其中代表訴訟部分個案經投保中心依法督促或進行訴訟後，不法行為人自行賠償及與公司達成協議賠償金額約為 15.24 億餘元，具體保障公司及股東權益；解任訴訟部分，部分個案經本中心提起訴訟後，公司董監事自行辭任或不再續任，另自 104 年起開始陸續獲得勝訴判決計 3 件，促使上市櫃公司董監事更善盡忠實義務。

三、未來展望

展望未來，本中心除在既有執行保護投資人功能基礎上繼續努力外，並將致力於下列重點工作：

（一）發揮團體訴訟功能，累積證券期貨事件團體訴訟之民事訴訟判決案例，落實證券交易法明定之民事責任並填補投資人損害。（二）就重大案件或社會矚目之證券期貨不法案件，於檢察官起訴前即積極與監理機關協調合作，以保障投資人。（三）積極踐行股東行動主義，督促上市（櫃）公司建立良好公司治理制度；另針對現行運作模式，依相關制度變革或實務運作上所遭遇之問題，提出具體建議，以提高執行效益及促進公司治理。（四）持續透過強制執行或和解程序取得賠償款項，並擬提升賠償款項分配作業之效率，就授權人尚未領取分配款項部分，亦持續透過媒體傳遞相關訊息，以使團體訴訟授權人實際獲償。

隨著市場不斷發展，未來有關證券期貨之爭議案件預期仍會不時出現，面對證券期貨事件，本中心仍將秉於法定職能，積極保護投資人及交易人權益，並研議相關保護投資人措施，就所發現制度面之問題向主管機關提出改善或修法建議，以健全市場，達成本中心設立之宗旨。

Protection Act to file derivative suit and/or discharge suit against directors or supervisors when discovering conduct by a director or supervisor of a TWSE/TPEX listed company in the course of performing his or her duties that is materially injurious to the company or is in violation of laws, regulations, and/or provisions of the company's articles of incorporation.

Since then, the Center has made 33 derivative suits and 29 discharge suits in total. With respect to derivative suits, by applying legal pressure, the Center was able to force wrongdoers to compensate companies in the total amount of NT\$1.524 billion, and thereby protected the interests of companies and their shareholders. With respect to discharge suits, after the Center filing suits, the directors/supervisors resign voluntarily or withdraw reelection bids in some cases. Since 2015, the Center has been winning suits, which amounted to a total of 3 so far, and urging directors/supervisors of TWSE/TPEX listed companies to faithfully fulfill their fiduciary duties.

3. FUTURE PROSPECTS

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

Ongoing changes of the market will undoubtedly give rise to new forms of securities and futures related dispute in the future. In light of this challenge, the Center shall remain committed to its legal authorities of protecting the rights and interests of investors and traders, studying new investor protection measures, and proposing improvements or amendments of laws in response to the system's shortcomings to the competent authority in order to promote healthy market development, which have been the main purpose for the Center's establishment.

貳

組織架構

Organization Structure



一、組織系統

1. ORGANIZATIONAL CHART





財團證券投資人
法人
Securities and Futures



二、人事結構

本中心除董事長、總經理外，現有專職員工三十二人。其中男性十三人，女性十九人；配置法律服務處二十三人，管理處九人；全體員工平均年齡三十九歲；員工教育程度具碩士學位者十三人，大學學位者十七人及其他二人。

2. STAFF

Aside from the Chairman and President, the Center is staffed with 32 full-time employees with an average age of 39 years. Among them, 13 are males and 19 are females; the Legal Affairs Department is staffed with 23 employees and the Administrative Affairs Department is staffed with 9 employees; 13 of the employees hold a master's degree, 17 are university graduates, and 2 are others.

及期貨交易人保護中心 Investors Protection Center





董事、監察人名錄

Directors and Supervisors



董事長

邱欽庭

財團法人證券投資人及
期貨交易者保護中心
董事長

Chairman
Chin-Ting Chiu

Chairman, Securities and
Futures Investors
Protection Center



董事兼總經理

呂淑玲

財團法人證券投資人及
期貨交易者保護中心
總經理

Director and President
Shu-Lin Lu

President, Securities and
Futures Investors Protection
Center



董事

丁克華

財團法人中華民國證券櫃檯買
賣中心 董事長

Director
Kung-Wha Ding
Chairman, Taipei Exchange



董事

王志誠

中正大學財經法律學系 教授

Director
Chih-Cheng Wang
Professor of Department
of Financial & Economic
Law, National Chung Cheng
University



董事

林國全

政治大學法律學系 教授

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



董事

張心悌

台北大學法律學系 教授

Director

Hsin-Ti Chang

Professor of Law, National Taipei University



董事

莊永丞

東吳大學法律學系 教授

Director

Yung-Cheng Chuang

Professor of Law, Soochow University



董事

劉連煜

臺灣期貨交易所股份有限公司
董事長

Director

Len-Yu Liu

Chairman, Taiwan Futures Exchange



董事

簡立忠

臺灣證券交易所股份有限公司
副總經理

Director

Lih-Chung Chien

Senior Executive Vice President,
Taiwan Stock Exchange



董事

簡明哲

台北大學經濟學系 副教授

Director

Ming-Che Chien

Associate Professor of
Economics, National Taipei
University



董事

簡鴻文

中華民國證券商業同業公會
理事長

Director

Hung-Wen Chien

Chairman, Taiwan Securities
Association



監察人

林美花

政治大學會計學系 退休教授

Supervisor

Mei-Hwa Lin

Retired Professor of Accounting,
National Chengchi University



監察人

林瑛珪

財團法人中華民國證券櫃檯
買賣中心 副總經理

Supervisor

Ying-Kuei Lin

Vice President, Taipei
Exchange



監察人

劉啟群

台灣大學會計學系 教授

Supervisor

Chi-Chun Liu

Professor of Accounting,
National Taiwan University

肆 . 調處委員會委員名錄

IV. MEMBERS OF MEDIATION COMMITTEE

稱謂	姓名	現職
主任委員	邱欽庭	財團法人證券投資人及期貨交易人保護中心董事長
委員	朱德芳	政治大學法律學系副教授
委員	吳崇權	財團法人中華民國證券暨期貨市場發展基金會總經理
委員	李愛玲	臺灣集中保管結算所副總經理
委員	邵慶平	臺灣大學法律學院教授
委員	邱顯比	臺灣大學財務金融學系教授
委員	林仁光	臺灣大學法律學院教授
委員	周玲臺	政治大學會計學系教授
委員	南雪貞	中華民國律師公會全國聯合會律師訓練所副執行長
委員	陳錫琪	臺灣期貨交易所股份有限公司協理
委員	莊太平	中華民國證券商業同業公會秘書長
委員	許崇源	政治大學會計學系教授
委員	黃良瑞	中華民國證券投資信託暨顧問商業同業公會秘書長
委員	游智惠	臺經聯合會計師事務所會計師
委員	蔡英欣	臺灣大學法律學院副教授

◎調處委員會委員名錄除主任委員外，其餘依姓氏筆畫排列

◎任期自 104 年 5 月 5 日至 107 年 5 月 4 日止

Title	Name	Position
Chairman	Chin-Ting Chiu	Chairman, Securities and Futures Investors Protection Center
Member	Te-Fang Chu	Associate Professor of Law, National Chengchi University
Member	Chung-Chuan Wu	President, Securities & Futures Institute
Member	Edith Lee	Vice President, Taiwan Depository & Clearing Corporation
Member	Ching-Ping Shao	Professor of Law, National Taiwan University
Member	Shean-Bii Chiu	Professor of Finance, National Taiwan University
Member	Andrew Jen-Guang Lin	Professor of Law, National Taiwan University
Member	Ling-Tai Lynette Chou	Professor of Accounting, National Chengchi University
Member	Hsueh-Chen Nan	Vice Chief Executive Officer of Attorney Study Center, Taiwan Bar Association
Member	Hsi-Chi Chen	Executive Vice President, Taiwan Futures Exchange
Member	Tai-Ping Chuang	Secretary General, Taiwan Securities Association
Member	Chung-Yuan Hsh	Professor of Accounting, National Chengchi University
Member	Liang-Jui Huang	Secretary General, Securities Investment Trust & Consulting Association of the R.O.C.
Member	Misher Yu	Accountants, First Elite CPAs
Member	Ying-Hsin Tsai	Associate Professor of Law, National Taiwan University

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© Term of office from May 5, 2015 to May 4, 2018

伍 | 業務報告
Operation Report



一、保護基金

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

為有效推動各項證券投資人及期貨交易人保護及服務工作，健全及擴大市場規模，依投保法第十八條規定，保護基金除依該法第七條第二項之捐助財產外，各證券商應於每月十日前按其前月份受託買賣證券成交金額提撥萬分之零點零一八五，各期貨商按其前月受託買賣成交契約數依契約別提撥零點四二元、零點二二元、零點一八元、零點零三五元或零點零九元，證券交易所、期貨交易所按其前月份經手費收入提撥百分之五之款項作為本中心保護基金之來源。自九十二年一月至一〇四年十二月止，本中心共收受撥保護基金金額約計六十五億九千餘萬元。依投保法第十九條規定，保護基金應以購入政府債券或存入金融機構之方式保管，惟經主管機關核准係於合計不超過保護基金淨額百分之三十之範圍內，可運用於不超過捐助財產總額百分之十之自用不動產、原始投資不超過一千股之上市上櫃公司股票及其他有利基金保值之投資，經訂定「本中心基金保管及運用作業要點」執行有關保護基金之保管運用，至一〇四年十二月止含創立基金、前述受撥保護基金、其他受贈及基金孳息計約七十九億元，保管於銀行存款及政府債券約佔百分之七十四，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二十六。

1. INVESTORS PROTECTION FUND

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

To ensure that the tasks of protection and services of securities investors and futures traders are carried out effectively, to promote sound market development and to expand market size, Article 18 of the Investor Protection Act stipulates that in addition to assets donated in accordance with Paragraph 2, Article 7 of the Act, sources of the Investors Protection Fund (or “the Fund”) assets shall include the following: (1) every securities firm shall contribute 0.00000185 (1.85 millionths) of the total trading amount of its brokerage trades in the previous month; (2) every futures commission merchant shall contribute NT\$0.42, NT\$0.22, NT\$0.18, NT\$0.035, or NT\$0.09 per contract based on the number of brokerage trade contract executed in the previous month; and (3) Taiwan Stock Exchange and the Taiwan Futures Exchange shall contribute 5 percent of the transaction fees received in the previous month to the Center’s Investors Protection Fund by the 10th of each month. Between January 2003 and December 2015, the Center has received contributions in the sum of more than NT\$6.59 billion for the Investors Protection Fund. Also pursuant to Article 19 of the Investor Protection Act, the Investors Protection Fund shall be under custody by means of government bond purchases or deposit with financial institutions, and subject to approval by the competent authority, within the extent of not more than 30 percent of the net value of the Fund in total, up to 10 percent of the total assets donated at the time of the Fund’s establishment may be used to purchase real estate for own use, and the Fund may invest in TWSE/TPEX listed stocks with original investment not exceeding 1,000 shares of each company, and make other investments that help maintain the value of the Fund. The Center has established a “Guideline for Custody and Management of Investors Protection Fund”

二、諮詢申訴

當投資人對證券期貨法令有疑義或與發行人、證券商、證券服務事業、期貨業、交易所、櫃檯買賣中心、結算機構或其他利害關係人間，因有價證券募集、發行、買賣或期貨交易及其他相關事宜發生民事爭議時，均可以電話撥打投資人服務專線或親自來本中心諮詢；若投資人與前述機構間發生民事爭議時，亦可以電話、書面（含傳真、網路等）或親臨本中心之方式提出申訴。統計本年度迄十二月底止，本中心接獲電話諮詢四千餘通，書面申訴案共三百九十八件；而本中心成立以來，接獲電話諮詢計十一萬七千五百餘通，書面申訴案計一萬一千四百二十一件。電話諮詢主要係諮詢法令制度等相關規定，亦有申訴發行公司違法情事、與證券商、期貨商、投顧、證金公司間之交易糾紛或投資人詢問團體訴訟受理求償事宜。書面申訴之類型，近年來主要係發行公司財、業務資訊不透明、股價異常波動、權證交易糾紛、電子交易紛爭、未依客戶指示為股票買賣或期貨交易、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嫌疑等申訴類型。本中心處理投資人申訴證券暨期貨交易糾紛案件時，均本熱誠服務態度積極協助投資人解決問題，除以電話向申訴人說明原委或函請受申訴單位提出說明，協助雙方解決紛爭外，若案情較為複雜或求償金額較高，則建議投資人申請調處；另針對投資人檢舉之不法案件，視案件之性質，移請主管機關或相關機關處理。

三、爭議調處

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

and operates the Fund accordingly. As of December 2015, the Investors Protection Fund is valued at more than NT\$7.9 billion, including the initial fund, the aforementioned contributions, other donations and interest earned. Approximately 74% of the Fund assets are bank deposits and government bonds, and the other 26% are real estate (for own use), stocks of TWSE/TPEX listed companies and bank debentures.

