

保險法中英文對照

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第一章 總則

Chapter I. General Principles

第一節 定義及分類

Section 1. Definitions and Categories

第 1 條

本法所稱保險，謂當事人約定，一方交付保險費於他方，他方對於因不可預料，或不可抗力之事故所致之損害，負擔賠償財物之行為。

根據前項所訂之契約，稱為保險契約。

Article 1

The term "insurance" as used in this Act means an act whereby the parties concerned agree that one party pays a premium to the other party, and the other party is liable for pecuniary indemnification for damage caused by unforeseeable events or force majeure.

A contract entered into on the basis of the preceding paragraph is called an "insurance contract."

第 2 條

本法所稱保險人，指經營保險事業之各種組織，在保險契約成立時，有保險費之請求權；在承保危險事故發生時，依其承保之責任，負擔賠償之義務。

Article 2

The term "insurer" as used in this Act means any of various organizations engaged in the business of insurance that has the right to claim a premium upon entering into an insurance contract and is liable for indemnification, in accordance with the contracted insurance obligations, when an insured peril occurs.

第 3 條

本法所稱要保人，指對保險標的具有保險利益，向保險人申請訂立保險契約，並負有交付保險費義務之人。

Article 3

The term "proposer" as used in this Act means a person having an insurable interest in the subject matter insured who applies to an insurer to enter into an insurance contract and is obligated to pay a premium.

第 4 條

本法所稱被保險人，指於保險事故發生時，遭受損害，享有賠償請求權之人；要保人亦得為被保險人。

Article 4

The term "insured" as used in this Act means a person who, upon incurring damage as the result of an insured peril, enjoys the right to claim indemnification. A proposer may also be the insured.

第 5 條

本法所稱受益人，指被保險人或要保人約定享有賠償請求權之人，要保人或被保險人均得為受益人。

Article 5

The term "beneficiary" as used in this Act means a person stipulated by the insured or the proposer as the person who enjoys the right to claim indemnification. A proposer or insured may also be a beneficiary.

第 6 條

本法所稱保險業，指依本法組織登記，以經營保險為業之機構。

本法所稱外國保險業，指依外國法律組織登記，並經主管機關許可，在中華民國境內經營保險為業之機構。

Article 6

The term "insurance enterprise" as used in this Act means an entity organized and registered pursuant to this Act and engaged in insurance business.

The term "foreign insurance enterprise" as used in this Act means an entity organized and registered pursuant to foreign law and engaged in insurance business in the Republic of China with permission from the competent authority.

第 7 條

Article 7

本法所稱保險業負責人，指依公司法或合作社法應負責之人。

第 8 條

本法所稱保險代理人，指根據代理契約或授權書，向保險人收取費用，並代理經營業務之人。

第 8-1 條

本法所稱保險業務員，指為保險業、保險經紀人公司、保險代理人公司，從事保險招攬之人。

第 9 條

本法所稱保險經紀人，指基於被保險人之利益，洽訂保險契約或提供相關服務，而收取佣金或報酬之人。

第 10 條

本法所稱公證人，指向保險人或被保險人收取費用，為其辦理保險標的之查勘，鑑定及估價與賠款之理算、洽商，而予證明之人。

第 11 條

本法所定各種準備金，包括責任準備金、未滿期保費準備金、特別準備金、賠款準備金及其他經主管機關規定之準備金。

第 12 條

本法所稱主管機關為行政院金融監督管理委員會。但保險合作社除其經營之業務，以行政院金融監督管理委員會為主管機關外，其社務以合作社之主管機關為主管機關。

第 13 條

保險分為財產保險及人身保險。
財產保險，包括火災保險、海

The term "responsible person of an insurance enterprise" as used in this Act means a person who shall be held responsible in accordance with the Company Act or the Cooperative Act.

Article 8

The term "insurance agent" as used in this Act means a person who, on the basis of a contract of agency or a letter of authorization, collects remuneration from an insurer and acts as a business agent on the insurer's behalf.

Article 8-1

The term "insurance solicitor" as used in this Act means a person who solicits insurance business on behalf of an insurance enterprise, an insurance broker company, or an insurance agent company.

Article 9

The term "insurance broker" as used in this Act means a person who, on the basis of the interests of the insured, negotiates an insurance contract or provides related services and collects a commission or remuneration.

Article 10

The term "surveyor" as used in this Act means a person who collects remuneration from the insurer or the insured, and on behalf of the hiring party inspects, assesses, and appraises the subject matter insured, adjusts and negotiates indemnification, and gives attestation thereof.

Article 11

The reserve funds set out in this Act include policy reserves, unearned premium reserves, special reserves, loss reserves, and other reserve funds as may be specified by the competent authority.

Article 12

The term "competent authority" as used in this Act means the Financial Supervisory Commission, Executive Yuan. However, in the case of insurance cooperatives, the Financial Supervisory Commission, Executive Yuan is the competent authority for the business operated by the cooperatives, while the competent authority in charge of cooperatives is the competent authority for the administrative affairs of the cooperatives.

Article 13

Insurance is categorized into non-life insurance and insurance of the person.
Non-life insurance includes fire insurance, marine insurance, land

上保險、陸空保險、責任保險、保證保險及經主管機關核准之其他保險。

人身保險，包括人壽保險、健康保險、傷害保險及年金保險。

and air insurance, liability insurance, bonding insurance, and any other type of insurance approved by the competent authority.

Insurance of the person includes life insurance, health insurance, personal injury insurance, and annuities.

第二節 保險利益

Section 2. Insurable Interest

第 14 條

要保人對於財產上之現有利益，或因財產上之現有利益而生之期待利益，有保險利益。

Article 14

A proposer has an insurable interest in current interest in a property, or expected future interest deriving from current interest in a property.

第 15 條

運送人或保管人對於所運送或保管之貨物，以其所負之責任為限，有保險利益。

Article 15

A transporter or custodian of goods has an insurable interest in goods that it transports or keeps in custody, within the extent to which the transporter or custodian bears liability for the goods.

第 16 條

要保人對於左列各人之生命或身體，有保險利益。

- 一、本人或其家屬。
- 二、生活費或教育費所仰給之人。
- 三、債務人。
- 四、為本人管理財產或利益之人。

Article 16

A proposer has an insurable interest in the life or body of any of the following persons:

1. The proposer or the proposer's family members.
2. Persons upon whom the proposer depends for living expenses or educational expenses.
3. The proposer's obligors.
4. Persons who manage the proposer's assets or interests on the proposer's behalf.

第 17 條

要保人或被保險人，對於保險標的物無保險利益者，保險契約失其效力。

Article 17

If the proposer or insured has no insurable interest in the subject matter insured, the insurance contract shall become void.

第 18 條

被保險人死亡或保險標的物所有權移轉時，保險契約除另有訂定外，仍為繼承人或受讓人之利益而存在。

Article 18

If the insured dies or ownership of the subject matter insured is transferred, the insurance contract remains valid for the benefit of the heir or the transferee unless otherwise stipulated in the contract.

第 19 條

合夥人或共有人聯合為被保險人時，其中一人或數人讓與保險利益於他人者，保險契約不因之而失效。

Article 19

When partners or co-owners are jointly insured, the assignment of one or more insured persons' insurable interest to another does not void the insurance contract.

第 20 條

凡基於有效契約而生之利益，亦得為保險利益。

Article 20

Any interest deriving from an in-force contract may also be an insurable interest.

第三節 保險費

Section 3. Premiums

第 21 條

保險費分一次交付，及分期交付兩種。保險契約規定一次交付，或分期交付之第一期保險費，應於契約生效前交付之；但保險契約簽訂時，保險費未能確定者，不在此限。

Article 21

Premiums are categorized into two kinds: those to be paid in a lump sum, and those to be paid in installments. A lump-sum premium, if such is stipulated in the insurance contract, or the first installment of the premium, shall be paid before the contract takes effect. However, this requirement does not apply where the premium has not yet been determined at the time the insurance contract is entered into.

第 22 條

保險費應由要保人依契約規定交付。信託業依信託契約有交付保險費義務者，保險費應由信託業代為交付之。

Article 22

Premium shall be paid by the proposer in accordance with the provisions of the insurance contract. Where a trust enterprise is obligated under a trust agreement to pay the insurance premiums, the trust enterprise shall pay the insurance premiums in the proposer's stead.

要保人為他人利益訂立之保險契約，保險人對於要保人所得為之抗辯，亦得以之對抗受益人。

When a proposer enters into an insurance contract for the benefit of another person, the insurer may raise the same defense against the beneficiary that it may raise against the proposer.

第 23 條

以同一保險利益，同一保險事故，善意訂立數個保險契約，其保險金額之總額超過保險標的之價值者，在危險發生前，要保人得依超過部份，要求比例返還保險費。

Article 23

If multiple insurance contracts entered into in good faith cover the same insurable interest and the same insured event, and the total insured amount exceeds the value of the subject matter insured, the proposer may, prior to occurrence of the risk, claim a refund of the premium in proportion to the excess value.

保險契約因第三十七條之情事而無效時，保險人於不知情之時期內，仍取得保險費。

If an insurance contract becomes void due to the circumstances set forth in Article 37, the insurer may still collect premium during the period in which the insurer is unaware that the contract has become void.

第 24 條

保險契約因第五十一條第二項之情事，而保險人不受拘束時，保險人得請求償還費用。其已收受之保險費，無須返還。保險契約因第五十一條第三項之情事而要保人不受拘束時，保險人不得請求保險費及償還費用。其已收受者，應返還之。保險契約因第六十條或第八十一條之情事而終止，或部份終止時，除保險費非以時間為計算基礎者外，終止後之保險費

Article 24

If an insurer is not bound by an insurance contract because of circumstances set forth in Article 51, paragraph 2, the insurer may claim reimbursement of expenses. Premium already collected need not be refunded.

If a proposer is not bound by an insurance contract because of circumstances set forth in Article 51, paragraph 3, the insurer may not claim payment of premium or reimbursement of expenses; where already collected, they shall be refunded.

If an insurance contract is terminated or partially terminated because of circumstances set forth in Article 60 or Article 81, premium paid for the period subsequent to termination shall be refunded, except where the premium is not calculated on the basis of time.

已交付者，應返還之。

第 25 條

保險契約因第六十四條第二項之情事而解除時，保險人無須返還其已收受之保險費。

Article 25

If an insurance contract is rescinded because of circumstances set forth in Article 64, paragraph 2, the insurer need not refund premium already collected.

第 26 條

保險費依保險契約所載增加危險之特別情形計算者，其情形在契約存續期內消滅時，要保人得按訂約時保險費率，自其情形消滅時起算，請求比例減少保險費。

保險人對於前項減少保險費不同意時，要保人得終止契約。其終止後之保險費已交付者，應返還之。

Article 26

Where premium is calculated based on special circumstances pertaining to increased risk as stipulated in the insurance contract, and such circumstances cease to exist during the term of the contract, the proposer may demand a pro rata reduction of premium based on the premium rate at the time the contract was entered into, to apply from the time the circumstances ceased to exist.

If the insurer does not agree to a reduction of premium as set forth in the preceding paragraph, the proposer may terminate the contract, and any premium paid for the period subsequent to termination shall be refunded.

第 27 條

保險人破產時，保險契約於破產宣告之日終止，其終止後之保險費，已交付者，保險人應返還之。

Article 27

If an insurer becomes bankrupt, its insurance contracts terminate on the day that bankruptcy is adjudicated, and any premium paid for the period subsequent to termination shall be refunded by the insurer.

第 28 條

要保人破產時，保險契約仍為破產債權人之利益而存在，但破產管理人或保險人得於破產宣告三個月內終止契約。其終止後之保險費已交付者，應返還之。

Article 28

If a proposer becomes bankrupt, the insurance contract remains valid for the benefit of the creditors of the bankrupt party. However, the bankruptcy trustee or insurer may terminate the contract within three months from the day of the bankruptcy adjudication. Any premium paid for the period subsequent to termination shall be refunded.

第四節 保險人之責任

Section 4. Obligations of the Insurer

第 29 條

保險人對於由不可預料或不可抗力之事故所致之損害，負賠償責任。但保險契約內有明文限制者，不在此限。

保險人對於由要保人或被保險人之過失所致之損害，負賠償責任。但出於要保人或被保險人之故意者，不在此限。

Article 29

An insurer is liable to indemnify for damage caused by unforeseeable events or force majeure. However, this requirement is not applicable when limitations are expressly stated in the insurance contract.

An insurer is liable to indemnify for damage caused by the fault of the proposer or insured. However, this rule is not applicable to loss caused by a willful act of the proposer or insured.

第 30 條

保險人對於因履行政德上之義務所致之損害，應負賠償責任。

Article 30

An insurer shall be liable to indemnify for damage caused by the fulfillment of a moral obligation.

