

Content

Title : Regulations Governing Registration Procedures and Fees in Applications for Computer-Processed Personal Data by Securities and Futures Enterprises Ch

Date : 2010.11.03

Legislative : 1.Issued in eight articles in their entirety by the Securities & Futures Commission, Ministry of Finance on 7 August 1996 per letter Ref. No. (3)-Taiwan-Finance-Securities-02577
2. Amendments to the name and articles of these Regulations were issued by the Securities & Futures Commission, Ministry of Finance on 15 January 1998 per letter Ref No. (87) Taiwan-Finance-Securities-00177 (Original name: Regulations Governing Registration Procedures and Fees for Applications from Securities Enterprises to Computer-Process Personal Data)
3. Abolished on November 03, 2010

Content : Article 1

These Regulations are adopted in accordance with Article 19 Paragraph 3 and the latter part of Article 20 Paragraph 5 of the Computer-Processed Personal Data Protection Law (the "Law").

Article 2

The term "securities enterprise" as used in these Regulations shall refer to securities exchanges, securities firms, securities investment trust enterprises (SITE), securities financing enterprises, securities investment consulting enterprises, centralized securities depository enterprises, the R.O.C. Over-the-Counter Securities Exchange, the Securities and Futures Institute, securities dealers associations, and other securities services enterprises approved by the competent authority.

The term "futures trading enterprise" as used in these Regulations shall refer to futures exchanges, futures clearing exchange, futures commission merchants, leveraged transaction merchants, futures trust enterprises, futures management enterprises, futures consulting enterprises, futures dealers associations, or other futures services enterprises approved by the competent authority.

Article 3

When a securities or futures enterprise collects, computer processes, transmits internationally, or uses personal data for business reasons, the enterprise shall submit an application (Form 1) to the securities and futures competent authority for registration and licensing. The application shall be accompanied by a registration fee of NT\$1000 and a license fee of NT\$3000.

Article 4

Applications shall be rejected in any of the following circumstances:

1. The applicant does not meet the criteria specified in Article 18 of the Law.
2. The application does not record the matters specified in Article 20 of the Law, or the applicant fails to pay the required registration or licensing fee and fails to correct the application within a specified period after having been instructed to make corrections.
3. The information for which application is made contains personal information that enterprise does not require to conduct its business.
4. The plan to secure personal information files does not comply with the Standards Governing the Security of Personal Data Files Maintained by Securities and Futures Enterprises prescribed by the competent authority for securities and futures, and the enterprise has been ordered to make improvements but has failed so within a specified period.

Article 5

After having been approved for registration, securities trading and futures enterprises shall, in accordance with Article 21 of the Law, publish the matters listed in Article 20 Paragraph 1 subparagraph 1 to subparagraph 10 of the Law in a local newspaper and shall submit the announcement to the competent authority for securities and futures to be entered into government bulletins.

Article 6

After having registered and paid the license issuance fee, a securities or futures enterprise shall fill out an application form (Form 2) within 15 days if the registered matters have changed and apply to register such changes by paying a registration fee of NT\$500. Should the license need to be reissued, a fee of NT\$1500 shall be paid.

Article 7

Should a securities enterprise or futures enterprise cease operations, the enterprise shall complete and submit an application (Form 3) within one month to terminate its registration.

When applying to terminate its registration, the enterprise shall report the method that it has used to protect the personal data to the competent authority for securities and futures pursuant to Article 36 Paragraph 1 of the Enforcement Rules of the Law.

Article 8

These Regulations take force on the day of their promulgation.

Data Source : Financial Supervisory Commission Laws and Regulations Retrieving System