2. CONSULTATION AND COMPLAINT FILING

Investors who have question over the provisions of securities or futures regulations, or have a civil dispute with a securities issuer, securities firm, securities service provider, futures firm, Taiwan Stock Exchange, Taipei Exchange, clearing house or other institutions over the offering, issuance, or transaction of securities, or futures trading can call the Center's investor service hotline or visit the Center in person for consultation. Investors can also file a complaint with the Center by mail, in writing (including fax and e-mail), or in person if investors have civil disputes with the said institutions. This year, the Center received more than 4,000 phone inquiries for consultation and 398 written complaints by the end of December. The Center has received more than 117,500 phone inquiries and 11,421 written complaints since it was founded. The phone calls concerned mainly inquiries about securities rules and regulations and complaints about illegal actions of securities issuers, trading disputes with securities firms, futures firms, investment consulting firms or securities finance firms, and inquiries about class action. In recent years, written complaints were filed mostly for: lack of transparency in financial/operational information of issuers; irregular stock price fluctuations; disputes over warrant transactions; disputes over electronic transactions; trading of stocks/futures without following clients' instructions; disputes arising from the trading of non TWSE/TPEX listed stocks; collection of payment or securities from investors trading on margin or short sale; margin calls on futures contracts; and disputes over fee refunds from investment consultant or misleading analysis reports of investment consultant. Upon receiving the complaints, the Center actively helped investors find solutions to their problems. In addition to explaining

投資人有前開民事爭議時，得向本中心申請調處；同法於九十八年五月二十日修正時，增訂小額爭議事件擬制調處機制，目前小額證券投資或期貨交易爭議之額度為一百萬元以下。本年度迄十二月底止共受理十一件調處案，其中調處成立一件，不成立五件，召開調處會議前即達成和解一件，相對人拒絕調處三件，不予受理調處一件。而本中心成立以來，已受理三百二十八件調處案，其中有四十六件調處成立送請法院核定，另有三十一件當事人自行和解，達成為投資人迅速解決民事糾紛及減少訴訟之目的。為發揮本中心申訴調處功能，主管機關金融監督管理委員會證券期貨局，邀集證券周邊單位及本中心協商，決議為充分保障投資人權益，期使受害投資人獲得實質民事上之補償，各單位接獲投資人申訴或檢舉個案，無論違規或違法情節輕重，若有明確之雙方當事人，且涉及民事求償事宜，均可先移由本中心進行調處，對於協助投資人解決民事爭議，應有助益。

四、團體訴訟

鑑於我國證券投資人參與市場者以散戶居多，其權益受損時，因缺乏相關資訊，且提起訴訟須耗費相當時間、金錢，故多裹足不前。本中心依投保



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

3. MEDIATION

Overwhelmed by the lengthy and complex litigation process, many securities investors or futures traders whose rights were harmed in connection with the offering, issuance or transaction of securities or futures trading are not be able to make claims as provided by law. To avoid the litigation process, settling such disputes through mediation by the Center should be a more viable solution. Thus Article 22 of the Investor Protection Act provides that investors involved in a civil dispute may apply for mediation with the Center. In addition, the Center has set up a small claim mediation mechanism pursuant to the amended Investor Protection Act amended on May 20, 2009. The small claim mechanism applies to securities or futures trading dispute involving claim of NT\$1 million or less. By the end of 2015, the Center handled a total of 11 mediation cases, of which 1 was successful, 5 were unsuccessful, 1 was settled prior to mediation, 3 were rejected by the counterparty, and 1 was denied mediation by the Center. Since the Center's establishment, it has handled 328 mediation cases, of which 46 were successful and sent to court for approval and 31 were settled by parties concerned before mediation. The Center has thus achieved the objectives of settling civil disputes for investors in an expedited manner and curtailing litigation. To bring the dispute mediation function of the Center into full play, the Securities and Futures Bureau of the Financial Supervisory Commission (FSC) invited relevant securities agencies and the Center to a consultation meeting. It was decided in the meeting that to fully protect the interests of investors and to help victimized investors to obtain financial compensation, complaints involving civil dispute received by relevant agencies, where both parties in

法第二十八條之規定，對於造成多數證券投資人或期貨交易人受損害之同一證券、期貨事件，得由二十人以上證券投資人或期貨交易人授與訴訟或仲裁實施權後，由本中心提起團體訴訟或仲裁。截至一〇四年底，本中心辦理團體訴訟案件，仍於法院繫屬或進行強制執行等相關法律程序者，有九十六件，計有九萬六千餘名投資人授與訴訟實施權進行民事求償，請求金額共計三百七十九億九千餘萬元。另已結案者計有一〇五件，金額六十六億餘元，人數一萬八千餘人。

於一〇四年度，本中心協助投資人進行團體求償案件計有十四案，求償金額共計六億七千餘萬元，人數二千餘人，其中財報不實案有三件，操縱股價案有五件，內線交易案有四件，另有一件兼具操縱股價及內線交易類型，一件為其他不法類型。

前揭團體訴訟案件截至本年度，計有二十八案業已勝訴判決確定；另有三十二案業經法院一審或二審判決全部或部分勝訴，發行公司、不法行為人及部分民事被告等應對受有損害投資人負賠償責任。

the dispute clearly exist and a civil claim is made, may be transferred to the Center for mediation, regardless of the severity of violation involved. Such practice should be helpful for assisting investors in resolving civil disputes.

4. CLASS ACTION LITIGATION

Investors in Taiwan's securities and futures markets are predominantly individual investors, who are often reluctant to resort to legal actions to protect their rights due to lack of time and resources when their interests are damaged. Pursuant to Article 28 of the Investor Protection Act, the Center may file a class action lawsuit or an arbitration claim in its own name with respect to a securities or futures matter arising from a single cause that is injurious to multiple securities investors or futures traders, after having been so empowered by not less than 20 securities investors or futures traders. By the end of 2015, the Center still had 96 class action cases pending in the court or in the process of compulsory enforcement, and more than 96,000 investors empowered the Center to file class action suits in civil claims for a total amount of more than NT\$37.99 billion. A total of 105 cases had been closed; these cases represented more than 18,000 investors and concerned more than NT\$6.6 billion.

In 2015 alone, the Center assisted more than 2,000 investors in 14 class action suits for a total claim of more than NT\$670 million. Three of those cases involved false financial statements, whereas five were related to stock price manipulation, four concerned insider trading, one was simultaneously involved in stock price manipulation and insider trading, and one was related to other misconducts.

By the end of 2015, 28 of all class action suits mentioned above have been awarded final judgments in favor of investors, whereas another 32 cases have been granted fully or partially in favor of investors in the first or second instance. These judgments required securities issuers, wrongdoers, and parts of the civil defendants to compensate investors' losses. In addition, the Center has reached settlements with certain criminal defendants, corporate directors/supervisors, accountants, and securities underwriters in some of the class action suits mentioned above.



此外，針對團體訴訟案件，本中心亦與部分刑事被告、董監事、會計師、承銷商等達成和解，截至本年度止，本中心已替投資人取得三十億一千餘萬元之和解金，其中九十三年度為二千二百餘萬元、九十四年度為三億二百餘萬元、九十五年度為五億五千四百餘萬元、九十六年度為一億九千七百餘萬元、九十七年度為一億六千六百餘萬元、九十八年度為一億六百餘萬元、九十九年度為八千二百餘萬元、一百年度為一億一千三百餘萬元、一〇一年度為五億一千五百餘萬元、一〇二年度為一億三千七百餘萬元、一〇三年度為七億一千九百餘萬元、一〇四年度為八千二百餘萬元，投資人之損害可望獲得部分之實質補償。

五、代表訴訟及解任訴訟

為加強公司治理機制，投保法九十八年五月二十日修正時，增訂保護機構有股東代表訴訟及訴請法院裁判解任董監事權。保護機構辦理業務，發現上市或上櫃公司之董事或監察人執行業務，有重大損害公司之行為或違反法令或章程之重大事項，得依規定為公司對董事或監察人提起訴訟及訴請法院裁判解任董事或監察人，俾得督促公司管理階層善盡忠實義務。

截至一〇四年底，本中心計提起三十三件代表訴訟及二十九件解任訴訟案件。



By the end of 2015, the Center has helped investors collect more than NT\$3,010 million in settlements; of which NT\$22 million in 2004, NT\$302 million in 2005, NT\$554 million in 2006, NT\$197 million in 2007, NT\$166 million in 2008, NT\$106 million in 2009, NT\$82 million in 2010, NT\$113 million in 2011, NT\$515 million in 2012, NT\$137 million in 2013, NT\$719 million in 2014, and NT\$82 million in 2015, which partially compensated investors' losses.

5. DERIVATIVE SUIT AND DISCHARGE SUIT

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

As of the end of 2015, the Center has filed 33 derivative suits and another 29 discharge suits.

6. DISGORGEMENT

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

六、歸入權行使

依證券交易法第一百五十七條及其施行細則第十一條規定，上市（櫃）公司之董事、監察人、經理人及持股超過百分之十之大股東，對公司之股票及具有股權性質之其他有價證券，於取得後六個月內再行賣出，或於賣出後六個月內再行買進，因而獲得利益者，公司應請求將其利益歸於公司。本中心成立後業依主管機關函釋，接續原證基會辦理上市（櫃）公司內部人涉短線交易歸入權之行使業務，以股東身分要求公司行使歸入權。按督促上市（櫃）公司行使歸入請求權，係就台灣證券交易所及櫃檯買賣中心提供之每半年短線交易彙總資料，函請公司依法行使歸入權。本中心本年度共處理一〇三年上半年度上市（櫃）公司、一〇三年下半年度上市（櫃）公司、一〇四年上半年度上市（櫃）公司之案件計四百一十件，其中結案二百九十三件，催促行使一百一十七件。總計辦理八十三年度至一〇四年度歸入權案件計七千一百七十二件，截至本年度結案計七千零四十八件，催促行使一百一十七件，進入訴訟程序而仍未歸入者七件。



insiders in the capacity of a shareholder to return profits obtained by them from short-swing trading to the company. The Center takes disgorgement enforcement actions based on the short-swing trading data provided by Taiwan Stock Exchange and the Taipei Exchange once every half a year. The Center handled 410 cases of such disputes involving TWSE/TPEX listed companies throughout the first and second halves of 2014 and the first half of 2015; among which 293 cases have been closed and 117 are still in the process of collection. In total, the Center has handled 7,172 cases from 1994 to 2015, of which a total of 7,048 cases have been closed, 117 are still in the process of collection, and 7 have been brought into litigation proceedings.

7. FUND PAYMENT

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

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

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

七、基金償付

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

惟因保護基金總額有限，主管機關為避免單一之鉅額償付事件即嚴重影響保護基金及本中心之運作，在考量個別證券商或期貨商對保護基金貢獻之公平性、保護基金之運作及對小額投資人權益之保護，而無法完全滿足投資人所有受損額度，故有償付限額，即對每一投資人一次之償付，以一百二十萬元為限；對每家證券商或期貨商之全體證券投資人或期貨交易人一次之償付總額，以證券商或期貨商最近一年或最近三年平均提撥保護基金數額（取其數額高者為準）之一千倍為準，並不超過十二億元為償付總額上限，前開計算金額最高未達一億元者，以一億元為準。

自本中心成立以來，未有償付案件。

八、保護宣導

本中心特地撰寫與投資人投資權益息息相關之「保護投資人權益及踐行股東行動主義 - 證券投資人及期貨交易人保護中心」摺頁及「投資人權益系列講座 - 重大議案及資訊篇」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「公司治理 2.0 與股東權益」、「從訊息面暫停交易機制談投資人權益之維護」座談會；另亦在報章雜誌等媒體刊登文章或專欄計四十八篇，宣導各項與投資人權益有關之議題，提醒投資人建立正確之投資觀念，並重視本身之合法權益，促使我國證券暨期貨市場之發展更趨健全。

8. PUBLIC EDUCATION

The Center has published manuals titled “Protection of Investors’ Interests and Fulfillment of Shareholder Activism- Securities and Futures Investors Protection Center” and “Protection of Investors’ Interests Forum Series: Material Cases and Information” that the public may access for free. In addition, the Center promotes public awareness towards investor protection by organizing seminars in collaboration with the media. This year, the Center held two “Investor Protection Forum” sessions titled “Corporate Governance 2.0 and Shareholders’ Interests” and “Protecting Investors’ Interests by the Mechanism of Trading Halt during Information Assessment Period.” In addition, the Center published 48 articles on investor protection in various print media, advocating various topics relating to investor protection and reminding investors to develop the correct investment concepts and be aware of their legal rights. The Center’s public education effort is also directed at the sound development of securities and futures markets.

9. MATTERS RELATED TO SHAREHOLDERS’ RIGHTS AND INTERESTS

(1) EXERCISE SHAREHOLDER ACTIVISM:

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

九、攸關股東權益事項

(一) 以股東身分行使股東權踐履股東行動主義精神：

為落實公司治理之理念以維護投資人權益，本中心亦配合主管機關積極實踐股東行動主義保障股東權益，自九十五年開始每年度皆參加十數家以上的上市櫃公司股東會，本年度計參加三十四場次之股東常會或臨時會，就私募案、合併案、減資案、處分資產案、轉投資案、大額背書保證、董監事酬金及股利分配等攸關股東重大權益事項提出詢答，會後並持續注意追蹤其處理情形，發揮督促公司治理及維護股東權益的功效。

(二) 私募案件：

本年度檢視私募議案件數共計一百四十五家，發函詢問公司家數計一百三十六家，該一百三十六家均已具體改善、函復或為說明。另就發函詢問之公司，其中有十八家公司回復情況尚有疑義，已出席該等公司股東會提出質詢。

(三) 董監事酬金案件：

為健全市場發展及增進股東權益，本中心針對一〇二年度、一〇三年度董監事酬金有超過主管機關參考規範一定標準之四十七家上市櫃公司，其中發函詢問公司家數計二十二家，該二十二家均已具體改善、函復或為說明。

(四) 大額背書保證及資金貸與超限等：

就相關單位函送一〇三年度及一〇四年上半年度有關大額背書保證、資金貸與超限及重大轉投資虧損等七十三家上市櫃公司，經評估函請公司釋明疑義者有三十四家，該三十四家公司皆已回復說明或提出改善計畫，持續追蹤其辦理情形。

(2) PRIVATE PLACEMENT CASES:

This year, the Center reviewed 145 cases of private placement and issued written inquiries to a total of 136 companies, all companies had already made improvements, replies or explanations to these inquiries. In addition, 18 of those companies that had replied did not provide satisfactory responses, and the Center had followed up with further questions during the shareholders' meetings.

