

# 2013

民國102年度年報  
ANNUAL REPORT



Securities and Futures  
Investors Protection Center

## 目錄

02  
08

12  
14  
16

28  
40

## INDEX Content

壹、前言	I. Introduction
貳、組織架構	II. Organization Structure
一、組織系統	1. Organizational Chart
二、人事結構	2. Staff
參、董事、監察人名錄	III. Directors and Supervisors
肆、調處委員會委員名錄	IV. Members of Mediation Committee
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
陸、財務報告	VI. Financial Statements
柒、大事紀要	VII. Chronicle

# 壹、前言

## I.Introduction



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，主要業務係提供投資人包括證券及期貨相關爭議之申訴及調處、協助團體訴訟及仲裁、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、保護基金之償付、督促公司歸入權之行使，以及辦理主管機關委託事項或其他有助於達成投保法立法目的之業務。

本中心於我國證券期貨市場所扮演的角色，除了事後的責任追究外，在主管機關督導下，公司治理方面亦有進展，對保障投資人權益或促進證券期貨市場健全發展上，持續發揮功能。近幾年來，隨著金融市場的快速演變且金融商品不斷推陳出新之同時，投資人權益之保護機制乃更形重要也受到更大的重視，因此投保法並於 98 年增修部分條文，賦予本中心提起代表訴訟及解任訴訟的權限，以促進公司治理，此外，亦納入小額爭議調處機制；另在保護基金之償付金額方面，亦經主管機關核定，個人償付上限由新台幣（下同）100 萬元提高至 120 萬元，單一事件償

邱欽庭 / 董事長  
Chin-Ting Chiu / Chairman

The Securities and Futures Investors Protection Center (referred to as the "Center" hereinafter) was established in January 2003 in accordance with the Securities Investors and Futures Traders Protection Act (referred to as "Investors Protection Act" hereinafter). The Center deals with investor complaints and provides mediation service for disputes arising from the trading of securities and futures, assists investors in class action lawsuit and arbitration, and files derivative suit or discharge suit with court against a director or supervisor on behalf of a company. In addition, the Center makes payments from the Investors Protection Fund, urges companies to exercise disgorgement claims, and handles matters delegated by the competent authorities or engages in other matters conducive to achieving the legislative purpose of the Investors Protection Act.

The role of the Center in the securities and futures market is not limited to investigating legal liability ex post insofar as investor rights and interests are concerned. Under the guidance of the competent authority, the Center has made progress in the promotion of corporate governance as it endeavors to safeguard the interests of investors and promote the sound development of securities



付總額上限，則由 10 億提高至 12 億元，償付上限的提高，就投資人對市場信心的提升及權益的保障，均有重大助益。

回顧過去一年，本中心辦理相關主要業務事項成果如下：

## 一、進行團體訴訟，落實證券市場民事責任：

證券期貨事件團體訴訟乃本中心最主要之業務，蓋其乃是落實證券交易法上民事責任之重要機制，除填補投資人之損失外，並有嚇阻違法行為，維護證券市場秩序之功能。截至 102 年底，本中心總計協助投資人進行 175 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 429 億餘元，人數 10.8 萬餘人。其中計有 42 件業經法院判決全部或部分勝訴，包括發行公司、不法行為人及董監事等相關民事被告應對受有損害投資人負連帶賠償責任，判決勝訴金額達 145 億餘元，當中 23 件並已勝訴判決確定。同時，本中心為投資人與部分刑事被告、董監事、會計師、承銷商等達成和解，至 102 年底已替投資人取得高達 22 億餘元之和解金，其中 102 年度取得之和解金額即達 1.37 億餘元，相關賠償款項並陸續分配，提振投資人對市場的信心。

特別值得一提的是，前揭團體訴訟經法院判決勝訴之案件中，已有案例判決認定董監事、會計師及會計師事務所於財報不實案件中之責任，其等皆為我國證券市場重要之民事判決，影響深遠，除投資人權益獲得更大保障外，該等判決同時也進一步促使上市櫃公司投保董監事責任保險，並促使會計師事務所強化風險意識，嚴謹查核公司財務報表，為投資人把關。

and futures market in Taiwan. Along with the rapid evolvement of financial markets and the introduction of increasingly complex financial products in recent years, investor protection mechanism becomes all the more important and catches greater attention. Consequently, the Investors Protection Act was amended in 2009 to vest the Center with the authority to file derivative suit and discharge suit with court on behalf of companies as a way to promote corporate governance. The amended Investors Protection Act also adds a small claim mediation mechanism and stipulates that the limits on payments to investors from the Investors Protection Fund shall be prescribed by the competent authority. Currently, the limit on payment to individual investor is NT\$1,200,000, up from NT\$1,000,000, and the limit on total payment in a single case is NT\$1.2 billion, up from NT\$1 billion. The increase in payment limits helps boost investor protection and investor confidence in the market.

Highlights of the Center's major business operations in 2013 are presented below:

### 1. Class action lawsuits to ensure the fulfillment of civil liability in the securities market:

Filing class action lawsuit on behalf of securities and futures investors is the principal business of the Center for class action suit is an important mechanism for ensuring the fulfillment of civil liability under the Securities and Exchange Act. It recovers loss for investors and serves as a deterrent to illegitimate practices to uphold the order of securities market. As of year-end 2013, the Center has assisted investors in 175 class action suits (including cases transferred from Securities & Futures Institute) with claim amount exceeding NT\$42.9 billion and involving 108,000 claimants. In those suits, the courts have rendered decisions that represent total or partial victory for claimants in 42 cases, requiring civil defendants, including securities issuers, law-breaking individuals and corporate directors and supervisors to assume joint and several liability, and awarding claimants more than NT\$14.5 billion in compensation. Of those 42 cases, the decisions on 23 cases are final and non-appealable.



吳崇權 / 總經理  
Chung-Chuan Wu / President

## 二、踐行股東行動主義，促進公司治理：

本中心依投保法規定持有所有上市櫃公司 1,000 股股份，得以股東身分行使股東權益，為落實公司治理之理念以維護投資人之權益，本中心亦配合主管機關及周邊單位協助積極實踐股東行動主義，就涉及影響公司及股東權益之私募、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案件，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，必要時並派員出席公司股東會表達意見，102 年度出席場次即達 27 場。

本中心針對股東權益之維護，就如何協助促進公司治理之方式持續研議精進，平時就重大攸關投資人權益之案件，或涉有經營權紛爭之公司皆納入管控，並就有損及股東權益之虞的個案，研議處置方案，在參加股東會表達意見後，針對個案或通案問題，適時反應予主管機關或其

The Center has also reached settlement agreements with some criminal defendants, corporate directors and supervisors, accountants and securities underwriters on behalf of investors, and received for them more than NT\$2.2 billion in settlement up to the end of 2013, including NT\$137 million in 2013. The settlement payments have been successively distributed to claimants and effectively strengthened investor confidence in the market.

It is worth noting that in some of class action cases, the court decision holds corporate directors/supervisors, accountants or accounting firms liable for the fraudulent financial reporting of companies. Those cases are considered landmark civil decisions that will have a far-reaching impact on investor protection. Those decisions also prompt TWSE/OTC listed companies to purchase liability insurance for their directors and supervisors and press accounting firms to raise their risk awareness and conduct audits of financial statements rigorously to safeguard the interests of investors.



他權責機構，作為行政裁罰、修正法令規章之參考，並持續追蹤管控，以督促上市櫃公司進一步提升公司治理，使投資人更能放心投資股市。

此外，就投保法於 98 年修正所賦予之代表訴訟部分，投保中心已進行 22 件代表訴訟，其中在 102 年間就單一個案，經投保中心提起代表訴訟後，於訴訟中以約 12 億餘元與請求對象、發行公司達成三方和解，有效保障公司及股東權益。另部分個案經由投保中心協調或督促發行公司已取得董監事返還之款項亦有 10 億餘元。

展望未來，本中心除持續改善申訴、調處及團體訴訟業務之執行效率，努力取得勝訴判決或和解補償，以填補投資人損害外，並將致力於下列重點工作：（一）針對刑事不法案件外之重大影響股東權益之個案列表管控，適時掌握辦理團體訴訟之時效。（二）針對已辦理賠償款項分配之個案而授權人因故未領取款項情形，辦理「錢找人」活動。（三）積極參加股東會，踐行股東行動主義。（四）加強調處機制之宣導，發揮調處會議之效能。

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

## 2.Shareholder activism and corporate governance:

Pursuant to the Investors Protection Act, the Center must hold 1,000 shares of all TWSE/OTC listed companies so it can exercise the rights of a shareholder on behalf of shareholders when necessary. In addition, to promote corporate governance as a way to safeguard the interests of investors, the Center also assists the competent authority and peripheral organizations in the market in exercising shareholder activism. In cases of private placement, capital decrease, excessive compensation for directors/supervisors, lopsided dividend policy, major reinvestment project or significant loss from reinvestment, large-sum endorsement/guarantee or excessive loans to others, which have influence on the rights and interests of companies and shareholders, the Center will send an inquiry letter in the capacity of a shareholder, asking the company concerned to provide explanation or take remedial actions. The Center sends hundreds of such inquiry letters a year, and if deemed necessary, sends representatives to attend the shareholders' meeting of company concerned and voice the Center's views and concern in the meeting. In 2013, the Center attended the shareholders' meeting of 27 TWSE/OTC listed companies.

With the interest of shareholders in mind, the Center continues to study ways to help promote corporate governance, puts major cases involving the interests of investors or involving companies with dispute over management right under control, and studies action plan for cases where shareholders' interests may be harmed and expresses views in the shareholders' meeting. The Center routinely refers individual or general cases to the competent authority or other responsible entities as reference for imposing administrative penalty or making regulatory amendment. The Center will also follow up on those cases in the continuing efforts to urge TWSE/OTC listed companies to enhance corporate governance and give investors greater confidence in the stock market.

With respect to derivative suit that the Center may file on behalf of a company under the 2009 amended Investors Protection Act, the Center has

filed 22 such suits so far. In a suit filed in 2013, the Center, the accused wrongdoer and the company (securities issuer) reached a three-way settlement of NT\$1.2 billion. The action of the Center effectively and successfully protects the interests of the company and its shareholders. In some other cases, more than NT\$1 billion collectively from corporate directors and supervisors have been returned to their companies under the coordination or urge of the Center.

