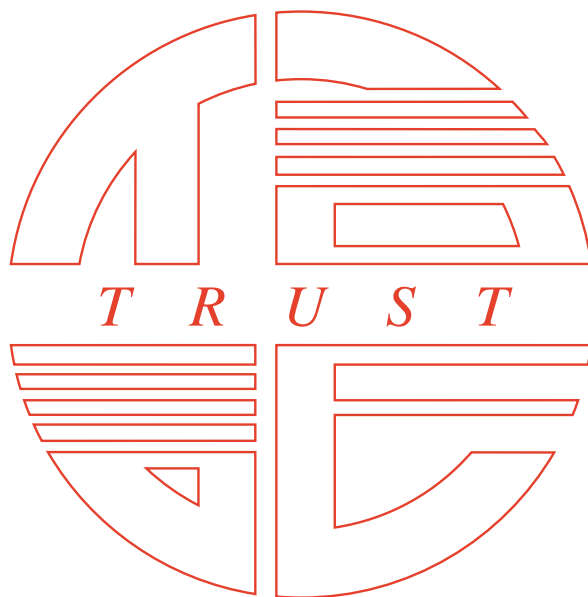


 中華民國信託業商業同業公會  
TRUST ASSOCIATION OF R.O.C.

九十二年年報  
Annual Report 2003







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序 言

*Foreword*





**時**光荏苒，轉眼本會成立迄今已近三年，還記得本會在草創時，一切從零開始，從無到有，經歷筆路藍縷的艱辛過程，但是在主管機關、信託業者以及各界的支持下，一枝一葉地逐漸開花結果。同時在經過多年的全球不景氣及年初SARS的衝擊後，即使今年下半年全球景氣方初見曙光，信託業者的腳步並未因此而停歇，本會亦不敢稍有懈怠。

本年度信託業務除指定用途信託資金投資業務、保險金信託及有價證券信託等既有業務外，信託業者更競相規劃推出金融資產證券化、集合管理運用帳戶、貨幣市場共同信託基金等新種產品。另外，依據「金融資產證券化條例」及新頒之「不動產證券化條例」、「證券投資顧問事業證券投資信託事業經營全權委託投資業務管理辦法」等規

Time flies. Almost three years have passed since the Trust Association of the Republic of China (TAROC) was established. During its early years, TAROC started from scratch and confronted many challenges. Thanks to the support of the government authorities, trust enterprises, and all others concerned, TAROC has grown and blossomed. Despite several years of worldwide economic slump and the infliction of SARS (severe acute respiratory syndrome) early this year, trust enterprises continued to advance with no rest. Neither did TAROC slack in helping its members to improve their trust business. Fortunately, with the dawn of global economic recovery, there is a staggering boom in trust business.

Already having delved into the business of designated purpose trust fund investment, insurance premium trust and securities trust, trust enterprises launched various new products in 2003, including financial asset securitization, collective investment trust funds, money market common trust funds. Pursuant to the “Financial Asset Securitization Law” and such newly promulgated laws and regulations as “Real Estate Securitization Law” and “Regulations Governing The Operation of Discretionary Investment Services By Securities

定，本會亦在理、監事、各委員會委員及業者共同努力下，配合主管機關研訂「金融資產之移轉及負債消滅之會計處理準則」、「不動產投資信託暨不動產資產信託定型化契約範本」及信託業辦理不動產證券化業務之內控與稽核制度應行注意事項等十餘種規範，讓業者得據以研發新種商品，為社會大眾提供更多元化的信託服務。

為讓業者更深入瞭解上述規定，本會舉辦了多場說明會及研討會，如「金融資產證券化會計處理釋例研究報告說明會」、「不動產證券化相關規範說明會」及「不動產證券化學術研討會」等，會中邀請產、官、學界蒞臨指教、集思廣益，以期協助新種業務之發展。此外，為使更多的社會大眾認識信託，進而採用信託管理財產，本會除於報紙專欄登載信託文章、發送信託宣導手冊至各政府機關及社福團體及協助各縣市政府機關辦理相關活動及舉辦北中南三區之信託觀念宣導會外，亦將本會刊登媒體的文章集結，印製「信託新知」手冊贈送社會大眾。

信託源於中世紀的英國，是一種靈活又極富彈性之財產管理制度。在英美法系國家，信託是財產管理的主要方式，用以保障個人財產安全並提供管理服務，信託產品已經成為金融市場不可或缺的要角，信託以獨特的財產移轉及管理運用之性質，使其應用無遠弗屆，從私人、家庭或共有財產的管理，到金融領域的集合管理運用帳戶和共同

Investment Consulting Enterprises And Securities Investment Trust Enterprises”，TAROC prepared more than ten pieces of regulation, including the “Statement of Accounting Standards concerning the Transfers of Financial Assets and Extinguishments of Liabilities”, “Pro Forma Contracts for Real Estate Investment Trust and Real Estate Asset Trust” and “Salient Points concerning the Internal Control and Auditing System of Real Estate Securitization Businesses by Trust Enterprises”. All these were achieved through the joint efforts of the members of the Boards of Directors and Supervisors, various Committees, and trust enterprises as well as the support of the appropriate authorities. These regulations are aimed at helping trust enterprises develop new trust products and providing a variety of trust services to the public.

In order to enable trust enterprises to gain in-depth understanding of the above-mentioned regulations, TAROC sponsored a number of seminars and workshops, including “Workshop on the Report concerning Case Studies on Accounting Processing of Financial Asset Securitization”, “Workshop on Regulations concerning Real Estate Securitization”, “Academic Seminar on Real Estate Securitization”. In these meetings, representatives from the trust sector, government, and academia were invited to examine the issues, exchange views and explore new trust products. To enable the general public to better understand trust and use it as a means of asset management, TAROC published articles on trust in newspaper columns, distributed pamphlets on trust for government agencies and social groups, assisted city and county governments to conduct activities related to trust, and sponsored meetings in northern, central and southern Taiwan to publicize trust. In addition, TAROC collected articles on trust in the media and printed them into a booklet entitled “New Knowledge on Trust” for distribution to the public.

The concept of trust originated from England in the Middle Ages. Characterized by their flexibility, trust products in common law countries have been a major means of property management used to safeguard the properties of individuals and to provide management services, and, therefore



信託基金，直到國際合作開發各種重大工程項目，十分廣泛，正如美國信託法權威史考特所說：「信託的應用範圍可與人類的想像力相媲美」。惟信託之所以如此深具社會功能，皆係因植基於委託人對受託人的高度信賴。故而受託人不僅需具備高度專業的財產管理能力，還需要兼備忠實、誠信的道德水準。有鑑於此，本會復配合法規研擬「信託業應負之義務及相關行為規範」草案，報請主管機關備查，藉以規範信託業者，協助提昇經營形象並保障委託人及受益人之權益，以獲取信賴而開創更寬廣的業務發展空間。

信託制度在許多國家久盛不衰，並且已成為世界性管理財產的制度，值得慶幸地是本國信託發展正迎頭趕上，隨著信託相關的法令規章建置逐漸臻於完善，商品的日益創新，信託機能不斷深化，信託的應用範圍越趨廣泛，我國的信託業務正逐步的成長與茁壯，信託公會也將會秉持著忠實的原則，以高度的熱情及創新的精神，誠摯地推展未來信託業務的蓬勃發展。

became an integral and indispensable part of the financial market. Because of its unique features in property transfer, management and utilization, trust is being widely used, from the management of properties of individuals and families as well as the management of jointly owned properties, to such financial arena as collective investment trust funds and common trust funds, to major construction projects in international cooperation and development. As pointed out by Austin Scott, a U.S. authority on trust, "The purposes for which trusts can be created are as unlimited as the imagination of lawyers." The fact that trust has played such a major social function could mainly be attributable to the high degree of confidence placed by trustors on trustees. Therefore, trustees should have not only highly professional capability in asset management but also stringent moral criteria of loyalty and honesty. In this light, TAROC prepared the draft "Obligations and Code of Conduct of Trust Enterprises", which were submitted to the authorities for approval. It is hoped that the draft Guidelines will help enhance the business image of trust enterprises and safeguard the interests of trustees and beneficiaries, and that by obtaining confidence from trustees, trust enterprises will have more broader scope to develop their businesses.

Trust has been thriving in many countries, and it has become a major property management system worldwide. Fortunately, Taiwan is catching up rapidly in this regard, and trust businesses are growing steadily, as trust laws and regulations are becoming more comprehensive, trust products more innovative, trust mechanism more versatile, and the trust system more competently implemented. Under the circumstances, TAROC will actively and sincerely promote the future development of trust businesses based on the principles of honesty and loyalty and also with a highly enthusiastic and innovative spirit.

理事長 王榮周

Chairman Rong-Jou Wang

# 公會簡介

## *About the Association*





## 公會沿革

財政部於民國八十九年九月二十八日訂頒「信託業商業同業公會業務管理規則」，以規範信託公會之任務及相關運作事宜。同時亦指定中華民國銀行商業同業公會全國聯合會及台北市銀行商業同業公會依相關法令規定共同負責中華民國信託業商業同業公會之籌設。中華民國銀行商業同業公會全國聯合會依財政部之指示於民國八十九年十月二十五日召開「中華民國信託業商業同業公會發起人預備會議」，經各銀行一致推派中央信託局為發起人代表，並成立公會預備籌設工作小組，經內政部九十年一月三十一日台(九十)內中社字第九〇七四八二一號函准予籌組。

民國九十年三月七日召開成立大會，中華民國信託業商業同業公會正式成立，並推選中央信託局王理事主席榮周為第一屆理事長，至九十二年底計有五十七家會員單位，會址設於台北市羅斯福路一段七號四樓。

## History

To facilitate trust enterprises to run trust business, the Ministry of Finance promulgated the “Regulation on the Operations of the Trust Association” on September 28, 2000 as to govern the missions and operations of Trust Association. Meanwhile, the MOF designated the Bankers Association of ROC (BAROC) and Bankers Association of Taipei (BAT) to jointly arrange set-up of TAROC. On October 25, 2000, the BAROC, pursuant to the directive of the MOF and the Regulation on the Operations of the Trust Association, convened the preparatory meeting of promoters for TAROC. The promoters all agreed to vote the Central Trust of China as the representative of promoters, and preparatory workgroup was set up. Steered by the Central Trust of China, all the organization jobs, especially the application for the organization permit, were unfolded in due course. On behalf of the promoters, Central Trust of China tendered the application to the Ministry of Interior. On January 31, 2001, the application was approved.



本會第一屆第三次會員代表大會上，財政部張常務次長蒞臨致詞。  
Administrative Deputy Minister Chang of the MOF is delivering a Speech at the 3rd Meeting of the First General Assembly of TAROC.

## 成立宗旨與主要任務

### 一、成立宗旨

- (一) 推廣信託觀念。
- (二) 健全信託業經營。
- (三) 促進信託業務發展。
- (四) 保障委託人及受益人權益。
- (五) 協調同業關係。
- (六) 增進同業共同利益。

### 二、主要任務

依據中華民國信託業商業同業公會章程之規定，公會主要任務為：

- (一) 關於配合國家經濟建設，促進信託業務發揮其應有之功能事項。
- (二) 關於政府財經金融政策與信託法令之協助推行與研究、建議事項。
- (三) 關於督促會員自律，共謀業務上之改進、聯繫及協調事項。
- (四) 關於信託業務之聯繫、調查、統計、研究、發展及刊物發行等事項。
- (五) 關於會員、客戶權益保障及業務紛爭調處等事項。
- (六) 關於會員間共同業務規章、公平交易規則及會計處理原則之訂定及解釋等事項。



本會與韓忠謨教授法學基金會共同舉辦「不動產證券化學術研討會」。TAROC, in collaboration with Professor Han chung-mo Law Foundation, Sponsored the "Academic Seminar on Real Estate Securitization".

On March 7, 2001, the TAROC was assembled and pronounced formal establishment. Then Chairman of Central Trust of China Mr. Rong-jou Wang was elected as the first Chairman of the Association. There are 57 members as of the end of 2003. The Association is located at 4th Floor, No. 7, Section 1, Roosevelt Road, Taipei.

## Purposes of Establishment and Missions

### A. Purposes of Establishment

1. To promote the trust concept;
2. To streamline trust business operations;
3. To promote trust business development;
4. To protect the interests of trustors and beneficiaries;
5. To coordinate the relationships among peer members; and
6. To enhance the common interests for all the members.

### B. Main Missions

According to the Charters of TAROC, the main missions of the Association are as follows:

1. To promote trust business and the required functions in coping with national economic development;
2. To help put into practice, research and propose with respect to government financial and economic policies and trust laws and regulations;
3. To set up the self-regulatory function for members and to connect and coordinate among members to improve common business;
4. To coordinate, survey, research and develop trust-related business and to issue trust publications;
5. To protect the interests of members and their clients and to resolve business disputes;
6. To draw up and explain common business charters, fair trade rules and practices and accounting procedures among members;
7. To audit and provide advice for the business of members;



- (七) 關於辦理會員機構之查核及輔導等事項。
  - (八) 關於會員間法令遵行與業務健全經營之協助、指導及諮詢等事項。
  - (九) 關於會員業務宣導及研究發展等事項。
  - (十) 關於會員、會員代表及專業人員之管理、測驗、登記與資格審定等事項。
  - (十一) 關於會員商業道德之維護事項。
  - (十二) 關於會員違反法令、章程、規範或決議之處置事項。
  - (十三) 關於公益活動之舉辦事項。
  - (十四) 關於會員員工專業訓練及業務講習之舉辦事項。
  - (十五) 關於接受政府或團體之委託辦理事項。
  - (十六) 關於社會運動之參加事項。
  - (十七) 關於參加國際性相關組織及加強國民外交事項。
  - (十八) 依其他法令規定應行辦理之事項。
- 8. To assist, guide and consult members on legal compliance and sound business operations;
  - 9. To promote common business and engage in research and development for members;
  - 10. To conduct personnel administration of members and representatives, and execute the examination, registration and accreditation for specialists of trust business;
  - 11. To conduct matters related to guarding business ethics among members;
  - 12. To conduct disciplinary actions against members who violate laws, regulations, the Charters of the Association, rules or Association resolutions;
  - 13. To hold or participate in activities that serve public interests;
  - 14. To hold specialty training and business seminars for members' employees;
  - 15. To conduct matters delegated by the government or other associations;
  - 16. To participate in social activities;
  - 17. To participate in trust-related international organizations while promoting civilian diplomacy;
  - 18. To engage in matters required by other laws and regulations.