(3) DIRECTOR/SUPERVISOR REMUNERATION CASES:

In order to promote healthy market development and enhance shareholders' interests, the Center issued written queries to 22 out of the 47 TWSE/TPEX listed companies that had exceeded the competent authority's guidelines on directors' and supervisors' remuneration between 2013 and 2014. Of the queried companies, all of them had already made improvements, replies or explanations.

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

As for the 73 TWSE/TPEX listed companies on the list provided by relevant agencies that made large-sum endorsement/guarantee, excessive loans or suffered significant loss on major investment projects in 2014 and the first half of 2015, after comprehensive assessment, the Center sent inquiry letters to 34 of the aforesaid companies, asking for explanation. All of the 34 companies have made reply or proposed improvement plans. The Center will follow up on their improvement actions.

(5) CAPITAL DECREASE CASES:

As for capital decrease actions proposed by TWSE/TPEX listed companies for making up their losses, the Center, in accordance with the instructions of the competent authority, asked those companies to explain or submit the proposal for a vote in the shareholders' meeting. The Center would then keep monitoring the follow-up actions of those cases. This year, the Center reviewed 104 companies and sent inquiry letters to 23 of them, except for those 81

(五) 減資案件：

依主管機關函囑就上市櫃公司彌補虧損之減資案，提報股東會說明或進行決議，並追蹤辦理情形事，本年度檢視一百零四家上市櫃公司，除辦理現金減資及註銷發行之限制員工權利新股所為之減資等八十一家外，其餘二十三家均予發函詢問，皆已回復並提出說明，並持續追蹤一〇三年度列有減資議案之三十七家上市櫃公司後續辦理情形。

(六) 股利分派案件：

本年度針對一〇三年度股利發放有僅分派員工紅利及董監酬勞而未分派股利，或盈餘分派嚴重偏離公司章程情形者之十二家上市櫃公司，經發函詢問，該等公司均已函復並提出說明。

companies that made capital decreases in the form of cash and/or for the reason of cancellation of issued employees' restricted stock. All of the aforesaid 23 companies made reply and explanation. The Center also continues to monitor the follow-up actions of 37 companies which made capital decrease in 2014.

(6) STOCK DIVIDEND DISTRIBUTION CASES:

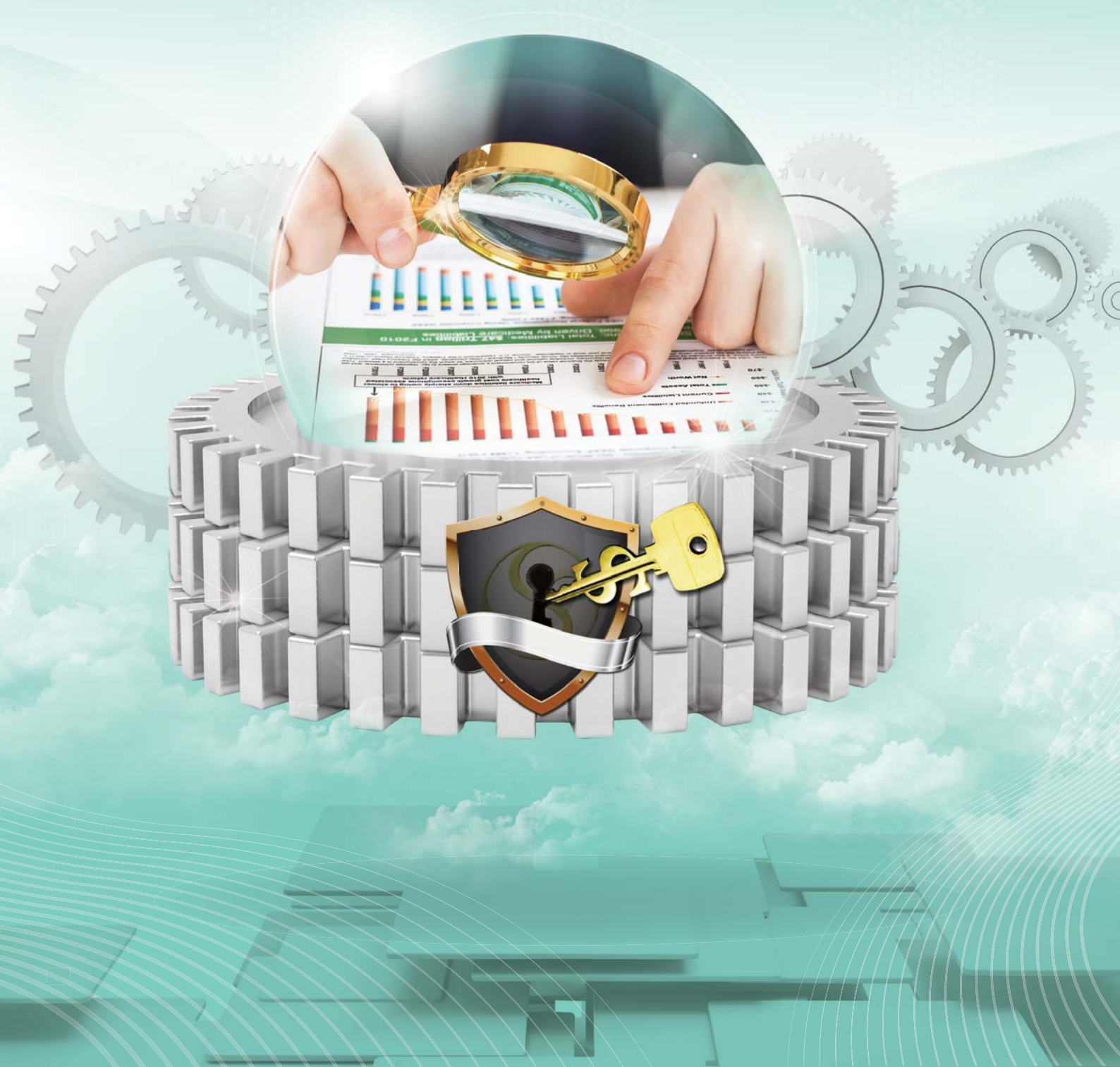
This year, the Center sent inquiry letters to 12 TWSE/TPEX listed companies that distributed only bonuses for employees and remuneration for directors/supervisors but no stock dividend or distributed earnings in a manner seriously deviating from the company's articles of incorporation in 2014. All companies made reply and explanation to the inquiries.





財務報告

Financial Statements



會計師查核報告

財團法人證券投資人及期貨交易人保護中心民國一〇四年十二月三十一日及民國一〇三年十二月三十一日之資產負債表，暨民國一〇四年一月一日至十二月三十一日及民國一〇三年一月一日至十二月三十一日之收支餘絀表、保護基金變動表及現金流量表，業經本會計師查核竣事。上開財務報表之編製係管理階層之責任，本會計師之責任則為根據查核結果對上開財務報表表示意見。

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

依本會計師之意見，第一段所述財務報表在所有重大方面係依照金融監督管理委員會頒布之「金融監督管理委員會主管財團法人監督管理要點」及財團法人中華民國會計研究發展基金會所公布之財務會計準則公報及其解釋編製，足以允當表達財團法人證券投資人及期貨交易人保護中心民國一〇四年十二月三十一日及民國一〇三年十二月三十一日之財務狀況，暨民國一〇四年一月一日至十二月三十一日及民國一〇三年一月一日至十二月三十一日之經營結果、基金變動與現金流量。

此 致

財團法人證券投資人及期貨交易人保護中心 公鑒

安永聯合會計師事務所

會計師：張 嵐 菁



中華民國一〇五年三月二十三日

REPORT OF INDEPENDENT AUDITORS

Securities and Futures Investors Protection Center

We have audited the accompanying balance sheets of Securities and Futures Investors Protection Center as of December 31, 2015 and 2014, and the related statements of income and disbursements, changes in institute fund, and cash flows for the years ended December 31, 2015 and 2014. These financial statements are the responsibility of the Center's management. Our responsibility is to express an opinion on these financial statements based on our audits.

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

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial positions of Securities and Futures Investors Protection Center as of December 31, 2015 and 2014, and the results of its operations, changes in institute fund and cash flows for the years ended December 31, 2015 and 2014 in conformity with the "Guidelines Regarding the Supervision and Governance of Funds with Juridical Person Status" stipulated by the Financial Supervisory Commission and Statements of Financial Accounting Standards and its interpretations pronounced by Accounting Research and Development Foundation.

March 23, 2016
Taipei, Taiwan
Republic of China



財團法人證券投資人及期貨交易人保護中心
資產負債表民國一〇四年十二月三十一日
及民國一〇三年十二月三十一日

單位：新台幣元

資 產	一〇四年十二月三十一日		一〇三年十二月三十一日	
	金 額	%	金 額	%
流動資產				
現金及約當現金	\$1,260,392,118	13.61	\$1,110,196,750	12.60
應收票據及帳款	29,162,305	0.31	28,896,275	0.33
其他流動資產	61,369,852	0.66	65,465,210	0.74
流動資產合計	<u>1,350,924,275</u>	<u>14.58</u>	<u>1,204,558,235</u>	<u>13.67</u>
基金及投資				
備供出售金融資產 - 非流動	119,800,521	1.29	105,813,104	1.20
持有至到期日之金融資產 - 非流動	6,319,406,415	68.23	6,109,986,415	69.31
基金及投資合計	<u>6,439,206,936</u>	<u>69.52</u>	<u>6,215,799,519</u>	<u>70.51</u>
固定資產				
土 地	71,070,000	0.77	71,070,000	0.80
房屋及裝修設備	35,527,377	0.38	35,527,377	0.40
辦公設備	13,967,861	0.15	13,215,861	0.15
成本小計	120,565,238	1.30	119,813,238	1.35
減：累計折舊	(20,721,783)	(0.23)	(18,892,104)	(0.21)
預付設備款	490,000	0.01	490,000	0.01
固定資產淨額	<u>100,333,455</u>	<u>1.08</u>	<u>101,411,134</u>	<u>1.15</u>
其他資產				
受限制資產	1,311,954,524	14.16	1,233,612,811	13.99
存出保證金	60,626,216	0.66	59,568,359	0.68
其他資產合計	<u>1,372,580,740</u>	<u>14.82</u>	<u>1,293,181,170</u>	<u>14.67</u>
資產總計	<u>\$9,263,045,406</u>	<u>100.00</u>	<u>\$8,814,950,058</u>	<u>100.00</u>

負債、基金及累積餘絀	一〇四年十二月三十一日		一〇三年十二月三十一日	
	金 額	%	金 額	%
流動負債				
應付費用	\$13,854,408	0.15	\$12,511,713	0.14
其他流動負債	<u>206,773</u>	<u>-</u>	<u>602,284</u>	<u>0.01</u>
流動負債合計	<u>14,061,181</u>	<u>0.15</u>	<u>13,113,997</u>	<u>0.15</u>
其他負債				
代收款	837,612,140	9.04	740,588,002	8.40
存入保證金	<u>474,352,444</u>	<u>5.12</u>	<u>493,034,809</u>	<u>5.59</u>
其他負債合計	<u>1,311,964,584</u>	<u>14.16</u>	<u>1,233,622,811</u>	<u>13.99</u>
負債總計	<u>1,326,025,765</u>	<u>14.31</u>	<u>1,246,736,808</u>	<u>14.14</u>
基金及累積餘絀				
創立基金	1,031,000,000	11.13	1,031,000,000	11.70
增撥基金	6,497,063,411	70.14	6,157,982,312	69.86
待轉撥基金	374,945,107	4.05	339,081,099	3.85
備供出售金融商品未實現損益	<u>34,011,123</u>	<u>0.37</u>	<u>40,149,839</u>	<u>0.45</u>
基金及累積餘絀總計	<u>7,937,019,641</u>	<u>85.69</u>	<u>7,568,213,250</u>	<u>85.86</u>
負債、基金及累積餘絀總計	<u>\$9,263,045,406</u>	<u>100.00</u>	<u>\$8,814,950,058</u>	<u>100.00</u>

**SECURITIES AND FUTURES INVESTORS PROTECTION CENTER
BALANCE SHEETS**

December 31, 2015 and 2014
(Expressed in New Taiwan Dollars)

ASSETS	December 31,	
	2015	2014
CURRENT ASSETS		
Cash and cash equivalents	\$1,260,392,118	\$1,110,196,750
Notes and accounts receivable	29,162,305	28,896,275
Other current assets	61,369,852	65,465,210
Total Current Assets	1,350,924,275	1,204,558,235
INVESTMENTS AND FUNDS		
Available-for-sale financial assets - noncurrent	119,800,521	105,813,104
Held-to-maturity financial assets - noncurrent	6,319,406,415	6,109,986,415
Total investments and funds	6,439,206,936	6,215,799,519
PROPERTY AND EQUIPMENT		
Land	71,070,000	71,070,000
Buildings	35,527,377	35,527,377
Office equipment	13,967,861	13,215,861
Total Cost	120,565,238	119,813,238
Less : accumulated depreciation	(20,721,783)	(18,892,104)
Prepayment for equipment	490,000	490,000
Net Property and Equipment	100,333,455	101,411,134
OTHER ASSETS		
Restricted assets	1,311,954,524	1,233,612,811
Refundable deposits	60,626,216	59,568,359
Total Other Assets	1,372,580,740	1,293,181,170
TOTAL ASSETS	\$9,263,045,406	\$8,814,950,058