第 31 條

保險人對於因要保人，或被保險人之受僱人，或其所有之物或動物所致之損害，應負賠償責任。

第 32 條

保險人對於因戰爭所致之損害，除契約有相反之訂定外，應負賠償責任。

第 33 條

保險人對於要保人或被保險人，為避免或減輕損害之必要行為所生之費用，負償還之責。其償還數額與賠償金額，合計雖超過保險金額，仍應償還。

保險人對於前項費用之償還，以保險金額對於保險標的之價值比例定之。

第 34 條

保險人應於要保人或被保險人交齊證明文件後，於約定期限內給付賠償金額。無約定期限者，應於接到通知後十五日內給付之。

保險人因可歸責於自己之事由致未在前項規定期限內為給付者，應給付遲延利息年利一分。

第五節 複保險**第 35 條**

複保險，謂要保人對於同一保險利益，同一保險事故，與數保險人分別訂立數個保險之契約行為。

第 36 條

複保險，除另有約定外，要保人應將他保險人之名稱及保險金額通知各保險人。

第 37 條

要保人故意不為前條之通知，

Article 31

An insurer shall be liable to indemnify for damage caused by employees, objects, or animals of the proposer or the insured.

Article 32

The insurer shall be liable to indemnify for damage caused by war unless the insurance contract stipulates otherwise.

Article 33

The insurer is liable to reimburse the proposer or insured for expenses resulting from any necessary action taken to avoid or mitigate damage. Even if the combined total of reimbursement and indemnification exceeds the total insured amount, the insurer shall pay the full combined amount.

When an insurer makes reimbursement for expenses referred to in the preceding paragraph, such reimbursement is to be determined according to the ratio of the insured amount to the value of the subject matter insured.

Article 34

After a proposer or insured has submitted all supporting documents for a claim, the insurer shall pay indemnification within the stipulated time period. Where no time period has been stipulated, payment shall be effected within 15 days from receipt of notification.

If, for reasons attributable to itself, the insurer fails to make payment within the time period referred to in the preceding paragraph, it shall pay default interest at the rate of 10% per annum.

Section 5. Double Insurance**Article 35**

The term "double insurance" means an act of contracting whereby a proposer separately enters into multiple insurance contracts with multiple insurers covering the same insurable interest and the same insured event.

Article 36

In double insurance, a proposer shall, unless otherwise stipulated, notify each insurer of the names of the other insurers and the amounts insured thereby.

Article 37

If a proposer willfully fails to make the notification referred to in the

或意圖不當得利而為複保險者，其契約無效。

preceding Article, or obtains double insurance with the intent to acquire undue profit, the contract shall be void.

第 38 條

善意之複保險，其保險金額之總額超過保險標的之價值者，除另有約定外，各保險人對於保險標的之全部價值，僅就其所保金額負比例分擔之責。但賠償總額，不得超過保險標的之價值。

Article 38

Where double insurance has been obtained in good faith and the total insured amount exceeds the value of the subject matter insured, each insurer, unless otherwise stipulated, is liable only to provide a share of the indemnification for the total value of the subject matter insured pro rata to the amount it has insured. However, the total indemnification may not exceed the value of the subject matter insured.

第六節 再保險

Section 6. Reinsurance

第 39 條

再保險，謂保險人以其所承保之危險，轉向他保險人為保險之契約行為。

Article 39

The term "reinsurance" means an act of contracting whereby an insurer effects insurance with another insurer to cede risk that it has insured.

第 40 條

原保險契約之被保險人，對於再保險人無賠償請求權。但原保險契約及再保險契約另有約定者，不在此限。

Article 40

The insured of the original insurance contract has no right to claim indemnification from a reinsurer. However, this restriction does not apply where otherwise provided by the original insurance contract or the reinsurance contract.

第 41 條

再保險人不得向原保險契約之要保人請求交付保險費。

Article 41

A reinsurer may not claim payment of premium from the proposer of the original insurance contract.

第 42 條

原保險人不得以再保險人不履行再保險金額給付之義務為理由，拒絕或延遲履行其對於被保險人之義務。

Article 42

An original insurer may not refuse or delay fulfillment of its obligations to the insured on the grounds that a reinsurer has failed to fulfill its obligation to make reinsurance payment.

第二章 保險契約

Chapter II. Insurance Contracts

第一節 通則

Section 1. General Provisions

第 43 條

保險契約，應以保險單或暫保單為之。

Article 43

An insurance contract shall be made in the form of a policy or a binder.

第 44 條

保險契約，由保險人於同意要保人聲請後簽訂。利害關係人，均得向保險人請求保險契約之謄本。

Article 44

An insurance contract is to be signed and executed by the insurer after it agrees to an application submitted by the proposer. Any interested party may request a copy of the insurance contract from the insurer.

第 45 條

要保人得不經委任，為他人之利益訂立保險契約。受益人有疑義時，推定要保人為自己之利益而訂立。

第 46 條

保險契約由代理人訂立者，應載明代訂之意旨。

第 47 條

保險契約由合夥人或共有人中之一人或數人訂立，而其利益及於全體合夥人或共有人者，應載明為全體合夥人或共有人訂立之意旨。

第 48 條

保險人得約定保險標的物之一部份，應由要保人自行負擔由危險而生之損失。
有前項約定時，要保人不得將未經保險之部份，另向他保險人訂立保險契約。

第 49 條

保險契約除人身保險外，得為指示式或無記名式。
保險人對於要保人所得為之抗辯，亦得以之對抗保險契約之受讓人。

第 50 條

保險契約分不定值保險契約，及定值保險契約。
不定值保險契約，為契約上載明保險標的之價值，須至危險發生後估計而訂之保險契約。
定值保險契約，為契約上載明保險標的一定價值之保險契約。

第 51 條

保險契約訂立時，保險標的之危險已發生或已消滅者，其契約無效。但為當事人雙方所不知者，不在此限。

Article 45

A proposer may, without having been mandated, enter into an insurance contract for the benefit of another person. Should there be any doubt as to the beneficiary, it will be presumed that the proposer entered into the contract for its own benefit.

Article 46

If an insurance contract is entered into by an agent [on behalf of another], a statement to such effect shall be made in the insurance contract.

Article 47

If an insurance contract is entered into by one or several partners or co-owners for the benefit of all the partners or co-owners, a statement to such effect shall be made in the insurance contract.

Article 48

An insurer may stipulate in the contract that loss to a portion of the subject matter insured arising from risk shall be borne by the proposer.
When the type of stipulation set forth in the preceding paragraph is made, the proposer may not enter into an insurance contract with another insurer for the portion that has not been insured.

Article 49

Except in the case of insurance of the person, an insurance contract may have either a specified or an unspecified beneficiary.
The insurer may raise against the assignee of an insurance contract the same defense that it may raise against the proposer.

Article 50

Insurance contracts are classified into unvalued and valued insurance contracts.
An unvalued insurance contract is an insurance contract which expressly states that the value of the subject matter insured must be estimated after occurrence of the insured risk.
A valued insurance contract is an insurance contract that expressly states a definite value for the subject matter insured.

Article 51

If the risk associated with the subject matter insured has already occurred or ceased to exist at the time an insurance contract is entered into, the contract shall be void, provided that this rule does not apply when neither of the contracting parties is aware of the

訂約時，僅要保人知危險已發生者，保險人不受契約之拘束。

訂約時，僅保險人知危險已消滅者，要保人不受契約之拘束。

第 52 條

為他人利益訂立之保險契約，於訂約時，該他人未確定者，由要保人或保險契約所載可得確定之受益人，享受其利益。

第 53 條

被保險人因保險人應負保險責任之損失發生，而對於第三人有損失賠償請求權者，保險人得於給付賠償金額後，代位行使被保險人對於第三人之請求權；但其所請求之數額，以不逾賠償金額為限。

前項第三人為被保險人之家屬或受僱人時，保險人無代位請求權。但損失係由其故意所致者，不在此限。

第 54 條

本法之強制規定，不得以契約變更之。但有利於被保險人者，不在此限。

保險契約之解釋，應探求契約當事人之真意，不得拘泥於所用之文字；如有疑義時，以作有利於被保險人之解釋為原則。

第 54-1 條

保險契約中有左列情事之一，依訂約時情形顯失公平者，該部分之約定無效：

- 一、免除或減輕保險人依本法應負之義務者。
- 二、使要保人、受益人或被保險人拋棄或限制其依本法所享之權利者。
- 三、加重重要保人或被保險人之義務者。

occurrence or cessation of existence.

If, at the time an insurance contract is entered into, only the proposer knows that the risk has already occurred, the insurer is not bound by the contract.

If, at the time an insurance contract is entered into, only the insurer knows that the risk has ceased to exist, the proposer is not bound by the contract.

Article 52

When an insurance contract is entered into for the benefit of another person, if that person has not yet been determined at the time the contract is entered into, the proposer, or such beneficiary as may be determined in accordance with the content of the insurance contract, shall enjoy the benefit.

Article 53

If an insured has a right to claim indemnification from a third party due to occurrence of loss for which the insurer bears insurance liability, the insurer may, after paying indemnification, be subrogated to the insured's right of claim against the third party. However, the amount of the subrogated claim may not exceed the amount of the indemnification.

If the third party referred to in the preceding paragraph is a family member or employee of the insured, the insurer has no right of claim by subrogation. However, this rule is not applicable when the loss has resulted from the willful misconduct of such third party.

Article 54

Compulsory provisions of this Act may not be modified by contract. However, this restriction does not apply to modifications favorable to the insured.

Interpretation of insurance contracts shall seek the true intent of the parties, and may not adhere blindly to the language employed. Where there is doubt, interpretations should in principle be favorable to the insured.

Article 54-1

If an insurance contract contains any term or condition as follows, and such term or condition would have been obviously unfair under the circumstances at the time of signing, such part of the contract shall be void:

1. A term or condition that exempts the insurer from or diminishes its obligations under this Act.
2. A term or condition that causes the proposer, beneficiary, or insured to waive or limit any right they enjoy under this Act.
3. A term or condition that increases the obligations of the proposer

四、其他於要保人、受益人或被保險人有重大不利益者。

or the insured.

4. Any other term or condition that is materially disadvantageous to the proposer, beneficiary, or insured.

第二節 基本條款

Section 2. Basic Provisions

第 55 條

保險契約，除本法另有規定外，應記載左列各款事項：

- 一、當事人之姓名及住所。
- 二、保險之標的物。
- 三、保險事故之種類。
- 四、保險責任開始之日時及保險期間。
- 五、保險金額。
- 六、保險費。
- 七、無效及失權之原因。
- 八、訂約之年月日。

Article 55

Except where otherwise provided in this Act, an insurance contract shall specify the following particulars:

1. Names and domiciles of the contracting parties.
2. The subject matter insured.
3. The type of risk insured.
4. The date and hour from which the insurance liability commences and the period of insurance.
5. The insured amount.
6. The premium.
7. Causes for voidance of contract or loss of rights.
8. The date the contract is entered into.

第 56 條

變更保險契約或恢復停止效力之保險契約時，保險人於接到通知後十日內不為拒絕者，視為承諾。但本法就人身保險有特別規定者，從其規定。

Article 56

When an insurance contract is modified or a suspended contract is reinstated, failure by the insurer to reject the modification or reinstatement within 10 days from receipt of notification shall be deemed acceptance. However, where this Act has special provisions for insurance of the person, such provisions shall govern.

第 57 條

當事人之一方對於他方應通知之事項而怠於通知者，除不可抗力之事故外，不問是否故意，他方得據為解除保險契約之原因。

Article 57

Except when due to a force majeure event, the failure of a party to an insurance contract to provide a required notification of any matter to another party, whether intentional or unintentional, may be cause for rescission of the contract by the other party.

第 58 條

要保人、被保險人或受益人，遇有保險人應負保險責任之事故發生，除本法另有規定，或契約另有訂定外，應於知悉後五日內通知保險人。

Article 58

When a proposer, insured, or beneficiary experiences an event for which the insurer bears insurance liability, such party shall notify the insurer within five days from becoming aware of the occurrence, except where otherwise provided in this Act or stipulated in the contract.

第 59 條

要保人對於保險契約內所載增加危險之情形應通知者，應於知悉後通知保險人。

危險增加，由於要保人或被保險人之行為所致，其危險達於應增加保險費或終止契約之程度者，要保人或被保險人應先

Article 59

A proposer required to serve notice of circumstances that increase risk as stated in the insurance contract shall notify the insurer upon becoming aware of the circumstances.

If the increase in risk is caused by an act of the proposer or the insured, and the risk is increased to the extent that the premium should be increased or the contract terminated, the proposer or the insured shall serve prior notice to the insurer.

通知保險人。

危險增加，不由於要保人或被保險人之行為所致者，要保人或被保險人應於知悉後十日內通知保險人。

危險減少時，被保險人得請求保險人重新核定保費。

If the increase in risk is not caused by an act of the proposer or the insured, the proposer or the insured shall notify the insurer within 10 days of becoming aware of the increase in risk.

When risk is diminished, the insured may request the insurer to adjust the premium.

第 60 條

保險遇有前條情形，得終止契約，或提議另定保險費。要保人對於另定保險費不同意者，其契約即為終止。但因前條第二項情形終止契約時，保險人如有損失，並得請求賠償。

保險人知危險增加後，仍繼續收受保險費，或於危險發生後給付賠償金額，或其他維持契約之表示者，喪失前項之權利。

Article 60

In the event of circumstances referred to in the preceding article, the insurer may terminate the contract or propose revision of the premium. If the proposer does not agree to the premium adjustment, the contract is terminated forthwith. However, where the contract is terminated on account of circumstances stated in paragraph 2 of the preceding article, the insurer may also claim compensation if it has sustained any loss.