Looking into the future, the Center will continue to improve its service efficiency in handling complaints, mediation and class action lawsuits and endeavor to win the suits or seek satisfactory settlement to make up the losses of investors. The Center will also focus on the following tasks: (1) use list control to track cases other than criminal ones that jeopardize the interests of shareholders and make sure class action suit is filed at the opportune

time; (2) undertake the "search for missing claimants" activity for cases that have started distribution of compensation payment; (3) exercise shareholder activism by actively attending shareholders' meetings; and (4) step up public education of the mediation mechanism to optimize the functions of mediation committee.

Securities and futures markets are important national assets, also the cornerstone of economic development. Insufficient protection for market investors will weaken investor confidence, and furthermore, adversely affect the normal functions of securities market. Hence investor protection is an indispensable component in the sound development of securities and futures markets. Guided by its mandate and the objectives of establishment, the Center will play an active role in investor protection under the guidance and oversight of the competent authority.





## 貳、組織架構 II. Organization Structure

### 一、組織系統

#### 1. Organizational Chart





## 二、人事結構

本中心除董事長、總經理外，現有專職員工三十三人。其中男性十三人，女性二十人；配置法律服務處二十四人，管理處九人；

全體員工平均年齡三十六歲；員工教育程度具碩士學位者十三人，大學學位者十八人及其他二人。

## 2. Staff

Besides Chairman and President, the Center is staffed with 33 full-time employees with an average age of 36 years. Among them, 13 are males and 20 are females; the Legal Affairs Department is staffed

with 24 employees and the Administrative Affairs Department is staffed with 9 employees; 13 of the employees hold a master's degree, 18 are university graduates, and 2 are senior high school graduates.





## 參、董事、監察人名錄 III. Directors and Supervisors



董事長 / 邱欽庭

財團法人證券投資人及期貨  
交易人保護中心董事長

Chairman

**Chin-Ting Chiu**

Chairman, Securities and  
Futures Investors Protection  
Center



董事 / 丁克華

臺灣集中保管結算所  
董事長

Director

**Kung-Wha Ding**

Chairman, Taiwan Depository  
& Clearing Corporation



董事 / 邱文昌

臺灣期貨交易所股份有限公司  
總經理

Director

**Peter Chiu**

President, Taiwan Futures  
Exchange



董事 / 劉連煜

政治大學法律學系教授

Director

**Len-Yu Liu**

Professor of Law, National  
Chengchi University



董事 / 簡立忠

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



董事 / 邱顯比

臺灣大學財務金融學系教授

Director

**Shean-Bii Chiu**

Professor of Finance,  
National Taiwan University



董事兼總經理 / 吳崇權

財團法人證券投資人及期貨交  
易人保護中心總經理

Director and President

**Chung-Chuan Wu**

President, Securities and  
Futures Investors Protection  
Center



董事 / 林國全

政治大學法律學系教授

Director

**Kuo - Chuan Lin**

Professor of Law, National  
Chengchi University



董事 / 莊永丞

東吳大學法律學系教授

Director

**Yung-Cheng Chuang**

Professor of Law, Soochow  
University



監察人 / 林美花

政治大學會計學系教授

Supervisor

**Mei-Hwa Lin**

Professor of Accounting,  
National Chengchi University



監察人 / 林瑛珪

財團法人中華民國證券櫃檯買  
賣中心副總經理

Supervisor

**Ying-Kuei Lin**

Vice President, GreTai  
Securities Market



監察人 / 許崇源

政治大學會計學系教授

Supervisor

**Chung-Yuan Hsu**

Professor of Accounting ,  
National Chengchi University

※ 董事、監察人名錄除董事長外，其餘依姓氏筆畫排列

※ With the exception of chairman, directors and supervisors are arranged in the order of the strokes of their Chinese surname



## 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	王文宇	臺灣大學法律學系教授
委員	林仁光	臺灣大學法律學系教授
委員	周玲臺	政治大學會計學系教授
委員	南雪貞	中華民國律師公會全國聯合會秘書長
委員	張仲岳	臺北大學會計學系教授
委員	陳伯松	財團法人中華民國會計研究發展基金會秘書長
委員	陳惟龍	永豐證券投資信託股份有限公司董事長
委員	莊太平	中華民國證券商業同業公會秘書長
委員	黃良瑞	中華民國證券投資信託暨顧問商業同業公會秘書長
委員	游智惠	中華民國會計師公會全國聯合會秘書長
委員	廖大穎	中興大學法律學系教授
委員	盧廷劼	中華民國期貨業商業同業公會秘書長
委員	顏信輝	淡江大學會計研究所專任教授兼財務長

※ 調處委員會委員名錄除主任委員外，其餘依姓氏筆畫排列

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

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



## 伍、業務報告

### V. Operation Report



#### 一、保護基金

本中心之創立基金為十億三千一百萬元，由證券及期貨市場相關機構捐助，包括：臺灣證券交易所股份有限公司、臺灣期貨交易所股份有限公司、財團法人中華民國證券櫃檯買賣中心、臺灣證券集中保管股份有限公司、中華民國證券商業同業公會、中華民國證券投資信託暨顧問商業同業公會、台北市期貨商業同業公會、復華證券金融股份有限公司、環華證券金融股份有限公司、富邦證券金融股份有限公司及安泰證券金融股份有限公司。

為有效推動各項證券投資人及期貨交易人保護及服務工作，健全及擴大市場規模，依投保法第十八條規定，保護基金除依該法第七條第二項之捐助財產外，各證券商應於每月十日前按其前月份受託買賣證券成交金額提撥萬分之零點零一八五，各期貨商按其前月受託買賣成交契約數依契約別提撥新臺幣零點四二元、零點二二元、零點一八元或零點零三五元，證券交易所、期貨交易所及櫃檯買賣中心按其前月份經手費收入提撥百分之五之款項作為本中心保護基金之來源。自九十二年一月至一〇二年十二月止，本中心共收受撥保護基金金額約計五十九億六千餘萬元。依投保法第十九條規定，保護基金應以購入政府債券或存入金融機構之方式保管，惟經主管機關核准係於合計不超過保護基金淨額百分之三十之範圍內，可運用於不超過捐助財產總額百分之十之自用不動產、原始投資不超過一千股之上市上櫃公司股票及其他有利基金保值之投資，經訂定「本中心基金保管及運用作業要點」執行有關保護基金之保管運用，至一〇二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七十二億二千餘萬元，保管於銀行存款及政府債券約佔百分之七十五，運用於自用不動產、上市上櫃股票及金融債券等約佔百分之二十五。

#### 1. 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, GreTai Securities Market, 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 Investors 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 or NT\$0.035 per contract based on the number of brokerage trade contract executed in the previous month; and (3) Taiwan Stock Exchange, Taiwan Futures Exchange, and GreTai Securities Market shall contribute 5 percent of the transaction fees received in the previous month to the Center's Fund by the 10th of each month. Between January 2003 and December 2013, the Center has received contributions in the sum of NT\$5.96 billion. Also pursuant to Article 19 of the Investors Protection Act, the Investors Protection Fund shall be custodized 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/OTC 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



## 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五千六百餘通，書面申訴案共四百五十二件；而本中心成立以來，接獲電話諮詢計十萬六千四百餘通，書面申訴案計八千四百零九件。電話諮詢主要係諮詢法令制度等相關規定，亦有申訴發行公司違法情事、與證券商、期貨商、投顧、證金公司間之交易糾紛或投資人詢問團體訴訟受理求償事宜。書面申訴之類型，主要係發行公司合併、分割資訊不透明或財務資訊不實造成股價大幅波動、公司債發生無法如期履約清償、電子交易紛爭、未經許可買賣客戶股票、買賣未上市櫃股票衍生紛爭、融資融券追繳、期貨保證金追繳、投顧退費糾紛及投顧分析有誤導投資人之嫌等申訴類型。本中心處理投資人申訴證券暨期貨交易糾紛案件時，均本熱誠服務態度積極協助投資人解決問題，除以電話向申訴人說明原委或函請受申訴單位提出說明，協助雙方解決紛爭外，若案情較為複雜或求償金額較高，則建議投資人申請調處；另針對投資人檢舉之不法案件，視案件之性質，移請主管機關或相關機關處理。

has established a “Guideline for Custody and Management of Investors Protection Fund” and operates the Fund accordingly. As of December 2013, the Investors Protection Fund is valued at NT\$7.22 billion, including the initial fund, the aforementioned contributions, other donations and interest earned. Approximately 75 % of the Fund assets are bank deposits and government bonds, and the other 25 % are real estate (for own use), stocks of TWSE/OTC 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, GreTai Securities Market, 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. In 2013, the Center received more than 5,600 phone requests for consultation and 452 written complaints. Since establishment, the Center has received more than 106,400 phone requests for consultation and 8,409 written complaints. The phone calls concerned mainly inquiries about securities rules and regulations and complaints about illegal actions of securities issuers, trading disputes with securities firms, futures firms, investment consulting firms or securities finance firms, and inquiries about class action. Written complaints were filed mostly for: irregular stock price fluctuations resulting from non-transparent information on mergers and acquisitions or spin-off deals, or from false financial information provided by securities issuers; failure in payment of corporate bonds; disputes over electronic transactions; trading of stocks without the consent of clients; disputes arising from the trading of non TWSE/OTC 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

## 三、爭議調處

證券投資人或期貨交易人因有價證券之募集、發行、買賣或期貨交易致其權益受損，欲主張權利時，受限於訴訟程序之繁瑣，致多數權益受損之投資人或交易人均未能依法主張權益。惟若於起訴前，透過本中心調處委員調停排解，避免進入訴訟程序，尋求救濟，自為最佳途徑；故投保法第二十二條規定，投資人有前開民事爭議時，得向本中心申請調處。另投保法修正案自九十八年八月一日施行，增訂小額爭議事件擬制調處機制，小額證券投資或期貨交易爭議之額度為一百萬元以下。本年度迄十二月底止共受理十二件調處案，其中調處成立三件，不成立五件，相對人拒絕調處二件，申請人撤回調處一件，不予受理調處一件。而本中心成立以來，已受理二百九十四件調處案，其中有四十一件調處成立送請法院核定，另有二十七件當事人自行和解，達成為投資人迅速解決民事糾紛及減少訴訟之目的。為發揮本中心申訴調處功能，主管機關金融監督管理委員會證券期貨局，邀集證券周邊單位及本中心協商，決議為充分保障投資人權益，期使受害投資人獲得實質民事上之補償，各單位接獲投資人申訴或檢舉個案，無論違規或違法情節輕重，若有明確之雙方當事人，且涉及民事求償事宜，均可先移由本中心進行調處，對於協助投資人解決民事爭議，應有助益。



analysis reports of investment consultant. Upon receiving those complaints, the Center would help investors with their problems actively and earnestly. Besides explaining the situation to investors over the phone or sending a letter to the institutions concerned requesting detailed explanation of the matter, the Center would recommend that investors apply for mediation if the case is more complicated or the amount of claim is higher. 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 Investors 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 Investors Protection Act enforced on August 1, 2009. The small claim mechanism applies to securities or futures trading dispute involving claim of NT\$1 million or less. In 2013, the Center handled 12 mediation cases, of which, 3 were successful, 5 were unsuccessful, 2 were rejected by the counterparty, 1 was withdrawn by the applicant, and 1 was denied mediation by the Center. Since the Center's establishment, it has handled 294 mediation cases, of which, 41 were successful and sent to court for approval and 27 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