	December 31,	
LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	2015	2014
CURRENT LIABILITIES		
Accrued expenses	\$13,854,408	\$12,511,713
Other current liabilities	<u>206,773</u>	<u>602,284</u>
Total Current Liabilities	<u>14,061,181</u>	<u>13,113,997</u>
OTHER LIABILITIES		
Receipts in custody	837,612,140	740,588,002
Guarantee deposits received	<u>474,352,444</u>	<u>493,034,809</u>
Total Other Liabilities	<u>1,311,964,584</u>	<u>1,233,622,811</u>
TOTAL LIABILITIES	<u>1,326,025,765</u>	<u>1,246,736,808</u>
FUNDS AND ACCUMULATED SURPLUS		
Institute fund	1,031,000,000	1,031,000,000
Additional capitalized fund	6,497,063,411	6,157,982,312
Fund to be transferred	374,945,107	339,081,099
Unrealized gain on available-for-sale financial assets	<u>34,011,123</u>	<u>40,149,839</u>
TOTAL FUNDS AND ACCUMULATED SURPLUS	<u>7,937,019,641</u>	<u>7,568,213,250</u>
TOTAL LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	<u>\$9,263,045,406</u>	<u>\$8,814,950,058</u>

財團法人證券投資人及期貨交易人保護中心
收支餘絀表

民國一〇四年一月一日至十二月三十一日
及民國一〇三年一月一日至十二月三十一日

單位：新台幣元

項 目	一〇四年度		一〇三年度	
	金 額	%	金 額	%
收入				
財務收入	\$116,109,699	99.93	\$112,149,004	99.98
處分投資利益淨額	82,011	0.07	-	-
處分固定資產利益	-	-	6,821	0.02
其他收入	<u>1,904</u>	<u>-</u>	<u>2,857</u>	<u>-</u>
合 計	<u>116,193,614</u>	<u>100.00</u>	<u>112,158,682</u>	<u>100.00</u>
支出				
人事支出	55,151,047	47.46	53,731,660	47.91
業務支出	19,308,715	16.62	18,618,670	16.59
業務撥回基金	41,733,852	35.92	39,612,053	35.32
處分投資損失淨額	<u>-</u>	<u>-</u>	<u>196,299</u>	<u>0.18</u>
合 計	<u>116,193,614</u>	<u>100.00</u>	<u>112,158,682</u>	<u>100.00</u>
本期餘絀	<u>\$-</u>	<u>-</u>	<u>\$-</u>	<u>-</u>

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER
STATEMENTS OF INCOME AND DISBURSEMENTS

For the years ended December 31, 2015 and 2014
(Expressed in New Taiwan Dollars)

	2015	2014
REVENUES		
Financial income	\$116,109,699	\$112,149,004
Gain on disposal of investments	82,011	-
Gain on disposal of fixed assets	-	6,821
Other income	1,904	2,857
Total Revenues	116,193,614	112,158,682
EXPENSES		
Personnel expenses	55,151,047	53,731,660
Operating expenses	19,308,715	18,618,670
Operation transferred to institute fund	41,733,852	39,612,053
Loss on disposal of investments	-	196,299
Total Expenses	116,193,614	112,158,682
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

民國一〇四年一月一日至十二月三十一日
及民國一〇三年一月一日至十二月三十一日

單位：新台幣元

項 目	創立基金	增撥基金	待轉撥基金	累 積 餘 絀	備供出售 金融資產 未實現損益	合 計
民國一〇三年 一月一日餘額	\$1,031,000,000	\$5,852,381,290	\$305,601,022	\$-	\$33,549,765	\$7,222,532,077
待轉撥基金轉入		305,601,022	(305,601,022)			-
受撥收入			299,413,588			299,413,588
基金撥用			(9,119,560)			(9,119,560)
訴訟仲裁支出						
訴訟仲裁支出			9,175,018			9,175,018
撥回基金						
業務撥回基金			39,612,053			39,612,053
備供出售金融 資產未實現損益					6,600,074	6,600,074
民國一〇三年度餘絀				-		-
民國一〇三年 十二月三十一日餘額	1,031,000,000	6,157,982,312	339,081,099	-	40,149,839	7,568,213,250
待轉撥基金轉入		339,081,099	(339,081,099)			-
受撥收入			336,292,995			336,292,995
基金撥用			(6,357,723)			(6,357,723)
訴訟仲裁支出						
訴訟仲裁支出			3,275,983			3,275,983
撥回基金						
業務撥回基金			41,733,852			41,733,852
備供出售金融 資產未實現損益					(6,138,716)	(6,138,716)
民國一〇四年度餘絀				-		-
民國一〇四年 十二月三十一日餘額	<u>\$1,031,000,000</u>	<u>\$6,497,063,411</u>	<u>\$374,945,107</u>	<u>\$-</u>	<u>\$34,011,123</u>	<u>\$7,937,019,641</u>

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

For the years ended December 31, 2015 and 2014

(Expressed in New Taiwan Dollars)

	Institute Fund	Additional Capitalized Fund	Fund To Be Transferred	Accumulated Surplus (Deficit)	Unrealized Gain (Loss) On Available-for-sale Financial Assets	Total
Balance, January 1, 2014	\$1,031,000,000	\$5,852,381,290	\$305,601,022	\$-	\$33,549,765	\$7,222,532,077
Fund capitalized from fund to be transferred		305,601,022	(305,601,022)			-
Contribution income to fund			299,413,588			299,413,588
Allocation to litigation and arbitration			(9,119,560)			(9,119,560)
Litigation and arbitration transferred to institute fund			9,175,018			9,175,018
Operation transferred to institute fund			39,612,053			39,612,053
Unrealized gain on available-for-sale financial assets					6,600,074	6,600,074
Surplus (Deficit) for 2014				-		-
Balance, December 31, 2014	1,031,000,000	6,157,982,312	339,081,099	-	40,149,839	7,568,213,250
Fund capitalized from fund to be transferred		339,081,099	(339,081,099)			-
Contribution income to fund			336,292,995			336,292,995
Allocation to litigation and arbitration			(6,357,723)			(6,357,723)
Litigation and arbitration transferred to institute fund			3,275,983			3,275,983
Operation transferred to institute fund			41,733,852			41,733,852
Unrealized loss on available-for-sale financial assets					(6,138,716)	(6,138,716)
Surplus (Deficit) for 2015				-		-
Balance, December 31, 2015	<u>\$1,031,000,000</u>	<u>\$6,497,063,411</u>	<u>\$374,945,107</u>	<u>\$-</u>	<u>\$34,011,123</u>	<u>\$7,937,019,641</u>

財團法人證券投資人及期貨交易人保護中心
現金流量表

民國一〇四年一月一日至十二月三十一日
及民國一〇三年一月一日至十二月三十一日

單位：新台幣元

項 目	一〇四年度	一〇三年度
業務活動之現金流量：		
本期餘絀	\$-	\$-
調整項目：		
折舊	1,829,679	1,973,671
處分投資(利益)損失	(82,011)	196,299
處分固定資產利益	-	(6,821)
業務用資產及負債增減淨額		
應收票據及帳款增加	(266,030)	(9,541,832)
其他流動資產減少(增加)	4,095,358	(3,445,806)
受限制資產增加	(78,341,713)	(168,094,710)
存出保證金增加	(1,057,857)	(1,828,600)
應付費用增加	1,342,695	1,439,623
其他流動負債(減少)增加	(395,511)	350,273
代收款增加	97,024,138	123,182,284
存入保證金(減少)增加	(18,682,365)	44,912,426
業務活動之淨現金流入(出)	5,466,383	(10,863,193)
投資活動之現金流量：		
備供出售金融資產增加數	(20,614,360)	(5,449,850)
備供出售金融資產減資退回股款	87,227	64,471
備供出售金融資產處分價款	483,011	180,729
持有至到期日之金融資產增加數	(209,420,000)	(380,557,033)
購置固定資產	(752,000)	(1,050,167)
固定資產處分價款	-	6,821
投資活動之淨現金流出	(230,216,122)	(386,805,029)
融資活動之現金流量：		
待轉撥基金增加	374,945,107	339,081,099
融資活動之淨現金流入	374,945,107	339,081,099
本期現金增加(減少)數	150,195,368	(58,587,123)
期初現金及約當現金餘額	1,110,196,750	1,168,783,873
期末現金及約當現金餘額	\$1,260,392,118	\$1,110,196,750
不影響現金流量之投資活動：		
備供出售金融資產之未實現(損)益	\$(6,138,716)	\$6,600,074

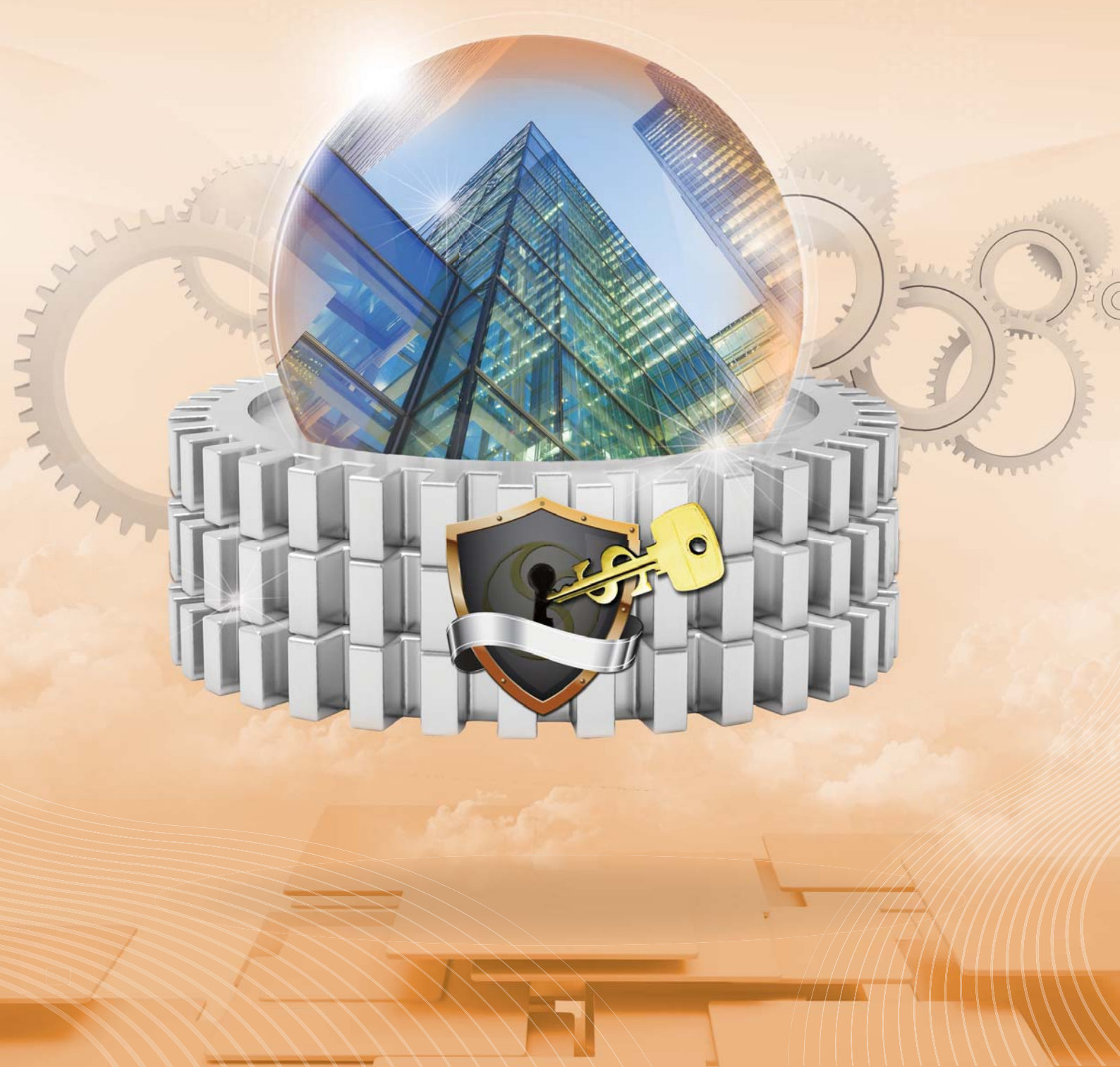
SECURITIES AND FUTURES INVESTORS PROTECTION CENTER
STATEMENTS OF CASH FLOWS

For the years ended December 31, 2015 and 2014

(Expressed in New Taiwan Dollars)