An insurer that continues to accept the premium after becoming aware of an increase in risk, or that pays a claim after occurrence of the risk, or that otherwise expresses intent to maintain the contract, loses the rights stated in the preceding paragraph.

第 61 條

危險增加如有左列情形之一時，不適用第五十九條之規定：
一、損害之發生不影響保險人之負擔者。
二、為防護保險人之利益者。
三、為履行道德上之義務者。

Article 61

The provisions of Article 59 does not apply to an increase in risk under any of the following circumstances:

1. Where the occurrence of damage does not affect the burden of the insurer.
2. Where the act is done to protect the interests of the insurer.
3. Where the act is done to fulfill a moral obligation.

第 62 條

當事人之一方對於左列各款，不負通知之義務：
一、為他方所知者。
二、依通常注意為他方所應知，或無法諉為不知者。

三、一方對於他方經聲明不必通知者。

Article 62

A party shall be free of obligation of notification with regard to any matter enumerated below:

1. A matter of which the other party is aware.
2. A matter of which the other party should be aware by paying normal attention or for which it would have no excuse for being unaware.
3. A matter of which the other party has stated that no notice need be served.

第 63 條

要保人或被保險人不於第五十八條，第五十九條第三項所規定之期限內為通知者，對於保險人因此所受之損失，應負賠償責任。

Article 63

A proposer or an insured who fails to serve notice within the time limit stated in Article 58 or Article 59, paragraph 3 shall be liable for loss sustained by the insurer as a result.

第 64 條

訂立契約時，要保人對於保險人之書面詢問，應據實說明。

Article 64

At the time a contract is entered into, the proposer shall make truthful representations in response to the written inquiries of the

要保人故意隱匿，或因過失遺漏，或為不實之說明，足以變更或減少保險人對於危險之估計者，保險人得解除契約；其危險發生後亦同。但要保人證明危險之發生未基於其說明或未說明之事實時，不在此限。

前項解除契約權，自保險人知有解除之原因後，經過一個月不行使而消滅；或契約訂立後經過二年，即有可以解除之原因，亦不得解除契約。

第 65 條

由保險契約所生之權利，自得為請求之日起，經過二年不行使而消滅。有左列各款情形之一者，其期限之起算，依各該款之規定：

一、要保人或被保險人對於危險之說明，有隱匿、遺漏或不實者，自保險人知情之日起算。

二、危險發生後，利害關係人能證明其非因疏忽而不知情者，自其知情之日起算。

三、要保人或被保險人對於保險人之請求，係由於第三人之請求而生者，自要保人或被保險人受請求之日起算。

第三節 特約條款

第 66 條

特約條款，為當事人於保險契約基本條款外，承認履行特種義務之條款。

第 67 條

與保險契約有關之一切事項，不問過去現在或將來，均得以特約條款定之。

第 68 條

保險契約當事人之一方違背特約條款時，他方得解除契約；其危險發生後亦同。

insurer.

If the proposer has made any willful concealment, nondisclosure through its own fault, or misrepresentation, and such concealment, nondisclosure, or misrepresentation is sufficient to alter or diminish the insurer's estimation of the risk to be undertaken, the insurer may rescind the contract; the same shall apply after the risk has occurred, provided that this provision does not apply where the proposer proves that the occurrence of the risk was not based upon any fact that it did or did not represent.

The right to rescind as stated in the preceding paragraph shall be extinguished if not exercised within one month of the time the insurer knows of the cause for rescission. Once two years have elapsed after the contract is entered into, the contract may not be rescinded even if cause for rescission exists.

Article 65

Any right arising out of an insurance contract shall be extinguished if not exercised within two years from the day when it becomes possible to exercise the right. If any of the following circumstances exists, the two-year time period commences as set forth in the following subparagraphs:

1. If there is concealment, non-disclosure, or misrepresentation on the part of the proposer or insured in the disclosure of risk, the period commences from the day on which the insurer becomes aware of the situation.

2. If, after a risk occurs, an interested party can prove that its lack of awareness was not due to negligence, the period will begin from the day on which it becomes aware of the situation.

3. If the claim of a proposer or insured against an insurer arises out of the claim of a third party, the period will begin from the day on which the proposer or insured is presented with the third-party claim.

Section 3. Special Provisions

Article 66

A special provision is a provision whereby the parties represent and warrant performance of a special obligation apart from the basic provisions of the insurance contract.

Article 67

All matters, whether past, present, or future, that relate to an insurance contract may be stipulated by a special provision.

Article 68

When a party to an insurance contract breaches a special provision, the other party may rescind the contract. The same rule also applies after the risk has occurred.

第六十四條第三項之規定，於前項情形準用之。

The provisions of Article 64, paragraph 3 apply mutatis mutandis to the circumstances in the preceding paragraph.

第 69 條

關於未來事項之特約條款，於未屆履行期前危險已發生，或其履行為不可能，或在訂約地為不合法而未履行者，保險契約不因之而失效。

Article 69

With regard to any special provision relating to a future matter, if the related risk has already occurred before the time for performance of the provision has commenced, or performance of the provision is impossible, or the provision has not been performed because it is illegal in the place where the contract was entered into, the insurance contract does not for that reason become void.

第三章 財產保險

Chapter III. Non-life Insurance

第一節 火災保險

Section 1. Fire Insurance

第 70 條

火災保險人，對於由火災所致保險標之物之毀損或滅失，除契約另有訂定外，負賠償之責。因救護保險標之物，致保險標之物發生損失者，視同所保危險所生之損失。

Article 70

A fire insurer is liable, unless otherwise stipulated in the contract, to indemnify for damage or loss of the subject matter insured as a result of fire.

Loss to the subject matter insured that occurs in the course of attempting to save or protect it is deemed to have arisen out of the insured risk.

第 71 條

就集合之物而總括為保險者，被保險人家屬、受僱人或同居人之物，亦得為保險標的，載明於保險契約，在危險發生時，就其損失享受賠償。前項保險契約，視同並為第三人利益而訂立。

Article 71

When insurance is effected to cover a group of things collectively, the belongings of family members, employees, or cohabitants of the insured may also be specified in the insurance contract as part of the subject matter insured, and indemnification for loss to such items shall be made upon occurrence of the insured risk.

An insurance contract referred to in the preceding paragraph shall be deemed as having also been entered into for the benefit of the third parties.

第 72 條

保險金額為保險人在保險期內，所負責任之最高額度。保險人應於承保前，查明保險標之物之市價，不得超額承保。

Article 72

The insured amount is the maximum liability to be borne by the insurer during the term of insurance. Before underwriting an insurance policy, the insurer shall appraise the market value of the subject matter to be insured, and may not over-insure the subject matter.

第 73 條

保險標的，得由要保人，依主管機關核定之費率及條款，作定值或不定值約定之要保。保險標的，以約定價值為保險金額者，發生全部損失或部份損失時，均按約定價值為標準計算賠償。保險標的未經約定價值者，發

Article 73

A proposer may apply for either valued or unvalued insurance coverage of any given subject matter, at a premium rate and under provisions approved by the competent authority.

When the stipulated value of the subject matter insured is the insured amount, if total loss or partial loss is sustained, indemnification shall be calculated on the basis of the stipulated value.

When the value of the subject matter insured is not stipulated, if loss

生損失時，按保險事故發生時實際價值為標準，計算賠償，其賠償金額，不得超過保險金額。

第 74 條

第七十三條所稱全部損失，係指保險標的全部滅失或毀損，達於不能修復或其修復之費用，超過保險標的恢復原狀所需者。

第 75 條

保險標的物不能以市價估計者，得由當事人約定其價值。賠償時從其約定。

第 76 條

保險金額超過保險標的價值之契約，係由當事人一方之詐欺而訂立者，他方得解除契約。如有損失，並得請求賠償。無詐欺情事者，除定值保險外，其契約僅於保險標的價值之限度內為有效。

無詐欺情事之保險契約，經當事人一方將超過價值之事實通知他方後，保險金額及保險費，均應按照保險標的之價值比例減少。

第 77 條

保險金額不及保險標的物之價值者，除契約另有訂定外，保險人之負擔，以保險金額對於保險標的物之價值比例定之。

第 78 條

損失之估計，因可歸責於保險人之事由而遲延者，應自被保險人交出損失清單一個月後加給利息。損失清單交出二個月後損失尚未完全估定者，被保險人得請求先行交付其所應得之最低賠償金額。

第 79 條

保險人或被保險人為證明及估計損失所支出之必要費用，除

is sustained, indemnification shall be calculated on the basis of the actual value at the time of occurrence of the insured peril. Indemnification may not exceed the insured amount.

Article 74

The term "total loss" as used in Article 73 means total destruction or loss of the subject matter insured, to such an extent that it cannot be restored, or the cost of restoration exceeds the value of the subject matter insured after restoration to its original condition.

Article 75

If the value of the subject matter insured cannot be appraised on the basis of market value, the contracting parties may stipulate its value. Any indemnification shall be based on the stipulated value.

Article 76

Where the insured amount exceeds the value of the subject matter insured, if the contract is entered into through the fraud of one of the contracting parties, the other party may rescind the contract. If loss is sustained, the other party may also claim indemnification. If no fraud is involved, the contract shall, except in the case of valued insurance, be valid only within the limits of the value of the subject matter insured.

For contracts where fraud is not at issue, after one of the contracting parties has notified the other party of the fact that the subject matter is over-insured, the insured amount and the premium shall both be reduced pro rata according to the value of the subject matter insured.

Article 77

If the insured amount is below the value of the subject matter insured, the burden of the insurer, unless otherwise stipulated in the contract, is to be determined by the ratio of the insured amount to the value of the subject matter insured.

Article 78

If appraisal of loss is delayed due to causes attributable to the insurer, additional interest shall accrue beginning one month from the day on which the insured presents a statement of loss. If appraisal of loss remains unfinalized two months after presentation of the statement of loss, the insured may claim pre-payment of the minimum amount of indemnification to which it is entitled.

Article 79

Any necessary expenses incurred by an insurer or an insured to prove and appraise a loss are to be borne by the insurer unless

契約另有訂定外，由保險人負擔之。
保險金額不及保險標之物之價值時，保險人對於前項費用，依第七十七條規定比例負擔之。

otherwise stipulated in the contract.

If the insured amount is less than the value of the subject matter insured, the expenses mentioned in the preceding paragraph are to be borne pro rata by the insurer in accordance with the ratio set forth in Article 77.

第 80 條

損失未估定前，要保人或被保險人除為公共利益或避免擴大損失外，非經保險人同意，對於保險標之物不得加以變更。

Article 80

Before appraisal of loss has been finalized, the proposer or the insured may not, except in order to ensure the public interest or avoid aggravation of loss, make any alteration to the subject matter insured without the insurer's consent.

第 81 條

保險標之物非因保險契約所載之保險事故而完全滅失時，保險契約即為終止。

Article 81

When something other than an insured peril specified in the insurance contract causes complete destruction or loss of the subject matter insured, the insurance contract shall be forthwith terminated.

第 82 條

保險標之物受部份之損失者，保險人與要保人均有終止契約之權。終止後，已交付未損失部份之保險費應返還之。
前項終止契約權，於賠償金額給付後，經過一個月不行使而消滅。
保險人終止契約時，應於十五日前通知要保人。
要保人與保險人均不終止契約時，除契約另有訂定外，保險人對於以後保險事故所致之損失，其責任以賠償保險金額之餘額為限。

Article 82

If the subject matter insured sustains partial loss, both the insurer and the proposer have the right to terminate the contract. After termination, premium already paid for the portion not affected by the loss shall be refunded.
The right to terminate the contract as stated in the preceding paragraph shall be extinguished if not exercised within one month after indemnification is paid.
The insurer shall notify the proposer fifteen days prior to terminating the contract.
If neither the proposer nor the insurer terminates the contract, the liability of the insurer for any future loss resulting from insured perils shall, unless otherwise stipulated in the contract, be limited to the balance of the insured amount after indemnification.

第 82-1 條

第七十三條至第八十一條之規定，於海上保險、陸空保險、責任保險、保證保險及其他財產保險準用之。
第一百二十三條及第一百二十四條之規定，於超過一年之財產保險準用之。

Article 82-1

The provisions of Article 73 to 81 apply mutatis mutandis to marine insurance, land and air insurance, liability insurance, bonding insurance, and other types of non-life insurance.
The provisions of Article 123 and 124 apply mutatis mutandis to non-life insurance of term length exceeding one year.

第二節 海上保險

Section 2. Marine Insurance

第 83 條

海上保險人對於保險標之物，除契約另有規定外，因海上一切事變及災害所生之毀損、滅

Article 83

Unless otherwise stipulated in the contract, a marine insurer is liable, with respect to the subject matter insured, to indemnify for damage, loss, and expenses arising out of all accidents and

失及費用，負賠償之責。

calamities at sea.

第 84 條

關於海上保險，適用海商法海上保險章之規定。

Article 84

Marine insurance is governed by the provisions of the Marine Insurance Chapter of the Maritime Act.