## 四、團體訴訟

鑑於我國證券投資人參與市場者以散戶居多，其權益受損時，因缺乏相關資訊，且提起訴訟須耗費相當時間、金錢，故多裹足不前。本中心依投保法第二十八條之規定，對於造成多數證券投資人或期貨交易人受損害之同一證券、期貨事件，得由二十人以上證券投資人或期貨交易人授與訴訟或仲裁實施權後，由本中心提起團體訴訟或仲裁。截至一〇二年底，本中心辦理團體訴訟案件，仍於法院進行相關程序者，有正義、順大裕 - 內線及操縱、順大裕 - 財報、萬有紙廠、台鳳、紐新、台肥、訊碟 - 89 年內線、大穎 - 財報、大穎 - 內線、榮美、博達 - 財報、久津、太電、訊碟 - 財報及內線、皇統、宏傳、宏達科、勁永 - 內線、協和國際、合機電纜、銳普、茂矽、欣煜、力霸 - 財報、嘉食化、中華商銀、洪氏英、南港 - 操縱一、鼎太、東森媒體科技、捷力、金雨、力特光電、東森國際 - 財報、綠點、亞智、新竹商銀、雅新 - 財報及內線、遠航、友昱、旺宏、佳鼎、名鐘 - 財報、名鐘 - 內線、宏億、東森國際 - 內線、聯豪、金鼎、合邦、太子建設、飛雅、歌林、仕欽 - 財報、展茂、勤美、邵港、南港 - 操縱二、飛寶動能、港建、新泰伸 - 財報、唐鋒、陞泰 / 四維 / 勤美 / 豐藝 / 東貿 / 宏遠證、新泰伸 - 內線、日揚、吉祥全 / 佳必琪、怡華、吉祥全 - 財報、慶豐富、川飛、聯明 - 操縱一、聯明 - 操縱二、聯明 - 財報、碩天、旭軟、眾星、沛波、美嘉電、太一、環電、科風 - 財報、科風 - 股利、恩德等八十三件投資人求償案件，計有九萬餘名投資人授與訴訟實施權進行民事求償，請求金額共計三百六十四億四百餘萬元。此外，一〇二年度受理投資人求償登記尚未繫屬法院之案件，有漢唐、璨圓、普格、綠能等案。

前揭團體訴訟案件截至本年度，計有東隆五金（財報不實、公開說明書不實）、順大裕（財

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

## 4. Class Action Litigation

Investors in Taiwan's securities and futures markets are predominantly individual investors, who are often reluctant to resort to legal actions to protect their rights due to lack of time and resources. Pursuant to Article 28 of the Investors 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. As of the end of 2013, there were 83 class action cases pending in court, including those of Cheng I Food, Tai Yu Products (insider trading and stock price manipulation), Tai Yu Products (false financial reporting), Baw Yu Paper Mill, Taiwan Pineapple, New Sun Metal, Taiwan Fertilizer, Infodisc (insider trading in year 2000), Dahin (false financial reporting), Dahin (insider trading), Aceland, Procomp (false financial reporting), Chou Chin, Pacific Electric Wire, Infodisc (false financial reporting and insider trading), Summit Computer, Well Communication, National Aerospace, PQI (insider trading), Sayho Information Technology, Hold Key Electric Wire, Xepex, Mosel Vitelic, ABIT Computer, Rebar (false financial reporting), Chia Hsin Food, Chinese Bank, Horng Technical, Nankang Rubber Tire (stock price manipulation-1), Protop, ETHome, Jet Power, Alona, Optimax, Eastern Media International (false financial reporting), Taiwan Green Point, ManZ Intech Machines, Hsinchu International Bank, Yah Hsin (false financial reporting and insider trading), Far Eastern Air, AboMem, Macronix, Vertex Precision,

報不實、公開說明書不實）、訊碟（89 年內線）、大穎（內線交易）、大穎（財報不實、操縱股價）、榮美（操縱股價）、台肥（操縱股價）、廣大興業（內線交易）、美式家具（財報不實）、國產車（操縱股價）、皇統（財報不實）、全坤興（內線交易）、合機電纜（操縱股價）、立大農畜（財報不實）、博達（公開說明書不實）、紐新（財報不實）、零壹 / 凱衛 / 宏都（操縱股價）、洪氏英（操縱股價）、亞智（操縱股價）、中櫃（操縱股價）、安基（內線交易）、統盟（內線交易）及順大裕（內線交易、操縱股價）等二十三案業已勝訴判決確定；另有正義（財報不實）、博達（財報不實）、訊碟（財報不實）、中華商銀（財報不實）、銳普（財報不實）、宏福（操縱股價）、金雨（財報不實）、台鳳（操縱股價）、新竹商銀（內線交易）、宏傳（財報不實）、宏億（財報不實）、捷力（財報不實）、仕欽（財報不實）、東森媒體科技（股票收購詐欺）、名鐘（財報不實）、怡華（操縱股價）、展茂（內線交易）、慶豐富（操縱股價）及協和國際（財報不實、公開說明書不實）等十九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。此外，針對團體訴訟案件，本中心亦與部分刑事被告、董監事、會計師、承銷商等達成和解，截至本年度止，本中心已替投資人取得高達二十二億八百餘萬元之和解金，其中九十三年度為二千二百餘萬元、九十四年度為三億二百餘萬元、九十五年度為五億五千四百餘萬元、九十六年度為一億九千七百餘萬元、九十七年度為一億六千六百餘萬元、九十八年度為一億六百餘萬元、九十九年度為八千二百餘萬元、一百年度為一億一千三百餘萬元、一〇一年度為五億一千五百餘萬元、一〇二年度為一億三千七百餘萬元，投資人之損害可望獲得部分之實質補償。

Ming Jong (false financial reporting), Ming Jong (insider trading), Lih Duo, Eastern Media International (insider trading), BAFO Technology, Taiwan International Securities, Avid Electronics, Prince Housing and Development, Feya, Kolin, Everskill (false financial reporting), Allied Material, Chin Mei Precision Machinery, Taikong, Nangang Rubber Tire (stock price manipulation-2), Free Power Energy, TKK Technology, HTS Technology (false financial reporting), Airlux, AVTech/Shih Wei Navigation/Chin Mei Precision Machinery/Promate/ Enfield Medical/Horizon Securities, HTS Tech (insider trading), Highlight Tech, Infodisc/Jess-Link, I-Hwa, Infodisc (false financial reporting), Ching Feng, Falcon Power, Lien Ming (stock price manipulation-1), Lien Ming (stock price manipulation-2), Lien Ming (false financial reporting), CyberPower, Sunflex, Astral Epoch, TMP, Mega Biotech & Electronics, Top Energy, Universal Scientific Industrial, PCM Power (false financial reporting), PCM Power (stock dividend), and Anderson Industrial. More than 90,000 investors of the 83 pending cases empowered the Center to file suits on their behalf, seeking claims in the amount of NT\$36.404 billion. Meanwhile, some other cases have been empowered by investors in 2013 but have not been brought to court, including the cases of United Integrated, Formosa Epitaxy, Prescope, and Green Energy. Of the aforementioned cases that the Center has filed class-action lawsuit by the end of 2013, there are 23 cases which have been won with final judgment, including the cases of Tong Lung Metal (false financial reporting, misrepresentation in prospectus), Tai Yu Products (false financial reporting, misrepresentation in prospectus), Infodisc (insider trading in year 2000), Dahin (insider trading), Dahin (false financial reporting, stock price manipulation), Aceland (stock price manipulation), Taiwan Fertilizer (stock price manipulation), Kent World (insider trading), Master Home Furniture (false financial reporting), Chinese Automobile (stock price manipulation), Summit Computer (false financial reporting), Chain Qui Development (insider trading), Hold Key Electric Wire (stock price manipulation), Lee Tah Farm (false financial reporting), Procomp



## 五、代表訴訟及解任訴訟

為加強公司治理機制，投保法修正案於九十八年八月一日施行，亦增訂保護機構有股東代表訴訟及訴請法院裁判解任董監事之權限。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。

截至一〇二年底，本中心計提起二十二件代表訴訟及十三件解任訴訟案件。其中在一〇二年間就單一個案，經本中心提起代表訴訟後，於訴訟中以約十二億餘元與請求對象及發行公司達成三方和解，有效保障公司及股東權益。

(misrepresentation in prospectus), New Sun Metal (false financial reporting), Zero One/K Way/Hung Tu Construction (stock price manipulation), Horng Technical (stock price manipulation), ManZ Intech Machines (stock price manipulation), China Container Terminal (stock price manipulation), Aker (insider trading), T-Mac (insider trading) and Tai Yu Products (insider trading, stock price manipulation). Another 19 cases have been granted totally or partially favorable judgment in the district court or high court, including the cases of Cheng I Food (false financial reporting), Procomp (false financial reporting), Infodisc (false financial reporting), Chinese Bank (false financial reporting), Xepex (false financial reporting), Hung Fu (stock price manipulation), Alona (false financial reporting), Taiwan Pineapple (stock price manipulation), Hsinchu International Bank (insider trading), Well Communication (false financial reporting), Lih Duo (false financial reporting), Jet Power (false financial reporting), Everskill (false financial reporting), EThome (fraud in stock acquisition), Ming Jong (false financial reporting), I-Hwa (stock price manipulation), Allied Material (insider trading), Ching Feng (stock price manipulation) and Sayho Information Technology (false financial reporting, misrepresentation in prospectus). In those cases, securities issuers, law-breaking individuals, and some civil case defendants were held jointly liable for investors' losses. In addition, the Center has reached settlement with some defendants, including criminal defendants, corporate directors/supervisors, accountants, and securities underwriters in some of the cases that the Center has filed class-action suits. By the end of 2013, the Center has helped investors collect compensations totaling NT\$2,208 million, including 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, and NT\$137 million in 2013. Investors are expected to get at least partial compensation for their losses.