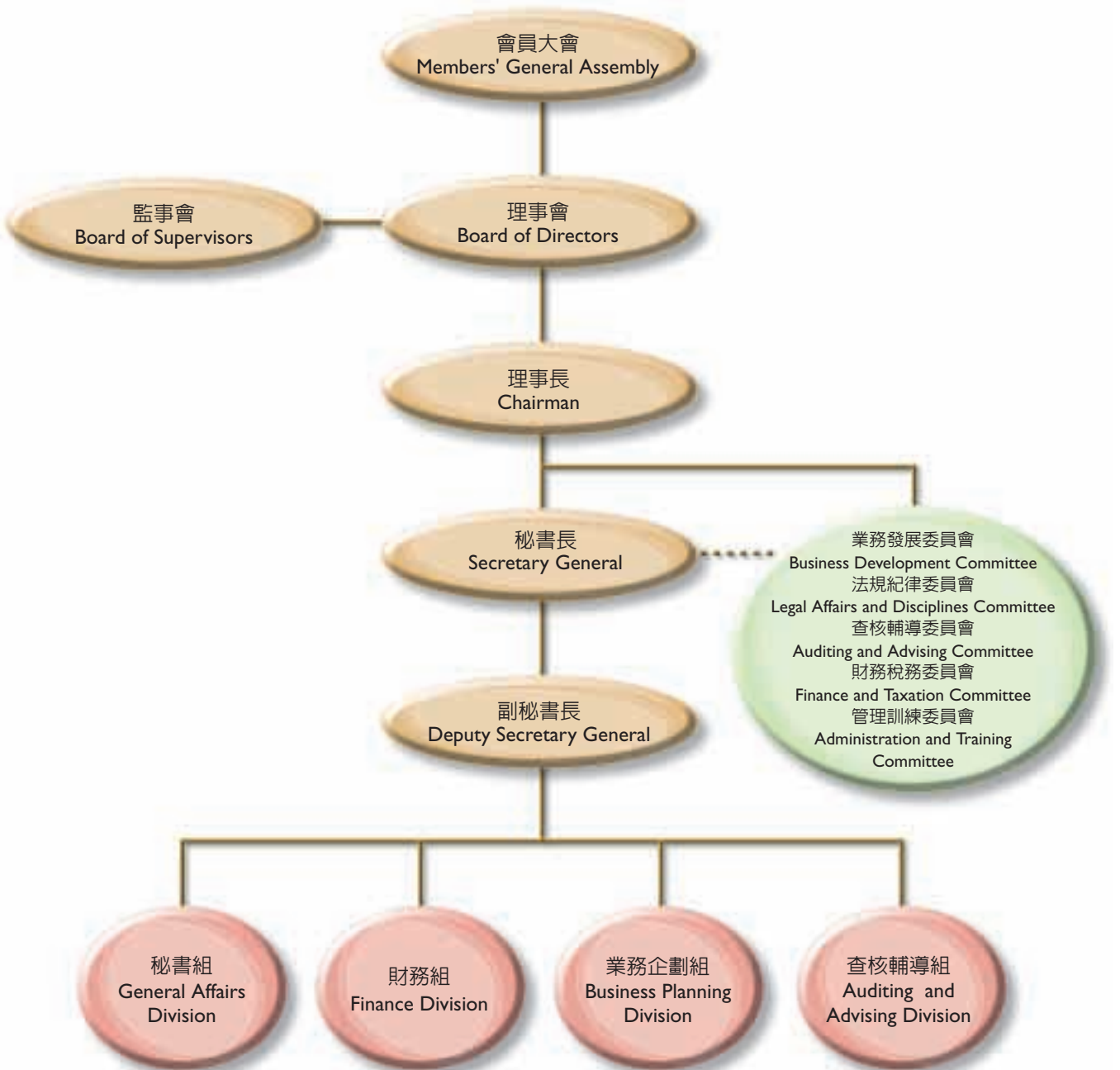


本會王理事長榮周（中）與李秘書長森介（左）、吳副秘書長圳益（右）於本會會址合影。  
Chairmman Wang (Center), Secretary General Lee (Left) and Deputy Secretary General Wu(Right) are pictured at the office of TAROC.



組織系統圖

Organization Chart





## 理事名錄

民國九十二年底

中文職稱／姓名	現任單位名稱
理事長 王榮周	台灣中小企業銀行董事長
常務理事 周武雄	台灣銀行副總經理
蔡友才	中國國際商業銀行總經理
曾銘宗	合作金庫銀行總經理
黃思國	中國信託商業銀行副總經理
理事 侯永雄	玉山商業銀行總經理
陳仁博	中國農民銀行副總經理
陳謙治	國泰世華商業銀行副總經理
郭大同	美商花旗銀行台北分行副總裁
賴其炎	華南商業銀行副總經理
陳建榮	建華商業銀行副總經理
彭榮徵	彰化商業銀行副總經理
曾培哲	台新國際商業銀行經理

## 監事名錄

民國九十二年底

中文職稱／姓名	現任單位名稱
常務監事 黃國泰	富邦商業銀行副總經理
監事 賴光二	高雄銀行副總經理
何玉清	台北國際商業銀行副總經理
陳源沛	台北銀行經理

## Board of Directors

(As of December 31, 2003)

Title/Name		Position
Chairman of the Board/	Rong-jou Wang	Chairman of the Board, Taiwan Business Bank
Managing Director/	Wu-shiung Chou	Executive Vice President, Bank of Taiwan
	Yo-tsai Tsai	President, International Commercial Bank of China
	Ming-chung Tseng	President, Taiwan Cooperative Bank
	Su-kuo Huang	Executive Vice President, China Trust Commercial Bank
Director/	Yung-hsung Hou	President, E.Sun Commercial Bank
	Jen-poo Chen	Executive Vice President, The Farmers Bank of China
	C.T Chen	Executive Vice President, Cathay United Bank
	Chang Da-tong K.	Vice President, Security Country Manager, Citibank N.A. Taipei Branch ABN
	John Lai	Executive Vice President, Hua Nan Commercial Bank
	Chien-jung Chen	Executive Vice President, Bank Sino Pac
	John C. Peng	Executive Vice President, Chang Hwa Commercial Bank
	Peter Tseng	Vice President, Taishin International Bank

## Board of Supervisors

(As of December 31, 2003)

Title/Name		Position
Executive Supervisor/	Kuo-tai Huang	Executive Vice President, Fubon Commercial Bank
Supervisor/	Kuang-erh Lai	Director & Executive Vice President, Bank of Kaohsiung
	Yu-chin Ho	Executive Vice President, International Bank of Taipei
	Y. P. Chen	Senior Vice President & General Manager, Taipei Bank



## 委員會主任委員及主要會務人員名錄 Directors of Committees and Major Officials

民國九十二年底  
(As of December 31, 2003)

中文職稱／姓名 Title／Name	現任單位名稱 Position or Full-time Appointment
業務發展委員會主任委員／楊 照 Director of Business Development Committee Charles C. Yang	台灣土地銀行副總經理 Executive Vice President, Land Bank of Taiwan
法規紀律委員會主任委員／吳英花 Director of Legal Affairs & Disciplines Committee Ying-hwa Wu	交通銀行法律事務處處長 Senior Vice President & General Manager, Chiao Tung Bank
查核輔導委員會主任委員／黃國泰 Director of Auditing & Advising Committee Kuo-tai Huang	富邦商業銀行副總經理 Executive Vice President, Fubon Commercial Bank
財務稅務委員會主任委員／曾銘宗 Director of Finance & Taxation Committee Ming-chung Tseng	合作金庫銀行總經理 President, Taiwan Cooperative Bank
管理訓練委員會主任委員／周武雄 Director of Administration & Training Committee Wu-shiung Chou	台灣銀行副總經理 Executive Vice President, Bank of Taiwan
秘書長／李森介 Secretary General Sen-jieh Lee	中央信託局副總經理 Executive Vice President, Central Trust of China
副秘書長兼財務組組長／吳圳益 Deputy Secretary General & Chief of Finance Division / Chun-yi Wu	專任 Full-time
秘書／劉玉枝 Secretary Bessie Y.C. Liu	中央信託局信託處副理 Vice President & Deputy General Manager, Central Trust of China
秘書組組長／方吉雄 Chief of General Affairs Division Chi-hsiaung Fang	中央信託局秘書處副處長 Vice President & Deputy General Manager, Central Trust of China
業務企劃組組長／盧鳳美 Chief of Business Planning Division Olive Lu	專任 Full-time
查核輔導組組長／黃瑞祺 Chief of Auditing & Advising Division Rachel Hwang	專任 Full-time

# 會務暨業務報導

## *Association and Business Activities*





## 會務報導

### 一、定期舉行各項法定會議

本會九十二年度計召開會員大會一次、理事會議十三次、監事會議七次、總計通過報告案七十三案、討論案六十六案，每一提案均由各委員會或臨時專案小組提供意見，經理監事討論後，作成決議，或由本會建請上級機關核辦，或答覆相關單位酌參，或通函各會員單位付諸實施。

為有效推動業務，設置業務發展、法規紀律、查核輔導、財務稅務及管理訓練等五個委員會，各委員會分設主任委員、副主任委員、秘書、幹事及委員若干人，並視業務需要，定期或不定期開會討論各委員會相關業務。

業務發展委員會：九十二年度召開十二次委員會會議。

法規紀律委員會：九十二年度召開八次委員會會議。

查核輔導委員會：九十二年度召開六次委員會會議。

財務稅務委員會：九十二年度召開五次委員會會議。

管理訓練委員會：九十二年度召開八次委員會會議。

### 二、信託業務考察

為考察新加坡信託相關業務之產品現況及未來發展趨勢，於今年十一月二十日至二十五日由理事長率領本會理、監事及各委員會主任委員赴新加坡考察，為期五日，團員共計十三名，拜訪新加坡發展銀行及新加坡

## Association Activities

### A. Convening Regular Meetings

In 2003, one General Assembly Meeting, thirteen Board of Directors Meetings, and seven Board of Supervisors Meetings were held. A total of 73 report cases and 66 discussion cases were approved. Each motion was reviewed and commented on by the Committee concerned or a temporary working group, and then discussed by the Boards of Directors and Supervisors. The resolutions made thereafter were submitted to the competent authorities for consideration or approval, forwarded to the concerned agencies for reference, or sent to members for action.

In order to carry out its businesses in an effective manner, TAROC has set up five Committees, namely, the Business Development Committee, Legal Affairs and Disciplines Committee, Auditing and Advising Committee, Finance and Taxation Committee, and Administration and Training Committee. Each Committee comprises a Chairman, a Deputy Chairman, a few secretaries and cadres, as well as a number of Committee members. Depending on the business requirements, these Committees convened regularly or as necessary to discuss relevant matters.

In 2003, the Business Development Committee held 12 Committee Meetings; the Legal Affairs and Disciplines Committee, 8 Committee Meetings; the Auditing and Advising Committee, 6 Committee Meetings; the Finance and Taxation Committee, 5 Committee Meetings; and the Administration and Training Committee, 8 Committee Meetings.

### B. Observing Trust Businesses

During November 20 to 25, 2003, a total of 13 persons led by the Chairman of TAROC and comprising the members of the Boards of Directors and Supervisors and the Chairmen of the Committees visited Singapore to observe the current status and development prospects of trust businesses and products in that country. The group called on the Development Bank of Singapore and United Overseas Bank, and exchanged views with



大華銀行，針對新加坡之信託業務、不動產投資信託之架構管理與市場現況、主管機關之規範機制等交換意見，獲益良多。

### 三、舉辦會員及社會服務活動

為提倡正當休閒活動，增進本會會員聯誼與強健身心，本會於九十二年八月三十一日（星期日）舉辦「中華民國信託業商業同業公會二〇〇三年會員仙跡岩山登山聯誼活動」，本會理監事、會員代表、各委員會委員、秘書、幹事及本會同仁均熱烈參與。



本會舉辦「登山聯誼活動」。  
TAROC Sponsors a hiking activity for members.

## 業務報導

### 一、配合政策研訂信託業務相關管理規範及應配合措施：

- (一) 為保護交易安全，維護市場秩序，本會研擬「信託業辦理信託資金集合管理運用帳戶業務推展行為規範」，業經財政部核定。
- (二) 依據信託業法施行細則研擬「信託業應負之義務及相關行為規範」草案，供信託業於經營信託業務時有所遵循，以健

officials concerned on the status of trust businesses in Singapore, the structure, management and market of real estate investment trust, and the governing mechanism of the competent authority, and so forth. The group benefited greatly from the visit.

### C.Sponsoring Services and Activities for Members and the Public

With a view to promoting proper recreational activities and to enhance the friendship and health among its members, TAROC sponsored an outdoor event "2003 Climbing of the Shian Ji Yan Mountain by Members of TAROC" on Sunday, August 31, 2003. Members of the Boards of Directors and Supervisors, representatives of TAROC members, members of the Committees, secretaries, cadres and other staff all eagerly participated in this activity.