第三節 陸空保險

Section 3. Land and Air Insurance

第 85 條

陸上、內河及航空保險人，對於保險標的物，除契約另有訂定外，因陸上、內河及航空一切事變及災害所致之毀損、滅失及費用，負賠償之責。

Article 85

Unless otherwise stipulated in the contract, land, inland waterway, and aviation insurers are liable, with respect to the subject matter insured, to indemnify for damage, loss, and expenses arising out of all accidents and calamities on land, inland waterways, or in the air.

第 86 條

關於貨物之保險，除契約另有訂定外，自交運之時以迄於其目的地收貨之時為其期間。

Article 86

With regard to cargo insurance, unless otherwise stipulated in the contract, the term of insurance begins from the time of delivery for transport and continues to the time the cargo is received at the place of destination.

第 87 條

保險契約，除記載第五十五條規定事項外，並應載明左列事項：

- 一、運送路線及方法。
- 二、運送人姓名或商號名稱。
- 三、交運及取貨地點。
- 四、運送有期限者，其期限。

Article 87

An insurance contract, in addition to specifying the particulars provided in Article 55, shall also specify the following particulars:

1. Route and method of transportation.
2. Personal name and business name of transporter.
3. Place of delivery for transport and place of cargo collection.
4. Deadline for transportation, if any.

第 88 條

因運送上之必要，暫時停止或變更運送路線或方法時，保險契約除另有訂定外，仍繼續有效。

Article 88

If, due to transportation needs, transportation is temporarily suspended or the route or method of transportation is altered, the insurance contract remains valid unless otherwise stipulated therein.

第 89 條

航行內河船舶運費及裝載貨物之保險，除本節另有規定外，準用海上保險有關條文之規定。

Article 89

Unless otherwise provided for in this Section, the relevant provisions for marine insurance apply mutatis mutandis to hull, freight, and cargo insurance for vessels navigating inland waterways.

第四節 責任保險

Section 4. Liability Insurance

第 90 條

責任保險人於被保險人對於第三人，依法應負賠償責任，而受賠償之請求時，負賠償之責。

Article 90

When the insured is legally obligated to indemnify a third party and receives a claim in connection therewith, the liability insurer is liable to provide indemnification.

第 91 條

被保險人因受第三人之請求而為抗辯，所支出之訴訟上或訴訟外之必要費用，除契約另有訂定外，由保險人負擔之。被保險人得請求保險人墊給前項費用。

第 92 條

保險契約係為被保險人所營事業之損失賠償責任而訂立者，被保險人之代理人、管理人或監督人所負之損失賠償責任，亦享受保險之利益，其契約視同並為第三人之利益而訂立。

第 93 條

保險人得約定被保險人對於第三人就其責任所為之承認、和解或賠償，未經其參與者，不受拘束。但經要保人或被保險人通知保險人參與而無正當理由拒絕或藉故遲延者，不在此限。

第 94 條

保險人於第三人由被保險人應負責任事故所致之損失，未受賠償以前，不得以賠償金額之全部或一部給付被保險人。被保險人對第三人應負損失賠償責任確定時，第三人得在保險金額範圍內，依其應得之比例，直接向保險人請求給付賠償金額。

第 95 條

保險人得經被保險人通知，直接對第三人為賠償金額之給付。

第四節之一 保證保險**第 95-1 條**

保證保險人於被保險人因其受僱人之不誠實行為或其債務人之不履行債務所致損失，負賠償之責。

Article 91

All necessary litigation or non-litigation expenses incurred by the insured to raise a defense against a third party's claim shall, unless otherwise stipulated in the contract, be borne by the insurer.

The insured may request that the insurer advance the expenses referred to in the preceding paragraph.

Article 92

Where an insurance contract has been entered into to cover the liability of an enterprise run by the insured for loss indemnification, liability for loss indemnification borne by any agent, manager, or supervisor of the insured shall also be entitled to the benefit of the insurance, and the contract shall be deemed to have been entered into concurrently for the benefit of third parties.

Article 93

An insurer may stipulate in a contract that any acknowledgment, settlement, or indemnification made by the insured in connection with its liability toward a third party without the participation of the insurer is not binding on the insurer, provided that this rule does not apply where the insurer, having been requested by the proposer or insured to participate, has refused to do so without legitimate reason or has delayed its participation on pretext.

Article 94

Prior to indemnification of a third party for loss caused by an event attributable to the insured, an insurer may not pay all or any part of the insured amount to an insured.

Where the insured has been determined liable to indemnify a third party for loss, the third party may claim for payment of indemnification, within the scope of the insured amount and based on the ratio to which the third party is entitled, directly from the insurer.

Article 95

The insurer may, upon being notified by the insured, indemnify the third party directly.

Section 4-1. Bonding Insurance**Article 95-1**

A bonding insurer is liable to indemnify the insured for loss incurred through dishonest acts by the insured's employees or through non-performance of obligations by its obligors.

第 95-2 條

以受僱人之不誠實行為為保險事故之保證保險契約，除記載第五十五條規定事項外，並應載明左列事項：

- 一、被保險人之姓名及住所。
- 二、受僱人之姓名、職稱或其他得以認為受僱人之方式。

第 95-3 條

以債務人之不履行債務為保險事故之保證保險契約，除記載第五十五條規定事項外，並應載明左列事項：

- 一、被保險人之姓名及住所。
- 二、債務人之姓名或其他得以認為債務人之方式。

第五節 其他財產保險**第 96 條**

其他財產保險為不屬於火災保險、海上保險、陸空保險、責任保險及保證保險之範圍，而以財物或無形利益為保險標的之各種保險。

第 97 條

保險人有隨時查勘保險標的物之權，如發現全部或一部份處於不正常狀態，經建議要保人或被保險人修復後，再行使用。如要保人或被保險人不接受建議時，得以書面通知終止保險契約或其有關部份。

第 98 條

要保人或被保險人，對於保險標的物未盡約定保護責任所致之損失，保險人不負賠償之責。危險事故發生後，經鑑定係因要保人或被保險人未盡合理方法保護標的物，因而增加之損失，保險人不負賠償之責。

第 99 條

保險標的物受部份之損失，經賠償或回復原狀後，保險契約繼續有效。但與原保險情況有

Article 95-2

Bonding insurance contracts for which dishonest acts by the insured's employees constitute the insured peril shall, in addition to the particulars provided in Article 55, also contain the following particulars:

1. Insured's name and domicile.
2. Employee's name and title or other means of identifying the employee.

Article 95-3

Bonding insurance contracts for which non-performance of obligations by the insured's obligors constitute the insured peril shall, in addition to the particulars provided for in Article 55, also contain the following particulars:

1. Insured's name and domicile.
2. Obligor's name or other means of identifying the obligor.

Section 5. Other Non-life Insurance**Article 96**

The term "other non-life insurance" refers to insurance of various kinds not within the scope of fire insurance, marine insurance, land and air insurance, liability insurance, and bonding insurance, and in which property or intangible interests constitute the subject matter insured.

Article 97

An insurer has the right to inspect the subject matter insured at any time. If the insurer discovers that all or part of it is in abnormal condition, the insurer has the right to suggest that the proposer or the insured should repair it before further use. If the proposer or the insured refuses the suggestion, the insurer may terminate the insurance contract or relevant parts of it by written notice.

Article 98

An insurer is not liable to indemnify for any loss resulting from failure of the proposer or the insured to fulfill its contractual duty to protect the subject matter insured.

If, after occurrence of the risk insured, assessment shows that loss was increased due to failure of the proposer or the insured to take reasonable measures to protect the subject matter insured, the insurer is not liable to indemnify for such increased loss.

Article 99

If the subject matter insured sustains partial loss, the insurance contract shall remain valid after indemnification has been made or the subject matter has been restored to its original condition.

異時，得增減其保險費。

However, the premium may be increased or decreased if the condition of the subject matter differs from that originally insured.

第 100 條
(刪除)

Article 100
(Deleted)

第四章 人身保險

Chapter IV. Insurance of the Person

第一節 人壽保險

Section 1. Life Insurance

第 101 條

人壽保險人於被保險人在契約規定年限內死亡，或屆契約規定年限而仍生存時，依照契約負給付保險金額之責。

Article 101

A life insurer is obligated to pay the insured amount in accordance with the contract when the insured dies within the time limit set forth in the contract or is still alive when the time limit set forth in the contract expires.

第 102 條

人壽保險之保險金額，依保險契約之所定。

Article 102

The insured amount in life insurance is that set forth in the insurance contract.

第 103 條

人壽保險之保險人，不得代位行使要保人或受益人因保險事故所生對於第三人之請求權。

Article 103

A life insurer may not be subrogated to a right of claim of the proposer or the beneficiary against a third party, where such claim arises out of occurrence of an insured peril.

第 104 條

人壽保險契約，得由本人或第三人訂立之。

Article 104

A life insurance contract may be entered into by the insured, or by a third party.

第 105 條

由第三人訂立之死亡保險契約，未經被保險人書面同意，並約定保險金額，其契約無效。被保險人依前項所為之同意，得隨時撤銷之。其撤銷之方式應以書面通知保險人及要保人。
被保險人依前項規定行使其撤銷權者，視為要保人終止保險契約。

Article 105

A life insurance contract against death entered into by a third party without written consent of the insured and stipulation of the insured amount shall be void.

An insured who has given consent as stated in the preceding paragraph may withdraw the consent at any time. Such withdrawal of consent shall be made in writing to the insurer and the proposer.

When the insured exercises the right to withdraw consent as stated in the preceding paragraph, the contract shall be deemed terminated by the proposer.

第 106 條

由第三人訂立之人壽保險契約，其權利之移轉或出質，非經被保險人以書面承認者，不生效力。

Article 106

Transfer or pledge of rights under a life insurance contract entered into by a third party shall not take effect without the written acknowledgement of the insured.

第 107 條

Article 107

以未滿十五歲之未成年人為被保險人訂立之人壽保險契約，其死亡給付於被保險人滿十五歲之日起發生效力；被保險人滿十五歲前死亡者，保險人得加計利息退還所繳保險費，或返還投資型保險專設帳簿之帳戶價值。

前項利息之計算，由主管機關另定之。

訂立人壽保險契約時，以精神障礙或其他心智缺陷，致不能辨識其行為或欠缺依其辨識而行為之能力者為被保險人，除喪葬費用之給付外，其餘死亡給付部分無效。

前項喪葬費用之保險金額，不得超過遺產及贈與稅法第十七條有關遺產稅喪葬費扣除額之半。

第一項至第四項規定，於其他法律另有規定者，從其規定。

第 108 條

人壽保險契約，除記載第五十五條規定事項外，並應載明左列事項：

- 一、被保險人之姓名、性別、年齡及住所。
- 二、受益人姓名及與被保險人之關係或確定受益人之方法。
- 三、請求保險金額之保險事故及時期。
- 四、依第一百十八條之規定，有減少保險金額之條件者，其條件。

第 109 條

被保險人故意自殺者，保險人不負給付保險金額之責任。但應將保險之保單價值準備金返還於應得之人。

保險契約載有被保險人故意自殺，保險人仍應給付保險金額之條款者，其條款於訂約二年後始生效力。恢復停止效力之保險契約，其二年期限應自恢復停止效力之日起算。

被保險人因犯罪處死或拒捕或

If, at the time a life insurance contract is entered into, the insured is a minor under fifteen years of age, the death benefits shall take effect on the date the insured reaches fifteen years of age. If the insured dies before reaching fifteen years of age, the insurer shall refund all premiums paid with or without interest, or refund the account value of the insured in a separate account set up for investment-linked insurance.

The calculation of interest mentioned in the preceding paragraph will be set forth by the competent authority.

If, at the time a life insurance contract is entered into, the insured is mentally impaired or of diminished mental capacity that he or she is incapable of comprehending his or her own action or lacks the ability to act based on his or her comprehension, all death benefits other than funeral expense benefits shall be void.

The insured amount for the funeral expenses referred to in the preceding paragraph may not exceed one half of the funeral expense deduction allowed for estate tax under Article 17 of the Estate and Gift Tax Act.

If the provisions in paragraph 1 to paragraph 4 are otherwise provided in other laws, such other laws shall prevail.

Article 108

A life insurance contract, besides specifying the particulars provided in Article 55, shall also specify the following particulars:

1. Name, sex, age, and domicile of the insured.
2. Names of beneficiaries and their relation to the insured, or a means of identifying the beneficiaries.
3. The insured perils for which the insured amount may be claimed, and the period for making the claim.
4. The conditions, if any, for reduction of the insured amount in accordance with the provisions of Article 118.

Article 109

If the insured willfully commits suicide, the insurer is not obligated to pay the insured amount, but the non-forfeiture value shall be refunded to the person entitled to receive it.

If an insurance contract contains a provision specifying that the insurer shall still pay the insured amount even if the insured willfully commits suicide, such a provision shall come into effect only two years after the date on which the contract is entered into. In the case of reinstatement of a suspended insurance contract, such two-year period shall commence from the date of reinstatement.