## 六、歸入權行使

依證券交易法第一百五十七條及其施行細則第十一條規定，上市（櫃）公司之董事、監察人、經理人及持股超過百分之十之大股東，對公司之股票及具有股權性質之其他有價證券，於取得後六個月內再行賣出，或於賣出後六個月內再行買進，因而獲得利益者，公司應請求將其利益歸於公司。本中心成立後業依主管機關函釋，接續原證基會辦理上市（櫃）公司內部人涉短線交易歸入權之行使業務，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，係就臺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一〇一年上半年度上市（櫃）公司、一〇一年下半年度上市（櫃）公司及一〇二年上半年度上市（櫃）公司之案件計三百三十八件，其中結案二百五十四件，催促行使八十四件。總計辦理八十三年度至一〇二年度歸入權案件計六千五百九十八件，截至本年度結案計六千四百九十四件，催促行使八十七件，進入訴訟程序而仍未歸入者十七件。

## 5. Derivative Suit and Discharge Suit

In order to strengthen the corporate governance mechanism, the amended Investors Protection Act enforced on August 1, 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/OTC 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 Investors 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 2013, the Center has filed 22 derivative suits and another 13 discharge suits. In a derivative suit filed in 2013, the Center, the accused wrongdoer and the company (securities issuer) have reached a three-way settlement of NT\$1.2 billion. The action of the Center effectively and successfully protects the interests of the company and its shareholders.

## 6. Disgorgement

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





## 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。



takes disgorgement enforcement actions based on the short-swing trading data provided by Taiwan Stock Exchange and the GreTai Securities Market once every half a year. In 2013, the Center handled 338 disgorgement cases occurred in the first half of 2012, the second half of 2012 and the first half of 2013. Of those cases, 254 have been closed and 84 are still in the process of collection. In total, the Center has handled 6,598 cases from 1994 to 2013, of which 6,494 have been closed, 87 are still in the process of collection, and 17 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 Investors 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.

## 八、保護宣導

本中心特地撰寫與投資人投資權益息息相關之「投資人權益的守護者 - 證券投資人及期貨交易人保護中心」、「投資人權益系列講座 - 股東會篇」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「如何落實少數股東提案權及獨立董事提名制度」、「上市櫃公司股東會股務作業與電子投票相關爭議問題之探討」座談會；另亦在報章媒體刊登文章或專欄計四十三篇，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 produced brochures, which is highly related to investors' interests, including "Securities and Futures Investors Protection Center – Guardian of Investors' Interests" and "Investor Rights Series – Shareholders' Meeting" for public perusal for free. The Center also works with the media in organizing workshops to educate the public. In 2013, the Center held two investor protection workshops, respectively entitled "How to Implement Minority Shareholder's Right of Proposal and the Nomination of Independent Director" and "Related Problems of Shareholder Services and Electronic Voting in connection with Shareholders' Meetings of TWSE/OTC Listed Companies" In addition, the Center published 43 articles on investor protection in 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.





## 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數十家以上的上市櫃公司股東會，本年度參加三陽工業、黑松、眾星、國巨等二十七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一百五十二家，發函詢問公司家數計一百五十家，其中一百五十家已具體改善、函復或為說明，並出席其中十三家公司股東會提出質詢。

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

### (三) 董監事酬金案件：

為健全市場發展及增進股東權益，本中心針對一百年度、一〇一年度董監事酬金有超過主管機關參考規範一定標準之三十五家上市櫃公司，經發函詢問，其中計三十三家已具體改善、函復或為說明，尚未回復者持續追蹤管理。另就十九家公司董監事酬勞或員工紅利分派，涉有損及股東權益情事，發函詢問，該十九家皆已函復說明或提出改善措施。

## 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/OTC listed companies every year. In 2013, the Center attended 27 annual and extraordinary shareholders' meetings of companies, including, Sanyang Industry, Hey-Song, Astral Epoch and Yageo. 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, and compensation of company directors/supervisors, stock dividends, and other issues which have a 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.

### (2) Private placement cases:

In 2013, the Center reviewed a total of 152 private placement cases, and sent inquiry letters to 150 companies for explanation. Among them, 150 have rectified the situation or responded to the inquiry. Furthermore, the Center also sent staffs to attend the shareholders' meetings of 13 companies and raised its concerns regarding their practices of private placement in those meetings.

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

### (3) Director/supervisor compensation cases:

In order to promote healthy market development and enhance the interests of shareholders, the Center sent inquiry letters to 35

### (四) 大額背書保證及資金貸與超限等：

就相關單位函送一〇一年度及一〇二年上半年度有關大額背書保證、資金貸與超限及重大轉投資虧損等一百三十九家上市櫃公司，經全面評估函請公司說明者有八十二家，該八十二家公司皆已回復說明或提出改善計畫，持續追蹤其辦理情形。

### (五) 減資案件：

依主管機關函囑就上市櫃公司彌補虧損之減資案，提報股東會說明或進行決議，並追蹤辦理情形事，本年度檢視五十一家上市櫃公司並函請其中三十五家公司予以說明、函復本中心，並持續追蹤一〇一年度列有減資議案之三十七家上市櫃公司後續辦理情形，針對其中已辦理減資事宜但未於一〇二年度股東會報告執行情形者，函請監察人或審計委員會獨立董事請其督促公司改善。

TWSE/OTC listed companies where their director/supervisor compensation for 2011 or 2012 exceeded the reference standard set by the competent authority. Among them, 33 have rectified the situation or responded to the inquiry. Companies that have not responded to the Center's inquiry are put under follow-up control. Regarding another 19 companies where their compensation for directors/supervisors or employee bonus may have impaired the interests of shareholders, the Center sent inquiry letters to them for explanation and all of those companies have made reply to provide explanation or promise rectification.

### (4) Large-sum endorsement/guarantee and excessive lending cases:

As for the 139 TWSE/OTC listed companies on the list provided by relevant agencies that made large-sum endorsement, excessive lending or suffered significant loss on major reinvestment projects in 2012 and the first half of 2013, the Center sent inquiry letters to 82 of the aforesaid companies, asking for explanation. All of those 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/OTC listed companies for making up their losses, the Center, in accordance with the instruction of the competent authority, asked those companies to explain or submit the proposal for a vote in the shareholders' meeting. The Center would then keep monitoring the follow-up actions of those cases. In 2013, the Center reviewed the capital decrease actions of 51 companies and sent inquiry letters to 35 of them. The Center also continues to monitor the follow-up actions of 37 companies which made capital decrease in 2012. For those companies that have undertaken capital decrease but failed to report the implementation status in their 2013 shareholders' meetings, the Center also sent letter to their supervisors or independent directors in their audit committee, asking them to urge the company to rectify the situation





# 陸、財務報告

## VI. Financial Statements



### 會計師查核報告

財團法人證券投資人及期貨交易人保護中心民國一〇二年十二月三十一日及民國一〇一年十二月三十一日之資產負債表，暨民國一〇二年一月一日至十二月三十一日及民國一〇一年一月一日至十二月三十一日之收支餘絀表、保護基金變動表及現金流量表，業經本會計師查核竣事。上開財務報表之編製係管理階層之責任，本會計師之責任則為根據查核結果對上開財務報表表示意見。

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

依本會計師之意見，第一段所述財務報表在所有重大方面係依照金融監督管理委員會頒布之「金融監督管理委員會主管財團法人監督管理要點」及一般公認會計原則編製，足以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一〇二年十二月三十一日及民國一〇一年十二月三十一日之財務狀況，暨民國一〇二年一月一日至十二月三十一日及民國一〇一年一月一日至十二月三十一日之經營結果、基金變動與現金流量。

此 致

財團法人證券投資人及期貨交易人保護中心 公鑒

安永聯合會計師事務所

會計師：



中華民國一〇三年三月二十六日

### REPORT OF INDEPENDENT AUDITORS

Securities and Futures Investors Protection Center

We have audited the accompanying balance sheets of Securities and Futures Investors Protection Center as of December 31, 2013 and 2012, and the related statements of income and disbursements, changes in institute fund, and cash flows for the years ended December 31, 2013 and 2012. 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 position of Securities and Futures Investors Protection Center as of December 31, 2013 and 2012, and the results of its operations, changes in the institute fund and its cash flows for the years ended December 31, 2013 and 2012 in conformity with the "Guidelines Regarding the Supervision and Governance of Funds with Juridical Person Status" stipulated by the Financial Supervisory Commission and accounting principles generally accepted in the Republic of China.

March 26, 2014

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

民國一〇二年十二月三十一日及民國一〇一年十二月三十一日

單位：新台幣元

資 產	一〇二年十二月三十一日		一〇一年十二月三十一日	
	金 額	%	金 額	%
流動資產				
現金及約當現金	\$1,168,783,873	14.08	\$1,051,906,448	13.30
應收帳款	19,354,443	0.23	34,541,380	0.44
其他流動資產	62,019,404	0.75	71,165,760	0.91
流動資產合計	1,250,157,720	15.06	1,157,613,588	14.65
基金及投資				
備供出售金融資產 - 非流動	94,204,679	1.14	72,077,899	0.91
持有至到期日之金融資產 - 非流動	5,729,429,382	69.03	5,524,297,243	69.86
基金及投資合計	5,823,634,061	70.17	5,596,375,142	70.77
固定資產				
土 地	71,070,000	0.86	71,070,000	0.90
房屋及裝修設備	35,527,377	0.43	35,527,377	0.45
辦公設備	13,601,554	0.16	8,809,796	0.11
成本小計	120,198,931	1.45	115,407,173	1.46
減：累計折舊	(17,864,293)	(0.22)	(15,845,670)	(0.20)
預付設備款	-	-	2,175,000	0.03
固定資產淨額	102,334,638	1.23	101,736,503	1.29
其他資產				
受限制資產	1,065,518,101	12.84	994,979,366	12.58
存出保證金	57,739,759	0.70	56,478,870	0.71
其他資產合計	1,123,257,860	13.54	1,051,458,236	13.29
資產總計	<u>\$8,299,384,279</u>	<u>100.00</u>	<u>\$7,907,183,469</u>	<u>100.00</u>

