



## I. Important Announcements ([Chinese](#))

### 1. The FSC Issued Regulations Regarding Regulatory Reporting, Public Disclosure, and Other Matters Required When Persons Acquiring, Individually or Jointly with Others, a Large Quantity of Shares of a Public Company

To align with the amendment to paragraph 1, Article 43-1 of the Securities and Exchange Act, promulgated on 17 April 2019, the Financial Supervisory Commission (FSC) issued the “Regulations Governing the Declaration on Acquisition of Shares in Accordance with Paragraph 1, Article 43-1 of the Securities and Exchange Act” on 7 October 2019. It stipulated that any person who acquires, either individually or jointly with other person(s), more than 10% of the total issued shares of a public company, shall report to the competent authority and make a public disclosure on the Market Observation Post System (MOPS) in compliance with the reporting/disclosure requirements concerning the number of shares acquired, the purpose and the sources of funds for the acquisition, changes in the information reported, public disclosure, time limits, and any other matters required.

### 2. The FSC Issued Order Stipulating That Persons Acquiring Shares of a Public Company for the Purpose of Merger and Acquisition Shall File Regulatory Reporting and Make Public Disclosure Pursuant to the “Regulations Governing the Declaration on Acquisition of Shares in Accordance with Paragraph 1, Article 43-1 of the Securities and Exchange Act” as Applied Mutatis Mutandis

To align with the “Regulations Governing the Declaration on Acquisition of Shares in Accordance with Paragraph 1, Article 43-1 of the Securities and Exchange Act” issued on 7 October 2019, the FSC issued an Order on 9 October 2019. It stipulated that an person who acquires shares of a public company for the purpose of merger and acquisition under Article 27, paragraph 14 of the Business Mergers And Acquisitions Act, shall report the required information set out in the “Regulations Governing the Declaration on Acquisition of Shares in Accordance with Paragraph 1, Article 43-1 of the Securities and Exchange Act”. In addition, to facilitate the acquirer’s reporting on his or her equity holding(s), the original report forms were amended in harmony with the above Regulations.

### 3. The FSC Issued the “Operation Directions Governing Securities and Futures

## **Businesses’ Application for the Approval of Business Trials”**

The FSC issued the “Operation Directions Governing Securities and Futures Businesses’ Application for the Approval of Business Trials” on 3 October 2019. This securities and futures businesses are allowed to apply for business trials. However, the permitted business are limited to : (1) extension of approved business activities of securities and futures businesses, (2) “other business activities ” that regulations authorize the competent authority may grant approvals at discretion, or (3) the internal operations of securities and futures businesses which are not specified by the regulations. In applying to conduct the business trials, securities and futures businesses are required to submit business plans covering relevant operational guidelines, risk management, and internal controls, together with a statement of legal compliance. During the course of pilot operations, they shall also implement legal compliance practices such as information security and protection and anti-money laundering controls, protection of personal data, and protection of customer rights and interests.

### **4. The FSC Relaxed Net Capital Requirement for Taiwanese Branch Offices of Foreign FCMs Exclusively Engaged in Sub-Brokerage**

The FSC issued Order No. 1080360743 on 30 October 2019 stipulating that the Taiwanese branch office of a foreign futures commission merchant (FCM) exclusively engaged in sub-brokerage is eligible, upon obtaining FSC approval, for exemption from the adjusted net capital percentage requirement set out in paragraphs 1 and 2, Article 22 of the Regulations Governing Futures Commission Merchants, provided that its head office calculated the net capital amount or percentage satisfied the criteria set by the home country and included the operational risks of the Taiwanese branch office. The branch office is still required to file a monthly report on the net capital amount or percentage of its home-country head office and other specified information, unless obtaining FSC approval to exempt from reporting, so as to facilitate a timely understanding of the financial and operational conditions of the foreign FCM. However, if the home-country head office fails to comply with the regulatory criteria of the home country, the branch office shall immediately stop accepting brokerage orders from Taiwanese FCMs and limit its sub-brokerage activities only to handling of existing transactions, and shall submit a corrective plan to the FSC.

### **5. Information on the competitiveness of Taiwan’s financial industry is available online at :**

<https://www.fsc.gov.tw/en/home.jsp?id=27&parentpath=0,6>

## **II. Market Wrap-up**

As of the end of October 2019, the total number of TWSE listed companies stood at 936, the same as the preceding month. Authorized capital was NT\$7,147.71 billion, a decrease of NT\$1.43 billion from the preceding month. Market capitalization was

NT\$34,388.59 billion, an increase of NT\$1,604.03 billion over the preceding month.

There were 776 TPEX listed companies, an increase of 1 over the preceding month. Authorized capital was NT\$748.77 billion, a decrease of NT\$3.29 billion from the preceding month. Market capitalization was NT\$3,326.71 billion, an increase of NT\$102.76 billion over the preceding month.

The total value of stock trades on the centralized market was NT\$2,581.16 billion, an increase of NT\$500.03 billion over the preceding month. The volume of trading was 44.32 billion shares, an increase of 2.53 billion over the preceding month. The net value of inwardly remitted foreign funds was US\$206.814 billion, an increase of US\$4.281 billion over the preceding month.