## Business Activities

### A.Formulating Trust-Related Managerial Regulations and Concerned Measures in line with Policies

1. In order to ensure the safety of transactions and to maintain the order of the market, TAROC prepared the "Guidelines for Promoting Collective Investment Trust Funds by Trust Enterprises", which were approved by the Ministry of Finance (MOF).
2. Pursuant to the Enforcement Rules of the Trust Enterprise Law, TAROC prepared the draft "Obligations and code of Conduct of Trust Enterprises". Then, trust enterprises should comply with this draft code in conducting their businesses and improving their internal administration of these enterprises and safeguarding the interests of trustors and beneficiaries. These code were submitted to MOF for approval.
3. TAROC prepared explanations on "Misgivings as to Whether Regulations and Operating Rules Governing The Operation of Discretionary Investment Services By Securities Investment Consulting Enterprises And Securities Investment Trust Enterprises are Applicable to Collective



全信託業內部管理並保障委託人及受益人之利益，已報請財政部核備中。

- (三) 研擬「信託資金集合管理運用業務適用於證券投資顧問事業證券投資信託事業經營全權委託投資業務管理辦法及操作辦法之疑慮」說明，報請證期會及金融局鈞參。並依據證券投資顧問事業證券投資信託事業經營全權委託投資業務管理辦法規定，與投信投顧公會會同研擬「信託業兼營證券投資顧問業務辦理全權委託投資業務操作辦法」、「信託業兼營證券投資顧問業務辦理全權委託投資業務之紛爭調解處理辦法」，業經證期會核定。
- (四) 為避免消費者混淆，以及健全市場發展，本會研擬之「中華民國信託業商業同業公會會員辦理信託資金集合管理運用帳戶一致性規範」，業經報財政部洽悉。
- (五) 配合金融資產證券化條例頒布施行，財政部函請本會委請中華民國會計研究發展基金會及專家學者，訂定相關會計處理準則，業經公布為「財務會計準則公報第三十三號—金融資產之移轉及負債消滅之會計處理準則」。
- (六) 財政部函請本會依據洗錢防制法研訂之「信託業防制洗錢注意事項」範本，業經財政部同意准予備查。
- (七) 有關「指定用途信託資金投資國外有價證券（含外幣信託資金業務）」及「指定用途信託資金投資國內共同基金」業務，於信託業法施行細則公布後，應如

Investment Trust Funds”. These explanations were submitted to the Securities and Futures Commission (SFC) and the Bureau of Monetary Affairs (BOMA) for reference. Furthermore, pursuant to the Regulations Governing The Operation of Discretionary Investment Services by Securities Investment Consulting Enterprises and Securities Investment Trust Enterprises, TAROC, in collaboration with the Securities Investment Trust and Consulting Association of ROC, prepared the “Operating Rules for Trust Enterprises Providing Discretionary Investment Services in their Capacity as a Securities Investment Consulting Enterprise” and “Regulations on the Resolution of Disputes for Trust Enterprises Providing Discretionary Investment Services in their Capacity as a Securities Investment Consulting Enterprise”. The SFC approved both regulations.

4. In order to avoid any confusion among consumers and to promote the sound development of the market, TAROC prepared the “Uniform Guidelines for Collective Investment Trust Funds by the Members of TAROC”, which were submitted to MOF for reference.
5. In line with the promulgation and effectiveness of the Financial Asset Securitization Law, MOF requested TAROC to engage the Accounting Research and Development Foundation of ROC as well as scholars and experts to prepare the accounting standards concerning the Law. These standards were published as “Statement of Financial Accounting Standards No. 33—Accounting for Transfers of Financial Assets and Extinguishments of Liabilities”.
6. The “Guidelines concerning the Prevention of Money Laundering by Trust Enterprises”, which had been prepared by TAROC, were approved by MOF. These Guideline had been prepared at the request of MOF pursuant to the Money Laundry Prevention Law.
7. An issue has arisen concerning the classification of the “Designated Purpose Trust Fund Investing in Foreign Securities (including Foreign Currency



何定位之問題，財政部函請本會研提意見，本會建議得以「特定單獨管理運用之信託」或「特定集合管理運用之信託」方式辦理，已陳報財政部鈞參。

(八) 配合財政部來函就金融資產證券化條例中「特殊目的信託及特殊目的公司之剩餘財產權利歸屬」疑義研提意見，業已報財政部鈞參。

(九) 配合訂定不動產證券化條例各相關規範

1. 財政部金融局請本會擬具僅辦理不動產投資信託或不動產資產信託業務之信託業之最低實收資本額、股東結構、負責人資格條件、經營與管理人員專門學識或經驗、業務限制等相關法令之修正建議，研修完成「信託業設立標準」及「信託業負責人應具備資格條件暨經營與管理人員應具備信託專門學識或經驗準則」建議修正條文案陳報金融局鈞參。

2. 訂定「受託機構募集不動產投資信託基金定型化契約範本」及「不動產資產信託定型化契約範本」，經財政部函覆原則同意，並已函知各會員單位。

3. 擬訂「信託業辦理不動產投資信託暨不動產資產信託受益證券之行銷、訂約、資訊揭露及風險管理應行注意事項」、「信託業受託辦理不動產投資信託暨不動產資產信託之內部控制與稽核制度應行注意事項」及「不動產投資信託基金暨不動產資產信託財產評審原則及淨資產價值計算標準」，

Trust Fund Business)” and “Designated Purpose Trust Fund Investing in Domestic Securities Investment Trust Funds” business following the promulgation of the Enforcement Rules of the Trust Enterprise Law. In response to the request of MOF, TAROC suggested that such businesses could be treated as “Specific Individual Management Trusts” or “Specific Collective Management Trusts”. The above suggestion was submitted to MOF for consideration.

8. At the request of MOF, TAROC studied the issue concerning the “Belonging of Residual Property Right of Special Purpose Trust and Special Purpose Company,” and submitted its suggestion to MOF for consideration.

9. The following were prepared in line with the effectiveness of the Real Estate Securitization Law:

a. At the request of the BOMA of MOF, TAROC studied the amendment of relevant laws and regulations concerning the minimum paid-in capital, shareholder structure, qualification of responsible persons, expertise or experience of operating and managerial personnel, and operational restrictions of trust enterprises conducting only real estate investment trust or real estate asset trust businesses. Accordingly, TAROC suggested revisions to the “Establishment Criteria of Trust Enterprises” and “Guidelines for the Qualifications of Responsible Persons and the Expertise or Experience of Operational and Managerial Personnel of Trust Enterprises,” which were submitted to BOMA for consideration.

b. TAROC prepared the “Pro Forma Contract for Trust Agencies to Mobilize Real Estate Investment Trust Funds” and “Pro Forma Contract for Real Estate Asset Trust”. These contracts were approved by MOF in principle, and the members of TAROC were duly informed.



本會第一屆第三十一次理事會，由王理事長榮周主持。  
Chairman Wang hosts the 31<sup>st</sup> Meeting of TAROC's First Board of Directors.

經徵詢相關公會意見後報財政部核准在案。

- (十) 強制執行聲請狀就以移轉第三人之擔保物實行擔保物權而為強制執行時，多以執行標的物所登記之所有權人為債務人，於拍賣公告登載各報時，易受外界誤認為受託銀行之自有財產遭受拍賣，對於兼營信託業之金融機構造成負面影響，甚或影響金融秩序，故本會函請司法院建議於強制執行情序中執行受託人持有之信託財產時，其執行相對人(或債務人)以「○○○即 X X X 信託受託人」列載，與受託機構自有財產有所區別，本案司法院已函知其所屬之各執行法院採行本會建議之方式。

c. TAROC prepared the “Salient Points concerning the Marketing of Beneficiary Securities, Contracting, Information Disclosure, and Risk Management of Real Estate Investment Trust and Real Estate Asset Trust by Trust Enterprises”, “Salient Points concerning the Internal Control and Auditing System of Real Estate Investment Trust and Real Estate Asset Trust by Trust Enterprises”, and “Evaluation Principles and Net Asset Calculation

Criteria of Real Estate Investment Trust Funds and Real Estate Asset Trust Properties”. After consulting the Associations concerned, TAROC submitted the foregoing to MOF for approval.

10. Based on the compulsory execution application document, compulsory execution is carried out through foreclose collateral against the security of a transferring third person. In such cases, the ownership holder registered in the execution target is often considered as the debtor. When the auction proclamation is published on newspapers, the execution target is often mistaken by the public as the property of the entrusted bank being auctioned. This has caused negative impact on financial institutions which concurrently engage in trust businesses and has even influenced the financial order. Therefore, TAROC wrote to the Judiciary Yuan and suggested that in executing trust property owned by a trustee in the process of compulsory execution, the execution counterpart (or debtor) should be listed as “ooo entrusted XXX as trustee”, so as to differentiate the self-owned property from entrusted assets of the trusted agency. The Judiciary Yuan already advised its execution courts to adopt the above suggestions of TAROC.



## 二、建議研修現行信託業務有關法令

- (一) 財政部為循序推動信託業會計制度，函請公會積極輔導信託業者遵循核准之「信託業信託帳會計科目之設置、分類、帳項內容及財務報告、營業報告書等作業規範」以建立信託會計制度，並研議信託帳損益表預定實施時程，本案業已經財政部准予備查，同意自九十五年開始編制信託帳損益表。
- (二) 中華民國證券商業同業公會依據證期會修正之「證券經紀商受託買賣有價證券製作委託書買賣報告書及對帳單應行記載事項準則」第五條，放寬證券經紀商受託專業投資機構買賣有價證券時，如已留存客戶之交易確認記錄者，則免辦理交割單據簽章之規定，函請本會配合修正「證券投資信託基金保管機構辦理基金資產交割作業準則」中有關交割作業之相關規範。本會已函報證期會備查。
- (三) 有價證券集中保管帳簿劃撥作業相關事項
  1. 有關信託業者於辦理信託業務涉及有價證券交割作業，以匯撥（匯款）方式辦理收付價金之相關疑義，經證期會釋示並同意信託業者擔任受託人且為集保參加人，為所管理之集合性質信託資金專戶(如共同信託基金、集合管理運用帳戶)專戶從事有價證券投資之交割作業時，可比照證券投資信託基金、外國專業投資機構、保險業等以匯撥(匯款)方式

## B. Suggesting Revisions of Current Trust-Related Laws and Regulations

1. In order to establish the accounting system of trust enterprises step by step, MOF requested TAROC to provide advisory assistance to these enterprises to abide by the “Guidelines for the Establishment, Classification, and Contents of Accounting Titles in Trust Accounting of Trust Enterprises and the Preparation of their Financial Reports and Operating Reports”. TAROC also studied the time schedule of implementing the format of income statements of trust accounts. It was agreed by MOF that such statements would be prepared by trust enterprises beginning from 2006.
2. Pursuant to Article 5 of the “Guidelines for the Contents of Entrusting Reports, Buying and Selling Reports, Account Checking Reports Prepared by Securities Brokers When Entrusted to Buy and Sell Securities” revised by SFC, the Chinese Securities Association (CSA) had agreed that if securities brokers had kept the transaction confirmation record of their clients when entrusted to buy and sell securities by institutional investors, there would be no need to have client’s signatures on the settlement slips. Accordingly, CSA requested TAROC to revise the provisions concerning settlement in the “Guidelines for Fund Asset Settlement Operation by Securities Investment Trust Fund Custody Agencies”. The revision was submitted to SFC for approval.
3. Book-Entry Operations for Centrally Deposited Securities and Related Matters
  - a. Questions have arisen concerning the receipt and payment of prices through remittance in the settlement of securities by trust enterprises in undertaking trust businesses. SFC clarified and agreed that trust enterprises, in their capacities as the trustees and also central custody participants, could receive and pay prices through remittance in the settlement of securities investment for collective trust fund accounts (such as common trust funds and collective Investment Trust Funds) managed by them. This would correspond to the arrangement made by securities



辦理收受或交付價金。

2. 研擬信託業者開立有價證券信託專戶時所檢附開戶文件中以信託簡式約款替代信託契約。信託簡式約款格式經證期會原則同意後修正部分條款，並報金融局核備中。

(四) 為符合信託業者申報年度信託所得實務需要，台北市國稅局函請本會研提信託所得申報書格式之修訂意見，本案業奉財政部賦稅署核定。

(五) 金融資產證券化條例公布後，有關貸款債權證券化涉及最高限額抵押權形式之擔保物權者於實務作業上仍有困難，財政部函請本會就金融資產證券化條例辦理最高限額抵押權之變更登記研提民法物權編修正草案之具體修正條文及說明。本會彙整各會員意見並研提相關建議，將於研擬完成後報財政部鈞參。

(六) 信託業法第五十九條：「本法施行前經核准附設信託部之銀行，應自本法施行後六個月內依本法申請換發營業執照，其原經營之業務不符本法規定者，應於本法施行後三年內調整至符合規定。」爰兼營信託業務之銀行至遲應於九十二年七月十九日前調整完畢，惟經本會查詢結果，各會員對信託財產不具有運用決定權之信託，適用信託業法第二十五條第一項之限制仍有困難，案經本會函報，財政部金融局已函釋信託業對信託財產不具有運用決定權之信託，不受信託業法第二十五條第一項之限制。

investment trust funds, foreign institutional investors, and insurance enterprises.

b. TAROC studied the issue of substituting simplified trust provisions for trust contract in the account opening documents when opening securities trust accounts by trust enterprises. The format of the simplified trust provisions was agreed in principle by SFC, and after necessary revisions, they were submitted to BOMA for approval.

4. To meet the need of trust enterprises in submitting their annual trust income, the National Taxation Bureau of Taipei City requested TAROC to present its views on the revisions of the trust income application form. TAROC's views were approved by the Taxation Department of MOF.

5. Following the promulgation of the Financial Asset Securitization Law, there had been difficulties in actual practices when loan credit securitization involved the mortgage & Pledge in the form of maximum limit mortgage. MOF requested TAROC to suggest concrete amendments of the relevant provisions, together with explanations, in the Property Rights Chapter of the Civil Code concerning the alteration of registration in conducting maximum limit mortgage under the Financial Asset Securitization Law. TAROC was in the course of consolidating the views of its members and will submit relevant suggestions to MOF after completing the study on the matter.