If the insured is executed for a crime or dies as the result of resisting

越獄致死者，保險人不負給付保險金額之責任。但保險費已付足二年以上者，保險人應將其保單價值準備金返還於應得之人。

第 110 條

要保人得通知保險人，以保險金額之全部或一部，給付其所指定之受益人一人或數人。前項指定之受益人，以於請求保險金額時生存者為限。

第 111 條

受益人經指定後，要保人對其保險利益，除聲明放棄處分權者外，仍得以契約或遺囑處分之。要保人行使前項處分權，非經通知，不得對抗保險人。

第 112 條

保險金額約定於被保險人死亡時給付於其所指定之受益人者，其金額不得作為被保險人之遺產。

第 113 條

死亡保險契約未指定受益人者，其保險金額作為被保險人遺產。

第 114 條

受益人非經要保人之同意，或保險契約載明允許轉讓者，不得將其利益轉讓他人。

第 115 條

利害關係人，均得代要保人交付保險費。

第 116 條

人壽保險之保險費到期未交付者，除契約另有訂定外，經催告到達後屆三十日仍不交付時，保險契約之效力停止。催告應送達於要保人，或負有交付保險費義務之人之最後住

arrest or escaping from jail, the insurer is not obligated to pay the insured amount. However, if premium has been paid in full for not less than two years, the insurer shall refund the amount of the non-forfeiture value to the person entitled to receive it.

Article 110

A proposer may notify the insurer to pay all or part of the insured amount to one or several of the designated beneficiaries.

The designated beneficiaries referred to in the preceding paragraph are limited to those alive at the time the insured amount is claimed.

Article 111

After the beneficiaries have been designated, the proposer may still dispose of his or her insurable interest by contract or by will unless he or she has declared to waive the right of disposition.

Exercise by the proposer of the right of disposition referred to in the preceding paragraph may not be raised as a defense against the insurer unless the insurer was given notice of such exercise.

Article 112

If it has been stipulated that the insured amount is to be paid upon death of the insured to the beneficiaries named thereby, such amount shall not be treated as part of the insured's estate.

Article 113

Where no beneficiary has been designated in a life insurance contract against death, the insured amount therein shall be treated as part of the insured's estate.

Article 114

A beneficiary may not assign its benefits to other persons unless the proposer consents or the insurance contract expressly permits such assignment.

Article 115

Any interested party may pay the premium on behalf of the proposer.

Article 116

Unless otherwise stipulated in the contract, when a life insurance premium is due and unpaid, and remains unpaid upon thirty days after receipt of notice of payment due, the validity of the insurance contract shall be suspended.

Notice of payment due shall be served to the most recent domicile or residence of the proposer or of the person under obligation to pay

所或居所，保險費經催告後，應於保險人營業所交付之。

第一項停止效力之保險契約，於停止效力之日起六個月內清償保險費、保險契約約定之利息及其他費用後，翌日上午零時起，開始恢復其效力。要保人於停止效力之日起六個月後申請恢復效力者，保險人得於要保人申請恢復效力之日起五日內要求要保人提供被保險人之可保證明，除被保險人之危險程度有重大變更已達拒絕承保外，保險人不得拒絕其恢復效力。

保險人未於前項規定期限內要求要保人提供可保證明或於收到前項可保證明後十五日內不為拒絕者，視為同意恢復效力。保險契約所定申請恢復效力之期限，自停止效力之日起不得低於二年，並不得遲於保險期間之屆滿日。

保險人於前項所規定之期限屆滿後，有終止契約之權。

保險契約終止時，保險費已付足二年以上，如有保單價值準備金者，保險人應返還其保單價值準備金。

保險契約約定由保險人墊繳保險費者，於墊繳之本息超過保單價值準備金時，其停止效力及恢復效力之申請準用第一項至第六項規定。

第 117 條

保險人對於保險費，不得以訴訟請求交付。

以被保險人終身為期，不附生存條件之死亡保險契約，或契約訂定於若干年後給付保險金額或年金者，如保險費已付足二年以上而有不交付時，於前條第五項所定之期限屆滿後，保險人僅得減少保險金額或年金。

第 118 條

the premium. After notice of payment due has been served, the premium shall be paid at the business office of the insurer.

A suspended insurance contract as referred to in paragraph 1 shall be reinstated at zero hours on the morning of the day after the premium, the interest stipulated in the insurance contract, and other expenses are paid, provided that such payment is made within six months from the date of suspension. Where the proposer applies for reinstatement more than six months after the date of suspension, the insurer may, within five days from the date on which the proposer applies for reinstatement, require that the proposer furnish proof of insurability for the insured, and the insurer may not refuse reinstatement unless the insured's degree of risk has undergone a change that is sufficiently material as to justify refusal to insure.

Where the insurer does not require that the proposer furnish proof of insurability within the time period set out in the preceding paragraph, or it does not refuse reinstatement within 15 days from its receipt of the proof of insurability referred to in the preceding paragraph, it shall be deemed to have consented to reinstatement.

The time period for applying for reinstatement stipulated in the insurance contract may not be less than two years from the date of suspension, nor may it extend beyond the expiration date of the policy period.

The insurer has the right to terminate the contract upon expiration of the time period set forth in the preceding paragraph.

Where the premium has been paid in full for two years or more at the time the insurance contract is terminated, if there is any non-forfeiture value, the insurer shall refund the non-forfeiture value.

Where the insurance contract stipulates that the insurer shall provide premium loans, when the principal and interest of such a loan exceeds the non-forfeiture value, suspension of the contract and application for reinstatement shall be subject mutatis mutandis to the provisions of paragraph 1 to paragraph 6.

Article 117

An insurer may not demand payment of premium by means of litigation.

In regard to a whole life insurance contract against death which does not include benefits conditional upon survival, or a contract in which it is stipulated that the insured amount or annuity is to be paid after a certain number of years, if premium has been paid in full for two years or more at the time of nonpayment, after expiration of the time period set out in paragraph 5 of the preceding article, the insurer may only reduce the insured amount or the annuities.

Article 118

保險人依前條規定，或因要保人請求，得減少保險金額或年金。其條件及可減少之數額，應載明於保險契約。

減少保險金額或年金，應以訂原約時之條件，訂立同類保險契約為計算標準。其減少後之金額，不得少於原契約終止時已有之保單價值準備金，減去營業費用，而以之作為保險費一次交付所得之金額。

營業費用以原保險金額百分之一為限。

保險金額之一部，係因其保險費全數一次交付而訂定者，不因其他部分之分期交付保險費之不交付而受影響。

第 119 條

要保人終止保險契約，而保險費已付足一年以上者，保險人應於接到通知後一個月內償付解約金；其金額不得少於要保人應得保單價值準備金之四分之三。

償付解約金之條件及金額，應載明於保險契約。

第 120 條

保險費付足一年以上者，要保人得以保險契約為質，向保險人借款。

保險人於接到要保人之借款通知後，得於一個月以內之期間，貸給可得質借之金額。

以保險契約為質之借款，保險人應於借款本息超過保單價值準備金之日之三十日前，以書面通知要保人返還借款本息，要保人未於該超過之日前返還者，保險契約之效力自借款本息超過保單價值準備金之日停止。

保險人未依前項規定為通知時，於保險人以書面通知要保人返還借款本息之日起三十日內要保人未返還者，保險契約之效力自該三十日之次日起停

The insurer may, in accordance with the provisions of the preceding Article or at the request of the proposer, reduce the insured amount or the annuities. The conditions for such a reduction and the allowable amount thereof shall be specified in the insurance contract.

An insurance contract of the same kind, executed based on the conditions at the time the original contract was entered into, shall be taken as the standard for calculating the reduction of the insured amount or the annuities. The insured amount after reduction may not be less than the amount obtainable if the non-forfeiture value existing at the time the original contract is terminated, minus business expenses, were paid as a lump-sum premium.

The said business expenses are limited to 1 percent of the originally insured amount.

If part of the insured amount has been determined on the basis of the premium thereof being paid in one lump sum, that part shall not be affected by nonpayment of the premium on the remaining part that is payable in installments.

Article 119

If a proposer terminates an insurance contract for which the premium has been fully paid for one year or more, the insurer shall pay the surrender value within one month from receipt of such notice. The amount thereof may not be less than three-quarters of the non-forfeiture value that the proposer is entitled to receive.

The conditions and amount for payment of surrender value shall be specified in the insurance contract.

Article 120

If premium has been fully paid for one year or more, the proposer may obtain loans from the insurer by using the insurance contract as collateral.

Upon receipt of a proposer's loan notification, the insurer may, within a period of one month, lend such amount as may be borrowed with the collateral.

For a loan secured by an insurance contract, by 30 days before the date on which loan principal and interest exceeds non-forfeiture value the insurer shall notify the proposer in writing to repay the loan principal and interest. If the proposer fails to make repayment by said date, the insurance contract shall be suspended from the date on which loan principal and interest exceeds non-forfeiture value.

Where the insurer does not observe the requirements of the preceding paragraph in making the notification referred to therein, if the proposer fails to make repayment within 30 days from the date on which the insurer notifies the proposer in writing to repay the loan principal and interest, the insurance contract shall be suspended

止。
前二項停止效力之保險契約，其恢復效力之申請準用第一百十六條第三項至第六項規定。

第 121 條

受益人故意致被保險人於死或雖未致死者，喪失其受益權。

前項情形，如因該受益人喪失受益權，而致無受益人受領保險金額時，其保險金額作為被保險人遺產。

要保人故意致被保險人於死者，保險人不負給付保險金額之責。保險費付足二年以上者，保險人應將其保單價值準備金給付與應得之人，無應得之人時，應解交國庫。

第 122 條

被保險人年齡不實，而其真實年齡已超過保險人所定保險年齡限度者，其契約無效。

因被保險人年齡不實，致所付之保險費少於應付數額者，保險金額應按照所付之保險費與被保險人之真實年齡比例減少之。

第 123 條

保險人破產時，受益人對於保險人得請求之保險金額之債權，以其保單價值準備金按訂約時之保險費率比例計算之。要保人破產時，保險契約訂有受益人者，仍為受益人之利益而存在。

投資型保險契約之投資資產，非各該投資型保險之受益人不得主張，亦不得請求扣押或行使其他權利。

第 124 條

人壽保險之要保人、被保險人、受益人，對於被保險人之保單價值準備金，有優先受償之權。

from the day next following the thirtieth day.

Application for reinstatement of an insurance contract suspended under either of the preceding two paragraphs shall be subject mutatis mutandis to the provisions of Article 116, paragraphs 3 to 6.

Article 121

A beneficiary who willfully causes the death of the insured, or attempts unsuccessfully to do so, shall lose the right to receive benefits.

If a beneficiary loses the right to receive benefits because of circumstances set forth in the preceding paragraph, and as a result there is no beneficiary to receive the insured amount, the insured amount shall be treated as part of the insured's estate.

If a proposer willfully causes the death of the insured, the insurer is not obligated to pay the insured amount. If the premium has been fully paid for two years or more, the insurer shall pay the non-forfeiture value to the person who is entitled to receive it. If there is no person entitled to receive it, it shall be turned over to the national treasury.

Article 122

If the age of the insured has been misrepresented and the insured's actual age surpasses the limits on insurable age set by the insurer, the contract shall be void.

If misrepresentation of the insured's age results in premium payments that are lower than what they should be, the insured amount shall be reduced pro rata on the basis of the premium paid and the actual age of the insured.

Article 123

If an insurer becomes bankrupt, the amount a beneficiary may claim against the insurer with respect to the insured amount is to be calculated pro rata according to the ratio of the non-forfeiture value to the premium rate at the time the contract was entered into. If the proposer becomes bankrupt, insurance contracts in which the beneficiary has been specified shall remain valid for the benefit of the beneficiary.

With respect to the invested assets of an investment-linked insurance contract, persons other than the beneficiary may not lay any claim thereto, nor shall they demand attachment or exercise any other rights.

Article 124

The proposer, insured, and beneficiary of life insurance have right of preference for payment of the insured's non-forfeiture value.

第二節 健康保險**Section 2. Health Insurance****第 125 條**

健康保險人於被保險人疾病、分娩及其所致殘廢或死亡時，負給付保險金額之責。

Article 125

A health insurer is obligated to pay the insured amount when the insured falls sick or gives birth, or becomes disabled or dies due to sickness or childbirth.

第 126 條

保險人於訂立保險契約前，對於被保險人得施以健康檢查。前項檢查費用，由保險人負擔。

Article 126

An insurer may, before entering into an insurance contract, require the insured to undergo a medical examination. The cost of the medical examination referred to in the preceding paragraph is to be borne by the insurer.

第 127 條

保險契約訂立時，被保險人已在疾病或妊娠情況中者，保險人對是項疾病或分娩，不負給付保險金額之責任。

Article 127

If, at the time an insurance contract is entered into, the insured is already sick or pregnant, the insurer is not obligated to pay the insured amount for the sickness or pregnancy.

第 128 條

被保險人故意自殺或墮胎所致疾病、殘廢、流產或死亡，保險人不負給付保險金額之責。

Article 128

The insurer is not obligated to pay the insured amount for sickness, disability, miscarriage, or death resulting from suicide or abortion that the insured has willfully committed.