	2015	2014
CASH FLOWS FROM OPERATING ACTIVITIES		
Surplus (Deficit)	\$-	\$-
Adjustments to reconcile net surplus (deficit) to net cash provided		
by (used in) operating activities:		
Depreciation expense	1,829,679	1,973,671
(Gain)Loss on disposal of investments	(82,011)	196,299
Gain on disposal of fixed assets	-	(6,821)
Net changes in operating assets and liabilities		
Increase in notes and accounts receivable	(266,030)	(9,541,832)
Decrease (increase) in other current assets	4,095,358	(3,445,806)
Increase in restricted assets	(78,341,713)	(168,094,710)
Increase in refundable deposits	(1,057,857)	(1,828,600)
Increase in accrued expenses	1,342,695	1,439,623
(Decrease) increase in other current liabilities	(395,511)	350,273
Increase in receipts in custody	97,024,138	123,182,284
(Decrease) increase in guarantee deposits received	(18,682,365)	44,912,426
Net cash provided by (used in) operating activities	<u>5,466,383</u>	<u>(10,863,193)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Increase in available-for-sale financial assets	(20,614,360)	(5,449,850)
Proceeds from capital reduction of available-for-sale financial assets	87,227	64,471
Proceeds from disposal of available-for-sale financial assets	483,011	180,729
Increase in held-to-maturity financial assets	(209,420,000)	(380,557,033)
Purchases of property and equipment	(752,000)	(1,050,167)
Proceeds from disposal of fixed assets	-	6,821
Net cash used in investing activities	<u>(230,216,122)</u>	<u>(386,805,029)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Increase in fund to be transferred	<u>374,945,107</u>	<u>339,081,099</u>
Net cash provided by financing activities	<u>374,945,107</u>	<u>339,081,099</u>
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	150,195,368	(58,587,123)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>1,110,196,750</u>	<u>1,168,783,873</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$1,260,392,118</u>	<u>\$1,110,196,750</u>
NONCASH INVESTING ACTIVITY		
Unrealized gain (loss) on available-for-sale financial assets	<u>\$(6,138,716)</u>	<u>\$6,600,074</u>

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日期 Date	事項 Event
104.1.5	<p>召開本中心第 5 屆第 1 次董事監察人會議：</p> <p>一、推選邱董事欽庭擔任本中心第五屆董事長。</p> <p>二、同意聘任呂董事淑玲擔任總經理乙職。</p> <p>Held the 5th-term 1st board of directors and supervisors meeting:</p> <p>1. Nominated and elected Director Chin-Ting Chiu as the 5th-term chairman of the Board.</p> <p>2. Agreed to appoint Director Shu-Lin Lu as the president.</p>
104.1.13	<p>「財團法人證券投資人及期貨交易人保護中心業務規則」第 35 條及第 37 條修正乙事，案奉金融監督管理委員會一〇四年一月十三日金管證交字第 30053933 號函准予照辦。</p> <p>The amendments to Article 35 and Article 37 of the “Securities and Futures Investors Protection Center Operating Rules” had been approved by the Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-30053933 dated January 13, 2015</p>
104.1.28	<p>召開本中心第 5 屆第 2 次董事監察人會議：</p> <p>一、提報主管機關核准本中心新任董事長及核備本中心總經理乙案。</p> <p>二、提報新竹商業銀行股份有限公司股票內線交易案，經臺灣高等法院更一審判決本中心部分勝訴事。</p> <p>三、提報金雨企業股份有限公司財報不實案，經最高法院民事裁判事。</p> <p>四、提報本中心就圓方創新股份有限公司現任董事長徐翊銘訴請法院裁判解任其董事職務事件，經臺灣臺北地方法院判決駁回本中心訴訟事。</p> <p>五、提報本中心就科風股份有限公司現任董事長張峯豪訴請法院裁判解任其董事職務事件，經臺灣新北地方法院判決駁回本中心訴訟事。</p> <p>六、提報本中心對宇加科技股份有限公司董事孫國彰、潘俊毓所提解任董事職務案件，經向臺灣新北地方法院撤回訴訟事。</p> <p>七、提報修正「財團法人證券投資人及期貨交易人保護中心業務規則」第 35 條及第 37 條有關金融業務免附戶籍謄本措施規定，業經金融監督管理委員會中華民國 104 年 1 月 13 日金管證交字第 1030053933 號函（如附件）准予照辦。</p> <p>Held the 5th-term 2nd board of directors and supervisors meeting:</p> <p>1. Reported to the competent authority for approval of the Center’s new chairman and for filing of the Center’s new president.</p> <p>2. Reported that Taiwan High Court rendered a judgment partially in favor of the Center in the first retrial concerning Hsinchu International Bank insider trading case.</p> <p>3. Reported that Supreme Court rendered a civil judgment in the Gold Rain false financial statements case.</p> <p>4. Reported that Taiwan Taipei District Court dismissed the Center’s discharge suit against the current chairman, Yi-Ming Hsu, of Elements Innovation Co., Ltd.</p> <p>5. Reported that Taiwan New Taipei District Court dismissed the Center’s discharge suit against the current chairman, Feng Hao Chang, of Powercom Co., Ltd.</p> <p>6. Reported that the Center withdrew from Taiwan New Taipei District Court the discharge suit against the directors, Guo-Zhang Sun and Jun-Yu Pan, of Union Plus Technology Co., Ltd.</p> <p>7. Reported that amendments to Article 35 and Article 37 of the “Securities and Futures Investors Protection Center Operating Rules” regarding allowing financial businesses without copies of household registry had been approved by the Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-1030053933 (see attachment) dated January 13, 2015.</p>

日期 Date	事項 Event
104.1.28	<p>八、提報主管機關就本中心人事管理辦法部分條文修正案准予照辦。</p> <p>九、決議公告受理臺南紡織股份有限公司股票內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起裁判解任訴訟。</p> <p>十、決議為被告魏應充涉嫌使味全食品工業股份有限公司販賣混充油品致公司遭受損害案，待檢察官對涉及 103 年度食安事件起訴後，再據起訴書內容調整評估報告提董事會討論。</p> <p>8. Reported that partial amendments to the Center's Personnel Management Regulation had been approved by the competent authority.</p> <p>9. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Tainan Spinning insider trading case, and to file class action suit seeking civil remedy and discharge suit.</p> <p>10. Resolved to submit to the board of directors for discussion an amended assessment based on the indictment after the case involving the food safety scandal in 2014 is prosecuted with respect to the Defendant Ying-Chun Wei being suspected of causing damages to Wei Chuan Foods Corp by making it sell adulterated oil products.</p>
104.1.30	<p>昇貿操縱股價案經臺灣士林地方法院判決勝訴。</p> <p>Taiwan Shilin District Court rendered a judgment in favor of the Center in the Shenmao Technology stock price manipulation case.</p>
104.2.4	<p>公告受理南紡案（不法行為人涉嫌內線交易）投資人求償登記（自 104 年 2 月 4 日至 3 月 13 日）。</p> <p>Announced the acceptance (February 4, 2015 to March 13, 2015) of claim applications from investors seeking compensation in the Tainan Spinning case (wrongdoers suspected of insider trading).</p>
104.2.10	<p>聯豪財報不實案經臺灣臺北地方法院判決部分勝訴。</p> <p>Taiwan Taipei District Court rendered a judgment partially in favor of the Center in the Taiwan First Line Electronics false financial statements case.</p>
104.2.13	<p>宏億財報不實案經最高法院判決部分廢棄發回臺灣高等法院。</p> <p>The Supreme Court reversed and remanded part of the Lih Duo International false financial statements case to Taiwan High Court.</p> <p>力霸公司財報不實案經臺灣臺北地方法院判決部分勝訴。</p> <p>Taiwan Taipei District Court rendered a judgment partially in favor of the Center in the China Rebar Company false financial statements case.</p>
104.2.25	<p>召開本中心第 5 屆第 3 次董事監察人會議：</p> <p>一、提報尚志精密化學股份有限公司對大股東賈文中因短線交易而提起民事訴訟，本中心向臺灣臺北地方法院為參加訴訟乙案，尚志公司業與被告達成訴訟上和解事。</p> <p>Held the 5th-term 3rd board of directors and supervisors meeting:</p> <p>1. Reported that San Chih Semiconductor Inc. Ltd. had reached settlement with the defendant in the case where the Center filed a motion for intervention to Taiwan Taipei District Court in the San Chih Semiconductor Inc. Ltd. disgorgement claim against the major shareholder, Wen-Chung Chia.</p>

日期 Date	事項 Event
104.2.25	<p>二、提報本中心 103 年下半年度管理處「保護基金收取、保管及運用」查核項目，以及法律服務處「團體訴訟之和解程序」等 8 項查核項目之內部稽核作業自行檢查報告一覽表。</p> <p>三、提報昇貿科技股份有限公司股價操縱案，經士林地方法院判決本中心勝訴事。</p> <p>四、決議公告受理泰谷光電科技股份有限公司股價操縱案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>五、決議公告受理福懋油脂股份有限公司股票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>六、決議公告受理聯上實業股份有限公司股票內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>七、決議公告受理綠能科技股份有限公司未及時更新財務預測案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>2. Reported the Center's self-inspection report on its internal audit regarding 8 items on the self-inspection checklist for "Collection, custody and management of Investors Protection Fund" for the Center's Administrative Affairs Department and the self-inspection checklist for the "Settlement procedure for class action suit" for the Legal Affairs Department for the second half of 2014.</p> <p>3. Reported that Taiwan Shilin District Court rendered a judgment in favor of the Center in the Shenmao Technology stock price manipulation case.</p> <p>4. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Tekcore stock price manipulation case, and to file class action suit seeking civil remedy.</p> <p>5. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Formosa Oilseed Processing insider trading case, and to file class action suit seeking civil remedy.</p> <p>6. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the We&Win Diversification insider trading case, and to file class action suit seeking civil remedy.</p> <p>7. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Green Energy Technology failure to update financial forecast case, and to file class action suit seeking civil remedy.</p>
104.2.25	<p>基因公司裁判解任案經臺灣臺北地方法院判決勝訴。</p> <p>Taiwan Taipei District Court rendered a judgment in favor of the Center in the Genome International Biomedical discharge suit.</p>
104.3.4	<p>公告受理聯上案（不法行為人涉及從事內線交易）投資人求償登記（自 104 年 3 月 4 日至 4 月 7 日）。</p> <p>Announced the acceptance (March 4, 2015 to April 7, 2015) of claim applications from investors seeking compensation in the We&Win Diversification case (wrongdoers involved in insider trading).</p>
104.3.4	<p>公告受理綠能公司未及時更新財務預測案投資人求償登記（自 104 年 3 月 4 日至 4 月 7 日）。</p> <p>Announced the acceptance (March 4, 2015 to April 7, 2015) of claim applications from investors seeking compensation in the Green Energy Technology failure to update financial forecast case.</p>

日期 Date	事項 Event
104.3.4	<p>公告受理泰谷案（不法行為人涉嫌操縱股價）投資人求償登記（自 104 年 3 月 4 日至 4 月 7 日）。</p> <p>Announced the acceptance (March 4, 2015 to April 7, 2015) of claim applications from investors seeking compensation in the Tekcore case (wrongdoers suspected of stock price manipulation).</p>
104.3.4	<p>公告受理福懋油案（不法行為人涉嫌內線交易）投資人求償登記（自 104 年 3 月 4 日至 4 月 7 日）。</p> <p>Announced the acceptance (March 4, 2015 to April 7, 2015) of claim applications from investors seeking compensation in the Formosa Oilseed Processing case (wrongdoers suspected of insider trading).</p>
104.3.10	<p>聯明股價操縱（二）案經臺灣臺北地方法院判決駁回本中心所提刑事附帶民事訴訟。</p> <p>Taiwan Taipei District Court dismissed the Center's supplementary civil action in the Lien Ming Mobile Technology stock price manipulation (2) case.</p>
104.3.23	<p>雅新財報不實及內線交易案經臺灣士林地方法院判決部分勝訴。</p> <p>Taiwan Shilin District Court rendered a judgment partially in favor of the Center in the Ya Hsin Industrial false financial statements and insider trading case.</p>
104.3.25	<p>召開本中心第 5 屆第 4 次董事監察人會議：</p> <p>一、提報本中心截至 104 年 2 月 28 日止保護基金保管運用情形。</p> <p>二、提報本中心就安泰商業銀行股份有限公司民國 101 年股東常會之決議其決議方法涉及違反公司法第 197 條之 1 規定提起撤銷該股東會決議之訴案，已與該行達成和解協議事。</p> <p>三、提報中國力霸股份有限公司財報不實案，經臺灣臺北地方法院判決本中心部分勝訴。</p> <p>四、提報聯豪公司財報不實案，經臺灣士林地方法院判決本中心部分勝訴。</p> <p>五、提報基因國際生醫股份有限公司裁判解任案，經臺灣臺北地方法院判決本中心勝訴。</p> <p>六、提報宏億財報不實案，經最高法院民事庭判決事。</p> <p>七、決議通過 103 年度業務報告書、財務報告、立院格式決算書及效益評估報告。</p> <p>Held the 5th-term 4th board of directors and supervisors meeting:</p> <p>1. Reported the Center's management of the Investors Protection Fund as of February 28, 2015.</p> <p>2. Reported that the Center reached settlement with Entie Commercial Bank in the case where the Center filed a suit to nullify Entie Commercial Bank's 2012 annual shareholders' meeting on the grounds that the method of adopting resolution violated Article 197-1 of the Company Act.</p> <p>3. Reported that Taiwan Taipei District Court rendered a judgment partially in favor of the Center in the China Rebar Company false financial statements case.</p> <p>4. Reported that Taiwan Shilin District Court rendered a judgment partially in favor of the Center in the Taiwan First Line Electronics false financial statements case.</p> <p>5. Reported that Taiwan Taipei District Court rendered a judgment in favor of the Center in the Genome International Biomedical discharge suit.</p> <p>6. Reported that Supreme Court rendered a civil judgment in the Lih Duo International false financial statements case.</p> <p>7. Resolved to approve the Center's 2014 annual operation report, financial statements, the format of the final financial statement to be sent to the Legislative Yuan, and performance evaluation report.</p>