6. It is provided in Article 59 of the Trust Enterprise Law that "Banks, which have been approved to set up a trust department prior to the enactment of this Law, shall apply for amendment of the business license pursuant to this Law within six months after the effective date of this Law. The businesses engaged in by the trust department of such banks which are not in compliance with this Law shall be adjusted within three years from the effective date of this Law." Accordingly, those banks which concurrently do trust businesses should finish the adjustment of such businesses by July 19, 2003 at the latest. However, it was found by TAROC through enquiries that many members still had difficulties in complying with Article 25, Section 1 of the Trust Enterprise Law with



### 三、加強信託業務之研究發展

- (一) 鑑於會員已陸續申請核准設置信託資金集合管理運用帳戶及共同信託基金等相關產品，為使辦理信託業務課稅實務作業有所依據，本會研擬「共同信託基金與信託資金集合管理運用帳戶之相關稅負研究報告」，並建請財政部賦稅署比照證券投資信託基金課稅。
- (二) 為配合規範信託業法通過後信託業辦理信託業務涉及外匯之管理事宜，財政部函請本會就國內各種信託財產管理運用至國外以及國外信託財產管理運用至國內或國外，評估各種信託財產相關之適法性，並以不影響自身業務經營及衝擊現有相關市場為原則，採循序漸進方式，研擬上述業務開放之優先順序及相關配套措施，陳報財政部洽商相關單位意見。本會刻正積極研議中，將於研議完成後報財政部鈞參。
- (三) 配合行政院通過退休金條例草案，本會協助蒐集我國退休金制度之具體架構及世界主要國家退休金制度之情形及發展趨勢，供信託業者規劃未來相關業務之參考。

### 四、信託業務之服務及宣導教育訓練

#### (一) 信託業人員資格審定

「信託」是一種高度信賴關係，受託人除須負有善良管理人之責任和忠實義務外，更須具備高度的專業能力，因此，財政部為控管信託業從業人員之素質，於八十九年九月三十日訂定信託業負責人應具備資格條件

respect to those non-discretionary trust. After the case being reported by TAROC, the BOMA of MOF clarified that non-discretionary trust would not be subject to Article 25, Section 1 of the Trust Enterprise Law.

### C. Strengthening Research and Development of Trust Businesses

1. Recently, the members of TAROC successively applied for the establishment of such products as Collective Investment Trust Funds as well as Common Trust Funds. In order to provide some basis for the taxation of trust businesses, TAROC prepared a "Report on the Taxation of Common Trust Funds and Collective Investment Trust Funds". TAROC also suggested to the Taxation Department of MOF that the taxation of such businesses should correspond to that of securities investment trust funds.
2. In order to regulate the management of foreign exchange related trust businesses, MOF requested TAROC to examine the following issues and submit its views, namely, the legality of various trust properties, particularly the management and utilization of domestic trust properties abroad as well as the management and utilization of various foreign trust properties either domestic or abroad; and the priority, sequence, and relevant measures for the opening of the above-mentioned businesses in a gradual and sequential manner and without affecting the current businesses of trust enterprises or impacting on the existing market concerned. TAROC was actively studying these issues and will report to MOF after completing the study.
3. In line with the approval of the draft Pension Fund Statute by the Executive Yuan, TAROC assisted in the collection of information concerning the structure of pension fund system in Taiwan and the current status and development trend of such systems in major countries worldwide. Such information would be useful for trust enterprises for future businesses planning purposes.



暨經營與管理人員應具備信託專門學識或經驗準則，並於九十一年三月依據前開準則之規定委託本會辦理信託業經營與管理人員應具備之信託專門學識或經驗之資格審定，本會自九十一年六月開辦本項業務至九十二年十二月止，各會員單位計有46,630人送審，45,608人審定通過。

### (二) 教育訓練

依信託業負責人應具備資格條件暨經營與管理人員應具備信託專門學識或經驗準則規定，信託業之經營與管理人員依其職務性質應分別取得督導、管理及業務人員資格，其中管理人員與督導人員之資格除得透過信託專業測驗及教授信託相關課程取得外，亦可以參加信託業務相關訓練課程，累計一定時數以上，持有結業證書而取得，因此，本會分別於九十二年四月二日及八月二十二日開辦「信託業督導人員座談會」，計有100名信託業督導人員參訓。另，台灣金融研訓院及台北金融研究發展基金會亦於本會認可後，於九十二年度共舉辦150個班次之信託業務相關訓練課程，上課人數共有6,425人，結業人數計6,163人，提供信託業從業人員及有志加入信託業人士培訓之管道。

(三) 依「信託資金集合管理運用管理辦法」及「共同信託基金管理辦法」之規定，信託業者辦理集合管理運用帳戶之設置、變更、合併以及募集發行共同信託基金，需檢附相關書件經本會審查並提出審查意見轉報財政部核准，本會今年共審查四十四個申請案件，其中經財政部核准者共三十七件。

## D. Providing Services and Conducting Publicity, Education, and Training Relating to Trust

### 1. Screening the Qualification of Trust Personnel

Trust is a highly fiduciary relationship. Trustees should have not only the responsibility, loyalty and obligation as good administrators but also highly professional capabilities. Therefore, in order to control and strengthen the quality of trust personnel, MOF formulated the Guidelines for the Qualification of Responsible Persons and the Expertise or Experience of Operational and Managerial Personnel of Trust Enterprises on September 30, 2000. In accordance with the above-mentioned Guidelines, MOF entrusted TAROC to conduct the screening of the expertise or experience of operational and managerial personnel of trust enterprises in March 2002. As of the end of 2003, a total of 46,630 persons were submitted for screening by TAROC, of which 45,608 were considered qualified.

### 2. Providing Education and Training

According to the Guidelines for the Qualification of Responsible Persons and the Expertise or Experience of Operational and Managerial Personnel of Trust Enterprises, the operational and managerial personnel of trust enterprises should obtain the qualification for supervisory, managerial or business personnel based on their respective positions. The qualifications of managerial and supervisory personnel can be obtained from participating in professional tests, teaching relevant subjects, or attending trust-related courses up to certain hours with certificates of attendance. Therefore, on April 2 and August 22, 2003, TAROC sponsored "Dialogue for Supervisory Personnel of Trust", which was attended by 100 supervisory persons. Moreover, after being recognized by TAROC, the Taiwan Academy of Banking and Finance and Taipei Financial Research and Development Foundation conducted 150 trust-related training courses in 2003. These courses were attended by 6,425 persons, 6,163 of whom finished the courses. These training courses provided an educational channel of nurturing professionals from current trust personnel and those who would like to join trust enterprises.

(四) 舉辦研討會、課程及說明會

1. 舉辦「金融資產證券化相關會計處理準則研究課程」：鑒於金融資產證券化商品之相關會計規範與會員銀行既有之其他業務會計規範有顯著差異，為協助會員銀行了解金融資產證券化相關會計準則，本會於九十二年八月十八日邀請主管機關官員及學者擔任講座，以講述金融資產證券化相關會計處理準則及釋例研究報告為主軸，並輔以金融資產證券化相關法規介紹。



本會舉辦「信託業督導人員座談會」。

A "Dialogue with Supervisory Personnel of trust" was held by TAROC.

2. 舉辦「不動產證券化法制與實務研討會」暨「不動產證券化學術研討會」：配合不動產證券化條例於九十二年七月九日通過施行，為使信託業及其他相關業者能更了解本條例之相關規定及實務運作流程，於九月十五日邀請專家學者就我國不動產證券化法制及國外發展不動產證券化之實務作深入淺出之介紹。另於十二月十一

3. It is provided in the "Regulations on the Management of Collective Investment Trust Funds" and "Regulations on the Management of Common Trust Funds" that in the establishment, alternation, and merge of Collective Investment Trust Funds and the mobilization of Common Trust Funds, trust enterprises should submit relevant documents to TAROC for review, which, in turn, would forward these documents, together with its own opinion, to MOF for approval. In 2003, TAROC reviewed 44 such applications, and 37 of which were approved by MOF.

4. Sponsoring Seminars, Courses and Workshops

a. Sponsoring "Courses on the Accounting Standards of Financial Asset Securitization": It was recognized that the accounting standards of the products under financial asset securitization are different from those of other businesses of member banks. With a view to assisting member banks to better understand the accounting standards of financial asset securitization, TAROC invited officials of the competent authorities and scholars to give lectures on the accounting standards of financial asset securitization and relevant case studies on August 18, 2003. In these lectures, the relevant laws and regulations concerning financial asset securitization were also introduced.

b. Sponsoring a "Seminar on the Legal System and Practices of Real Estate Securitization" and an "Academic Seminar on Real Estate Securitization": In line with the effectiveness of the Real Estate Securitization Law on July 9, 2003, it was required that trust and other enterprises concerned should gain a better understanding about the relevant regulations and practical operations of the Law. For this purpose, TAROC invited experts and scholars to introduce the legal system of real estate securitization domestically and the development practices of real estate securitization abroad on September 15, 2003. Furthermore, TAROC, together with Professor Han Chung-mo Law Foundation as well as



日與財團法人韓忠謨教授法學基金會及國立臺灣大學財經法研究中心共同舉辦不動產證券化學術研討會，邀集產、官、學之專家學者共同研討有關不動產證券化之各項相關議題，希望協助建置更成熟、更完善的環境，使不動產證券化業務在國內能更為蓬勃發展。

### 3. 舉辦「不動產證券化相關定型化契約及規範說明會」

依不動產證券化條例規定，本會須配合訂定五個相關規範，為利業者了解各項子法內容，以利業務之推行，特舉辦本說明會。

### 4. 舉辦「信託資金集合管理帳戶與共同信託基金說明會」：鑒於信託業者已陸續申請設置推出各種類型之「信託資金集合管理運用帳戶」及「共同信託基金」，增加民衆投資之選擇，為使社會大眾能正確了解此類商品之特性，本會特舉辦媒體說明會，計有二十五家媒體參加，期建立社會大眾對上開商品之正確資訊。

## (五) 宣導信託觀念

### 1. 與經濟日報合作辦理信託新知專欄：自九十二年三月至六月於經濟日報理財版刊登信託相關文章計十三篇，且為擴大宣傳效果，於第四季將所有文章集結成冊印製信託新知手冊，提供各單位及有興趣之民衆參閱。

Finance and Economic Law Research Center of the National Taiwan University, sponsored an “Academic Seminar on Real Estate Securitization” on December 11, 2003. During the seminar, experts and scholars from the trust sector, government and academia discussed various issues relating to real estate securitization, with a view to assisting the establishment of a more mature and sound environment for the development of real estate securitization.

### c. Sponsoring a “Workshop on the Pro Forma Contracts and Regulations concerning Real Estate Securitization”: As provided in the Real Estate Securitization Law, TAROC is required to formulate five regulations concerning real estate securitization. The above-mentioned Workshop was held to enable trust enterprises to better understand various by-laws of the Law, so as to facilitate the development of such businesses.

### d. Sponsoring a “Workshop on Collective Investment Trust Funds and Common Trust Funds”: Recently, trust enterprises have applied to set up various types of “Collective Investment Trust Funds” and “Common Trust Funds”. In order to provide more choices to the public and to help them understand the features of these products, TAROC sponsored the above-mentioned Workshop, which was attended by 25 media organizations. The Workshop was considered helpful in providing the right information on these products to the public.

## 5. Publicizing the Trust Concept

### a. Sponsoring a Special Newspaper Column concerning New Knowledge on Trust in collaboration with the Economic Daily: During March to June 2003, 13 articles on trust were published on the finance section of the Economic Daily. Moreover, in order to achieve greater publicity, all these articles were compiled into a booklet entitled “New Knowledge on Trust” in the fourth quarter of the year, so as to facilitate reading by the agencies concerned and the public.



2. 舉辦「信託觀念宣導會」:鑒於信託業務之範圍廣泛，涉及各政府機關之執掌，為利信託業務之發展，於十二月十五日、十六日及十九日，分北、中、南三區針對各相關公務機關之人員，開辦信託課程。

3. 配合各機關團體辦理信託觀念宣導活動:本年度分別於十月一日、七月十一日、十一月七日、四月十六日及十月份，配合內政部、台北市政府、高雄市政府及台北縣政府辦理財產信託相關宣導活動。

(六) 為簡化保管機構向銷售機構調回國內股票型及平衡型基金之銷售款項作業，本公會研擬「國內股票型及平衡型基金之銷售款項由銷售機構改採匯款方式存入保管機構基金帳戶之匯款支付程序說明」，由本公會擔任銷售機構墊付匯費之清算功能，本作業已於九十二年五月一日起開始實施。

## 五、會員財務與業務查核相關事項

(一) 依據「中華民國信託業商業同業公會業務管理規則」第十七條規定，本會應注意查核會員之財務、業務情形，對查核所發現之缺失，得依相關規定對信託業及相關人員為適當處置，其有違信託業法及相關法令之情事者，並應報財政部處理；另依據該規則第十八條規定，本會為會員之財務業務查核時，發現會員有經營不善，發生虧損致信用難以維持，或遇有突發事件，或內部稽核作業

b. Sponsoring “Meetings to Publicizing the Concept of Trust”: Trust businesses cover a wide scope and involve the functions of various government agencies. In order to promote the development of trust businesses, TAROC sponsored trust courses for the officials of the concerned government agencies in northern, central and southern Taiwan on December 15, 16, and 19, 2003, respectively.

c. Sponsoring Activities to Publicize the Concept of Trust in Collaboration with Various Government Agencies: TAROC sponsored activities to publicize the concept of property trust in collaboration with the Ministry of the Interior, Taipei City Government, Kaohsiung City Government, and Taipei County Government on April, July, October, November, respectively.

6. In order to simplify the transfer of sales proceeds of domestic stock and hybrid funds from sales agencies to custody agencies, TAROC prepared the “Remittance and Payment Procedures for Sales Agencies to Remit Sales Proceeds of Stock and Balance Funds to the Fund Accounts of Custody Agencies”. TAROC also carried out the clearing function of making advance payment of the remittance fees on behalf of sales agencies. This arrangement has become effective since May 1, 2003.