負債、基金及累積餘絀	一〇二年十二月三十一日		一〇一年十二月三十一日	
	金 額	%	金 額	%
流動負債				
應付費用	\$11,072,090	0.13	\$14,213,740	0.18
其他流動負債	252,011	0.01	382,995	-
流動負債合計	11,324,101	0.14	14,596,735	0.18
其他負債				
代收款	617,405,718	7.44	536,859,423	6.79
存入保證金	448,122,383	5.40	458,129,943	5.79
其他負債合計	1,065,528,101	12.84	994,989,366	12.58
負債總計	1,076,852,202	12.98	1,009,586,101	12.76
基金及累積餘絀				
創立基金	1,031,000,000	12.42	1,031,000,000	13.04
增撥基金	5,852,381,290	70.52	5,385,332,946	68.11
待轉撥基金	305,601,022	3.68	467,048,344	5.91
備供出售金融商品未實現損益	33,549,765	0.40	14,216,078	0.18
基金及累積餘絀總計	7,222,532,077	87.02	6,897,597,368	87.24
負債、基金及累積餘絀總計	<u>\$8,299,384,279</u>	<u>100.00</u>	<u>\$7,907,183,469</u>	<u>100.00</u>



SECURITIES AND FUTURES INVESTORS PROTECTION CENTER  
BALANCE SHEETS

December 31, 2013 and 2012  
(Expressed in New Taiwan Dollars)

December 31,		
ASSETS	2013	2012
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	\$1,168,783,873	\$1,051,906,448
Accounts receivable	19,354,443	34,541,380
Other current assets	62,019,404	71,165,760
Total Current Assets	1,250,157,720	1,157,613,588
<b>INVESTMENTS AND FUNDS</b>		
Available-for-sale financial assets-non corrent	94,204,679	72,077,899
Held-to-maturity financial assets-non current	5,729,429,382	5,524,297,243
Total investments and funds	5,823,634,061	5,596,375,142
<b>PROPERTY AND EQUIPMENT</b>		
Land	71,070,000	71,070,000
Buildings	35,527,377	35,527,377
Office equipment	13,601,554	8,809,796
Total Cost	120,198,931	115,407,173
Less : accumulated depreciation	(17,864,293)	(15,845,670)
Prepayment for equipment	-	2,175,000
Net Property and Equipment	102,334,638	101,736,503
<b>OTHER ASSETS</b>		
Restricted assets	1,065,518,101	994,979,366
Refundable deposits	57,739,759	56,478,870
Total Other Assets	1,123,257,860	1,051,458,236
<b>TOTAL ASSETS</b>		
	<u>\$8,299,384,279</u>	<u>\$7,907,183,469</u>

December 31,		
LIABILITIES, FUNDS AND ACCUMULATED SURPLUS	2013	2012
<b>CURRENT LIABILITIES</b>		
Accrued expenses	\$11,072,090	\$14,213,740
Other current liabilities	252,011	382,995
Total Current Liabilities	11,324,101	14,596,735
<b>OTHER LIABILITIES</b>		
Receipts in custody	617,405,718	536,859,423
Guarantee deposits received	448,122,383	458,129,943
Total Other Liabilities	1,065,528,101	994,989,366
<b>TOTAL LIABILITIES</b>		
	<u>1,076,852,202</u>	<u>1,009,586,101</u>
<b>FUNDS AND ACCUMULATED SURPLUS</b>		
Institute fund	1,031,000,000	1,031,000,000
Additional capitalized fund	5,852,381,290	5,385,332,946
Fund to be transferred	305,601,022	467,048,344
Unrealized gain (loss) on available-for-sale financial assets	33,549,765	14,216,078
TOTAL FUNDS AND ACCUMULATED SURPLUS	7,222,532,077	6,897,597,368
<b>TOTAL LIABILITIES, FUNDS AND ACCUMULATED SURPLUS</b>		
	<u>\$8,299,384,279</u>	<u>\$7,907,183,469</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

民國一〇二年一月一日至十二月三十一日及民國一〇一年一月一日至十二月三十一日

單位：新台幣元

項 目	一〇二年度		一〇一年度	
	金 額	%	金 額	%
收 入				
財務收入	\$107,229,105	99.99	\$113,270,877	99.99
處分投資收益淨額	-	-	-	-
其他收入	2,856	0.01	1,904	0.01
合 計	107,231,961	100.00	113,272,781	100.00
支 出				
人事支出	52,196,317	48.68	52,550,420	46.40
業務支出	18,239,562	17.00	18,396,425	16.24
業務撥回基金	36,733,830	34.26	42,300,046	37.34
處分投資損失淨額	62,252	0.06	25,890	0.02
合 計	107,231,961	100.00	113,272,781	100.00
本期餘絀	\$-	-	\$-	-

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

STATEMENTS OF INCOME AND DISBURSEMENTS

For the years ended December 31, 2013 and 2012

(Expressed in New Taiwan Dollars)

	2013	2012
REVENUES		
Financial income	\$107,229,105	\$113,270,877
Gain on disposal of investments	-	-
Other income	2,856	1,904
Total Revenues	107,231,961	113,272,781
EXPENSES		
Personnel expenses	52,196,317	52,550,420
Operating expenses	18,239,562	18,396,425
Operation transferred to institute fund	36,733,830	42,300,046
Loss on disposal of investments	62,252	25,890
Total Expenses	107,231,961	113,272,781
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

民國一〇二年一月一日至十二月三十一日及民國一〇一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
民國一〇一年 一月一日餘額	\$1,031,000,000	\$4,741,571,753	\$643,761,193	\$-	\$8,752,933	\$6,425,085,879
待轉撥基金轉入		643,761,193	(643,761,193)			-
受撥收入			424,129,936			424,129,936
基金撥用 訴訟仲裁支出			(5,580,792)			(5,580,792)
訴訟仲裁支出 撥回基金			6,199,154			6,199,154
業務撥回基金			42,300,046			42,300,046
備供出售金融 資產未實現損益					5,463,145	5,463,145
民國一〇一年度餘絀				-		-
民國一〇一年 十二月三十一日餘額	1,031,000,000	5,385,332,946	467,048,344	-	14,216,078	6,897,597,368
待轉撥基金轉入		467,048,344	(467,048,344)			-
受撥收入			272,839,234			272,839,234
基金撥用 訴訟仲裁支出			(4,433,641)			(4,433,641)
訴訟仲裁支出 撥回基金			461,599			461,599
業務撥回基金			36,733,830			36,733,830
備供出售金融 資產未實現損益					19,333,687	19,333,687
民國一〇二年度餘絀				-		-
民國一〇二年 十二月三十一日餘額	<u>\$1,031,000,000</u>	<u>\$5,852,381,290</u>	<u>\$305,601,022</u>	<u>\$-</u>	<u>\$33,549,765</u>	<u>\$7,222,532,077</u>

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

STATEMENTS OF CHANGES IN INSTITUTE FUND

For the years ended December 31, 2013 and 2012

(Expressed in New Taiwan Dollars)

	Institute Fund	Additional Capitalized Fund	Fund To Be Transferred	Accumulated Surplus (Deficit)	Unrealized Gain (Loss) On Available- for-sale Financial Assets	Total
Balance, January 1, 2011	\$1,031,000,000	\$4,741,571,753	\$643,761,193	\$-	\$8,752,933	\$6,425,085,879
Fund capitalized from fund to be transferred		643,761,193	(643,761,193)			0
Contribution income to fund			424,129,936			424,129,936
Allocation to litigation and arbitration			(5,580,792)			(5,580,792)
Litigation and arbitration transferred to institute fund			6,199,154			6,199,154
Operation transferred to institute fund			42,300,046			42,300,046
Unrealized loss on available-for- sale financial assets					5,463,145	5,463,145
Surplus (Deficit) for 2011				-		-
Balance, December 31, 2011	1,031,000,000	5,385,332,946	467,048,344	-	14,216,078	6,897,597,368
Fund capitalized from fund to be transferred		467,048,344	(467,048,344)			-
Contribution income to fund			272,839,234			272,839,234
Allocation to litigation and arbitration			(4,433,641)			(4,433,641)
Litigation and arbitration transferred to institute fund			461,599			461,599
Operation transferred to institute fund			36,733,830			36,733,830
Unrealized gain on available-for- sale financial assets					19,333,687	19,333,687
Surplus (Deficit) for 2012				-		-
Balance, December 31, 2012	<u>\$1,031,000,000</u>	<u>\$5,852,381,290</u>	<u>\$305,601,022</u>	<u>\$-</u>	<u>\$33,549,765</u>	<u>\$7,222,532,077</u>



財團證券投資人及期貨交易人保護中心  
法人

現金流量表

民國一〇二年一月一日至十二月三十一日及民國一〇一年一月一日至十二月三十一日

單位：新台幣元

項 目	一〇二年度	一〇一年度
業務活動之現金流量：		
本期餘絀	\$-	\$-
調整項目：		
折舊	2,018,623	1,411,373
處分投資損失	62,252	25,890
業務用資產及負債增減淨額		
應收帳款減少（增加）	15,186,937	(2,395,653)
其他流動資產減少	9,146,356	8,387,475
受限制資產（增加）減少	(70,538,735)	104,559,462
存出保證金增加	(1,260,889)	(677,481)
應付費用減少	(3,141,650)	(1,235,779)
其他流動負債減少	(130,984)	(246,206)
代收款增加（減少）	80,546,295	(29,647,651)
存入保證金減少	(10,007,560)	(74,911,811)
業務活動之淨現金流入	21,880,645	5,269,619
投資活動之現金流量：		
備供出售金融資產增加數	(3,061,100)	(12,500,820)
備供出售金融資產減資退回股款	39,776	25,547
備供出售金融資產處分價款	165,979	191,291
持有至到期日之金融資產增加數	(205,132,139)	(111,501,570)
購置固定資產	(2,616,758)	(1,282,000)
投資活動之淨現金流出	(210,604,242)	(125,067,552)
融資活動之現金流量：		
待轉撥基金增加	305,601,022	467,048,344
融資活動之淨現金流入	305,601,022	467,048,344
本期現金增加數	116,877,425	347,250,411
期初現金及約當現金餘額	1,051,906,448	704,656,037
期末現金及約當現金餘額	\$1,168,783,873	\$1,051,906,448
不影響現金流量之投資活動：		
金融資產之未實現利益	\$19,333,687	\$5,463,145

SECURITIES AND FUTURES INVESTORS PROTECTION CENTER

STATEMENTS OF CASH FLOWS

For the years ended December 31, 2013 and 2012

(Expressed in New Taiwan Dollars)