日期 Date	事項 Event
104.3.25	<p>八、決議遴聘本中心調處委員會第五屆調處委員。 九、決議公告受理建興電子科技股份有限公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>8. Resolved to appoint the 5th-term members of the Center's Mediation Committee. 9. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Liteon IT Corporation insider trading case, and to file class action suit seeking civil remedy.</p>
104.3.25	<p>亞洲化學股份有限公司前董事長李光弘等 5 人違背其職務損害賠償案，本中心參加訴訟，經臺灣高等法院判決李光弘等 5 人上訴駁回。</p> <p>Former chairman Guang-Hong Li and four others of Asia Chemical Corp. was involved in a breach of duty case. The Center filed a motion for intervention in the case and Taiwan High Court dismissed the appeal by Guang-Hong Li and four others.</p>
104.3.26	<p>召開「味全油品案 - 損害賠償數額計算」諮詢會議。</p> <p>Held a consultation meeting on “Wei Chuan adulterated oil scandal - calculation of losses and damages.”</p>
104.3.27	<p>飛寶動能財報不實案經臺灣士林地方法院判決本中心敗訴。</p> <p>Taiwan Shilin District Court rendered a judgment against the Center in the Free Power Energy false financial statements case.</p>
104.3.31	<p>公告受理建興案（不法行為人涉嫌從事內線交易）投資人求償登記（自 104 年 3 月 30 日至 4 月 30 日）。</p> <p>Announced the acceptance (March 30, 2015 to April 30, 2015) of claim applications from investors seeking compensation in the Liteon IT case (wrongdoers involved in insider trading).</p>
104.3.31	<p>F- 再生案經臺灣臺北地方法院民事庭判決本中心勝訴。 元大證代表訴訟案經臺灣高等法院裁定駁回本中心訴訟。</p> <p>Taiwan Taipei District Court rendered a civil judgment in favor of the Center in the Asia Plastic Recycling Holding case. Taiwan High Court dismissed the Center's derivative suit in the Yuanta Securities Finance case.</p>
104.4.7	<p>科風請求股利給付案經臺灣高等法院民事庭判決，駁回本中心之上訴。</p> <p>Taiwan High Court dismissed the Center's appeal in the Powercom dividend payments case.</p>
104.4.9	<p>佳大公司裁判解任案經臺灣高等法院臺南分院判決勝訴。</p> <p>Taiwan High Court Tainan Branch Court rendered a judgment in favor of the Center in the Chia Ta World discharge suit.</p>
104.4.10	<p>川飛公司代表訴訟案經臺灣臺北地方法院民事庭判決本中心勝訴。</p> <p>Taiwan Taipei District Court rendered a civil judgment in favor of the Center in the Falcon Power derivative suit.</p>

日期 Date	事項 Event
104.4.22	<p>召開本中心第 5 屆第 5 次董事監察人會議：</p> <ol style="list-style-type: none"> 一、提報本中心聲請參加亞化公司對其前董事長李光弘等人所提民事訴訟，前經臺北地方法院判決被告等須負連帶賠償責任後，其等不服判決結果提出上訴，復經臺灣高等法院判決駁回被告等上訴。 二、提報飛寶動能股份有限公司財報不實案，臺灣士林地方法院判決駁回本中心訴訟。 三、提報美國研究機構格勞克斯公司涉嫌操縱亞洲塑膠再生資源控股有限公司（F-再生公司）股價案，經臺灣臺北地方法院判決本中心勝訴。 四、提報雅新實業股份有限公司財報不實及內線交易案，經臺灣士林地方法院判決本中心部分勝訴。 五、提報聯明行動科技股份有限公司股價操縱案，經臺灣臺北地方法院判決駁回本中心之刑事附帶民事訴訟。 六、提報本中心 103 年度個人資料檔案安全維護作業自我評估報告。 七、提報 103 年下半年度稽核作業自行檢查結果發現之缺失及異常情形擬具 104 年第 1 季追蹤報告。 八、決議公告受理成霖企業股份有限公司股票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。 九、決議通過將本中心保護基金財產總額登記由新台幣（以下同）7,188,982,312 元，變更為 7,528,063,411 元。 <p>Held the 5th-term 5th board of directors and supervisors meeting:</p> <ol style="list-style-type: none"> 1. Reported that the Center's motion for intervention in Asia Chemical Corp's civil suit against its former chairman Guang-Hong Li was ruled by Taiwan Taipei District Court to hold the defendants jointly and severally liable, but the defendants filed an appeal, which was dismissed by Taiwan High Court. 2. Reported that Taiwan Shilin District Court dismissed the Center's lawsuit in the Free Power Energy false financial statements case. 3. Reported that Taiwan Taipei District Court rendered a judgment in favor of the Center in the case of Glaucus Research Group of the United States being suspected of manipulating stock price of Asia Plastic Recycling Holding Limited. 4. Reported that Taiwan Shilin District Court rendered a judgment partially in favor of the Center in the Ya Hsin Industrial false financial statements and insider trading case. 5. Reported that Taiwan Taipei District Court dismissed the Center's supplementary civil action in the Lien Ming Mobile Technology stock price manipulation case. 6. Reported the Center's 2014 personal information security self-assessment report. 7. Reported the 2015 Q1 follow-up report on defects and irregularities identified in the self-inspection results in the audit process in the second half of 2014. 8. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Globe Union Industrial insider trading case, and to file class action suit seeking civil remedy. 9. Resolved to change the registered size of the Investors Protection Fund from NT\$7,188,982,312 to NT\$7,528,063,411.
104.4.22	<p>佳鼎內線交易案經臺灣高等法院判決駁回本中心所提民事訴訟上訴。</p> <p>Taiwan High Court dismissed the Center's appeal of civil lawsuit in the Vertex Precision Electronics insider trading case.</p>

日期 Date	事項 Event
104.4.23	<p>東森國際財報不實案經最高法院判決勝訴。</p> <p>The Supreme Court rendered a judgment in favor of the Center in the Eastern Media International false financial statements case.</p>
104.4.27	<p>公告受理成霖案（不法行為人涉及從事內線交易）投資人求償登記（自 104 年 4 月 27 日至 5 月 29 日）。</p> <p>Announced the acceptance (April 27, 2015 to May 29, 2015) of claim applications from investors seeking compensation in the Globe Union Industrial Corp case (wrongdoers involved in insider trading).</p>
104.4.28	<p>聯豪代表訴訟案經臺灣高等法院判決本中心勝訴。</p> <p>Taiwan High Court rendered a judgment in favor of the Center in the Taiwan First Line Electronics Corp derivative suit.</p>
104.5.18	<p>召開「依投保法第 10 條之 1 第 1 項第 1 款所為之參加訴訟法律問題」諮詢會議。</p> <p>Held a consultation meeting on “legal issues regarding a motion for intervention in accordance with Item 1, Paragraph 1 of the Article 10-1 of the Investor Protection Act.”</p>
104.5.20	<p>奧斯特解任訴訟案經臺灣士林地方法院判決本中心敗訴。</p> <p>歌林確認債權案經臺灣臺北地方法院裁定駁回本中心訴訟。</p> <p>Taiwan Shilin District Court rendered a judgment against the Center in the Taiwan Oster discharge suit. Taiwan Taipei District Court dismissed the Center’s lawsuit in the Kolin affirmation of claim case.</p>
104.5.27	<p>召開本中心第 5 屆第 6 次董事監察人會議：</p> <p>一、提報本中心訴請法院裁判解任佳大世界股份有限公司現任董事李朝茂之董事職務事件，經臺灣高等法院臺南分院判決本中心勝訴。</p> <p>二、提報佳鼎科技股份有限公司股票內線交易案，經臺灣高等法院判決駁回本中心上訴。</p> <p>三、提報東森國際股份有限公司財報不實案，經最高法院判決本中心勝訴。</p> <p>四、提報訴請科風股份有限公司給付股利案，經臺灣高等法院判決駁回本中心上訴。</p> <p>五、提報川飛能源股份有限公司代表訴訟案，經臺灣臺北地方法院判決本中心勝訴。</p> <p>六、提報聯豪科技股份有限公司代表訴訟案，經臺灣高等法院判決本中心勝訴。</p> <p>Held the 5th-term 6th board of directors and supervisors meeting:</p> <p>1. Reported that Taiwan High Court Tainan Branch rendered a judgment in favor of the Center in the Center’s discharge suit against the current director, Chao-Mao Li, of Chia Ta World Co., Ltd.</p> <p>2. Reported that Taiwan High Court dismissed the Center’s appeal in the Vertex Precision Electronics insider trading case.</p> <p>3. Reported that Supreme Court rendered a judgment in favor of the Center in the Eastern Media International false financial statements case.</p> <p>4. Reported that Taiwan High Court dismissed the Center’s appeal in the Powercom stock dividend distribution case.</p> <p>5. Reported that Taiwan Taipei District Court rendered a judgment in favor of the Center in the Falcon Power derivative suit.</p> <p>6. Reported that Taiwan High Court rendered a judgment in favor of the Center in the Taiwan First Line Electronics Corp derivative suit.</p>

日期 Date	事 項 Event
104.5.27	<p>七、提報元大京華證券股份有限公司代表訴訟案，經臺灣高等法院部分裁定駁回。</p> <p>八、提報慧洋海運股份有限公司對前經理人夏德明因涉有證券交易法第 157 條短線交易而提起民事訴訟，本中心向臺灣臺北地方法院為參加訴訟。</p> <p>九、提報和旺聯合實業股份有限公司董事會及負責人涉有損害股東權益等情事案之處理情形。</p> <p>十、決議公告受理佳總興業股份有限公司、萬潤科技股份有限公司、佶優科技股份有限公司股價操縱案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起裁判解任訴訟。</p> <p>十一、決議通過 105 年度業務計畫。</p> <p>7. Taiwan High Court rendered a judgment dismissing part of the Yuanta Core Pacific Securities derivative suit.</p> <p>8. Reported that the Center has filed a motion for intervention to Taiwan Taipei District Court in the Wisdom Marine Lines disgorgement claim for violation of short swing trade activities prohibited under Article 157 of the Securities and Exchange Act by former manager De-Ming Xia.</p> <p>9. Reported the progress on the case that the board of directors and responsible persons of How-arm United Industries involved in causing damages to shareholders' rights and interests.</p> <p>10. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Gia Tzoong Enterpris, All Ring Tech, and Unic Technology stock price manipulation case, and to file class action suit seeking civil remedy and discharge suit.</p> <p>11. Resolved to pass the Center's 2016 Business Plan.</p>
104.6.3	<p>公告受理佳總、萬潤、佶優公司案（不法行為人涉及從事操縱股價）投資人求償登記（自 104 年 6 月 3 日至 7 月 2 日）。</p> <p>Announced the acceptance (June 3, 2015 to July 2, 2015) of claim applications from investors seeking compensation in the Gia Tzoong, All Ring Tech, and Unic Technology cases (wrongdoers involved in stock price manipulation).</p>
104.6.18	<p>漢唐公司裁判解任案經臺灣臺北地方法院駁回本中心所提民事訴訟。</p> <p>Taiwan Taipei District Court dismissed the Center's United Integrated Services discharge suit.</p>
104.6.24	<p>召開本中心第 5 屆第 7 次董事監察人會議：</p> <p>一、提報本中心截至 104 年 5 月 31 日止保護基金保管運用情形。</p> <p>二、提報本中心代投資人提起之確認對歌林股份有限公司債權存在訴訟案，經臺灣臺北地方法院裁定駁回。</p> <p>三、提報漢康科技股份有限公司代表訴訟案，經臺灣臺北地方法院判決部分駁回、部分移送民事庭。</p> <p>Held the 5th-term 7th board of directors and supervisors meeting:</p> <p>1. Reported the Center's management of the Investors Protection Fund as of May 31, 2015.</p> <p>2. Reported that Taiwan Taipei District Court dismissed the affirmation suit regarding claims on Kolin Co. Ltd. filed by the Center on behalf of the investors.</p> <p>3. Reported that Taiwan Taipei District Court dismissed part of the Fast Technologies derivative suit and moved part of the case to the civil court.</p>

日期 Date	事項 Event
104.6.24	<p>四、提報本中心訴請法院裁判解任台灣奧斯特股份有限公司現任董事梁伯榮、許世弘之董事職務事件，經臺灣士林地方法院判決駁回本中心訴訟。</p> <p>五、決議通過 105 年度預算書草案及年度目標草案。</p> <p>六、決議修正「財團法人證券投資人及期貨交易人保護中心業務規則」部分條文。</p> <p>七、決議通過為興勤電子工業股份有限公司提起代表訴訟及解任訴訟。</p> <p>4. Reported that Taiwan Shilin District Court dismissed the Center's discharge suit against the current director, Bo-Rong Liang and Shi-Hong Xu, of Taiwan Oster Corp.</p> <p>5. Resolved to pass the 2016 annual budget draft and annual target draft.</p> <p>6. Resolved to make partial amendments to "Securities and Futures Investors Protection Center Operating Rules."</p> <p>7. Resolved to file a derivative suit and a discharge suit against Thinking Electronic Industrial Co., Ltd.</p>
104.7.1	<p>大同公司裁判解任訴訟案經臺灣高等法院判決駁回本中心所提民事訴訟。</p> <p>Taiwan High Court dismissed the Center's Tatung discharge suit.</p>
104.7.2	<p>召開「104 年度保護投資人權益系列座談會 - 公司治理 2.0 與股東權益」。</p> <p>Held "2015 Investor Protection Forum - Corporate Governance 2.0 and Shareholders' Interests."</p>
104.7.3	<p>召開「本國確定勝訴判決於國外強制執行法律問題」諮詢會議。</p> <p>Held a consultation meeting on "legal issues regarding enforcing favorable final judgments outside the Republic of China."</p>
104.7.7	<p>「財團法人證券投資人及期貨交易人保護中心業務規則」第 35 條及第 37 條修正乙事，案奉金融監督管理委員會一〇四年七月七日金管證交字第 1040025751 號函准予照辦。</p> <p>The amendments to Article 35 and Article 37 of the "Securities and Futures Investors Protection Center Operating Rules" had been approved by the Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-1040025751 dated July 7, 2015.</p>
104.7.9	<p>佳鼎內線交易案經最高法院判決廢棄原判決發回台灣高等法院。</p> <p>The Supreme Court reversed and remanded the Vertex Precision Electronics insider trading case to Taiwan High Court.</p>
104.7.10	<p>萬洲化學股份有限公司（原名亞洲化學股份有限公司）前董事長葉斯應違背其職務損害賠償案，本中心參加訴訟，經臺灣臺北地方法院判決勝訴。</p> <p>Former chairman Si-Ying Ye of ACHEM Technology Corporation (formerly known as Asia Chemical Corp.) was involved in a breach of duty case. The Center filed a motion for intervention in the case and Taiwan Taipei District Court rendered a judgment in favor of the Company.</p>