## E. Auditing the Finance and Businesses of Members

1. As provided in Article 17 of the “Regulations on the operations of TAROC,” TAROC should audit the finance and businesses of its members. Should any defects be discovered in the auditing, TAROC can take necessary measures against trust enterprises and the concerned personnel in accordance with the relevant regulations. Any violations of the Trust Enterprise Law and the concerned regulations should be reported to MOF. In addition, pursuant to Article 18 of the above-mentioned Regulations, should TAROC discover in the course of finance or business auditing that any one of its members suffers from mismanagement or losses that cause difficulties in



有重大缺失者，應即為專案查核，並予輔導。

- (二) 本會依「中華民國信託業商業同業公會業務管理規則」第十七條第二項訂定「中華民國信託業商業同業公會會員財務與業務查核辦法」；並依該規則第十八條第三項訂定「中華民國信託業商業同業公會會員專案查核與輔導辦法」。
- (三) 依據上述辦法，本會自本年度起辦理會員單位財務業務查核與輔導，查核與輔導作業包含會員財務報告審閱與實地查核二部分；有關財務報告審閱部分，依據信託業法施行細則第十七條規定，信託業法所定營業報告書與財務報告之申報及資產負債表之公告，應於每半年營業年度終了後二個月內為之，每年營業年度終了後四個月內為之。本年度本會審閱所有會員單位之九十一年度財務報告及九十二年度半年度財務報告，各計五十七件，以上審閱結果均依規定彙報財政部備查，部分未符合規定之會員單位，亦依照財政部指示函請盡速改善。有關實地查核部分，本年度本會就會員單位抽樣辦理實地查核，以輔導會員健全信託相關內部制度；查核報告按季函報財政部。

maintaining credit, encounters sudden and unexpected events, or has major defects in internal auditing, TAROC should make further special auditing, and provide advisory assistance as necessary.

2. In the light of Article 17, Section 2 of the "Regulations on the Operations of TAROC", TAROC prepared the "Guidelines for Finance and Business Auditing of the Members of TAROC". Furthermore, based on Article 18, Section 3 of the above-mentioned Regulations, TAROC also prepared the "Guidelines for Special Auditing and Advisory Assistance to Members of TAROC".
3. In accordance with the above-mentioned Regulations, TAROC began to audit the finance and businesses of its members and to provide necessary advisory assistance since 2003. The auditing and advisory assistance contain two parts: review of financial reports of members and field examination. Concerning the review of financial reports, it is provided in Article 17 of the Enforcement Rules of the Trust Enterprise Law that as required by the Law, the submission of business reports and financial reports and the proclamation of balance sheets should be done within two months after the completion of each half of the business year, whereas the submission or proclamation of such documents should be done within four months after the completion of the business year. In 2003, TAROC reviewed the 2002 financial reports and the 2003 semi-annual financial reports of its members, each totaled 57. The results of the review were submitted to MOF as required by the regulations. Some members whose reports did not comply with the regulations were advised to make improvements as soon as possible as directed by MOF. With respect to field examination, it was carried out on a sample of members in 2003, with a view to providing advisory assistance to these members for the improvement of their internal system. The examination reports were submitted to MOF on a quarterly basis.

# 信託業人力與業務現況

## *Trust Manpower and Business Status*





## 信託業人力與業務現況

信託業法施行迄今已三年餘，大多數的信託業從業人員均已取得信託專業人員資格，信託業者除了持續提昇所屬人員之專業職能外，並致力於積極研發各類新種信託商品，以服務眾多的委託人及受益人。為充分掌握信託業務之發展動態，本會依信託業法第十六條信託業經營之業務項目及第十七條信託業經營之附屬業務項目為分類，彙整會員機構之信託業務統計，並為維持信託從業人員之專業度，則配合法規辦理信託業經營與管理人員應具備之信託專門學識或經驗之資格審定。

### 一、信託業專業人員之人力素質

財政部為控管信託業從業人員之素質，訂定信託業負責人應具備資格條件暨經營與管理人員應具備信託專門學識或經驗準則，並委託本會辦理信託業經營與管理人員應具



協助台北市政府辦理「二〇〇三年資深公民座談會」。  
TAROC assisted the Taipei City Government in sponsoring a "2003 Dialogue with Senior Citizens".

## Trust Manpower and Business Status

The Trust Enterprise Law has been effective for more than three years. Most trust personnel have already obtained professional qualifications. Aside from enhancing the professional expertise of their staff, trust enterprises have also devoted efforts toward developing new trust products so as to provide better services to numerous trustors and beneficiaries. In order to fully grasp the dynamic trend of trust businesses, TAROC has compiled statistics on trust businesses of its members, based on the classifications of major business items and supplementary business items of trust enterprises shown in Articles 16 and 17, respectively of the Trust Enterprise Law. In addition, with a view to maintaining the professionalism of trust personnel, TAROC conducted the screening of qualifications concerning the expertise or experience of operational and managerial personnel of trust enterprises in line with the relevant laws and regulations.

### A. Quality of Professionals in Trust Enterprises

In order to maintain the quality of trust personnel, the Ministry of Finance (MOF) has formulated the Guidelines for the Qualifications of Responsible Persons and the Expertise or Experience of Operational and Managerial Personnel of Trust Enterprises. MOF has also requested that TAROC conduct the screening of the expertise or experience of operational and managerial personnel of trust enterprises. As of the end of December 2003, 57 member banks had submitted 46,630 persons for screening by TAROC. A total of 45,608 persons passed the screening, of whom 563 were supervisory personnel; 12,924, managerial personnel; and 32,121, business

備之信託專門學識或經驗之資格審定。截至九十二年十二月底止，共五十七家會員銀行，合計46,630人送審，共45,608人審定通過，其中督導人員共有563人，管理人員有12,924人，業務人員計有32,121人（見表一），據統計通過審定之各類人員（督導、管理、業務）合計具有大專以上之學歷者，有41,110人，約占總人數之百分之九十，由此可知，我國信託業之人力素質，實具有高度之專業水準，除可得到社會大眾的信賴外，對信託業之發展亦具有相當大之助益。

## 二、信託業承辦信託業務概況

目前國內計有五十七家信託業者，均係由銀行兼營，其中國內銀行兼營信託業務計有四十六家，外商銀行兼營信託業務計有十一家，主要經營的業務項目以辦理金錢之信託、擔任股票及債券發行簽證人、保管業務、提供有價證券發行、募集之顧問服務為最多，與去年相較差異不大。

personnel (see Table I). Statistics showed that 41,110 or about 90% of these persons (including supervisory, managerial, and business personnel) had university or college degrees or above. This attested to the high level of professionalism of trust personnel. Not only do they deserve the trust of the public, they have also contributed greatly to the development of the trust sector.

## B. Business Activities of Trust Enterprises

To date, there are 57 trust enterprises, all of them banks. Domestic banks concurrently doing trust businesses total 46, whereas foreign banks concurrently doing trust businesses total 11. Major business items include pecuniary trust, acting as attestors for the issuance of stocks and bonds, custody trust, and providing consulting services for the issuance and offering of stocks. These major business items are similar as those of the previous year.

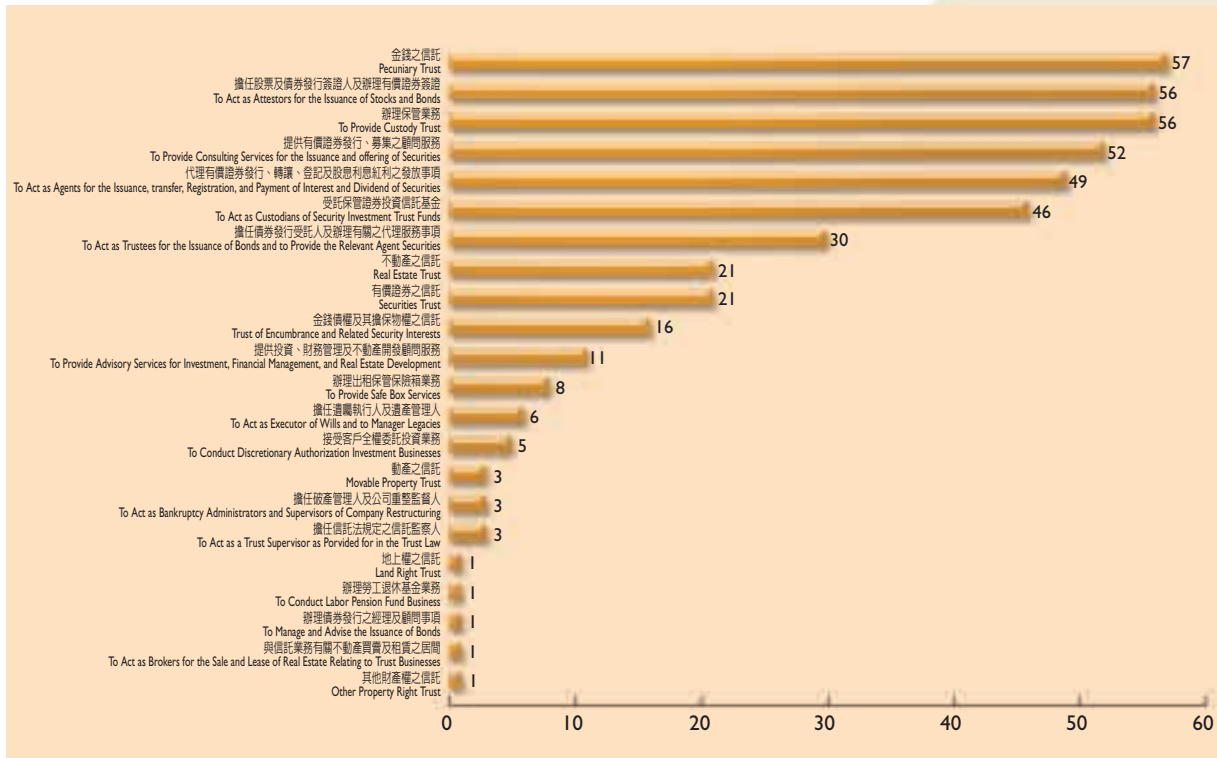
表一／信託業專業人員通過資格審定統計表  
Table I Statistics on Trust Professionals Passing the Qualification Screening

	督導人員 Supervisory Personnel	管理人員 Managerial Personnel	業務人員 Business Personnel	合計 Total
碩士及以上 Master Degree and Above	194	771	1,172	2,137
大學 University	312	6,525	13,793	20,630
大專 College	32	4,133	14,178	18,343
高中(職) High School (Vocational School)	25	1,495	2,978	4,498
合計 Total	563	12,924	32,121	45,608

資料日期：至92年12月31日止  
As of December 31, 2003



圖一／九十二年底各項信託業務承辦家數統計  
Chart I Statistics on the Number of Entities Conducting Various Trust Businesses



本業務概況係依銀行兼營信託業務經主管機關核定之營業執照所載業務項目分類，目前已有五十七家信託業者已取得經營金錢之信託；二十一家取得經營不動產之信託；二十一家取得經營有價證券之信託之執照；附屬信託業務中有五十六家得經營辦理擔任股票及債券發行簽證人業務；五十六家得經營辦理保管業務；五十二家得經營提供有價證券發行、募集之顧問服務業務。（見圖一）

The business activities of trust enterprises indicated below were based on the business items listed in the licenses of those entities doing both banking and trust businesses as authorized by the competent authority. Currently, 57 were authorized to conduct pecuniary trust; 21, real estate trust; and another 21, securities trust. As regards supplementary trust businesses, 56 were authorized to act as attestors for the issuance of stocks and bonds; another 56, to provide custody trust; and 52, to provide consulting services for the issuance and offering of securities (See Chart I).

### 三、信託業主要業務辦理概況

信託業目前取得許可之信託業務項目，以金錢之信託，不動產之信託，有價證券之信託及金錢債權及其擔保物權之信託等項目之家數為最多，隨著信託法令之建制日趨完整，本年度信託業務有大幅成長，截至九十二年底信託業務之總金額為新台幣一兆六千二百四十二億元，較九十一年度成長近百分之五十，其中金錢信託占信託業主要業務之業務量高達百分之九十七。（見表二）

### C. Status of Major Trust Businesses

Among the major trust businesses, most trust enterprises are currently authorized to conduct pecuniary trust, real estate trust, securities trust, as well as Trust of Encumbrance and related security interests. Since the trust-related laws and regulations became more comprehensive in 2003, trust businesses also grew substantially during the year. As of the end of 2003, the balance of major trust businesses amounted to NT\$1,624.2 billion, a growth of nearly 50% compared with the end of 2002. Pecuniary trust accounted for 97% of the volume of major trust businesses (see Table 2).

表二／信託業主要業務辦理概況統計  
Table 2 Statistics on Major Businesses of Trust Enterprises

單位：新台幣佰萬元；%  
Unit：NT\$ Million；%

業務別 Businesses	年度 Year 金額 Amount	九十一年底 As of the End of 2002	九十二年底 As of the End of 2003	增加金額（增幅） Amount of Increase (%)
金錢之信託 Pecuniary Trust		1,075,369	1,579,025	503,655 (46%)
金錢債權及期擔保物權之信託 Trust of Encumbrance and Related Security Interests		-	16,729	16,729 (100%)
有價證券之信託 Securities Trust		5,080	16,619	11,539 (327%)
動產之信託 Movable Property Trust		-	-	-
不動產之信託 Real Estate Trust		2,908	11,882	8,974 (409%)
其它信託業務 Other Trust Businesses		724	-	(724)(-100%)
合計 Total		1,084,081	1,624,255	540,173 (50%)



#### 四、信託業主要業務—金錢信託業務統計

目前國內金錢之信託業務包括指定用途信託資金投資國外有價證券、指定用途信託資金投資國內證券投資信託基金、員工福利信託、保險金信託及集合管理運用帳戶等業務，截至九十二年底金錢信託之總金額約為新台幣一兆五千七百九十億餘元，較九十一年度大幅成長百分之四十七，其中指定用途信託資金投資國外有價證券約占金錢信託業務百分之六十七。（見表三、圖二）

#### D. Major Trust Businesses-Statistics on Pecuniary Trust Businesses

Currently, pecuniary trust comprises designated purpose trust funds investing in foreign securities, designated purpose trust funds investing in domestic securities investment trust funds, employees benefit trust, insurance claims trust, collective investment trust funds, and so forth. As of the end of 2003, the balance of pecuniary trust amounted to NT\$1,579 billion, a growth of 47% compared with the end of 2002. Designated purpose trust funds investing in foreign securities accounted for 67% of pecuniary trust (see Table 3, and Chart 2).

