

Content

Title : Regulations Governing Off-Premises Automatic Teller Machines of Financial Institutions **Ch**

Date : 2006.01.11

Legislative : 3. Articles 4, 8, and 9 amended and promulgated and Article 6 deleted on 25 May 1999 per Order No. (88)-Tai-Tsai-Rong-88724946 of the Ministry of Finance.
4. Amended per Order Jin-Kuan-Yin-(2)-Zi-No. 09585002530 dated 2006/01/11

Content : **Article 1**

These Regulations are set forth in accordance with Paragraph 3, Article 57 of the Banking Act and Article 37 of the Credit Cooperatives Act.

Article 2

The term “off-premises automatic teller machine” depicted in the Regulations herein means automatic teller machine with account processing functions installed at a location other than the business premises of the head office or branch of a financial institution.

Article 3

A financial institution shall, in November each year, complete an application for the installation of automatic teller machines (Schedule 1) for the following year, and submit it to the competent authority for approval. Where the approval designates a business territory, the machines shall be installed within that territory only.

When the number of machines a financial institution intends to install in the current year exceeds the number for which it originally applied, the financial institution may fill out an advance application for additional establishments (Schedule 2) and submit it to the competent authority for approval. Such application is limited to once per year.

In the situations described in the preceding two paragraphs, an application is deemed approved if the competent authority has not expressed disapproval within ten (10) business days from the next day following the delivery of application. Where the application documents submitted by a financial institution are incomplete and the financial institution has provided supplementation within a specified period of time, the application is deemed approved if the competent authority has not expressed disapproval within ten (10) business days from the next day after the financial institution has submitted the supplementation in full. During the prescribed waiting period, the financial institution may not proceed with any of the matters under application.

The part of installment in accordance with Paragraph 1 or Paragraph 2 hereof that is not completed within the current year is deemed forfeited.

Article 4

A financial institution shall remove any off-premises automatic teller machine that was installed without the approval of the competent authority.

Article 5

A financial institution shall make advance application (Schedule 3) to the competent authority for approval prior to relocating or closing any off-premises automatic teller machine.

The financial institution may proceed to relocate or close the off-premises automatic teller machine if the competent authority has not expressed disapproval within seven (7) business days from the next day following the delivery of application.

Article 6

The competent authority may deny or reduce the number of automatic teller machines applied for installation if a financial institution has any of the following situations:

1. The implementation of the off-premises automatic teller machines installation plan in the past year was less than satisfactory.
2. The operations or service quality of automatic teller machines in the past year were less than satisfactory.
3. There were incidents of major security breach, maintenance deficiency or employee fraud associated with the automatic teller machines in the past year, or a deficiency or fraud has occurred that has not been reported as required.
4. There were incidents in the past year where the financial institution installed, relocated or closed an off-premises automatic teller machine at its own discretion without approval.
5. There were incidents where an off-premises automatic teller machine was installed at a location beyond the approved business territory.

Article 7

A financial institution shall prominently display on all of its automatic teller machines its name, business unit to which the machine belongs, emergency contact phone number, service items and service hours, and post instructions or display on the screen of the automatic teller machine things to attend to when carrying out a transaction.

Employees may not be permanently posted at automatic teller machines for onsite management.

When automatic teller machines are intended to provide services other than withdrawal, deposit, balance inquiry, account transfer, change of password, automatic passbook update, IC card deposit (withdrawal), prepayment, or other services as approved by the competent authority, the financial institution shall apply to the competent authority for approval.

Article 8

A financial institution shall file information on the new installation, closing or relocation of an automatic teller machine in accordance with the manner prescribed by the competent authority.

Article 9

The Regulations herein are in force from the date of promulgation.