日期 Date	事項 Event
104.7.22	<p>召開本中心第 5 屆第 8 次董事監察人會議：</p> <p>一、提報修正「財團法人證券投資人及期貨交易人保護中心業務規則」第 35 條及第 37 條有關刪除涉及檢附戶籍謄本之規定，業經金融監督管理委員會中華民國 104 年 7 月 7 日金管證交字第 1040025751 號函准予照辦。</p> <p>二、提報本中心就漢唐集成股份有限公司董事王燕群等人訴請法院裁判解任其董事職務事件，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>三、決議公告受理台灣奧斯特股份有限公司股價操縱案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>四、決議公告受理強茂股份有限公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起裁判解任訴訟。</p> <p>Held the 5th-term 8th board of directors and supervisors meeting:</p> <ol style="list-style-type: none"> 1. Reported that amendments to Article 35 and Article 37 of the “Securities and Futures Investors Protection Center Operating Rules” regarding removing the requirement of copies of household registry had been approved by the Financial Supervisory Commission in Letter No. Financial-Supervisory-Securities-Trading-1040025751 (see attachment) dated July 7, 2015. 2. Reported that Taiwan Taipei District Court dismissed the Center’s discharge suit against the directors, including Yan-Qun Wang, of United Integrated Services Co., Ltd. 3. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Taiwan Oster stock price manipulation case, and to file class action suit seeking civil remedy. 4. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Pan Jit International insider trading case, and to file class action suit seeking civil remedy and discharge suit.
104.7.28	<p>慶豐富股價操縱案經臺灣高等法院臺中分院判決勝訴。</p> <p>Taiwan High Court Taichung Branch Court rendered a judgment in favor of the Center in the Ching Feng Home Fashions stock price manipulation case.</p>
104.7.29	<p>公告受理奧斯特公司案（不法行為人涉及從事操縱股價）投資人求償登記（自 104 年 7 月 29 日至 8 月 31 日）。</p> <p>Announced the acceptance (July 29, 2015 to August 31, 2015) of claim applications from investors seeking compensation in the Taiwan Oster case (wrongdoers involved in stock price manipulation).</p>
104.7.29	<p>公告受理強茂案（不法行為人涉嫌從事內線交易）投資人求償登記（自 104 年 7 月 29 日至 8 月 31 日）。</p> <p>Announced the acceptance (July 29, 2015 to August 31, 2015) of claim applications from investors seeking compensation in the Pan Jit International case (wrongdoers involved in insider trading).</p>
104.8.5	<p>嘉食化公司財報不實案經臺灣臺北地方法院判決部分勝訴。</p> <p>Taiwan Taipei District Court rendered a judgment partially in favor of the Center in the Chia Hsin Food & Synthetic Fiber false financial statements case.</p>

日期 Date	事項 Event
104.8.6	<p>東森媒體股票收購詐欺案經最高法院判決部分勝訴。</p> <p>The Supreme Court rendered a judgment partially in favor of the Center in the Eastern Multimedia fraudulent share purchases case.</p>
104.8.26	<p>召開本中心第 5 屆第 9 次董事監察人會議：</p> <p>一、提報亞洲化學股份有限公司代表訴訟案，經台北地院判決勝訴。</p> <p>二、提報佳鼎科技股份有限公司內線交易案，經最高法院判決將原判決廢棄，發回臺灣高等法院。</p> <p>三、提報慶豐富實業股份有限公司股價操縱案，經臺灣高等法院臺中分院判決本中心勝訴。</p> <p>四、提報為本中心就大同股份有限公司董事長林蔚山訴請法院裁判解任董事職務事件，經臺灣高等法院判決駁回。</p> <p>五、提報本中心對圓方創新股份有限公司董事徐翊銘所提解任董事職務訴訟案，經向臺灣高等法院撤回訴訟。</p> <p>六、提報元大京華證券股份有限公司代表訴訟案，部分經最高法院裁定廢棄，更為裁判。</p> <p>七、提報本中心 104 年上半年度管理處「保護基金收取、保管及運用」查核項目，以及法律服務處「團體訴訟之和解程序」等 12 項查核項目之內部稽核作業自行檢查報告一覽表。</p> <p>八、提報依主管機關函示修正中心 105 年度預算書相關事項。</p> <p>九、決議公告受理智盛股份有限公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>Held the 5th-term 9th board of directors and supervisors meeting:</p> <ol style="list-style-type: none"> 1. Reported that Taiwan Taipei District Court rendered a judgment in favor of the Company in the Asia Chemical derivative suit. 2. Reported that Supreme Court reversed and remanded the Vertex Precision Electronics insider trading case to Taiwan High Court. 3. Reported that Taiwan High Court Taichung Branch Court rendered a judgment in favor of the Center in the Ching Feng Home Fashions stock price manipulation case. 4. Reported that Taiwan High Court dismissed the Center's discharge suit against Wei-Shan Lin, the director and chairman of Tatung Co. 5. Reported that the Center withdrew from Taiwan High Court the discharge suit against the director, Yi-Ming Hsu, of Elements Innovation Co., Ltd. 6. Reported that Supreme Court partially reversed and rendered a decision in the Yuanta Core Pacific Securities derivative suit. 7. Reported the Center's self-inspection report on its internal audit regarding 12 items on the self-inspection checklist for "Collection, custody and management of Investors Protection Fund" for the Center's Administrative Affairs Department and the self-inspection checklist for the "Settlement procedure for class action suit" for the Legal Affairs Department for the first half of 2015. 8. Reported the Center's revised 2016 budget per the instructions of the competent authority. 9. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Innovation & Infinity Global insider trading case, and to file class action suit seeking civil remedy.
104.8.28	<p>臺灣奧斯特股價操縱 (一) 案經臺灣新北地方法院判決駁回本中心所提刑事附帶民事訴訟</p> <p>Taiwan New Taipei District Court dismissed the Center's supplementary civil action in the Taiwan Oster stock price manipulation (1) case.</p>

日期 Date	事項 Event
104.8.31	<p>公告受理智盛全球股票內線交易案（不法行為人涉嫌從事內線交易）投資人求償登記（自 104 年 8 月 31 日至 9 月 30 日）。</p> <p>Announced the acceptance (August 31, 2015 to September 30, 2015) of claim applications from investors seeking compensation in the Innovation & Infinity Global insider trading case (wrongdoers suspected of insider trading).</p>
104.8.31	<p>基因內線交易案經臺灣臺北地方法院刑事附帶民事訴訟判決部分駁回、部分裁定移送民事庭。太一營收公告不實案經臺灣新北地方法院判決勝訴。</p> <p>Taiwan Taipei District Court dismissed part of the Center's supplementary civil action in the Genome International Biomedical insider trading case and moved part of the case to the civil court. Taiwan New Taipei District Court has rendered a judgment in favor of the Center in the Top Energy Saving System earnings misrepresentation case.</p>
104.9.1	<p>旺宏內線交易案（被告黃崇仁部分）經臺灣高等法院判決勝訴。</p> <p>Taiwan High Court has rendered a judgment in favor of the Center in the Macronix International insider trading case (regarding the defendant Chong-Ren Huang).</p>
104.9.7	<p>召開「從解任訴訟實務探討公司法第 27 條第 2 項法人代表人董監事制度之改善建議」諮詢會議。</p> <p>Held a consultation meeting on "Proposal for improvements of the directors/supervisors elected as the representatives of government agency or juristic person under Paragraph 2, Article 27 of the Company Act with respect to discharge suits in practice."</p>
104.9.8	<p>陞泰等五家股價操縱案經臺灣高等法院判決勝訴。</p> <p>Taiwan High Court rendered a judgment in favor of the Center in the stock price manipulation case involving Av Tech Corporation and four other companies.</p>
104.9.9	<p>宏傳財報及公開說明書不實案經最高法院判決原判決部分廢棄發回台灣高等法院。</p> <p>The Supreme Court reversed and remanded part of the Well Communication false financial statements and prospectus case to Taiwan High Court.</p>
104.9.22	<p>南港輪胎股價操縱（一）案經臺灣高等法院判決駁回本中心上訴。</p> <p>Taiwan High Court dismissed the Center's appeal in the Nanking Rubber Tire stock price manipulation (1) case.</p>
104.9.23	<p>召開本中心第 5 屆第 10 次董事監察人會議：</p> <p>一、提報本中心截至 104 年 8 月 31 日止保護基金保管運用情形。</p> <p>二、提報東森媒體科技股份有限公司股票收購詐欺案，最高法院判決本中心團體訴訟部分勝訴。</p> <p>Held the 5th-term 10th board of directors and supervisors meeting:</p> <ol style="list-style-type: none"> 1. Reported the Center's management of the Investors Protection Fund as of August 31, 2015. 2. Reported that Supreme Court rendered a judgment partially in favor of the Center in the class action suit of the Eastern Multimedia fraudulent share purchases case.

日期 Date	事 項 Event
104.9.23	<p>三、提報臺灣奧斯特股份有限公司股價操縱案，經臺灣新北地方法院判決駁回本中心所提之刑事附帶民事訴訟。</p> <p>四、提報太一節能系統股份有限公司營收公告不實案，經臺灣新北地方法院判決本中心勝訴。</p> <p>五、提報嘉新食品化纖股份有限公司財報不實案，經臺灣臺北地方法院判決本中心部分勝訴。</p> <p>六、提報基因國際生醫股份有限公司內線交易案，經臺灣臺北地方法院部分判決駁回本中心所提刑事附帶民事訴訟，部分裁定移送民事庭。</p> <p>七、提報旺宏電子股份有限公司內線交易案，經臺灣高等法院判決本中心勝訴。</p> <p>八、決議公告受理邦泰複合材料股份有限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，並督促該公司對部分被告提起訴訟。</p> <p>九、決議通過為協益電子股份有限公司提起代表訴訟。</p> <p>十、決議公告受理新加坡明輝環球企業股份有限公司及特藝石油能源有限公司在臺發行 TDR 價格操縱案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>十一、決議公告受理萬國通路股份有限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>十二、決議公告受理富味鄉食品股份有限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>3. Reported that Taiwan New Taipei District Court dismissed the Center's supplementary civil action in the Taiwan Oster stock price manipulation case.</p> <p>4. Reported that Taiwan New Taipei District Court rendered a judgment in favor of the Center in the Top Energy Saving System earnings misrepresentation case.</p> <p>5. Reported that Taiwan Taipei District Court rendered a judgment partially in favor of the Center in the Chia Hsin Food & Synthetic Fiber false financial statements case.</p> <p>6. Reported that Taiwan Taipei District Court dismissed part of the Center's supplementary civil action in the Genome International Biomedical insider trading case and moved part of the case to the civil court.</p> <p>7. Reported that Taiwan High Court rendered a judgment in favor of the Center in the Macronix International insider trading case.</p> <p>8. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Pontex Polyblend false financial statements case, to file class action suit seeking civil remedy, and to urge the company to file suits against certain defendants.</p> <p>9. Resolved to file a derivative suit on behalf of Sirtec International Co., Ltd.</p> <p>10. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the BH Global Corporation Ltd. and Technics Oil & Gas Limited TDR price manipulation case, and to file class action suit seeking civil remedy.</p> <p>11. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Eminent Luggage insider trading case, and to file class action suit seeking civil remedy.</p> <p>12. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Flavor Full Foods insider trading case, and to file class action suit seeking civil remedy.</p>
104.9.24	<p>公告受理明輝及特藝 TDR 案（不法行為人涉及從事操縱 TDR 價格）投資人求償登記（自 104 年 9 月 24 日至 10 月 6 日）。</p> <p>Announced the acceptance (September 24, 2015 to October 6, 2015) of claim applications from investors seeking compensation in the BH Global and Technics Oil & Gas TDR case (wrongdoers involved in TDR price manipulation).</p>

日期 Date	事項 Event
104.9.30	<p>恩德股價操縱案經臺灣苗栗地方法院民事庭判決本中心勝訴。</p> <p>Taiwan Miaoli District Court rendered a civil judgment in favor of the Center in the Anderson Industrial stock price manipulation case.</p>
104.10.1	<p>公告受理邦泰案（財報不實）投資人求償登記（自 104 年 10 月 1 日至 10 月 30 日）。</p> <p>Announced the acceptance (October 1, 2015 to October 30, 2015) of claim applications from investors seeking compensation in the Pontex Polyblend false financial statements case.</p>
104.10.1	<p>公告受理富味鄉（二）案（內線交易）投資人求償登記（自 104 年 10 月 1 日至 10 月 16 日）。</p> <p>Announced the acceptance (October 1, 2015 to October 16, 2015) of claim applications from investors seeking compensation in the Flavor Full Foods (2) insider trading case.</p>
104.10.1	<p>公告受理萬國案（內線交易）投資人求償登記（自 104 年 10 月 1 日至 10 月 30 日）。</p> <p>Announced the acceptance (October 1, 2015 to October 30, 2015) of claim applications from investors seeking compensation in the Eminent Luggage insider trading case.</p>
104.10.7	<p>久津財報及公開說明書不實團體訴訟案經最高法院判決部分駁回，部分廢棄發回更審。</p> <p>The Supreme Court dismissed in part the Center's class action suit of the Chou Chin Industrial false financial statements and prospectus case and reversed and remanded in part of the case.</p>
104.10.21	<p>基因公司裁判解任案經臺灣高等法院判決本中心勝訴。</p> <p>捷力財報不實案經最高法院發回臺灣高等法院。</p> <p>Taiwan High Court rendered a judgment in favor of the Center in the Genome International Bio-medical discharge suit.</p> <p>The Supreme Court remanded the Jet Power Technology false financial statements case to Taiwan High Court.</p>
104.10.27	<p>邨港財報及公開說明書不實案經臺灣高等法院判決本中心部分勝訴。</p> <p>Taiwan High Court rendered a judgment partially in favor of the Center in the Taikong Group false financial statements and prospectus case.</p>
104.10.28	<p>召開本中心第 5 屆第 11 次董事監察人會議：</p> <p>一、提報陞泰科技股份有限公司等五家公司股價操縱案，經臺灣高等法院判決本中心勝訴。</p> <p>二、提報宏傳電子股份有限公司財報及公開說明書不實案，經最高法院民事庭判決部分廢棄發回、部分上訴駁回。</p> <p>Held the 5th-term 11th board of directors and supervisors meeting:</p> <ol style="list-style-type: none"> 1. Reported that Taiwan High Court rendered a judgment in favor of the Center in the stock price manipulation case involving Av Tech Corporation and four other companies. 2. Reported that Supreme Court reversed and remanded in part the Center's civil suit of the Well Communication false financial statements and prospectus case and dismissed in part of the case.