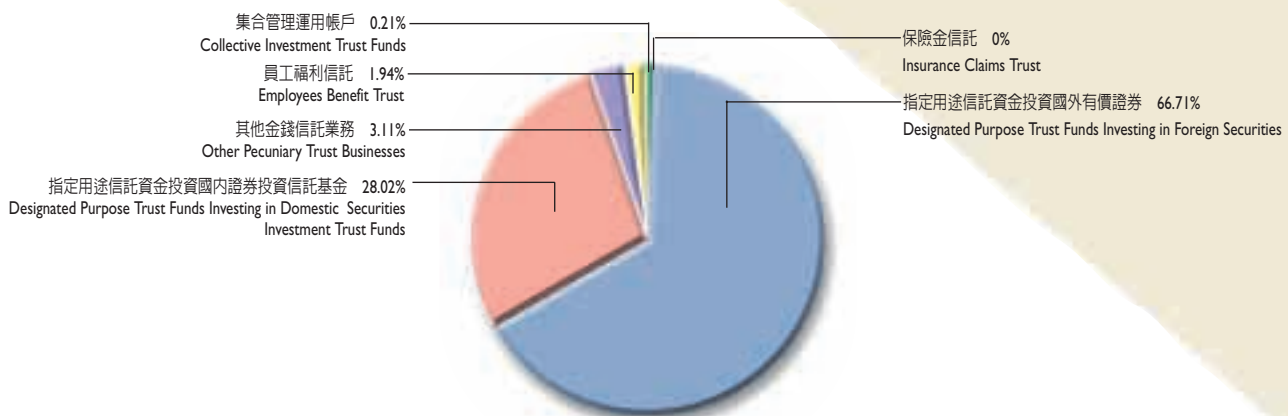
表三／金錢信託業務統計  
Table 3 Statistics on Pecuniary Trust Businesses

單位：新台幣佰萬元；%  
Unit: NT\$ Million; %

業務別 Businesses	年度 Year 金額 Amount	九十一年底 As of the End of 2002	九十二年底 As of the End of 2003	增加金額 (增幅) Amount of Increase (%)
指定用途信託資金投資國外有價證券 Designated Purpose Trust Funds Investing in Foreign Securities		768,617	1,053,332	284,771 (37%)
指定用途信託資金投資國內證券投資信託基金 Designated Purpose Trust Funds Investing in Domestic Securities Investment Trust Funds		259,306	442,479	183,172 (171%)
員工福利信託 Employees Benefit Trust		23,153	30,647	7,494 (32%)
保險金信託 Insurance Claims Trust		15	42	27 (280%)
集合管理運用帳戶 Collective Investment Trust Funds		-	3,364	3,364 (100%)
其它金錢信託業務 Other Pecuniary Trust Businesses		24,274	49,161	24,887 (203%)
合計 Total		1,075,370	1,579,025	503,655 (75%)

圖二／各項金錢信託業務量比率

Chart 2 The Ratios of the Volumes of Various Pecuniary Trust Businesses



### 五、信託業附屬業務辦理概況

信託業目前取得許可之附屬業務項目，主要以擔任股票及債券發行簽證人，辦理保管業務，擔任債券發行受託人，提供有價證券發行、募集之顧問服務，及代理有價證券發行、轉讓、登記及股息利息紅利之發故事項等項目之家數為最多，此外亦有部分會員銀行已獲准得擔任信託法規定之信託監察人暨提供投資、財務管理及不動產開發顧問服務等業務。(見表四、圖三)

### E. Status of Supplementary Trust Businesses

Supplementary trust businesses conducted by most trust enterprises include being attestors for the issuance of stocks and bonds, conducting custody businesses, providing advisory services for the issuance and offering of securities, acting as agents for issuance, transfer, registration, and payment of interest and dividend of securities, and so forth. Besides, some member banks have also been authorized to conduct such trust businesses as being trust supervisors prescribed in the Trust Law and providing consulting services for investment, financial management, and real estate development, and so forth (see Table 4 and Chart 3).

表四／信託業附屬業務辦理概況統計  
Table 4 Statistics on Supplementary Trust Businesses Conducted of Trust Enterprises 單位：新台幣佰萬元；%  
Unit: NT\$ Million; %

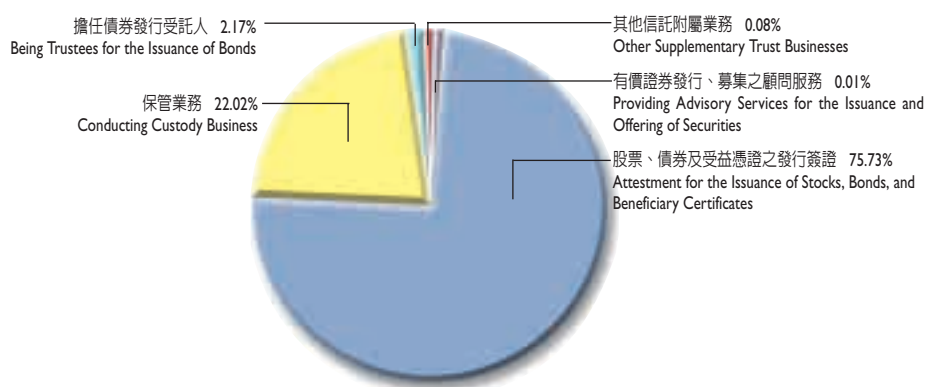
業務別 Businesses	年度 Year 金額 Amount	九十一年底 As of the End of 2002	九十二年底 As of the End of 2003	增加金額 (增幅) Amount of Increase (%)
股票、債券及受益憑證之發行簽證 Attestment for the Issuance of Stocks, Bonds, and Beneficiary Certificates		16,313,925	24,591,387	8,277,462 (51%)
保管業務 Conducting Custody Businesses		5,347,390	7,151,181	1,803,791 (34%)
擔任債券發行受託人 Being Trustees for the Issuance of Bonds		386,179	704,336	318,157 (82%)
有價證券發行、募集之顧問服務 Providing Advisory Services for the Issuance and Offering of Securities		-	3,226	3,226 (100%)
其它信託附屬業務 Other Supplementary Trust Businesses		15,516	24,369	8,853 (57%)
合計 Total		22,063,010	32,474,499	10,411,489 (47%)

註：1. 代理有價證券發行、轉讓、登記業務自九十二年改以股東人數計算，因單位基礎不一致，故九十一年度之相關數字亦不列入。  
2. 九十二年股票、債券及受益憑證之發行簽證以第四季底為準，不含前三季之變動數字。

Note 1: Beginning from 2003, the businesses of acting as agents for the issuance, transfer, and registration of securities have been calculated based on the number of shareholders. Since the unit basis was different, the relevant figures for 2002 were not included in the Table.

2: In 2003, the attestation for the issuance of stocks, bonds, and beneficiary certificates was based on the figures as of the end of the fourth quarter. The variations in the first three quarters of the year were not included.

圖三／各項附屬業務量比率  
Chart 3 The Ratios of the Volumes of Various Supplementary Trust Businesses





## 六、信託業附屬業務－保管業務統計

信託業目前所經營之附屬業務營業額，以擔任股票及債券發行簽證人及保管業務所占比例最大。保管業務主要以保管國內投信基金及外國機構投資人為最多，占整體保管業務百分之六十五。截至九十二年底保管業務餘額約為新台幣七兆一千五百一十二億元。（見表五、圖四）

## F. Supplementary Trust Businesses-Statistics on Custody Businesses

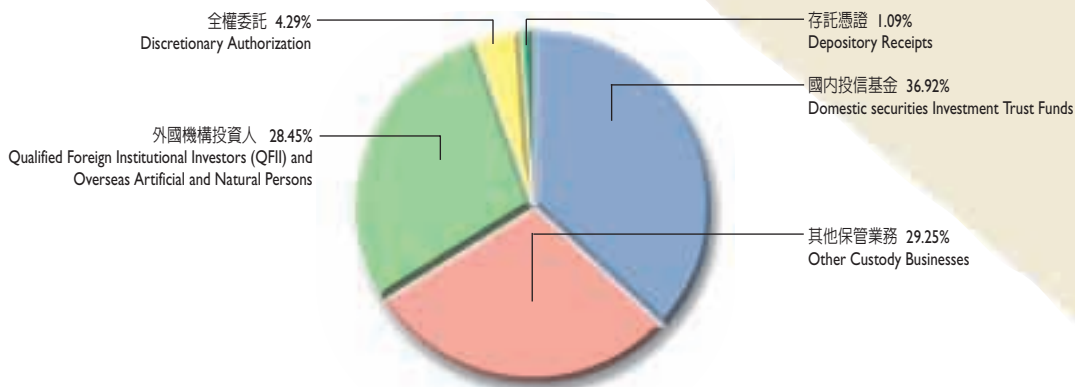
Among the supplementary trust business currently conducted by trust enterprises, being the attestors for the issuance of stocks and bonds as well as custody businesses account for the lion's share. Custody businesses comprise the custody of domestic securities investment trust funds and that for qualified foreign institutional investors. As of the end of 2003, the balance of custody businesses amounted to NT\$7,151.2 billion (see Table 5 and Chart 4).

表五／保管業務統計  
Table 5 Statistics on Custody Businesses

單位：新台幣佰萬元；%  
Unit：NT\$ Million；%

業務別 Businesses	年度 Year 金額 Amount	九十一年底 As of the End of 2002	九十二年底 As of the End of 2003	增加金額（增幅） Amount of Increase (%)
國內投信基金 Domestic Securities Investment Trust Funds		2,179,415	2,639,976	460,561 (21%)
外國機構投資人 Qualified Foreign Institutional Investors (QFII) and Overseas Artificial and Natural Persons		1,392,138	2,034,603	642,465 (46%)
全權委託 Discretionary Authorization		165,567	307,122	141,555 (85%)
存託憑證 Depository Receipts		145,156	77,655	(67,501)(-47%)
其他保管業務 Other Custody Businesses		1,465,114	2,091,825	626,711 (43%)
合計 Total		5,347,390	7,151,181	1,803,791 (34%)

圖四／各項保管業務量比率  
Chart 4 The Ratios of the Volumes of Various Custody Businesses



# 展望 *Prospects*





## 展望

隨著金融資產證券化條例、不動產證券化條例及各項信託相關法令的頒布施行，未來信託業務之產品將日趨完整，為協助會員業務之發展，本會將持續朝下列方向努力：

### 一、會務工作方面

#### (一) 增加認可之金融專業訓練機構：

為因應資產管理市場多元化的發展趨勢，本會將增加認可不同專業領域之金融專業訓練機構，提供更多元之信託相關訓練服務內容，讓會員單位於安排從業人員充實專業信託服務技能及提升素質時有更多樣的選擇。

#### (二) 開辦信託業業務人員信託業務之電腦專業測驗：

本會自九十年十月委財團法人台灣金融研訓院舉辦第一期信託業務人員信託業務專業測驗大型筆試測驗迄九十二年十二月底共計舉行七期，為因應會員單位人員異動之及時取照需求，除定期舉辦大型筆試外將增闢電腦測驗，以健全信託業專業證照制度。

#### (三) 擴充網站功能並開放啓用：

本會對外網站自九十年第四季開放服務以來，除提供最新訊息、公會簡介、相關法規等功能外，於九十一年度增加會員單位辦理線上經營與管理人員資格審定作業功能、九十二年度開發信託業重大事項、金融資產證券化規定事項、共同信託基金與集合管理帳戶淨值、財務報表等公告以及信託業信託商品之登錄、查詢等功能，並預定於九十三年第一季上線，屆時會員單位將可藉由本會網站完成上述各項法定公告及信託產品

## Prospects

Following the promulgation and effectiveness of the Financial Asset Securitization Law, Real Estate Securitization Law, and other trust-related laws and regulations, trust products are expected to become more comprehensive in the near future. In order to assist its members in developing their businesses, TAROC will direct its efforts toward the following aspects:

### A. Concerning Association Affairs

#### 1. To Increase Recognized Professional Financial Training Institutions

To cope with the trend of diversification in the asset management market, TAROC will endeavor to increase recognized professional financial training institutions in different fields, with a view to providing a multitude of trust-related training services. The members of TAROC will thus have more choices for their staff members to improve their professional skills and to enhance their quality of services.

#### 2. To Provide Professional Computer Tests on Trust Businesses for Trust Personnel

In October 2001, TAROC engaged the Taiwan Academy of Banking and Finance to conduct the first large-scale professional tests on trust businesses for trust personnel. As of December 2003, seven such tests had taken place. To meet the demand of staff transfer of its members and the need to obtain licenses by trust personnel in a timely manner, TAROC will sponsor computer tests in addition to the periodical large-scale written tests, with the goal of improving the professional licensing system of trusts.