	2013	2012
CASH FLOWS FROM OPERATING ACTIVITIES		
Surplus (Deficit)	\$-	\$-
Adjustments to reconcile net surplus (Deficit) to net cash provided by (used in) operating activities:		
Depreciation expense	2,018,623	1,411,373
Loss on disposal of long-term investments	62,252	25,890
Net changes in operating assets and liabilities		
Decrease (Increase) in accounts receivable	15,186,937	(2,395,653)
Decrease in other current assets	9,146,356	8,387,475
(Increase) Decrease in restricted assets	(70,538,735)	104,559,462
Decrease in refundable deposits	(1,260,889)	(677,481)
Decrease in accrued expenses	(3,141,650)	(1,235,779)
Decrease other current liabilities	(130,984)	(246,206)
Increase (Decrease) in receipts in custody	80,546,295	(29,647,651)
Decrease in guarantee deposits receipts	(10,007,560)	(74,911,811)
Net cash provided by operating activities	21,880,645	5,269,619
CASH FLOWS FROM INVESTING ACTIVITIES		
Increase in available-for-sale financial assets	(3,061,100)	(12,500,820)
Proceeds from capital reduction of available-for-sale financial assets	39,776	25,547
Proceeds from disposal of available-for-sale financial assets	165,979	191,291
Increase in held-to-maturity financial assets	(205,132,139)	(111,501,570)
Purchases of property and equipment	(2,616,758)	(1,282,000)
Net cash used in investing activities	(210,604,242)	(125,067,552)
CASH FLOWS FROM FINANCING ACTIVITIES		
Increase in fund to be transferred	305,601,022	467,048,344
Net cash provided by financing activities	305,601,022	467,048,344
NET INCREASE IN CASH AND CASH EQUIVALENTS	116,877,425	347,250,411
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	1,051,906,448	704,656,037
CASH AND CASH EQUIVALENTS AT END OF YEAR	\$1,168,783,873	\$1,051,906,448
NONCASH INVESTING ACTIVITY		
Unrealized gain on available-for-sale financial assets	\$19,333,687	\$5,463,145



# 柒、大事紀要

## VII. Chronicle



日期 Date	事項 Event
102.01.03	<p>受理碩邦、飛信公司股票投資人求償登記 (自 102 年 1 月 4 日至 2 月 4 日)。</p> <p>受理美嘉電公司股票投資人求償登記 (自 102 年 1 月 4 日至 2 月 4 日)。</p> <p>Accepted claim applications from investors seeking compensation in the Chipbond-IST case (January 4 ~ February 4, 2013).</p> <p>Accepted claim applications from investors seeking compensation in the Mega Biotech case (January 4 ~ February 4, 2013).</p>
102.01.10	<p>中壽內線交易案經臺灣高等法院判決駁回本中心刑事附帶民事訴訟上訴。</p> <p>Taiwan High Court dismissed the Center's appeal of ancillary civil lawsuit in the China Life insider trading case.</p>
102.01.23	<p>召開本中心第 4 屆第 14 次董事監察人會議：</p> <p>一、提報名鐘科技財報不實案，經臺灣板橋地方法院判決本中心部分勝訴。</p> <p>二、提報銳普電子財報不實案，經最高法院發回臺灣高等法院審理。</p> <p>三、決議公告受理詮鼎公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>四、金洲公司解任董事案，經臺灣高等法院判決駁回本中心訴訟。</p> <p>Held the 4th-term 14th board of directors and supervisors meeting:</p> <p>1.Reported that the Center was granted a partially favorable judgment by Banqiao District Court in the false financial reporting case against Ming Jong Technologies.</p> <p>2.Reported that the Supreme Court remanded the false financial reporting case filed by the Center against Xepex to Taiwan High Court.</p> <p>3.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the AIT insider trading case, and to file class action suit seeking civil remedy.</p> <p>4.Taiwan High Court dismissed the Center's discharge suit against the directors of Kingchou Marine.</p>
102.01.25	<p>新竹商銀內線交易案經最高法院發回臺灣高等法院審理。</p> <p>The Supreme Court remanded the Hsinchu International Bank insider trading case to Taiwan High Court.</p>
102.01.28	<p>受理詮鼎股票投資人求償登記 (自 102 年 1 月 29 日至 3 月 8 日)。</p> <p>Accepted claim applications from investors seeking compensation in the AIT case (January 29 ~ March 8, 2013).</p>
102.01.31	<p>飛寶動能裁判解任案經臺灣高等法院駁回本中心上訴。</p> <p>Taiwan High Court dismissed the Center's appeal of the Free Power Energy discharge suit.</p>
102.02.01	<p>怡華操縱股價案經臺灣桃園地方法院判決本中心部分勝訴。</p> <p>The Center was granted a partially favorable judgment by Taoyuan District Court in the I-Hwa stock price manipulation case.</p>



日期 Date	事項 Event
102.02.26	金雨企業財報不實案經臺灣高等法院臺中分院判決本中心部分勝訴。  The Center was granted a partially favorable judgment by Taiwan High Court Taichung Branch Court in the Gold Rain false financial reporting case.
102.02.27	召開本中心第 4 屆第 15 次董事監察人會議： 一、提報順大裕操縱股價案，經臺灣臺中高分院判決本中心部分勝訴、部分敗訴。 二、提報中國人壽內線交易案，經臺灣高等法院駁回本中心刑事附帶民事訴訟上訴。 三、提報金洲公司解任董事案，經臺灣高等法院判決駁回本中心訴訟。 四、提報新竹商銀內線交易案，經最高法院發回臺灣高等法院審理。 五、決議公告受理沛波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。  Held the 4th-term 15th board of directors and supervisors meeting: 1.Reported that the Center was granted partially favorable judgment and partially unfavorable judgment by Taiwan High Court Taichung Branch Court in the Tai Yu Products stock price manipulation case. 2.Reported that Taiwan High Court dismissed the Center's ancillary civil lawsuit in the China Life insider trading case. 3.Reported that Taiwan High Court dismissed the Center's discharge suit against the directors of Kingchou Marine. 4.Reported that the Supreme Court remanded the Hsinchu International Bank insider trading case to Taiwan High Court. 5.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the TMP stock price manipulation case, and to file class action suit seeking civil remedy.
102.03.04	受理沛波公司股票投資人求償登記 (自 102 年 3 月 5 日至 4 月 5 日)。  Accepted claim applications from investors seeking compensation in the TMP case (March 5 ~ April 5, 2013).
102.03.27	召開本中心第 4 屆第 16 次董事監察人會議： 一、提報主管機關遴選監察人一人，補足原任監察人未滿之任期。 二、提報元大證券代位訴訟案，經臺灣高等法院部分判決駁回。 三、提報飛寶動能解任董監事案，經臺灣高等法院判決駁回並提起上訴。 四、提報怡華民事求償案，經臺灣桃園地方法院判決本中心部分勝訴。 五、提報金雨財報不實案，經臺灣高等法院臺中分院判決本中心部分勝訴。 六、決議通過對圓方公司董事長使圓方公司為不利益交易，致公司遭受重大損害案提起代表訴訟及解任訴訟。 七、決議公告受理琉園公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 八、修正本中心捐助章程第 10 條第 3 款有關捐助人董監事因職務異動改派作業規定。 九、決議通過 101 年度業務報告書、財務報告、立法院格式決算書及效益評估報告。  Held the 4th-term 16th board of directors and supervisors meeting: 1.Reported that the competent authority has appointed a supervisor to serve the remaining term of the departed supervisor.

日期 Date	事項 Event
102.03.27	2.Reported that Taiwan High Court partially dismissed the subrogation action of Yuanta Securities. 3.Reported that the Center's discharge suit against the directors and supervisors of Free Power Energy was dismissed by Taiwan High Court and the Center has filed an appeal. 4.Reported that the Center was granted a partially favorable judgment by Taoyuan District Court in the civil remedy case against I-Hwa. 5.Reported that the Center was granted a partially favorable judgment by Taiwan High Court Taichung Branch Court in the Gold Rain false financial reporting case. 6.Approved the decision to file a derivative suit and discharge suit against the chairman of Elements Innovation for causing the company to conduct transactions to its disadvantage and thus causing substantial damage to the company. 7.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Tittot stock price manipulation case, and to file class action suit seeking civil remedy. 8.Revised Item 3, Article 10 of the Center's Act of Endowment regarding reappointment of sponsor's director/supervisor due to change of duties. 9.Approved the Center's 2012 annual business report, financial report, the format of the final financial statement to be sent to the Legislative Yuan, and performance evaluation report.
102.03.29	展茂內線交易案經臺灣新北地方法院判決本中心部分勝訴。  The Center was granted a partially favorable judgment by New Taipei District Court in the Allied Material insider trading case.
102.04.17	飛寶動能代表訴訟案 (被告郭○○、王○○部分) 經臺灣高等法院判決駁回本中心所提刑事附帶民事上訴。  Taiwan High Court dismissed the Center's appeal of ancillary civil lawsuit in the Free Power Energy derivative action (on the part involving defendants Kuo ○○ and Wang ○○).
102.04.24	召開本中心第 4 屆第 17 次董事監察人會議： 一、提報主管機關遴選董事一人，補足原任董事未滿之任期。 二、決議通過本中心財產總額登記由新臺幣六十四億一千六百三十三萬二千九百四十六元，變更為六十八億八千三百三十八萬一千二百九十元。 三、決議公告受理環電公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 四、決議公告受理科風公司財報不實及現金股利遲延發放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。  Held the 4th-term 17th board of directors and supervisors meeting: 1.Reported that the competent authority has appointed a director to serve the remaining term of the departed director.



