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景順證券投資信託股份有限公司 函



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受文者：境外基金銷售機構

發文日期：中華民國 109 年 7 月 21 日

發文字號：(109)景順字 07012 號

速 別：

密等及解密條件或保管期限：

附 件：景順系列境外基金短線交易監督模式

主旨：敬告 貴行，有關景順投信代理之境外基金「短線交易控管機制」事宜如說明，敬請知悉。

說明：

- 一、依中華民國證券投資信託暨顧問商業同業公會 109 年 3 月 19 日中信顧字第 1090800086 號函辦理。
- 二、本公司業於 109 年 5 月 17 日以 109 景順字 05007 號函通知 貴行有關景順代理之境外基金公開說明書關於短線交易控管機制事宜，合先敘明。
- 三、附件有關境外基金短線交易監督模式為非公開之機密資訊，境外基金公司並保有隨時更動之權利；且為以公平對待全世界投資人，惠請 貴行勿將該短線交易監督模式直接或間接揭露予投資人，以免損及境外基金長期持有之受益人權益，並稀釋基金之獲利。
- 四、為利 貴行執行短線交易防制措施，轉知景順投信代理之境外基金短線交易監督模式，請詳如附件。
- 五、以上說明，敬請知悉。

總經理蕭穎為

[機密文件]

## CONFIDENTIAL

Note: 以下所列「景順系列境外基金短線交易監督模式」暨相關附表，屬於非公開資訊，根據總代理人及銷售機構所簽訂之銷售契約，除任何主管機關或管轄法院依法令要求外，不論本契約終止前或終止後，收受方不得向非他方當事人同意之任何人，揭露「景順系列境外基金短線交易監督模式」暨相關附表，且收受方應盡最大努力防止前述揭露情事發生。

The Market Timing Trading Monitoring Mode of Invesco Offshore Funds and its annexes are confidential information and must be kept in strict confidence. Unless requested by any authority or court of competent jurisdiction pursuant to applicable law, the recipient may not either before or after the termination of the Agreement, disclose any part of the Market Timing Trading Monitoring Mode of Invesco Offshore Funds and its annexes to any person not authorized by the other Party and shall use its best endeavors to prevent any such disclosure as aforesaid.

### 景順系列境外基金短線交易監督模式

#### The Market Timing Trading Monitoring Mode of Invesco Offshore Funds

- 一、目的：為避免因受益人短線交易頻繁，造成本公司所代理之境外基金因交易成本增加，進而損及代理之境外基金長期持有之受益人權益，並稀釋基金之獲利；對於未符合景順集團境外基金公司所訂定之境外基金短線交易監督模式之持有基金受益人，視為意欲進行短線交易；同時，本公司同時保留拒絕接受任何意欲進行短線交易客戶申購之權利，以維護該基金其他長期持有之受益人權益。

1. Purpose: For the purpose of avoiding persistently market timing transactions by the beneficiary, which may increase the transaction cost of the offshore fund that Invesco acts for, and moreover, it may damage the rights and interests of the beneficiary who keeps the offshore fund for long time, and dilute the profit gaining ability of the fund. For the beneficiary who does not conform to the Market Timing Trading Monitoring Mode made by Invesco Group, he/she will be recognized as he/she intends to proceed market timing transactions; simultaneously, Invesco has the rights to refuse subscription indications from any customer who is intending to proceed market timing transactions, to maintain the rights and interests of other beneficiaries who keep the fund for long time.

二、法源依據：

**2. Regulation Reference:**

1. 境外基金管理辦法第 5 條之 1。

1. Paragraph 1 of Article 5 of the Regulations Governing Offshore Funds.

2. 96 年 6 月 20 日金管證四字第 0960031506 號函之規定。

2. The regulation refers to FSC Regulation No. 0960031506, 20th of June 2007.

境外基金銷售機構應提供從事基金短線交易所屬投資人之資料格式說明。

The Offshore Fund Sales Agency shall provide the information format illustration of the investor who engages in market timing transactions.

3. 96 年 6 月 20 日金管證四字第 09600315061 號函之規定。

3. The regulation refers to FSC Regulation No. 09600315061, 20th of June 2007.

境外基金銷售機構建置短線交易防制資訊系統及修訂內部控制制度之緩衝期規範。

The Offshore Fund Sales Agency shall establish the Market Timing Trading Prevention Information System and revise the Buffer Period Mode of Internal Control System.