#### 3. To Expand the Functions of its Website and to Open it for Public Use

The website of TAROC was opened for public use in the fourth quarter of 2001. Aside from providing the latest information on trusts, the introduction of TAROC, and the relevant laws and regulations, a number of new functions have successively been added to the website. For instance, on-line operations by its members and the screening of the qualification of managerial personnel were included in 2002, whereas such additional functions as major events on trust, regulations on financial asset securitization, proclamation of financial statements of trust enterprises and net worth of common trust funds and collective investment trust

登錄，社會大眾亦可藉本會網站查詢信託業者所公告之訊息及各業者提供之信託商品，作為選擇合適業者之參考。

## 二、業務工作方面

- (一) 持續加強並落實信託同業之自律管理  
為建立信託業者高度信賴之專業服務形象，恪遵法令規定、維護客戶權益並確保公平競爭，本會全體會員皆已簽署本會會員自律公約，承諾共同信守法律、忠實、謹慎管理、保密…等各項業務經營原則，九十二年度為落實行業自律管理功能，更訂定信託業應負之義務及相關行為規範，報請主管機關核備，未來本會將督促會員遵守相關自律規範，以健全信託業之經營並維護客戶權益。
- (二) 協助法令規章之制定或修訂  
信託財產之運用範圍涉及國內、外各種標的，未來本會除將繼續協助主管機關研訂各項信託相關法規，如信託業從事衍生性金融商品交易之規範、信託業務涉及外匯之相關規範等，以健全制度外，亦將配合實務運作之需要，檢討現行法令，提出修正建議，以利信託業務之推行。
- (三) 配合研訂不動產證券化相關規範  
不動產證券化條例已於九十二年七月通過施行，隨著相關規範之制定，業者亦已陸續規劃推出產品，未來本會將繼續協助訂定「不動產證券化會計研究報告」、「結算書及報告書之格式」、「不動產管理機構之一定條件及委任契約書之應記載事項」及「營業年度終了書表及計畫執行完成書表」等各項規

funds, as well as the registration and enquiry of trust products, were developed in 2003 and will become operational in the first quarter of 2004. By that time, members will be able to make various proclamations as required by laws and perform registration of trust products through the website of TAROC. The public can select trust enterprises suitable for them by making inquiries on the website concerning information published by trust enterprises and trust products provided by them.

## B. Concerning Business Activities

### 1. To Strengthen Self-Regulation Among Trust Enterprises

In order to build up an image of high reliability in providing professional services by trust enterprises, all members have signed a Convention on Self-Discipline for Members of TAROC which states that they will abide by relevant laws and regulations, safeguard the interest of clients, and ensure fair competition in the market. By doing so, they are committed to following various business operating principles, such as law-abiding, loyalty, fiduciary, secrecy, and so forth. In order to fulfill the self-regulation function of trust enterprises, the Obligations and code of conduct of Trust Enterprises were prepared and approved by competent authorities in 2003. In the future, TAROC will urge its members to comply with self-discipline regulations, so as to foster the sound business of trust enterprises and to protect the interest of clients.

### 2. To Assist the Enactment or Revision of Relevant Laws and Regulations

The utilization of trust properties covers various targets, both domestic and abroad. In the future, TAROC will continue to assist the competent authorities to enacting various laws and regulations concerning trust, including guidelines for trust enterprises to conduct derivative financial commodity transactions and regulations on trust-related foreign exchange businesses, with the goal of establishing sound systems concerning trust. Moreover, TAROC will review existing laws and regulations in the light of practical operations and will come up with suggested revisions for facilitating the promotion of trust businesses.

### 3. To Prepare Regulations concerning Real Estate Securitization

The Real Estate Securitization Law became



定。

#### (四) 協助會員推展信託業務

信託產品具有多樣化之特質，且信託財產之運用範圍廣泛，涉及金融、證券、外匯、賦稅及地政等主管機關，未來本會將加強與各主管機關之溝通聯繫，期望能協助建置公平合理之環境，以利業務之推展。

#### (五) 協助會員開發新種信託商品及宣導信託觀念

未來本會除將多方蒐集國內外資訊以協助會員開發新種商品(如退休金管理)外，亦將透過專欄、專訪、適時發布新聞稿及DM發送等各種方式，向社會大眾宣導正確之信託觀念，使其深入了解信託制度之優點，進而採用「信託」管理財產。

#### (六) 協助及輔導會員健全財務、業務內部控制相關制度

依據信託業商業同業公會業務管理規則規定，本會應注意查核會員之財務業務情形，未來本會將依財政部備查之中華民國信託業商業同業公會會員財務與業務查核辦法及中華民國信託業商業同業公會會員專案查核與輔導辦法之相關規定，協助會員健全財務、業務內部控制等相關制度，以強化信託業務的經營，提升信託業競爭力。

effective in July 2003. As the regulations concerned are being formulated, trust enterprises also on introducing related products. With this in mind, TAROC will assist in the preparation of such regulations as the "Accounting Research Report on Real Estate Securitization", "Formats concerning Final Statements and Report Statements", "Qualifications of Real Estate Managerial Institutions and Contents of Entrusted Contracts", and "Year-End Statements and Plan Execution Completion Statements", and so forth.

#### 4. To Assist Members in Promoting Trust Businesses

Trust products are of multiple nature. The utilization of trust properties is very wide and concerns the competent authorities of finance, securities, foreign exchange, taxation, land administration, and so forth. In the future, TAROC will strengthen its contact with various competent authorities, so as to help establish a fair and rational environment for the development of trust businesses.

#### 5. To Assist Members in Developing New Trust Products and Publicizing Trust Concept

In the future, TAROC will collect information both domestically and from abroad to assist its members in developing new trust products (such as management of pension funds). In addition, it will resort to pension various ways and means, including special columns, interviews, news releases, and DM, to publicize the correct concept of trust, so that the public will gain an in-depth understanding about the benefit of trust and make use of it as a means to manage their properties.

#### 6. To Assist and Advise Members in Establishing Sound Internal Control and Related Systems on Finance and Businesses

As provided in the Regulations on the operations Management of TAROC, it is required that TAROC should examine the business and financial conditions of its members. In the future, TAROC will assist its members with establishing their internal control and related systems on finance and businesses in accordance with the provisions in the Regulations on Auditing the Finance and Businesses of Members of TAROC and Regulations on Special Auditing and Advisory Assistance to Members of TAROC, both were approved by the Ministry of Finance. The purpose is to strengthen the operations of trust businesses and to enhance the competitiveness of trust enterprises.



- 01.16, 2003 召開第一屆第二十次理事會。  
The 20th Meeting of the First Board of Directors was held.
- 02.20, 2003 召開第一屆第二十一大理事會暨第十一次監事會議。  
The 21st Meeting of the First Board of Directors and the 11th Meeting of the First Board of Supervisors were held.
- 03.07, 2003 舉辦「金融資產證券化相關會計準則公報草案座談會」。  
A “Workshop on the Draft Communique concerning the Accounting Standards of Financial Asset Securitization” was held.
- 03.05, 2003 自三月起至六月止，與經濟日報合作，每週於理財版刊登信託新知專欄，宣導信託觀念。  
TAROC, in collaboration with the Economic Daily, published a special column in the newspaper weekly from March to June concerning new knowledge on trusts.
- 03.20, 2003 召開第一屆第二十二次理事會。  
The 22nd Meeting of the First Board of Directors was held.
- 03.26, 2003 召開第一屆第三次會員大會。  
The 3rd Meeting of the First General Assembly was held.
- 04.02, 2003 舉辦「信託督導人員座談會」。  
A “Dialogue with Supervisory Personnel on Trust” was held.
- 04.13, 2003 本會委請台灣金融研訓院辦理「第五期信託業業務人員信託業務專業測驗」。  
The Taiwan Academy of Banking and Finance (TABF) was engaged by TAROC to conduct the “Fifth Professional Test on Trust Businesses for trust Personnel”.
- 04.24, 2003 召開第一屆第二十三次理事會暨第十二次監事會議。  
The 23rd Meeting of the First Board of Directors and the 12th Meeting of the First Board of Supervisors were held.
- 05.01, 2003 開始實施「國內股票型及平衡型基金之銷售款項由銷售機構改採匯款方式存入保管機構基金帳戶」之作業。  
The arrangement that “The Sales Proceeds of Domestic Stock and Balance Funds to be Deposited by Sales Agencies to the Fund Accounts of Custody Agencies through Remittance” became operational.
- 05.15, 2003 召開第一屆第二十四次理事會。  
The 24th Meeting of the First Board of Directors was held.
- 05.22, 2003 本會委請中華民國會計研究發展基金會訂定之「金融資產之移轉及負債消滅之會計處理準則」，經公布為財務會計準則公報第三十三號。  
The “Accounting for Transfers of Financial Assets and Extinguishments of Liabilities”, which were prepared by the Accounting Research and Development Foundation of the ROC as engaged by TAROC, were promulgated as Statements of Financial Accounting Standards No. 33.
- 06.19, 2003 召開第一屆第二十五次理事會暨第十三次監事會議。  
The 25th Meeting of the First Board of Directors and the 13th Meeting of the First Board of Supervisors were held.
- 07.08, 2003 召開第一屆第十四次監事會。  
The 14th Meeting of the First Board of Supervisors was held.
- 07.16, 2003 「貨幣市場共同信託基金契約條款範本」奉財政部核定。  
The Pro Forma Contract Provisions concerning Money Market Common Trust Funds were approved by the Ministry of Finance (MOF).
- 07.17, 2003 召開第一屆第二十六次理事會。  
the 26th Meeting of the First Board of Directors was held.
- 07.23, 2003 「不動產證券化條例」頒布施行。  
The “Real Estate Securitization Law” was promulgated and became effective.



- 08.01, 2003 召開理事會臨時會議。  
An Extraordinary Meeting of the First Board of Directors was held.
- 08.04, 2003 證期會來函修正信託業兼營證券投資顧問業務辦理全權委託投資業務之二階段申請書及審查表。  
The Securities and Futures Commission (SFC) wrote to TAROC to amend the two-stage Application Form and Review Table concerning discretionary trust investment businesses conducted by trust enterprises concurrently doing security investment consulting businesses.
- 08.17, 2003 本會委請台灣金融研訓院辦理「第六期信託業業務人員信託業務專業測驗」。  
TABC was engaged by TAROC to conduct the “Sixth Professional Test on Trust Businesses for trust Personnel”.
- 08.19, 2003 財政部配合不動產證券化條例修正「信託業設立標準」及「信託業負責人應具備資格條件暨經營與管理人員應具備信託專門學識或經驗準則」納入不動產管理業者。  
In line with the effectiveness of the Real Estate Securitization Law, MOF amended the “Establishment Criteria for Trust Enterprises” and “Guidelines for the Qualifications of Responsible Persons and the Expertise or Experience of Operating and Managerial Personnel of Trust Enterprises” to incorporate real estate managerial enterprises.
- 08.22, 2003 舉辦「信託業督導人員座談會」。  
A “Dialogue with Supervisory Personnel of Trust” was held.
- 08.28, 2003 本會委請中華民國會計研究發展基金會研擬之「金融資產證券化會計處理釋例研究報告」，業經研擬完成並提報理事會。  
A “Report concerning Case Studies on Accounting Processing of Financial Asset Securitization” was completed by the Accounting Research and Development Foundation of the ROC as engaged by TAROC and was approved by the Board of Directors.
- 08.28, 2003 召開第一屆第二十七次理事會暨第十五次監事會議。  
The 27th Meeting of the First Board of Directors and the 15th Meeting of the First Board of Supervisors were held.
- 08.28, 2003 「金融資產證券化條例施行細則」頒布施行。  
The “Enforcement Rules of the Financial Asset Securitization Law” were promulgated and became effective.
- 08.31, 2003 舉辦「中華民國信託業商業同業公會二〇〇三年會員仙跡岩登山聯誼活動」。  
TAROC sponsored an outdoor event “2003 Climbing of the Shian Ji Yan Mountain by Members of TAROC”.
- 09.25, 2003 召開第一屆第二十八次理事會。  
The 28th Meeting of the First Board of Directors was held.
- 09.26, 2003 舉辦「信託資金集合管理運用帳戶」及「共同信託基金」說明會。  
A seminar on “Collective Investment Trust Funds” and “Common Trust Funds” was held.
- 10.16, 2003 本會配合不動產證券化條例擬訂之「信託業辦理不動產投資信託暨不動產資產信託受益證券之行銷、訂約、資訊揭露及風險管理應行注意事項」、「信託業受託辦理不動產投資信託暨不動產資產信託之內部控制與稽核制度應行注意事項」及「不動產投資信託基金暨不動產資產信託財產評審原則及淨資產價值計算標準」，財政部核准照辦。  
MOF approved the “Salient Points concerning the Marketing of Beneficiary Securities, Contracting, Information Disclosure, and Risk Management of Real Estate Investment Trust and Real Estate Asset Trust by Trust Enterprises”, “Salient Points concerning the Internal Control and Auditing System of Real Estate Investment Trust and Real Estate Asset Trust by Trust Enterprises”, and “Evaluation Principles and Net Asset Value Calculation Criteria of Real Estate Investment Trust Funds and Real Estate Asset Trust Properties”. All these had been prepared by TAROC in line with the effectiveness of the Real Estate Securitization Law.
- 10.22, 2003 舉辦「不動產證券化相關規範說明會」。  
A “Seminar on Regulations concerning Real Estate Securitization” was held.