日期 Date	事 項 Event
104.10.28	<p>三、提報恩德科技股份有限公司股價操縱案，經臺灣苗栗地方法院判決本中心勝訴。</p> <p>四、提報本中心代投資人提起之確認對歌林股份有限公司債權存在訴訟案，經臺灣高等法院裁定駁回抗告。</p> <p>五、提報華豐橡膠工業股份有限公司對前負責人陳恒逸等人所提損害賠償訴訟案，本中心撤回參加訴訟。</p> <p>六、提報本中心對強茂股份有限公司監察人陳純敏所提解任監察人職務訴訟案，經向臺灣高雄地方法院撤回訴訟。</p> <p>七、提報南港輪胎股份有限公司股價操縱案，經臺灣高等法院判決駁回本中心上訴。</p> <p>八、提報本中心強化對外宣導方案。</p> <p>九、提報 104 年上半年度稽核作業自行檢查結果發現之缺失及異常情形擬具 104 年第 3 季追蹤報告。</p> <p>十、決議公告受理捷波資訊股份有限公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起解任訴訟。</p> <p>十一、決議檢討團體訴訟和解標準執行模式，以因應證券交易法第 20 條之 1 修正。</p> <p>3. Reported that Taiwan Miaoli District Court rendered a judgment in favor of the Center in the Anderson Industrial stock price manipulation case.</p> <p>4. Reported that Taiwan High Court dismissed the motion to setting aside court ruling in the Kolin affirmation of claim case filed by the Center on behalf of the investors.</p> <p>5. Reported that the Center withdrew the motion for intervention in the case that sought to claim damages from former responsible persons, including, Heng-Yi Chen, of Hwa Fong Rubber.</p> <p>6. Reported that the Center withdrew from Taiwan Kaohsiung District Court the discharge suit against the supervisor, Chun-Ming Chen, of Pan Jit International Inc.</p> <p>7. Reported that Taiwan High Court dismissed the Center's appeal in the Nanking Rubber Tire stock price manipulation case.</p> <p>8. Reported the Center's proposals for campaigns to raise public awareness.</p> <p>9. Reported the 2015 Q3 follow-up report on defects and irregularities identified in the self-inspection results in the audit process in the first half of 2015.</p> <p>10. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Jetway Information insider trading case, and to file class action suit seeking civil remedy and discharge suit.</p> <p>11. Resolved to review the "Execution Mode of Standard Settlement Practices of Class Action" in response to the amendment of Article 20-1 of the Securities and Exchange Act.</p>
104.10.30	<p>召開「關於非合意收購案所衍生問題之探討」座談會。</p> <p>Held a forum on "Legal issues arising from hostile takeovers."</p>
104.11.3	<p>公告受理捷波案（內線交易）投資人求償登記（自 104 年 11 月 3 日至 12 月 4 日）。</p> <p>Announced the acceptance (November 3, 2015 to December 4, 2015) of claim applications from investors seeking compensation in the Jetway Information insider trading case.</p>
104.11.13	<p>士林紙業代表訴訟案經臺灣士林地方法院判決駁回本中心刑事附帶民事訴訟。</p> <p>Taiwan Shilin District Court dismissed the Center's supplementary civil action in the Shihlin Paper derivative suit.</p>

日期 Date	事項 Event
104.11.17	<p>佳總解任訴訟案經臺灣桃園地方法院判決駁回本中心訴訟。</p> <p>Taiwan Taoyuan District Court dismissed the Center's Gia Tzoong discharge suit.</p>
104.11.19	<p>召開「財報不實團體訴訟案件之相關疑義」諮詢會議。</p> <p>Held a consultation meeting on “Questions regarding class action suits involving false financial statements.”</p>
104.11.23	<p>新泰伸財報不實案經臺灣士林地方法院判決部分勝訴。</p> <p>Taiwan Shilin District Court rendered a judgment partially in favor of the Center in the HTS Technology false financial statements case.</p>
104.11.25	<p>召開本中心第 5 屆第 12 次董事監察人會議：</p> <ol style="list-style-type: none"> 一、提報捷力科技股份有限公司財報不實案，經最高法院判決原判決部分廢棄，發回臺灣高等法院。 二、提報郃港科技股份有限公司財報不實及公開說明書不實案，經臺灣高等法院判決本中心部分勝訴。 三、提報基因國際生醫股份有限公司裁判解任案，經臺灣高等法院判決駁回被告上訴。 四、提報久津股份有限公司財報及公開說明書不實案，經最高法院判決部分駁回，部分廢棄發回更審。 五、決議通過為台灣東洋股份有限公司提起解任訴訟並參加該公司所提起之刑事附帶民事訴訟。 六、決議公告受理裕國冷凍冷藏股份有限公司股價操縱案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 七、決議公告受理康聯控股有限公司股價操縱案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償，並提起裁判解任訴訟。 <p>Held the 5th-term 12th board of directors and supervisors meeting:</p> <ol style="list-style-type: none"> 1. Reported that Supreme Court reversed and remanded part of the Jet Power Technology false financial statements case to Taiwan High Court. 2. Reported that Taiwan High Court rendered a judgment partially in favor of the Center in the Taikong Group false financial statements and prospectus case. 3. Reported that Taiwan High Court dismissed an appeal by the defendant in the Genome International Biomedical discharge case. 4. Reported that Supreme Court dismissed in part the Chou Chin Industrial false financial statements and prospectus case and reversed and remanded in part of the case. 5. Resolved to file a discharge suit for TTY Biopharm Company Limited and a motion for intervention to the company's supplementary civil action. 6. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Eagle Cold Storage Enterprise stock price manipulation case, and to file class action suit seeking civil remedy. 7. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Coland Holdings Limited stock price manipulation case, and to file class action suit seeking civil remedy and discharge suit.

日期 Date	事項 Event
104.12.1	<p>公告受理 F- 康聯案及裕國案二案 (不法行為人涉及操縱股價) 投資人求償登記 (自 104 年 12 月 1 日至 12 月 31 日) 。</p> <p>Announced the acceptance (December 1, 2015 to December 31, 2015) of claim applications from investors seeking compensation in the F-Coland and Eagle cases (wrongdoers involved in stock price manipulation).</p>
104.12.3	<p>召開「投保法第 10 條之 1 解任訴訟規定修法建議」諮詢會議。</p> <p>Held a consultation meeting on “Proposals for amendment of Article 10-1 of the Investor Protection Act regarding discharge suits” .</p>
104.12.15	<p>博達 (二) 財報及公開說明書不實案經臺灣高等法院判決部分勝訴。</p> <p>Taiwan High Court rendered a judgment partially in favor of the Center in the Procomp Informatics false financial statements and prospectus (2) case.</p>
104.12.17	<p>召開「財報不實案件中損害計算與損失因果關係問題」諮詢會議。</p> <p>Held a consultation meeting on “Issues regarding damages calculations and loss causation in false financial statements cases” .</p>
104.12.22	<p>南紡解任訴訟案經臺灣臺南地方法院判決勝訴。</p> <p>Taiwan Tainan District Court rendered a judgment in favor of the Center in the Tainan Spinning discharge suit.</p>
104.12.23	<p>召開本中心第 5 屆第 13 次董事監察人會議：</p> <p>一、提報本中心訴請法院裁判解任佳總興業股份有限公司董事長曾繼立、董事李茂昌之董事職務事件，經臺灣桃園地方法院判決駁回本中心訴訟。</p> <p>二、提報新泰伸公司財報不實案，經臺灣士林地方法院判決本中心部分勝訴。</p> <p>三、提報士林紙業股份有限公司代表訴訟案，經臺灣士林地方法院判決駁回本中心訴訟。</p> <p>四、提報本中心辦理相關業務，就業務執行模式進行年度檢討調整。</p> <p>五、決議通過 105 年度本中心董事、監察人會議開會時間。</p> <p>六、決議通過 105 年度保護基金保管運用計畫。</p> <p>七、決議通過本中心 105 年度稽核作業查核計畫案。</p> <p>Held the 5th-term 13th board of directors and supervisors meeting:</p> <ol style="list-style-type: none"> 1. Reported that Taiwan Taoyuan District Court dismissed the Center’s discharge suit against the directors, Chi-Li Tseng who is also the chairman and Mao-Chang Li, of Gia Tzoong Enterprise Co., Ltd. 2. Reported that Taiwan Shilin District Court rendered a judgment partially in favor of the Center in the HTS Technology false financial statements case. 3. Reported that Taiwan Shilin District Court dismissed the Center’s lawsuit in the Shihlin Paper derivative suit. 4. Reported the services provided by the Center, and conducted an annual business execution modes review. 5. Resolved to pass the meeting schedule for the Center’s board of directors and supervisors in 2016. 6. Approved the Center’s 2016 Custody and Management Plan for Investors Protection Fund. 7. Resolved to pass the Center’s 2016 inspection plan on audit operation.

日期 Date	事項 Event
104.12.23	<p>八、決議通過美國研究機構格勞克斯公司涉嫌操縱亞洲塑膠再生資源控股有限公司（F-再生公司）股價案，經委外調查被告格勞克斯公司於美國資產，後續處置評估意見。</p> <p>九、決議公告受理鉅橡企業股份有限公司股價操縱案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>十、決議公告受理富驛酒店集團有限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>十一、決議公告受理偉盟工業股份有限公司股價操縱案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起代表訴訟。</p> <p>8. Resolved to pass the assessment opinion regarding the subsequent handling of the case of Glaucus Research Group of the United States being suspected of manipulating stock price of Asia Plastic Recycling Holding Limited in consideration of the investigation by a third party into the assets that the defendant Glaucus Research Group held in the United States.</p> <p>9. Resolved to announce the acceptance of empowerment from investors to file lawsuit and arbitration claim in the Aurona Industries stock price manipulation case, and to file class action suit seeking civil remedy.</p> <p>10. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the FX Hotels Group stock price manipulation case, and to file class action suit seeking civil remedy.</p> <p>11. Resolved to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Wei Mon Industry stock price manipulation case, and to file class action suit seeking civil remedy and derivative suit.</p>
104.12.24	<p>召開「104年度保護投資人權益系列座談會 - 從訊息面暫停交易機制談投資人權益之維護」。</p> <p>Held “2015 Investor Protection Forum - Protecting Investors’ Interests by the Mechanism of Trading Halt during Information Assessment Period.”</p>
104.12.28	<p>公告受理 F- 富驛公司、鉅橡公司及偉盟公司股價操縱案 (不法行為人涉及操縱股價) 投資人求償登記 (自 104 年 12 月 28 日至 105 年 1 月 29 日) 。</p> <p>Announced the acceptance (December 28, 2015 to January 29, 2016) of claim applications from investors seeking compensation in the F-FX Hotels, Aurona and Wei Mon cases (wrongdoers involved in stock price manipulation).</p>
104.12.28	<p>唐鋒股價操縱案經臺灣臺北地方法院判決部分勝訴。</p> <p>勤美公司歸入權 (二) 案經臺灣臺北地方法院判決勤美公司部分勝訴。</p> <p>Taiwan Taipei District Court rendered a judgment partially in favor of the Center in the Airlux Electrical stock price manipulation case.</p> <p>Taiwan Taipei District Court rendered a judgment partially in favor of China Metal Products in the China Metal Products disgorgement (2) case.</p>
104.12.30	<p>鼎太財報不實案經臺灣臺北地方法院判決部分勝訴。</p> <p>Taiwan Taipei District Court rendered a judgment partially in favor of the Center in the Dinttap International false financial statements case.</p>



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



10542 台北市民權東路3段178號12樓
TEL : 886-2-2712-8899 FAX : 886-2-2547-3463
12F., No.178, Sec. 3, Mincyuan E. Rd., Taipei 105, Taiwan, R.O.C
<http://www.sfipc.org.tw>