There were a total of 63 securities firms. There were 15 enterprises exclusively engaged in futures commission merchant business, 39 securities investment trust companies, and 84 securities investment consulting companies.

### **III. Measures related to futures trading, please refer to the website of Taiwan Futures Exchange :**

<http://www.taifex.com.tw/enl/eIndex>

### **IV. For frequently asked questions and answers related to investment by foreign investors, please refer to the website of the Securities and Futures Bureau :**

<https://www.sfb.gov.tw/en/home.jsp?id=26&parentpath=0,9>

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### 金管會證期局第一百八十四期新聞信

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#### 壹、重要公告

##### 一、訂定單獨或與他人共同大量取得公開發行公司股份，辦理申報及公告之應遵循事項

配合 108 年 4 月 17 日修正公布證券交易法第 43 條之 1 第 1 項之規定，金管會於 108 年 10 月 7 日發布「證券交易法第四十三條之一第一項取得股份申報辦法」，明定任何人單獨或與他人共同取得任一公開發行公司已發行股份總額超過 10% 之股份時，有關取得股份之股數、目的、資金來源、變動事項、公告、期限及其他應遵行事項，取得人均應向主管機關申報，並於公開資訊觀測站公告。

##### 二、訂定為併購目的取得公開發行公司股份，準用「證券交易法第四十三條之一第一項取得股份申報辦法」之規定辦理申報及公告

配合 108 年 10 月 7 日發布「證券交易法第四十三條之一第一項取得股份申報辦法」，金管會於 108 年 10 月 9 日發布命令，明定取得人依企業併購法第 27 條第 14 項規定，為併購目的辦理取得公開發行公司股份之應行申報事項，準用「證券交易法第四十三條之一第一項取得股份申報辦法」規定。另為利取得人辦理股權申報，配合前揭辦法修正原申報書格式。

##### 三、訂定證券期貨業申請業務試辦作業要點

為鼓勵證券期貨業在兼顧風險控管下，得採用業務試辦方式，持續創新拓展金融商品及服務，金管會於 108 年 10 月 3 日訂定「證券期貨業申請業務試辦作業要點」，開放證券期貨業得向金管會申請業務試辦，得試辦之業務項目，須為 (1) 證券期貨業已獲核准業務項目之擴展、(2) 法規命令所定業務項目列有其他經主管機關核准之概括項目者、(3) 相關法令就證券期貨業內部作業方式尚無明確技術作業規範者。申請業務試辦應檢附之營業計畫書應包括相關作業要點、風險控管及內部控制制度，並應檢附法令遵循聲明書，且於試辦期間應注意資訊安全防護、防制洗錢控管等法令遵循、個人資料保護及客戶權益保障等。

#### 四、放寬專營複委託業務之外國期貨商在臺分公司之調整後淨資本額規定

金管會於 108 年 10 月 30 日發布金管證期字第 1080360743 號令，放寬專營複委託業務之外國期貨商在臺分公司，如其母國總公司已依當地國法令規定計算淨資本額或比率，且將在臺分公司之經營風險列入計算，並符合標準者，得報經本會核准免適用期貨商管理規則第 22 條第 1 項及第 2 項之調整後淨資本額比率規定。嗣後除報經本會核准者外，每月仍應申報其母國總公司之淨資本額或比率等資訊，以利及時掌握外國期貨商之財務業務情形，惟若母國總公司未持續符合當地國法令規定之淨資本額或比率標準者，除處理原有交易外，應即停止接受本國期貨商委託，並向本會提出改善計畫。

#### 五、有關我國金融競爭力相關資訊可參考金管會金融競爭力專區網站

<http://www.fsc.gov.tw/ch/home.jsp?id=146&parentpath=0,8>

#### 貳、重要指標

截至 2019 年 10 月底止，上市公司計有 936 家，與上月家數相同；資本額新臺幣 71,477.1 億元，較上月減少新臺幣 14.3 億元；上市市值新臺幣 343,885.9 億元，較上月增加新臺幣 16,040.3 億元。

上櫃公司計有 776 家，較上月增加 1 家；資本額新臺幣 7,487.7 億元，較上月減少新臺幣 32.9 億元；上櫃市值新臺幣 33,267.1 億元，較上月增加新臺幣 1027.6 億元。

集中市場股票總成交值新臺幣 25,811.6 億元，較上月增加新臺幣 5,000.3 億元；成交量 443.2 億股，較上月增加 25.3 億股。外資總累積匯入淨額 2,068.14 億美元，較上月增加 42.81 億美元。

專營證券商計 63 家，專營期貨商計 15 家，證券投資信託公司計 39 家，證券投資顧問公司計 84 家。

#### 參、交易人從事期貨交易相關措施請參考臺灣期貨交易所網站

<http://www.taifex.com.tw/cht/index>

#### 肆、外資投資相關問答集請參考證券期貨局網站

<http://www.sfb.gov.tw/ch/home.jsp?id=30&parentpath=0,6>

2019-11 Updated