- 10.23, 2003 召開第一屆第二十九次理事會暨第十六次監事會議。  
The 29th Meeting of the First Board of Directors and the 16th Meeting of the First Board of Supervisors were held.
- 10.27, 2003 本會配合財政部要求訂定之「中華民國信託業商業同業公會會員辦理信託資金集合管理運用帳戶一致性規範」草案，業經財政部洽悉。  
MOF took note of the draft “Uniform Guidelines for Collective Investment Trust Funds by the Members of TAROC”, which had been prepared by TAROC at the request of MOF.
- 10.28, 2003 財政部同意准予備查本會依洗錢防制法擬訂之「信託業防制洗錢注意事項」範本。  
MOF approved the “Guidelines concerning the Prevention of Money Laundry by Trust Enterprises”, which had been prepared by TAROC pursuant to the Money Laundry Prevention Law.
- 11.13, 2003 召開第一屆第三十次理事會暨第十七次監事會議。  
The 30th Meeting of the First Board of Directors and 17th Meeting of the First Board of Supervisors were held.
- 11.13, 2003 協助台北市政府辦理「二〇〇三資深公民座談會」。  
TAROC assisted the Taipei City Government in sponsoring a “2003 Dialogue with Senior Citizens”.
- 11.19, 2003 本會會同投信投顧公會訂定之「信託業兼營證券投資顧問業務辦理全權委託投資業務操作辦法」、「信託業兼營證券投資顧問業務辦理全權委託投資業務之紛爭調解處理辦法」，業經證期會核定。  
The “Operating Rules for Trust Enterprises Providing Discretionary Investment Services in their Capacity as a Securities Investment Consulting Enterprise” and “Regulations on the Resolution of Disputes for Trust Enterprises Providing Discretionary Investment Services in their Capacity as a Securities Investment Consulting Enterprise” were approved by SFC. These Regulations had been prepared by TAROC in collaboration with the securities Investment Trust and Consulting Association of ROC.
- 11.20, 2003 本會理、監事及高階主管，於九十二年十一月二十日至二十五日由理事長率隊赴新加坡考察信託相關業務。  
The members of the Boards of Directors and Supervisors and senior staff of TAROC, led by the Chairman, visited Singapore during November 20 to 25, 2003 to observe trust businesses in that country.
- 11.24, 2003 本會擬訂「信託業辦理信託資金集合管理運用帳戶業務推展行為規範」，業經財政部核定。  
The “Guidelines for the Business Promotion of Collective Investment Trust Funds by Trust Enterprises”, which had been prepared by TAROC, were approved by MOF.
- 12.02, 2003 「不動產證券化條例施行細則」頒布施行。  
The “Enforcement Rules on the Real Estate Securitization Law” were promulgated and became effective.
- 12.11, 2003 與財團法人韓忠謨教授法學基金會共同舉辦「不動產證券化學術研討會」。  
TAROC, in collaboration with Professor Han Chung-mo Law Foundation, sponsored an “Academic Seminar on Real Estate Securitization”.
- 12.15, 2003 於九十二年十二月十五日、十六日及十九日，分北、中、南三區針對各相關公務機關之人員，開辦信託觀念宣導會。  
TAROC sponsored three meetings attended by officials of concerned government agencies in northern, central and southern Taiwan on December 15, 16, and 19, 2003, respectively, to publicize the concept of trust.
- 12.18, 2003 召開第一屆第三十一次理事會。  
The 31st Meeting of the First Board of Directors was held.
- 12.21, 2003 本會委請台灣金融研訓院辦理「第七期信託業業務人員信託業務專業測驗」。  
TABFC was engaged by TAROC to conduct the “Seventh Professional Test on Trust Businesses for trust Personnel”.
- 12.22, 2003 本會訂定之「信託業應負之義務及相關行為規範」草案，報請財政部核備。  
The draft “Obligations and Code of Conduct of Trust Enterprises”, which had been prepared by TAROC, were submitted to MOF for approval.



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**Sunny Bank / Sheng-hong Chen**

90 Shihpai Road, Section I, Taipei, Taiwan 112, R.O.C.

Tel:(02)28208166

[//www.esunnybank.com.tw](http://www.esunnybank.com.tw)

**Bank of PanShin / Ping-hui Liu**

2F, 18 Chengtu Street, Panchiao, Taipei County, Taiwan 220, R.O.C.

Tel:(02)29629170

[//www.bop.com.tw](http://www.bop.com.tw)

**Cota Commercial Bank / Chen-tse Liao**

32-1 Kung Yuan Road, Taichung, Taiwan 400, R.O.C.

Tel:(04)22245161

[//www.cotabank.com.tw](http://www.cotabank.com.tw)

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(404)台中市中華路一段126號

電話：(04)22203176

網址：[//www.ucbank.com.tw](http://www.ucbank.com.tw)

**聯邦商業銀行 / 負責人：黃春鐘**

(105)台北市民生東路三段109號

電話：(02)27180001

網址：[//www.ubot.com.tw](http://www.ubot.com.tw)

**中華商業銀行 / 負責人：王又曾**

(100)台北市忠孝西路一段6號1、2樓

電話：(02)55586666

網址：[//www.chinesebank.com.tw](http://www.chinesebank.com.tw)

**遠東國際商業銀行 / 負責人：徐旭東**

(106)台北市敦化南路二段205、207號1F

電話：(02)23786868

網址：[//www.feib.com.tw](http://www.feib.com.tw)

**復華商業銀行 / 負責人：高抗勝**

(100)台北市忠孝西路一段4號

電話：(02)23801888

網址：[//www.fuhwabank.com.tw](http://www.fuhwabank.com.tw)

**建華商業銀行 / 負責人：盧正昕**

(100)台北市漢口街一段45號

電話：(02)25082288

網址：[//www.banksinopac.com.tw](http://www.banksinopac.com.tw)

**玉山商業銀行 / 負責人：黃永仁**

(100)台北市武昌街一段77號

電話：(02)23891313

網址：[//www.esunbank.com.tw](http://www.esunbank.com.tw)

**萬泰商業銀行 / 負責人：許勝發**

(106)台北市敦化南路二段39號

電話：(02)27011777

網址：[//www.cosmosbank.com.tw](http://www.cosmosbank.com.tw)

**泛亞商業銀行 / 負責人：劉維琪**

(100)台北市忠孝東路二段123號

電話：(02)23279998

網址：[//www.panasiabank.com.tw](http://www.panasiabank.com.tw)

**中興商業銀行 / 負責人：王南華**

(802)高雄市四維四路30號

電話：(07)3386033

網址：[//www.csbank.com.tw](http://www.csbank.com.tw)

**United-Credit Commerical Bank / Chiu Ching-te**

126 Chung Hua Road, Section I, Taichung, Taiwan 404, R.O.C.

Tel:(04)22203176

[//www.ucbank.com.tw](http://www.ucbank.com.tw)

**Union Bank of Taiwan / C.C. Huang**

109 Minsheng East Road, Section 3, Taipei, Taiwan 105, R.O.C.

Tel:(02)27180001

[//www.ubot.com.tw](http://www.ubot.com.tw)

**The Chinese Bank / You-theng Wang**

1-2F, 6 Chunghsiao West Road, Section I, Taipei, Taiwan 100, R.O.C.

Tel:(02)55586666

[//www.chinesebank.com.tw](http://www.chinesebank.com.tw)

**Far Eastern International Bank / Dauglas Hsu**

1F, 207 Tunhwa South Road, Section 2, Taipei, Taiwan 106, R.O.C.

Tel:(02)23786868

[//www.feib.com.tw](http://www.feib.com.tw)

**Fuhwa Bank / Keeneth K. S. Kao**

4 Chunghsiao West Road, Section I, Taipei, Taiwan 100, R.O.C.

Tel:(02)23801888

[//www.fuhwabank.com.tw](http://www.fuhwabank.com.tw)

**Bank Sino Pac / Paul C. Lo**

45 Hankou Street, Section I, Taipei, Taiwan 100, R.O.C.

Tel:(02)25082288

[//www.banksinopac.com.tw](http://www.banksinopac.com.tw)

**E.Sun Commercial Bank / Yung-jen Huang**

77 Wuchang Street, Section I, Taipei, Taiwan 100, R.O.C.

Tel:(02)23891313

[//www.esunbank.com.tw](http://www.esunbank.com.tw)

**Cosmos Bank / Sheng-fa Hsui**

39 Tunhwa South Road, Section 2, Taipei, Taiwan 106, R.O.C.

Tel:(02)27011777

[//www.cosmosbank.com.tw](http://www.cosmosbank.com.tw)

**Pan Asia Bank / Liu Victor, Wei-Chi**

123 Chunghsiao East Road, Section 2, Taipei, Taiwan 100, R.O.C.

Tel:(02)23279998

[//www.panasiabank.com.tw](http://www.panasiabank.com.tw)

**Chung Shing Bank / Nan-hua Wang**

30 Xzuwei 4th Road, Kaohsiung, Taiwan 802, R.O.C.

Tel:(07)3386033

[//www.csbank.com.tw](http://www.csbank.com.tw)



**台新國際商業銀行 / 負責人：吳東亮**

(104)台北市中山北路二段44號

電話：(02)25683988

網址：[//www.taishinbank.com.tw](http://www.taishinbank.com.tw)

**富邦商業銀行 / 負責人：俞政**

(106)台北市仁愛路四段169號2-4樓

電話：(02)27716699

網址：[//www.fubonbank.com.tw](http://www.fubonbank.com.tw)

**大眾商業銀行 / 負責人：陳田錨**

(802)高雄市苓雅區中正二路58號

電話：(07)2242220

網址：[//www.tcbank.com.tw](http://www.tcbank.com.tw)

**日盛國際商業銀行 / 負責人：陳國和**

(100)台北市重慶南路一段10號

電話：(02)25615888

網址：[//www.jihsun.com.tw](http://www.jihsun.com.tw)

**安泰商業銀行 / 負責人：林培璘**

(105)台北市民生東路三段158號3樓

電話：(02)27189999

網址：[//www.entiebank.com.tw](http://www.entiebank.com.tw)

**中國信託商業銀行 / 負責人：辜濂松**

(110)台北市松壽路3號

電話：(02)27222002

網址：[//www.chinatrust.com.tw](http://www.chinatrust.com.tw)

**慶豐商業銀行 / 負責人：黃世惠**

(100)台北市南陽街1號

電話：(02)23114881

網址：[//www.chinfonbank.com.tw](http://www.chinfonbank.com.tw)

**美商花旗銀行台北分行 / 負責人：孫可基**

(105)台北市民生東路三段117之1號

電話：(02)27777000

網址：[//www.citibank.com.tw](http://www.citibank.com.tw)

**美商美國運通銀行台北分行 / 負責人：江丕文**

(105)台北市敦化北路214號2-4樓

電話：(02)27151581

網址：[//www.americanexpress.com.tw](http://www.americanexpress.com.tw)

**法商法國興業銀行台北分行 / 負責人：石斐**

(105)台北市民生東路三段109號7樓

電話：(02)27155050

網址：[//www.socgen.com](http://www.socgen.com)

**Tai Shin International Bank / Thomas T.L. Wu**

44 Chungshan North Road, Section 2, Taipei, Taiwan 104, R.O.C.

Tel:(02)25683988

[//www.taishinbank.com.tw](http://www.taishinbank.com.tw)

**Fubon Commercial Bank / Chen S. Yu**

2-4F, 169 Jenai Road, Section 4, Taipei, Taiwan 106, R.O.C.

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[//www.fubonbank.com.tw](http://www.fubonbank.com.tw)

**Ta Chong Commercial Bank / Tien-mao Chen**

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[//www.tcbank.com.tw](http://www.tcbank.com.tw)

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Tel:(02)25615888

[//www.jihsun.com.tw](http://www.jihsun.com.tw)

**Entie Commercial Bank / Ya-Ling Lin**

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[//www.entiebank.com.tw](http://www.entiebank.com.tw)

**China Trust Commercial Bank / Jeffrey L.S. Koo**

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[//www.chinatrust.com.tw](http://www.chinatrust.com.tw)

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**Citibank N.A. Taipei Branch ABN / Seraph Sun**

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Tel:(02)27777000

[//www.citibank.com.tw](http://www.citibank.com.tw)

**American Express Bank / Kang Phee Boon**

2-4F, 214 Tunhwa North Road, Taipei, Taiwan 105, R.O.C.

Tel:(02)27151581

[//www.americanexpress.com.tw](http://www.americanexpress.com.tw)

**Societe Generale Taipei Branch / Pascal Seffrin**

7F, 109 Minsheng East Road, Section 3, Taipei, Taiwan 105, R.O.C.

Tel:(02)27155050

[//www.socgen.com](http://www.socgen.com)

**荷商荷蘭銀行台北分行 / 負責人：經天瑞**

(105)台北市民生東路三段49號2樓

電話：(02)25037888

網址：[//www.abnamro.com.tw](http://www.abnamro.com.tw)

**德商德意志銀行台北分行 / 負責人：詹翠芳**

(106)台北市仁愛路四段296號10樓

電話：(02)37078338

網址：[//www.dgbank.de](http://www.dgbank.de)

**美商摩根大通銀行台北分行 / 負責人：錢國維**

(105)台北市敦化南路一段2號14樓

電話：(02)27759323

網址：[//www.chase.com](http://www.chase.com)

**香港商香港上海匯豐銀行台北分行 / 負責人：李睿智**

(110)台北市基隆路一段333號14樓

電話：(02)27230088

網址：[//www.hongkongbank.com](http://www.hongkongbank.com)

**法商法國巴黎銀行台北分行 / 負責人：楊伯豪**

(105)台北市民生東路四段52號6樓

電話：(02)27161167

網址：[//www.bnpp.fr](http://www.bnpp.fr)

**英商渣打銀行台北分行 / 負責人：張清山**

(105)台北市敦化北路168號

電話：(02)25146500

網址：[//www.standardchartered.com](http://www.standardchartered.com)

**瑞士商瑞士銀行台北分行 / 負責人：趙辛哲**

(110)台北市松仁路7號5-13樓

電話：(02)25476777

網址：[//www.ubs.com](http://www.ubs.com)

**荷蘭安銀銀行 / 負責人：吳清邁**

(106)台北市復興南路一段2號6樓

電話：(02)27347600

網址：[//www.ing.com](http://www.ing.com)

**Amro Bank Taipei Branch / Terry Kin**

2F, 49 Minsheng East Road, Section 3, Taipei, Taiwan 105, R.O.C.

Tel:(02)25037888 [//www.abnamro.com.tw](http://www.abnamro.com.tw)

**Deutsche Bank Taipei Branch / Chan Cyn-Thia**

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[//www.dgbank.de](http://www.dgbank.de)

**JPMorgan Chase Bank Taipei Branch / Carl Chien**

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Tel:(02)27759323 [//www.chase.com](http://www.chase.com)

**HongKong and Shanghai Banking Corp. Taipei Branch / Paul Leech**

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**BNP Paribas Taipei Branch / Paul Yang**

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