日期 Date	事項 Event
102.04.24	<p>2.Approved the change in the Center's registered assets from NT\$6,416,332,946 to NT\$6,883,381,290.</p> <p>3.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Universal Scientific insider trading case, and to file class action suit seeking civil remedy.</p> <p>4.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the PCM Power false financial reporting and delayed distribution of cash dividends case, and to file class action suit seeking civil remedy and file discharge suit.</p>
102.04.30	<p>飛寶動能代表訴訟案（被告江○○、張○○、林○○部分）經臺灣士林地方法院判決駁回本中心所提民事訴訟。</p> <p>受理科風公司股票投資人求償登記（自 102 年 5 月 1 日至 5 月 31 日）。</p> <p>受理科風公司遲延發放現金股利案投資人求償登記（自 102 年 5 月 1 日至 5 月 31 日）。</p> <p>受理環電股票投資人求償登記（自 102 年 5 月 1 日至 5 月 31 日）。</p> <p>Shihlin District Court dismissed the Center's civil lawsuit in the Free Power Energy derivative action (on the part involving defendants Chiang ○○, Chang ○○ and Lin ○○).</p> <p>Accepted claim applications from investors seeking compensation in the PCM Power case (May 1 ~ May 31, 2013).</p> <p>Accepted claim applications from investors seeking compensation in the PCM Power delayed distribution of cash dividends case (May 1 ~ May 31, 2013).</p> <p>Accepted claim applications from investors seeking compensation in the Universal Scientific case (May 1 ~ May 31, 2013).</p>
102.05.14	<p>撤銷安泰銀行 101 年股東常會決議之訴案，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>Taipei District Court dismissed the Center's suit requesting annulment of resolutions made in Entie Bank's 2012 annual shareholders' meeting.</p>
102.05.22	<p>召開本中心第 4 屆第 18 次董事監察人會議：</p> <p>一、提報展茂內線交易案，經臺灣新北地方法院判決本中心部分勝訴。</p> <p>二、提報同開操縱股價案，經臺灣高等法院臺南分院判決駁回本中心上訴。</p> <p>三、提報飛寶動能代表訴訟案（被告郭○○、王○○部分），經臺灣高等法院駁回本中心所提附帶民事訴訟上訴部分。</p> <p>四、提報飛寶動能代表訴訟案（被告江○○、張○○、林○○部分），經臺灣士林地方法院判決駁回本中心所提民事訴訟。</p> <p>五、決議公告受理恩德公司內線交易及操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>Held the 4th-term 18th board of directors and supervisors meeting:</p> <p>1.Reported that the Center was granted a partially favorable judgment by New Taipei District Court in the Allied Material insider trading case.</p> <p>2.Reported that Taiwan High Court Tainan Branch Court dismissed the Center's appeal in the Tung Kai Technology stock price manipulation case.</p>

日期 Date	事項 Event
102.05.22	<p>3.Reported that Taiwan High Court dismissed the Center's appeal of ancillary civil lawsuit in the Free Power Energy derivative action (on the part involving defendants Kuo ○○ and Wang ○○).</p> <p>4.Reported that Shihlin District Court dismissed the Center's civil lawsuit in the Free Power Energy derivative action (on the part involving defendants Chiang ○○, Chang ○○, and Lin ○○).</p> <p>5.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Anderson Industrial insider trading and stock price manipulation case, and to file class action suit seeking civil remedy.</p>
102.05.28	<p>受理恩德公司股票投資人求償登記（自 102 年 5 月 28 日至 6 月 28 日）。</p> <p>順大裕股價操縱案經最高法院裁定駁回上訴，本中心部分勝訴確定。</p> <p>Accepted claim applications from investors seeking compensation in the Anderson Industrial case (May 28 ~ June 28, 2013).</p> <p>The Supreme Court dismissed the appeal of lawsuit in the Tai Yu Products stock price manipulation case, meaning part of favorable judgment received by the Center from lower court is final.</p>
102.06.26	<p>召開本中心第 4 屆第 19 次董事監察人會議：</p> <p>一、提報安泰銀行撤銷股東常會決議之訴案，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>二、順大裕操縱股價案，經最高法院裁定駁回上訴，本中心部分勝訴確定。</p> <p>三、提報本中心參加碼斯特公司刑事附帶民事求償訴訟，經臺灣高等法院部分判決駁回。</p> <p>四、決議通過對金尚昌公司前實際負責人等人提起代表訴訟。</p> <p>五、決議公告受理太一公司財報不實案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>Held the 4th-term 19th board of directors and supervisors meeting:</p> <p>1.Reported that Taipei District Court dismissed the Center's suit requesting annulment of resolutions made in Entie Bank's annual shareholders' meeting.</p> <p>2.Reported that the appeal of the Tai Yu Products stock price manipulation suit has been dismissed by the Supreme Court, meaning part of favorable judgment received by the Center from lower court is final.</p> <p>3.Reported that Taiwan High Court partially dismissed the Center's motion for intervention of the ancillary civil lawsuit against Must Tech.</p> <p>4.Approved the decision to file derivative lawsuit against former de facto responsible person of Jin Shang Chang and others.</p> <p>5.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Top Energy false financial reporting case, and to file class action suit seeking civil remedy.</p>
102.06.27	<p>召開「102 年度保護投資人權益系列座談會 - 如何落實少數股東提案權及獨立董事提名制度」座談會。</p> <p>Held a “2013 Investor Protection Forum – How to Implement Minority Shareholders' Right of Proposal and the Nomination of Independent Director”</p>



日期 Date	事項 Event
102.07.03	受理太一公司股票投資人求償登記 (自 102 年 7 月 3 日至 7 月 17 日)。 Accepted claim applications from investors seeking compensation in the Top Energy case (July 3 ~ July 17, 2013).
102.07.10	吉祥全財報不實案經最高法院判決發回臺灣高等法院審理。 The Supreme Court remanded the Infodisc false financial reporting case to Taiwan High Court.
102.07.24	召開本中心第 4 屆第 20 次董事監察人會議： 一、提報明基內線交易案，經臺灣高等法院駁回本中心民事上訴。 二、提報本中心 102 年上半年度保護基金收取、保管及運用自行檢查報告一覽表。 三、提報本中心「發行人洽商和解例外處理程序」。 四、決議公告受理漢唐公司財報不實案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 五、決議公告受理華上公司誤植財務資訊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。  Held the 4th-term 20th board of directors and supervisors meeting: 1.Reported that Taiwan High Court dismissed the Center's appeal of civil lawsuit in the BenQ insider trading case. 2.Reported the Center's Self-Inspection Report on Collection, Custody and Management of Investors Protection Fund for the first half of 2013. 3.Reported the Center's "Exception Handling Procedure for Issuer-Initiated Settlement Offer." 4.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the United Integrated false financial reporting case, and to file class action suit seeking civil remedy. 5.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Arima erroneous financial information reporting case, and to file class action suit seeking civil remedy.
102.08.01	受理華上公司股票投資人求償登記 (自 102 年 8 月 2 日至 9 月 2 日)。 受理漢唐公司股票投資人求償登記 (自 102 年 8 月 2 日至 9 月 2 日)。 Accepted claim applications from investors seeking compensation in the Arima case (August 2 ~ September 2, 2013). Accepted claim applications from investors seeking compensation in the United Integrated case (August 2 ~ September 2, 2013).
102.08.14	力霸集團內線交易案經最高法院判決駁回本中心刑事附帶民事訴訟上訴確定。 東森媒體股票收購詐欺案 (被告童○○、邵○○、陳○○、林○○部分) 經最高法院判決駁回本中心所提刑事附帶民事訴訟上訴確定。

日期 Date	事項 Event
102.08.14	The Supreme Court dismissed the Center's appeal of ancillary civil lawsuit in the Rebar Group insider trading case, meaning the lower court decision is final. The Supreme Court dismissed the Center's appeal of ancillary civil lawsuit in the EHome stock acquisition fraud case (on the part involving defendants Tong ○○, Shao ○○, Chen ○○ and Lin ○○), meaning the lower court decision is final.
102.08.20	博達案中有關確認葉○○對林○○債權存在並代位請求之訴經臺灣高等法院更一審判決本中心部分勝訴。  Taiwan High Court granted the Center a partially favorable judgment in the first retrial concerning the Center's claim in the Procomp case that Yeh ○○ has claim over Lin ○○ and the Center's request by subrogation.
102.08.28	召開本中心第 4 屆第 21 次董事監察人會議： 一、提報吉祥全財報不實案，經最高法院判決發回臺灣高等法院審理。 二、提報依主管機關函示修正中心 103 年度預算及年度目標相關事項。 三、決議公告受理榮群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。  Held the 4th-term 21st board of directors and supervisors meeting: 1.Reported that the Supreme Court remanded the Infodisc false financial reporting case to Taiwan High Court. 2.Reported the Center's revised 2014 budget and annual targets per instructions of the competent authority. 3.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Opnet stock price manipulation case, and to file class action suit seeking civil remedy.
102.09.03	召開「102 年度保護投資人權益系列座談會 - 上市櫃公司股東會股務作業與電子投票相關爭議問題之探討」座談會。  Held a "2013 Investor Protection Forum –Related Problems of Shareholder Services and Electronic Voting in Connection with Shareholders' Meetings of TWSE/OTC Listed Companies."
102.09.04	受理榮群股價投資人求償登記 (自 102 年 9 月 4 日至 10 月 4 日)。 宏億財報不實案經臺灣高等法院判決本中心部分勝訴。  Accepted claim applications from investors seeking compensation in the Opnet case (September 4 ~ October 4, 2013). The Center was granted a partially favorable judgment by Taiwan High Court in the Lih Duo false financial reporting case.



日期 Date	事項 Event
102.09.06	<p>南港輪胎股價操縱（一）案經臺灣臺北地方法院判決駁回本中心民事訴訟。延長受理華上公司誤植財報資訊案團體訴訟求償登記（延長至 10 月 4 日）。</p> <p>Taipei District Court dismissed the Center's civil suit in the Nanking Rubber Tire stock price manipulation (1) case.</p> <p>Extended the acceptance of claim applications from investors seeking compensation in the Arima erroneous financial information reporting case (extended to October 4, 2013).</p>
102.09.18	<p>撤銷安泰銀行 101 年股東常會決議之訴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 a suit requesting annulment of resolutions made in Entie Bank's 2012 annual shareholders' meeting.</p>
102.09.25	<p>召開本中心第 4 屆第 22 次董事監察人會議：</p> <p>一、提報碼斯特參加訴訟案，經臺灣士林地方法院判決本中心部分勝訴。</p> <p>二、提報飛寶動能代表訴訟案，最高法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>三、提報博達案中有關確認葉○○對林○○債權並代位請求之訴，經臺灣高等法院判決本中心部分勝訴。</p> <p>四、決議公告受理佳大公司操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起代表及解任訴訟。</p> <p>五、決議公告受理宇加公司財報不實及操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及提起解任訴訟。</p> <p>Held the 4th-term 22nd board of directors and supervisors meeting:</p> <p>1.Reported that the Center was granted a partially favorable judgment by Shihlin District Court in the Must Tech case.</p> <p>2.Reported that the Supreme Court dismissed the Center's appeal of ancillary civil lawsuit in the Free Power Energy derivative action.</p> <p>3.Reported that the Center was granted a partially favorable judgment by Taiwan High Court concerning the Center's claim in the Procomp case that Yeh ○○ has claim over Lin ○○ and the Center's request by subrogation.</p> <p>4.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Chia Ta stock price manipulation case, and to file class action suit seeking civil remedy and file derivative and discharge suit.</p> <p>5.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Union Plus false financial reporting and stock price manipulation case, and to file class action suit seeking civil remedy and file discharge suit.</p>
102.10.01	<p>受理佳大公司股票投資人求償登記（自 102 年 10 月 1 日至 10 月 21 日）。</p> <p>Accepted claim applications from investors seeking compensation in the Chia Ta case (October 1 ~ October 21, 2013).</p>