第 129 條

被保險人不與要保人為同一人時，保險契約除載明第五十五條規定事項外，並應載明左列各款事項：
一、被保險人之姓名、年齡及住所。
二、被保險人與要保人之關係。

Article 129

If the insured and proposer are not one and the same person, the insurance contract, besides specifying the particulars provided in Article 55, shall also specify the following particulars:

1. Name, age, and domicile of the insured.
2. Relationship of the insured to the proposer.

第 130 條

第一百零二條至第一百零五條、第一百十五條、第一百十六條、第一百二十三條及一百二十四條，於健康保險準用之。

Article 130

The provisions of Articles 102 to Article 105, Article 115, Article 116, Article 123, and Article 124 apply mutatis mutandis to health insurance.

第三節 傷害保險**Section 3. Personal Injury Insurance****第 131 條**

傷害保險人於被保險人遭受意外傷害及其所致殘廢或死亡時，負給付保險金額之責。前項意外傷害，指非由疾病引起之外來突發事故所致者。

Article 131

A personal accident insurer is obligated to pay the insured amount when the insured suffers injury by accident, or becomes disabled or dies on account of such injury.

The term "injury by accident" as used in the preceding paragraph refers to physical harm caused by unforeseen external events other than illness.

第 132 條

傷害保險契約，除記載第五十五條規定事項外，並應載明左列事項：

- 一、被保險人之姓名、年齡、住所及與要保人之關係。
- 二、受益人之姓名及與被保險人之關係或確定受益人之方法。
- 三、請求保險金額之事故及時期。

第 133 條

被保險人故意自殺，或因犯罪行為，所致傷害、殘廢或死亡，保險人不負給付保險金額之責任。

第 134 條

受益人故意傷害被保險人者，無請求保險金額之權。
受益人故意傷害被保險人未遂時，被保險人得撤銷其受益權利。

第 135 條

第一百零二條至第一百零五條、第一百零七條、第一百零八條至第一百十六條、第一百二十三條及第一百二十四條，於傷害保險準用之。

第四節 年金保險**第 135-1 條**

年金保險人於被保險人生存期間或特定期間內，依照契約負一次或分期給付一定金額之責。

第 135-2 條

年金保險契約，除記載第五十五條規定事項外，並應載明左列事項：

- 一、被保險人之姓名、性別、年齡及住所。
- 二、年金金額或確定年金金額之方法。
- 三、受益人之姓名及與被保險

Article 132

A personal injury insurance contract, besides specifying the particulars as provided in Article 55, shall also specify the following particulars:

1. Name, age, and domicile of the insured and relationship of the insured to the proposer.
2. Names of the beneficiaries and their relation to the insured, or a method for determining the beneficiaries.
3. The events for which, and the period during which, the insured amount may be claimed.

Article 133

If the insured willfully commits suicide, or is injured, becomes disabled, or dies as the result of a criminal act, the insurer is not obligated to pay the insured amount.

Article 134

A beneficiary who willfully injures the insured is not entitled to claim the insured amount.
When a beneficiary willfully attempts to injure the insured but fails to do so, the insured may revoke such beneficiary's right to receive benefits.

Article 135

The provisions of Articles 102 to Article 105, Article 107, Articles 110 to Article 116, Article 123, and Article 124 apply mutatis mutandis to personal injury insurance.

Section 4. Annuity Insurance**Article 135-1**

An annuity insurer is liable to pay a fixed amount of money in a lump sum or in installments during the life of the insured or during a specified period of time in accordance with the contract.

Article 135-2

An annuity insurance contract, in addition to specifying the particulars provided in Article 55, shall also specify the following particulars:

1. Insured's name, sex, age, and domicile.
2. Amount of annuity or method for determining the amount of annuity.
3. Names of beneficiaries, and their relationship to the insured.

人之關係。

四、請求年金之期間、日期及給付方法。

五、依第一百十八條規定，有減少年金之條件者，其條件。

4. Term of annuity, dates and method of payment of annuity.

5. Conditions attaching to any reduction in the annuity amount carried out in accordance with Article 118.

第 135-3 條

受益人於被保險人生存期間為被保險人本人。

保險契約載有於被保險人死亡後給付年金者，其受益人準用第一百十條至第一百三條規定。

Article 135-3

During the lifetime of the insured, the beneficiary of annuity insurance shall be the insured himself or herself.

If an insurance contract provides for payment of annuity after death of the insured, the provisions of Articles 110 to Article 113 apply mutatis mutandis to the beneficiary.

第 135-4 條

第一百零三條、第一百零四條、第一百零六條、第一百十四條至第一百二十四條規定，於年金保險準用之。但於年金給付期間，要保人不得終止契約或以保險契約為質，向保險人借款。

Article 135-4

The provisions of Article 103, Article 104, Article 106, and Articles 114 through Article 124 apply mutatis mutandis to annuity insurance. However, during the annuity payment period, the proposer may not terminate the contract or pledge such contract to the insurer as loan collateral.

第五章 保險業

Chapter V. Insurance Enterprises

第一節 通則

Section 1. General Provisions

第 136 條

保險業之組織，以股份有限公司或合作社為限。但經主管機關核准者，不在此限。

非保險業不得兼營保險或類似保險之業務。

Article 136

Except with the approval of the competent authority, an insurance enterprise may only be organized as a company limited by shares or as a cooperative.

Business organizations other than insurance enterprises may not engage concurrently in the insurance business or a business similar to insurance.

違反前項規定者，由主管機關或目的事業主管機關會同司法警察機關取締，並移送法辦；如屬法人組織，其負責人對有關債務，應負連帶清償責任。

Where violations of the provisions in the preceding paragraph occur, the competent authority or the authority with jurisdiction over the line of business operated by the violator will act in conjunction with the judicial police authorities to suppress the illegal activity, and the case will be referred for prosecution. In the case of a legal entity, its representatives shall be jointly and severally liable for its relevant debts.

執行前項任務時，得依法搜索扣押被取締者之會計帳簿及文件，並得撤除其標誌等設施或為其他必要之處置。

When carrying out the tasks referred to in the preceding paragraph, the authorities may search and attach account books and documents of the violators, remove signs and other fixtures, or take other necessary actions in accordance with the law.

保險業之組織為股份有限公司者，除其他法律另有規定或經主管機關許可外，其股票應辦

An insurance enterprise organized as a company limited by shares shall issue its stock publicly unless another law provides otherwise or the competent authority has granted permission.

理公開發行。

第 137 條

保險業非經主管機關許可，並依法為設立登記，繳存保證金，領得營業執照後，不得開始營業。

保險業申請設立許可應具備之條件、程序、應檢附之文件、發起人、董事、監察人與經理人應具備之資格條件、廢止許可、分支機構之設立、保險契約轉讓、解散及其他應遵行事項之辦法，由主管機關定之。

外國保險業非經主管機關許可，並依法為設立登記，繳存保證金，領得營業執照後，不得開始營業。

外國保險業，除本法另有規定外，準用本法有關保險業之規定。

外國保險業申請設立許可應具備之條件、程序、應檢附之文件、廢止許可、營業執照核發、增設分公司之條件、營業項目變更、撤換負責人之情事、資金運用及其他應遵行事項之辦法，由主管機關定之。

依其他法律設立之保險業，除各該法律另有規定外，準用本法有關保險業之規定。

第 137-1 條

保險業負責人應具備之資格，由主管機關定之。

第 138 條

財產保險業經營財產保險，人身保險業經營人身保險，同一保險業不得兼營財產保險及人身保險業務。但財產保險業經主管機關核准經營傷害保險及健康保險者，不在此限。

財產保險業依前項但書規定經營傷害保險及健康保險業務應

Article 137

An insurance enterprise may not commence operations unless it has received permission from the competent authority, completed establishment registration, posted bond, and secured a business license in accordance with the law.

The eligibility conditions, business scope, documentation required in order to apply for approval and other compliance matters. with respect to the conduct of personal injury insurance or health insurance business by non-life insurance enterprises in accordance with the proviso of the preceding paragraph, shall be prescribed by the competent authority.

A foreign insurance enterprise may not commence operations unless it has received permission from the competent authority, completed establishment registration, posted bond, and secured a business license in accordance with the law.

Unless otherwise provided by this Act, the provisions of this Act regarding insurance enterprises shall apply mutatis mutandis to foreign insurance enterprises.

With respect to applications by foreign insurance enterprises for establishment permits, the competent authority shall prescribe regulations governing the following matters: eligibility conditions and procedures for application; required documentation, revocation of permits, issuance of business licenses, conditions for the establishment of branch offices, any change in line(s) of business, replacement of responsible person, funds allocations; and other compliance matters.

With respect to an insurance enterprise established in accordance with another act, the provisions of this Act pertaining to insurance enterprises shall apply mutatis mutandis except as otherwise provided by the other act.

Article 137-1

The necessary qualifications of the responsible persons of an insurance enterprise shall be prescribed by the competent authority.

Article 138

An insurance enterprise in the "non-life insurance" category shall engage in the business of non-life insurance only, an insurance enterprise in the "insurance of the person" category shall engage in the business of insurance of the person only, and the same insurance enterprise may not engage concurrently in non-life insurance and insurance of the person, provided that this restriction does not apply where a non-life insurance enterprise is approved by the competent authority to engage in personal injury insurance or health insurance.

The eligibility conditions, business scope, documentation required in order to apply for approval and other compliance matters. with

具備之條件、業務範圍、申請核准應檢附之文件及其他應遵行事項之辦法，由主管機關定之。

保險業不得兼營本法規定以外之業務。但經主管機關核准辦理其他與保險有關業務者，不在此限。

保險業辦理前項與保險有關業務，涉及外匯業務之經營者，須經中央銀行之許可。

保險合作社不得經營非社員之業務。

第 138-1 條

財產保險業應承保住宅地震危險，以主管機關建立之危險分散機制為之。

前項危險分散機制，應成立財團法人住宅地震保險基金負責管理，就超過財產保險業共承擔限額部分，由該基金承擔、向國內、外為再保險、以主管機關指定之方式為之或由政府承受。

前二項有關危險分散機制之承擔限額、保險金額、保險費率、各種準備金之提存及其他應遵行事項之辦法，由主管機關定之。

財團法人住宅地震保險基金之捐助章程、業務範圍、資金運用及其他管理事項之辦法，由主管機關定之。

因發生重大震災，致住宅地震保險基金累積之金額不足支付應攤付之賠款，為保障被保險人之權益，必要時，該基金得請求主管機關會同財政部報請行政院核定後，由國庫提供擔保，以取得必要之資金來源。

第 138-2 條

保險業經營人身保險業務，保險契約得約定保險金一次或分期給付。

respect to the conduct of personal injury insurance or health insurance business by non-life insurance enterprises in accordance with the proviso of the preceding paragraph, shall be prescribed by the competent authority.

An insurance enterprise may not engage concurrently in any business other than that prescribed by this Act. However, this restriction does not apply where the competent authority has given its approval for an insurance enterprise to engage in other businesses related to insurance.

Where an insurance enterprise conducts another business related to insurance as provided for in the preceding paragraph, the permission of the Central Bank shall first be obtained if the business involves foreign exchange business.

An insurance cooperative may not engage in any insurance business with any person who is not a member of the cooperative.

Article 138-1

Non-life insurance enterprises shall underwrite residential earthquake risk, and shall do so by means of the risk spreading mechanism established by the competent authority.

The Taiwan Residential Earthquake Insurance Fund shall be established to manage the risk spreading mechanism referred to in the preceding paragraph. The portion of risk that exceeds the co-insurance underwriting assumption limit for non-life insurance enterprises shall be assumed by the Taiwan Residential Earthquake Insurance Fund, cede to domestic and/or foreign reinsurers, be assumed by the manner prescribed by the competent authority or assumed by the government.

With respect to the risk spreading mechanism under the preceding two paragraphs, the competent authority shall prescribe regulations governing the risk assumption limits, insured amounts, insurance premium rates, provision for various reserve funds, and other compliance matters.

The competent authority shall prescribe regulations governing the Taiwan Residential Earthquake Insurance Fund's articles of incorporation, business scope, funds allocations, and other administrative matters.

When the occurrence of a major earthquake results in payable claims that exceed the amount of funds accumulated in the Taiwan Residential Earthquake Insurance Fund, in order to safeguard the interests of insured the Fund may as necessary request the competent authority and the Ministry of Finance to jointly apply for Executive Yuan's approval of collateral provided by the national treasury to obtain the necessary source of funding.

Article 138-2

An insurance enterprise engaging in insurance of the person may stipulate an insurance contract that policy proceeds be paid either in a lump sum or in installments.

