

Content

Title :	Regulations Governing Fees for Handling Civil Disputes Arising from Financial Technology Innovative Experimentation Ch
Date :	2018.04.27
Legislative :	2018.04.27(Announced)

Content : Article 1 These Regulations are adopted pursuant to Paragraph 2, Article 24 of the Financial Technology Development and Innovative Experimentation Act (referred to as the “Act” hereunder).

Article 2 The Financial Ombudsman Institution (“FOI”) may charge an applicant for innovative experimentation (referred to as the “applicant” hereunder) dispute-handling service fees based on the nature of the case when it carries out an ombudsman process pursuant to Paragraph 1, Article 24 of the Act.

1. Nature of ombudsman service: In a dispute case where the FOI renders an ombudsman decision wholly or partially favorable to the participants of the innovative experimentation (referred to as the “participants” hereunder), the FOI will charge the applicant a NT\$10,000 dispute-handling service fee for each such case.

2. Nature of other services: Where a dispute case results in withdrawal by the participant, reconciliation reached through mediation or an ombudsman decision wholly unfavorable to the participant, the FOI will charge the applicant a NT\$6,000 dispute-handling service fee for each such case.

If an application for ombudsman service is withdrawn before the FOI sends a written notice to the applicant asking the applicant to state his opinion, no dispute-handling service fee will be charged.

Article 3 For applications for ombudsman service in accordance with Paragraph 1, Article 24 of the Act to which Article 13-1 of the Financial Consumer Protection Act applies mutatis mutandis, the dispute-handling service fees will be based on the number of participants who have granted the FOI the authorization of ombudsman rights, the nature of the case and fees set out in Paragraph 1 of the preceding article and the following standards:

1. If the number of participants is under 100, two times the fees will be charged.

2. If the number of participants is over 100, the fees will be increased one time for each increment of 100 participants; an increment of less than 100 will be counted as 100.

Where the results of a case cover both natures of service, the nature of the case will be determined by the majority results. Where the number of participants is the same in both natures of service, the dispute-handling service fees will be NT\$8,000 based on the standards under the preceding paragraph.

When a participant terminates the authorization of ombudsman rights in accordance with Paragraph 1, Article 24 of the Act to which Paragraph 2, Article 13-1 of the Financial Consumer Protection Act applies mutatis mutandis, dispute-handling service fees will be charged in accordance with the following manners and the preceding two paragraphs:

1. A participant who fails to inform the FOI in writing stating the intention to self-continue the ombudsman case within seven (7) working days and is thereby regarded as having withdrawn the application for ombudsman service will be counted into the number of participants under the nature of other services.

2. A participant who informs the FOI in writing stating the intention to self-continue the ombudsman case within seven (7) working days based on the same reason and fact will be counted into the number of participants under the nature of case determined based on the case result.

Article 4 The FOI will mail an applicant a bill for dispute-handling service fee after a dispute case is concluded, which the applicant should pay within one month from the date of receiving the bill.

Article 5 These Regulations shall come into force on April 30, 2018.