4. 中華民國證券投資信託暨顧問商業同業公會境外基金銷售契約範本第 10 條之規定。

4. Article 10 of the SITCA Offshore Fund Sales Contract Template.

總代理人得依中華民國相關法令、公開說明書及投資人須知（得載明境外基金機構內部控制相關規定），拒絕接受其認為可能有害境外基金之交易活動（包括但不限於短線交易及擇時交易）。銷售機構同意協助總代理人與境外基金機構辨認及拒絕構成前述相關交易活動之申購交易指示，並建立相關流程、偵測及控制程序。就相關交易活動之限制，雙方同意依附件之規定為之。

The Master Agent shall comply with ROC Regulations, Prospectuses or Investment Information Summary (shall indicate related regulations about the Offshore Fund Agency Internal Control), and is able to refuse any transaction which may damage its offshore fund trading (include but not restrict with the Market Timing Trading). The sales agent agrees to assist the Master Agent and the Offshore Fund Agency with recognizing and refusing subscription indications from transactions indicated as above, and establishes relative processes, detecting and controlling procedures. According to the limitation of related transactions, both parties agree to follow the regulation in the attachment to trade.

5. 中華民國證券投資信託暨顧問商業同業公會 109 年 3 月 19 日中信顧字第 1090800086 號函之規定。

5. The regulation refers to SITCA Regulation No.1090800086, 19<sup>th</sup> of March, 2020.

三、景順集團境外基金公司短線交易監督模式如下：

**3. The Market Timing Trading Monitoring Mode of Invesco Offshore Funds indicates as below:**

1. 27 天以內為短線交易。
1. The Market Timing Trading defines as the trading period of transactions within 27 days.
2. 控管短線交易的公式為後進先出法(LIFO)。
2. The formula of Controlling Market Timing Trading is Last In, First Out (LIFO).
3. Money market fund and Reserved fund 可以不受短線交易監督模式之控管。
3. Money Market Fund and Reserved Fund is independent of the Market Timing Trading Monitoring Mode.
4. 有關本公司所代理募集的境外基金短線交易監督模式，境外基金公司必須保有隨時更動之權利；且為以公平對待全世界投資人，境外基金之公開說明書及投資人須知不得要求加上上述之監督模式且不得揭露予投資人。
4. The offshore Fund Company shall have the right to modify the Market Timing Trading Monitoring Mode of Invesco Offshore Funds and its annexes anytime. For the purpose of treating global investors equally, the Market Timing Trading Monitoring Mode of Invesco Offshore Funds and its annexes shall not be included in the prospectus and investment information summary of the offshore fund in whole or in part, and/or be disclosed to investors.

四、銷售機構應隨時協助總代理人與境外基金機構辨認及拒絕構成短線交易監督模式交易活動之申購交易指示。

4. The Sales Agent shall assist the Master Agent and the Offshore Fund Agency with recognizing and refusing subscription indications that may construct the Market Timing Trading Monitoring Mode transactions at anytime.

五、銷售機構應對所屬基金投資人從事基金符合公開說明書短線交易認定標準者，應以主管機關規定之資料格式提供予境外基金機構或總代理人。

5. Where any of such investors engages in any fund transaction that meets the criteria of short-swing trading as set out in the prospectus, the sub-distributor shall provide relevant information on that investor, in the format prescribed by the FSC, either to the offshore fund institution or to the master agent..

六、銷售機構應建立本公司相關短線交易監督模式之流程、偵測及控制程序。就相關交易活動之限制，雙方同意依景順集團境外基金公司短線交易監督模式為之。

6. The Sales Agent shall establish Invesco relative market timing trading monitoring mode processes, detecting and controlling procedures. According to the limitation of related transactions, both parties agree to follow Invesco Group Offshore Fund Company Market Timing Trading Monitoring Mode to trade.

銷售機構提供投資人之相關交易資料  
The Investor Trading Information provided by the Sales Agent

          (申購/贖回)            
          (Subscription/Redemption)          

期間：○年○月○日

Period: ○Year○Month○Day

交易日期    交易類別    基金名稱    客戶編號    金額(基金計價幣別)    單位數

\*交易日期: Transaction Date

\*交易類別: Transaction Type

\*基金名稱: Fund Name

\*客戶編號: Customer ID

\*金額(基金計價幣別): Amount (in the currency the Fund is valued)

\*單位數: Number of Units

(轉換)  
(Conversion)

期間：○年○月○日

Period: ○Year○Month○Day

交易日期 交易類別 轉出(入)基金名稱 客戶編號 轉出(入)金額(基金計價幣別) 轉出(入)單位數 轉入(出)基金名稱 轉入(出)單位數

\*交易日期: Transaction Date

\*交易類別: Transaction Type

\*轉出(入)基金名稱: Fund Name Convert From (To)

\*客戶編號: Customer ID

\*轉出(入)金額(基金計價幣別): Amount Convert From (To) (in the currency the Fund is valued)

\*轉出(入)單位數: Number of Units Convert From (To)

\*轉入(出)基金名稱: Fund Name Convert To (From)

\*轉入(出)單位數: Units Convert To (From)