人身保險契約中屬死亡或殘廢之保險金部分,要保人於保險事故發生前得預先洽訂信託契約,由保險業擔任該保險信託之受託人,其中要保人與被保險人應為同一人,該信託契約之受益人並應為保險契約之受益人,且以被保險人、未成年人、心神喪失或精神耗弱之人為限。

前項信託給付屬本金部分,視為保險給付。

保險業辦理保險金信託業務應設置信託專戶,並以信託財產名義表彰。

前項信託財產為應登記之財產者,應依有關規定為信託登記。

第四項信託財產為有價證券者,保險業設置信託專戶,並以信託財產名義表彰;其以信託財產為交易行為時,得對抗第三人,不適用信託法第四條第二項規定。

保險業辦理保險金信託,其資金運用範圍以下列為限:

- 一、現金或銀行存款。
- 二、公債或金融債券。
- 三、短期票券。
- 四、其他經主管機關核准之資金運用方式。

第 138-3 條

保險業經營保險金信託業務,應經主管機關許可,其營業及會計必須獨立。

保險業為擔保其因違反受託人義務而對委託人或受益人所負之損害賠償、利益返還或其他責任,應提存賠償準備。

保險業申請許可經營保險金信託業務應具備之條件、應檢附之文件、廢止許可、應提存賠償準備額度、提存方式及其他應遵行事項之辦法,由主管機關定之。

第 139 條

各種保險業資本或基金之最低

With respect to the portion of policy proceeds in a contract for insurance of the person that are for death or disablement, the proposer may, prior to occurrence of an insured peril, negotiate a trust contract whereunder the insurance enterprise acts as trustee of the insurance trust. Such an arrangement may only be made where a single person is both proposer and insured, where the beneficiaries of the trust contract are also the beneficiaries of the insurance contract, and where the arrangement is for the benefit of an insured or a person who is a minor, mentally impaired, or of diminished mental capacity.

With respect to trust benefits paid out pursuant to the preceding paragraph, that part which constitutes trust principal shall be deemed insurance benefits.

An insurance enterprise providing insurance trust services shall set up segregated trust accounts named as trust asset accounts.

Where the trust assets of the preceding paragraph are subject to a registration requirement, registration of trust shall be carried out in accordance with the applicable provisions.

Where the trust assets of paragraph 4 are securities, when the insurance enterprise sets up a segregated trust account named as a trust asset account and engages in a transaction involving the trust assets, the trust shall be effective against third parties, and Article 4, paragraph 2 of the Trust Act does not apply.

The scope of funds allocations of an insurance enterprise operating insurance trusts shall be limited to the following:

1. Cash or bank deposits.
2. Government bonds or financial bonds.
3. Short-term bills.
4. Other methods of funds allocation as approved by the competent authority.

Article 138-3

An insurance enterprise shall obtain permission from the competent authority to provide insurance trust services, which must have independent operations and accounting.

An insurance enterprise shall set aside a compensation reserve fund to secure the performance of indemnities, giving back profits, or other obligations to bailors at violation of its duties as trustee.

With respect to applications by insurance enterprises for permission to provide insurance trust services, the competent authority shall prescribe regulations governing the following matters: eligibility conditions; required documentation; conditions for the revocation of permits; amount defined for the compensation reserve fund, and the way of depositing; and other compliance matters.

Article 139

The minimum capital or fund for each of the various kinds of

額，由主管機關，審酌各地經濟實況，及各種保險業務之需要，分別呈請行政院核定之。

第 140 條

保險公司得簽訂參加保單紅利之保險契約。
保險合作社簽訂之保險契約，以參加保單紅利者為限。
前二項保單紅利之計算基礎及方法，應於保險契約中明訂之。

第 141 條

保險業應按資本或基金實收總額百分之十五，繳存保證金於國庫。

第 142 條

保證金之繳存應以現金為之。但經主管機關之核准，得以公債或庫券代繳之。
前項繳存保證金非俟宣告停業依法完成清算，不予發還。

以有價證券抵繳保證金者，其息票部份，在宣告停業依法清算時，得准移充清算費用。

第 143 條

保險業不得向外借款、為保證人或以其財產提供為他人債務之擔保。但保險業有下列情形之一，報經主管機關核准向外借款者，不在此限：

- 一、為給付鉅額保險金、大量解約或大量保單貸款之週轉需要。
- 二、因合併或承受經營不善同業之有效契約。
- 三、為強化財務結構，發行具有資本性質之債券。

第 143-1 條

為保障被保險人之基本權益，

insurance enterprises will be approved separately by the Executive Yuan, acting upon the recommendation of the competent authority, which shall take into consideration the economic conditions in each locality and the needs of each kind of insurance business.

Article 140

An insurance company may enter into an insurance contract that includes participation in policy dividends.
An insurance cooperative shall enter only into insurance contracts that include participation in policy dividends.
The basis and method of calculating the policy dividends in the preceding two paragraphs shall be expressly provided in the insurance contract.

Article 141

An insurance enterprise shall post bond at the national treasury in an amount equal to 15 percent of the total amount of its paid-in capital or paid-in fund.

Article 142

The bond shall be posted in cash. However, upon approval of the competent authority, government bonds or notes may be posted instead.
The bond posted as provided in the preceding paragraph is not to be returned until suspension of business has been declared and liquidation has been completed pursuant to the law.
Where marketable securities are used to post bond, when cessation of business has been declared and liquidation is duly performed, the interest coupon attached thereto may be used to offset liquidation expenses.

Article 143

An insurance enterprise may not borrow funds from an outside party, act as guarantor for an outside party, or provide its assets as collateral for the debt of another; provided, that this restriction does not apply where any one of the following circumstances obtains with respect to the insurance enterprise and the enterprise reports to and obtains the approval of the competent authority to borrow funds from an outside party:

1. The borrowing is to meet cash flow needs arising from payment of major benefits, a large amount of policy surrenders, or a large amount of policy loans.
2. The borrowing is needed for a merger or for assumption of the in-force contracts of a troubled insurer.
3. The borrowing is done by issuing bonds with capital characteristics, for the purpose of strengthening financial structure.

Article 143-1

In order to preserve the insured's basic interests and to maintain

並維護金融之安定，財產保險業及人身保險業應分別提撥資金，設置財團法人安定基金。財團法人安定基金之組織及管理等等事項之辦法，由主管機關定之。

安定基金由各保險業者提撥；其提撥比率，由主管機關審酌經濟、金融發展情形及保險業承擔能力定之，並不得低於各保險業者總保險費收入之千分之一。

安定基金累積之金額不足保障被保險人權益，且有嚴重危及金融安定之虞時，得報經主管機關同意，向金融機構借款。

第 143-2 條 (刪除)

第 143-3 條

安定基金辦理之事項如下：

- 一、對經營困難保險業之貸款。
- 二、保險業因與經營不善同業進行合併或承受其契約，致遭受損失時，安定基金得予以低利貸款或補助。
- 三、保險業依第一百四十九條第四項規定被接管、勒令停業清理或命令解散，或經接管人依第一百四十九條之二第三項規定向法院聲請重整時，安定基金於必要時應代該保險業墊付要保人、被保險人及受益人依有效契約所得為之請求，並就其墊付金額取得並行使該要保人、被保險人及受益人對該保險業之請求權。
- 四、保險業依本法規定進行重整時，為保障被保險人權益，協助重整程序之迅速進行，要保人、被保險人及受益人除提出書面反對意見者外，視為同意安定基金代理其出席關係人會議及行使重整相關權利。安定基金執行代理行為之程序及其他應遵行事項，由安定基金

financial stability, enterprises engaged in non-life insurance and insurance of the person shall make contributions to set up separate stabilization funds as incorporated foundations.

Regulations governing the organization, administration, and other matters of the incorporated stabilization fund foundations shall be prescribed by the competent authority.

The stabilization funds shall be supported by contributions from each insurance enterprise. The contribution rate of each enterprise shall be determined by the competent authority, taking into consideration the condition of the economy, the state of development of the financial industry, and the ability of insurance enterprises to pay, and may not be lower for any given insurance enterprise than 1/1000th of gross premium income.

When the amount of funds accumulated in a stabilization fund is insufficient to safeguard the interests of insured parties and there is a likelihood of serious threat to financial stability, the fund may report to the competent authority for permission to borrow funds from the financial institutions.

Article 143-2 (Deleted)

Article 143-3

The stabilization funds shall handle the following matters:

1. Extend loans to insurance enterprises experiencing business difficulties.
2. A stabilization fund may provide low-interest loans or subsidies to insurance enterprises that incur loss by merging with troubled insurance enterprises or assuming their contracts.
3. When, in accordance with the provisions of Article 149, paragraph 4, an insurance enterprise is placed into receivership, ordered to suspend business and undergo rehabilitation, or ordered to dissolve, or when a receiver applies to a court for reorganization in accordance with the provisions of Article 149-2, paragraph 3, the appropriate stabilization fund shall, as necessary, advance funds on behalf of the insurance enterprise to settle claims which proposers, insured parties, and beneficiaries are entitled to make under in-force contracts, and with respect to the amount thus advanced shall succeed to and exercise the rights of claim of those proposers, insured parties, and beneficiaries against the insurance enterprise.
4. In order to safeguard the interests of insured parties and help expedite reorganization proceedings, when an insurance enterprise undergoes reorganization in accordance with the provisions of this Act, proposers, insured parties, and beneficiaries shall, unless they object in writing, be deemed to have granted consent for the stabilization fund to act as their agent in attending meetings of related parties and exercising rights related to the reorganization. The stabilization funds shall adopt procedures for actions they take when serving as agent, as well as other compliance matters, and

訂定，報請主管機關備查。

五、受主管機關委託擔任接管人、清理事人或清算人職務。

六、經主管機關核可承接不具清償能力保險公司之保險契約。

七、其他為安定保險市場或保障被保險人之權益，經主管機關核定之事項。

安定基金辦理前項第一款至第三款及第七款事項，其資金動用時點、範圍及限額，由安定基金擬訂，報請主管機關核定。保險業與經營不善同業進行合併或承受其契約致遭受損失，依第一項第二款規定申請安定基金補助者，其金額不得超過安定基金依同項第三款規定墊付之總額。

第 143-4 條

保險業自有資本與風險資本之比率，不得低於百分之二百；必要時，主管機關得參照國際標準調整比率。

保險業自有資本與風險資本之比率未達前項規定之比率者，不得分配盈餘，主管機關並得視其情節輕重為其他必要之處置或限制。

前二項所定自有資本與風險資本之範圍、計算方法、管理、必要處置或限制之方式及其他應遵行事項之辦法，由主管機關定之。

第 144 條

保險業之各種保險單條款、保險費及其他相關資料，由主管機關視各種保險之發展狀況，分別規定銷售前應採行之程序、審核及內容有錯誤、不實或違反規定之處置等事項之準則。

為健全保險業務之經營，保險業應聘用精算人員並指派其中一人為簽證精算人員，負責保

shall file them with the competent authority for recordation.

5. Act as receiver, rehabilitator, or liquidator upon appointment by the competent authority.

6. Assume, upon approval by the competent authority, the insurance contracts of insolvent insurance companies.

7. Undertake other matters, as approved by the competent authority, to stabilize the insurance market or safeguard the interests of insured parties.

The stabilization funds shall adopt rules governing the timing, scope, and dollar amount of their drawdown of funds to handle the matters set out in subparagraphs 1 to 3 and subparagraph 7 of the preceding paragraph, and shall file them with the competent authority for approval.

Where an insurance enterprise applies to a stabilization fund in accordance with paragraph 1, subparagraph 2 for subsidization of losses incurred upon merging with a troubled insurer or assuming such an insurer's contracts, the dollar amount may not exceed the total amount of funds advanced by the stabilization fund pursuant to subparagraph 3 of the same paragraph.

Article 143-4

An insurance enterprise's ratio of total adjusted net capital to risk-based capital may not be lower than 200%. Where necessary, the competent authority may adjust the ratio according to international standards.

An insurance enterprise with a ratio of total adjusted net capital to risk-based capital below the ratio set out in the preceding paragraph may not distribute earnings, and the competent authority may, according to the severity of the circumstances, adopt other necessary actions or restrictions.

With regard to total adjusted net capital and risk-based capital as referred to in the preceding two paragraphs, the competent authority shall prescribe regulations governing the following matters: their scope; the method for calculating their amounts; administration thereof; the methods for adopting necessary actions or restrictions; and other compliance matters.

Article 144

With respect to the policy provisions, premiums, and other relevant content for a given type of insurance policy, the competent authority shall prescribe regulations governing the following matters, taking into account the state of development of that type of insurance: procedures to be carried out before a policy is marketed; product review; and the actions to be taken when the content of a policy is incorrect, false, or in violation of the law.

In order to ensure sound operation of its insurance business, an insurance enterprise shall employ actuaries and appoint one of them as appointed actuary, who shall be responsible for setting premium

險費率之釐訂、各種準備金之核算簽證及辦理其他經主管機關指定之事項；其資格條件、簽證內容、教育訓練、懲處及其他應遵行事項之辦法，由主管機關定之。

前項簽證精算人員之指派應經董（理）事會同意，並報主管機關備查。

簽證精算人員應本公正及公平原則向其所屬保險業之董（理）事會及主管機關提供各項簽證報告；其簽證報告內容有虛偽、隱匿、遺漏或錯誤情事者，主管機關得視其情節輕重為警告、停止於一年以內期間簽證或廢止其簽證精算人員資格。

第 144-1 條

有下列情形之一者，保險業得以共保方式承保：

- 一、有關巨災損失之保險者。
- 二、配合政府政策需要者。
- 三、基於公共利益之考量者。
- 四、能有效提昇對投保大眾之服務者。
- 五、其他經主管機關核准者。

第 145 條

保險業於營業年度屆滿時，應分別保險種類，計算其應提存之各種準備金，記載於特設之帳簿。

前項所稱各種準備金之提存比率、計算方式及其他應遵行事項之辦法，由主管機關定之。

第 145-1 條

保險業於完納一切稅捐後，分派盈餘時，應先提百分之二十為法定盈餘公積。但法定盈餘公積，已達其資本總額或基金總額時，不在此限。

保險業得以章程規定或經股東會或社員大會決議，另提特別盈餘公積。主管機關於必要時，亦得命其提列。

第一項規定，自本法中華民國

rates, certifying various reserve, and handling other matters specified by the competent authority. Regulations governing qualification requirements, items to be certified, education and training, penalties, and other compliance matters shall be prescribed by the competent authority.