日期 Date	事項 Event
102.10.02	<p>受理宇加公司股價投資人求償登記（自 102 年 10 月 2 日至 11 月 2 日）。</p> <p>Accepted claim applications from investors seeking compensation in the Union Plus case (October 2 ~ November 2, 2013).</p>
102.10.16	<p>召開「保險公司之董監事責任險相關法律適用疑義」諮詢會議。</p> <p>Held a consultation meeting on “Questions on the Application of Relevant Laws to the Liability Insurance of Directors and Supervisors of Insurance Companies.”</p>
102.10.22	<p>碩天操縱股價案（被告陳○○、葛○○、張○○部分）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>Taipei District Court dismissed the Center's ancillary civil lawsuit in the CyberPower stock price manipulation case (on the part involving defendants Chen ○○, Ge ○○, and Chang ○○).</p>
102.10.23	<p>召開本中心第 4 屆第 23 次董事監察人會議：</p> <p>一、提報宏億財報不實案，經臺灣高等法院判決本中心部分勝訴。</p> <p>二、提報安泰銀行撤銷股東常會決議之訴案，經臺灣高等法院判決駁回本中心上訴。</p> <p>三、提報南港輪胎操縱股價案，經臺灣臺北地方法院駁回本中心訴訟。</p> <p>四、提報力霸內線交易案，經最高法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>五、提報聯豪代表訴訟案，經臺灣臺北地方法院駁回本中心訴訟。</p> <p>六、提報東森媒體股票收購詐欺案，經最高法院駁回本中心刑事附帶民事訴訟上訴。</p> <p>七、提報主管機關遴選董事一人，補足原任董事未滿之任期。</p> <p>八、提報修正本中心「團體訴訟執行模式 - 和解金額款項分配流程」</p> <p>九、決議公告受理璨圓公司內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。</p> <p>Held the 4th-term 23rd board of directors and supervisors meeting:</p> <p>1.Reported that the Center was granted a partially favorable judgment by Taiwan High Court in the Lih Duo false financial reporting case.</p> <p>2.Reported that Taiwan High Court dismissed the Center's appeal of suit requesting annulment of resolutions made in Entie Bank's annual shareholders' meeting.</p> <p>3.Reported that Taipei District Court dismissed the Center's suit in the Nankang Rubber Tire stock price manipulation case.</p> <p>4.Reported that the Supreme Court dismissed the Center's appeal of ancillary civil lawsuit in the Rebar insider trading case.</p> <p>5.Reported that Taipei District Court dismissed the Center's suit in the BAFO Technologies derivative action.</p> <p>6. Reported that the Supreme Court dismissed the Center's appeal of ancillary civil lawsuit in the ETHome stock acquisition fraud case.</p> <p>7.Reported that the competent authority has appointed a director to serve the remaining term of the departed director.</p> <p>8.Reported the revision of “Class Action Implementation Model – Allocation Process of Settlement Money.”</p> <p>9.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Formosa Epitaxy insider trading case, and to file class action suit seeking civil remedy.</p>



日期 Date	事項 Event
102.10.28	召開「合夥組織及合夥人責任之訴追與執行」諮詢會議。 Held a consultation meeting on “Seeking the Accountability of A Partnership and Partners and Its Enforcement.”
102.11.04	東森媒體股票收購詐欺案（被告東○公司、百○公司部分）經臺灣臺北地方法院判決駁回本中心所提民事訴訟。 Taipei District Court dismissed the Center's civil lawsuit in the EHome stock acquisition fraud case (on the part involving defendants Dong ○ Co. and Bai ○ Co.)
102.11.05	召開「證交法第 20 條之 1 比例責任規定如何適用相關疑義」諮詢會議。 Held a consultation meeting on “How to Apply the Provision on Proportionate Liabilities under Article 20-1 of the Securities and Exchange Act.”
102.11.06	召開「證交法第 20 條之 1 持有人之損害賠償應如何請求之探討」諮詢會議。 Held a consultation meeting on “How to Claim Damages for Holders under Article 20-1 of the Securities and Exchange Act.”
102.11.14	延長受理琉園公司股票投資人求償登記（延長至 12 月 31 日）。 Extended the acceptance of claim applications from investors seeking compensation in the Tittot case (extended to December 31, 2013).
102.11.18	大同公司代表訴訟案（不動產爭議事件）經臺灣臺北地方法院判決駁回本中心所提民事訴訟。 Taipei District Court dismissed the Center's civil suit in the Tatung derivative action (over real estate dispute).
102.11.18	召開「投保法第 10 條之 1 關於訴請法院裁判解任董事職務業務相關法律適用疑義」諮詢會議。 Held a consultation meeting on “Questions on the Application of Relevant Laws for Discharge of Corporate Directors under Article 10-1 of the Securities Investors and Futures Traders Protection Act.”
102.11.20	召開「投資人損害與不實財務報告間之損失因果關係相關法律適用疑義」諮詢會議。勁永內線交易案，經臺灣臺北地方法院判決本中心勝訴。 Held a consultation meeting on “Questions on the Application of Relevant Laws to the Loss Causation between Investor Loss and False Financial Reporting.” The Center was granted a favorable judgment by Taipei District Court in the PQI insider trading case.

日期 Date	事項 Event
102.11.27	召開本中心第 4 屆第 24 次董事監察人會議： 一、提報展茂光電內線交易案，經臺灣高等法院判決本中心勝訴確定。 二、決議重新公告受理碩天操縱股價案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 三、決議公告受理普格財報不實、操縱股價及內線交易案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償及代表訴訟。 四、決議公告受理綠能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解任訴訟。 五、決議公告受理聯合環境操縱臺灣存託憑證價格案股票投資人授與訴訟及仲裁實施權並提起團體訴訟進行民事求償。 六、決議就銳普財報不實案，對美亞產物保險股份有限公司提起請求給付保險金之訴。  Held the 4th-term 24th board of directors and supervisors meeting: 1.Reported that the Center was granted a final favorable judgment by Taiwan High Court in the Allied Material insider trading case. 2.Approved the decision to re-announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the CyberPower stock price manipulation case, and to file class action suit seeking civil remedy. 3.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Prescope false financial reporting, stock price manipulation, and insider trading case, and to file class action suit seeking civil remedy and derivative suit. 4.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the Green Energy insider trading case, and to file class action suit seeking civil remedy and discharge suit. 5.Approved the decision to announce acceptance of empowerment from investors to file lawsuit and arbitration claim in the United Environtech TDR price manipulation case, and to file class action suit seeking civil remedy. 6.Approved the decision to file claim for insurance money against AIG Taiwan over the Xepex false financial reporting case.
102.12.04	受理聯合環境公司臺灣存託憑證價格投資人求償登記（自 102 年 12 月 4 日起至 103 年 1 月 4 日止）。 受理普格科技股票投資人求償登記（自 102 年 12 月 4 日起至 103 年 1 月 3 日止）。 重新受理碩天股票投資人求償登記（自 102 年 12 月 4 日起至 103 年 1 月 3 日止）。 延長受理璨圓股票投資人求償登記（延長至 103 年 1 月 4 日止）。 受理綠能股票投資人求償登記（自 102 年 12 月 4 日起至 103 年 1 月 3 日止）。  Accepted claim applications from investors seeking compensation in the United Environtech TDR price manipulation case (December 4, 2013 ~ January 4, 2014). Accepted claim applications from investors seeking compensation in the Prescope case (December 4, 2013 ~ January 3, 2014). Accepted claim applications from investors seeking compensation in the CyberPower case (December 4, 2013 ~ January 3, 2014). Extended the acceptance of claim applications from investors seeking compensation in the Formosa Epitaxy case (extended to January 4, 2014).



日 期 Date	事 項 Event
102.12.04	Accepted claim applications from investors seeking compensation in the Green Energy case (December 4, 2013 ~ January 3, 2014).
102.12.11	<p>召開「有價證券之真實價格如何計算相關法律適用疑義」諮詢會議。</p> <p>Held a consultation meeting on “Questions on the Application of Relevant Laws to the Calculation of Actual Damage in Securities Fraud Case.”</p>
102.12.20	<p>召開「食品安全事件下證券投資人進行求償之法律爭議」諮詢會議。</p> <p>Held a consultation meeting on “Legal Disputes over Securities Investors Seeking Compensation Relating to Food Safety Cases.”</p>
102.12.25	<p>召開本中心第 4 屆第 25 次董事監察人會議：</p> <p>一、提報大同代表訴訟案，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>二、提報東森媒體股票收購詐欺案，經臺灣臺北地方法院判決駁回本中心訴訟。</p> <p>三、提報兆豐金內線交易案，經臺灣高等法院判決駁回本中心刑事附帶民事訴訟。</p> <p>四、提報勁永內線交易案，依臺灣臺北地方法院 95 年度金字第 26 號民事判決認定，將被告張○○及陳○○之匯款用以賠償本件登記求償之投資人。</p> <p>五、提報金鼎證內線交易案，經臺灣高等法院判決駁回本中心刑事附帶民事上訴。</p> <p>六、提報主管機關遴選董事一人，補足原任董事未滿之任期。</p> <p>七、決議通過本中心 103 年度保護基金保管運用計畫。</p> <p>Held the 4th-term 25th board of directors and supervisors meeting:</p> <p>1.Reported that Taipei District Court dismissed the Center's suit in the Tatung derivative action.</p> <p>2.Reported that Taipei District Court dismissed the Center's suit in the EHome stock acquisition fraud case.</p> <p>3.Reported that Taiwan High Court dismissed the Center's ancillary civil lawsuit in the Mega Financial Holding insider trading case.</p> <p>4.Reported that in the PQI insider trading case, the remittances received by defendants Chang ○○ and Chen ○○ will be used to pay investors who have filed claim in this case according to the civil judgment of Taipei District Court No. 95-Jing-Zi-26.</p> <p>5.Reported that Taiwan High Court dismissed the Center's appeal of ancillary civil lawsuit in the International Securities insider trading case.</p> <p>6.Reported that the competent authority has appointed a director to serve the remaining term of the departed director.</p> <p>7.Approved the Center's 2014 Custody and Management Plan for Investors Protection Fund.</p>
102.12.27	<p>辦理「錢找人」活動，就團體訴訟求償已獲補償款項並分配之案件，因投資人失聯等原因致尚未領取者，透過函請證券交易所提供資料及於平面媒體刊登廣告方式，將未分配之款項發放予投資人。</p> <p>Undertook the "search for missing claimants" activity for class action cases that have started distribution of compensation payment; with the aim of reaching investors who have not picked up compensation due to loss of communication, the Center asked the stock exchanges to provide shareholder information and posted ads on print media.</p>