Appointment of the appointed actuary shall be subject to the consent of the board of directors and shall be filed to the competent authority.

The appointed actuary shall, in accordance with the principles of impartiality and fairness, provide various certified reports to the board of directors, as well as to the competent authority. Where a report that he or she has certified has any misrepresentation, concealment, omission, or incorrect information, the competent authority may, according to the severity of the circumstances, issue a warning, suspend the actuary from providing certification for a period of up to one year, or revoke appointment.

Article 144-1

Insurance enterprises may underwrite insurance by way of co-insurance under the following circumstances:

1. When insuring against catastrophic loss.
2. When coordinating with government policy.
3. When seeking to further the public interest.
4. When seeking to effectively enhance services to the insurance-buying public.
5. When seeking to accomplish other objectives approved by the competent authority.

Article 145

At the end of each business year, an insurance enterprise shall calculate the reserves for each type of insurance, and shall record such reserves in special account books.

The competent authority shall prescribe regulations governing the reserving, calculation methods, and other compliance matters for the various reserves referred to in the preceding paragraph.

Article 145-1

After paying all taxes, an insurance enterprise preparing to distribute earnings shall first set aside 20 percent to legal capital reserves; provided, that this requirement does not apply where legal capital reserves are already equal to the enterprise's authorized capital or authorized fund.

An insurance enterprise may additionally set aside special capital reserve in accordance with the provisions of its articles of incorporation or a resolution of a shareholders meeting or general assembly of cooperative members. The competent authority may as necessary order an insurance enterprise to set aside such reserve.

九十六年六月十四日修正之條文生效之次一會計年度施行。

The provisions of paragraph 1 shall enter into force from the next fiscal year after the provisions of this Act amended on [DATE] take effect.

第 146 條

保險業資金之運用，除存款外，以下列各款為限：

- 一、有價證券。
- 二、不動產。
- 三、放款。
- 四、辦理經主管機關核准之專案運用、公共及社會福利事業投資。
- 五、國外投資。
- 六、投資保險相關事業。
- 七、從事衍生性商品交易。
- 八、其他經主管機關核准之資金運用。

前項所定資金，包括業主權益及各種準備金。

第一項所定存款，其存放於每一金融機構之金額，不得超過該保險業資金百分之十。但經主管機關核准者，不在此限。

第一項第六款所稱保險相關事業，指保險、金融控股、銀行、票券、信託、信用卡、融資性租賃、證券、期貨、證券投資信託、證券投資顧問事業及其他經主管機關認定之保險相關事業。

保險業經營投資型保險業務、勞工退休年金保險業務應專設帳簿，記載其投資資產之價值。

投資型保險業務專設帳簿之管理、保存、投資資產之運用及其他應遵行事項之辦法，由主管機關定之，不受第一項、第三項、第一百四十六條之一、第一百四十六條之二、第一百四十六條之四、第一百四十六條之五及第一百四十六條之七規定之限制。

依第五項規定應專設帳簿之資產，如要保人以保險契約委任保險業全權決定運用標的，且將該資產運用於證券交易法第

Article 146

Except for savings deposits, the funds allocations of an insurance enterprise shall be limited to the following:

1. Securities.
2. Real estate.
3. Loans.
4. Allocation of funds to special projects and investments in public utilities and social welfare enterprises, with the approval of the competent authority.
5. Foreign investments.
6. Investments in insurance-related businesses.
7. Derivatives trading.
8. Other funds allocations as approved by the competent authority.

The term "funds" in the preceding paragraph includes owner's equity and various reserve funds.

The savings of paragraph 1 deposited in any single financial institution may not, unless approved by the competent authority, exceed 10 percent of the insurance enterprise's funds; provided, this restriction does not apply where the competent authority has granted approval.

"Insurance-related businesses" in paragraph 1, subparagraph 6 means the businesses of insurance, financial holding, banking, bills, trust, credit card, finance leasing, securities, futures, securities investment trust, and securities investment consulting enterprises, as well as other insurance-related businesses as recognized by the competent authority.

An insurance enterprise that engages in investment-linked insurance business or labor pension annuity insurance business shall set up a separate account to record the value of the assets in which it invests.

The competent authority shall prescribe regulations governing administration and custody of separate account, allocation of investment assets, and other compliance matters pertaining to investment-linked insurance business, which are not subject to the restrictions set forth in paragraph 1; paragraph 3; Article 146-1; Article 146-2; Article 146-4; Article 146-5; and Article 146-7.

With respect to assets for which a separate account is required under paragraph 5, if a proposer retains an insurance enterprise by means of an insurance contract to exercise discretionary allocation of the assets and those assets are allocated to the purchase of the securities

六條規定之有價證券者，應依證券投資信託及顧問法申請兼營全權委託投資業務。

保險業依第一項第七款規定從事衍生性商品交易之條件、交易範圍、交易限額、內部處理程序及其他應遵行事項之辦法，由主管機關定之。

第 146-1 條

保險業資金得購買下列有價證券：

一、公債、國庫券。
二、金融債券、可轉讓定期存單、銀行承兌匯票、金融機構保證商業本票；其總額不得超過該保險業資金百分之三十五。

三、經依法核准公開發行之公司股票；其購買每一公司之股票總額，不得超過該保險業資金百分之五及該發行股票之公司實收資本額百分之十。

四、經依法核准公開發行之有擔保公司債，或經評等機構評定為相當等級以上之公司所發行之公司債；其購買每一公司之公司債總額，不得超過該保險業資金百分之五及該發行公司債之公司實收資本額百分之十。

五、經依法核准公開發行之證券投資信託基金及共同信託基金受益憑證；其投資總額不得超過該保險業資金百分之十及每一基金已發行之受益憑證總額百分之十。

六、證券化商品及其他經主管機關核准保險業購買之有價證券；其總額不得超過該保險業資金百分之十。

前項第三款及第四款之投資總額，合計不得超過該保險業資金百分之三十五。

保險業依第一項第三款投資，不得有下列情事之一：

defined in Article 6 of the Securities and Exchange Act, application for concurrent operation of discretionary investment services shall be made in accordance with the Securities Investment Trust and Consulting Act.

With respect to the derivatives trading of paragraph 1, subparagraph 7, the competent authority shall prescribe regulations governing the terms and conditions of such trading, the scope thereof, transaction limits, internal handling procedures, and other compliance matters.

Article 146-1

The funds of an insurance enterprise may be used to purchase the following marketable securities:

1. Government bonds and treasury bills.
2. Financial bonds, negotiable certificates of deposit, banker's acceptances, and commercial promissory notes guaranteed by a financial institution, the aggregate amount of which may not exceed 35 percent of the funds of the insurance enterprise.

3. Publicly issued corporate stocks approved in accordance with the law, provided that the aggregate amount of corporate stocks in any one company may not exceed 5 percent of the funds of the insurance enterprise, and the aggregate amount of the stocks in any one company in which an insurance enterprise invests may not exceed 10 percent of the paid-in capital of the company issuing the stocks.

4. Publicly issued guaranteed corporate bonds or corporate bonds issued by a company rated by a rating agency at no lower than a specified rating and approved in accordance with the law, provided that the aggregate amount made by an insurance enterprise in such corporate bonds may not exceed 5 percent of the funds of the insurance enterprise, and the aggregate amount of bonds from any one company may not exceed 10 percent of the paid-in capital of the company issuing the corporate bonds.

5. Beneficial interest certificates for securities investment trust funds and mutual trust funds for which public issue has been duly approved. The aggregate amount of such investment made by an insurance enterprise may not exceed 10 percent of the funds of the insurance enterprise, and an insurance enterprise may not invest in more than 10 percent of the aggregate amount of the beneficial interest certificates issued by any fund.

6. Securitization products and other marketable securities that the competent authority has granted approval for insurance enterprises to purchase, the aggregate amount of which may not exceed 10 percent of the funds of the insurance enterprise.

The aggregate amount of the investments contemplated under subparagraphs 3 and 4 of the preceding paragraph may not exceed 35 percent of the funds of the insurance enterprise.

It is prohibited for any of the following circumstances to obtain with respect to an investment made by an insurance enterprise in

一、以保險業或其代表人擔任被投資公司董事、監察人。
 二、行使表決權支持其關係人或關係人之董事、監察人、職員擔任被投資金融機構董事、監察人。
 三、指派人員獲聘為被投資公司經理人。
 保險業依第一項第三款至第六款規定投資於公開發行之未上市、未上櫃有價證券、私募之有價證券；其應具備之條件、投資範圍、內容、投資規範及其他應遵行事項之辦法，由主管機關定之。

第 146-2 條

保險業對不動產之投資，以所投資不動產即時利用並有收益者為限；其投資總額，除自用不動產外，不得超過其資金百分之三十。但購買自用不動產總額不得超過其業主權益之總額。

保險業不動產之取得及處分，應經合法之不動產鑑價機構評價。

第 146-3 條

保險業辦理放款，以下列各款為限：

- 一、銀行或主管機關認可之信用保證機構提供保證之放款。
- 二、以動產或不動產為擔保之放款。
- 三、以合於第一百四十六條之一之有價證券為質之放款。
- 四、人壽保險業以各該保險業所簽發之人壽保險單為質之放款。

前項第一款至第三款放款，每一單位放款金額不得超過該保險業資金百分之五；其放款總額，不得超過該保險業資金百分之三十五。

保險業依第一項第一款、第二款及第三款對其負責人、職員

accordance with paragraph 1, subparagraph 3:

1. For the insurance enterprise or a representative thereof to be a director or supervisor of the investee company.
2. For the insurance enterprise to exercise voting rights in support of a related party, or a director, supervisor, or employee of a related party, becoming a director or supervisor of the investee financial institution.
3. For a person dispatched by the insurance enterprise to be hired as a manager of the investee company.

With respect to investments by an insurance enterprise pursuant to paragraph 1, subparagraphs 3 to 6 in publicly issued securities not listed on an exchange or OTC market, or in privately placed securities, the competent authority shall prescribe regulations governing eligibility conditions, scope and type of investments, investment rules, and other compliance matters.

Article 146-2

Investments in real estate by an insurance enterprise shall be limited to real estate that can be used immediately and from which benefit may be derived. The total amount of such investments, apart from real estate held for an insurance enterprise's own use, may not exceed 30 percent of an insurance enterprise's funds. In the case of real estate purchased for self-use, the total amount invested in by an insurance enterprise may not exceed the total amount of its owner's equity.

The acquisition and disposal of real estate by an insurance enterprise shall be evaluated by a legally established real estate appraisal organization.

Article 146-3

Loans made by an insurance enterprise shall be limited to the following items:

1. Loans guaranteed by a bank, or by a credit guarantee institution recognized by the competent authority.
2. Loans secured by personal property or real property.
3. Loans secured by qualified securities as defined in Article 146-1.
4. For life insurance enterprises, loans secured by life insurance policies issued by said life insurance business.

For loans made pursuant to subparagraphs 1 to 3 of the preceding paragraph, the amount loaned to each borrower may not exceed 5 percent of an insurance enterprise's funds, and the total amount of all loans shall not exceed 35 percent of an insurance enterprise's funds.

Where an insurance enterprise provides a secured loan pursuant to paragraph 1, subparagraphs 1, 2, or 3 to one of its responsible

或主要股東，或對與其負責人或辦理授信之職員有利害關係者，所為之擔保放款，應有十足擔保，其條件不得優於其他同類放款對象，如放款達主管機關規定金額以上者，並應經三分之二以上董事之出席及出席董事四分之三以上同意；其利害關係人之範圍、限額、放款總餘額及其他應遵行事項之辦法，由主管機關定之。

保險業依第一百四十六條之一第一項第三款及第四款對每一公司股票及公司債之投資與依第一項第三款以該公司發行之股票及公司債為質之放款，合併計算不得超過其資金百分之十與該發行股票及公司債之公司實收資本額百分之十。

第 146-4 條

保險業資金辦理國外投資，以下列各款為限：

- 一、外匯存款。
- 二、國外有價證券。
- 三、設立或投資國外保險公司、保險代理人公司、保險經紀人公司或其他經主管機關核准之保險相關事業。
- 四、其他經主管機關核准之國外投資。

保險業資金依前項規定辦理國外投資總額，由主管機關視各保險業之經營情況核定之，最高不得超過各該保險業資金百分之四十五。

保險業資金辦理國外投資之投資規範、投資額度、審核及其他應遵行事項之辦法，由主管機關定之。

第 146-5 條

保險業資金辦理專案運用、公共及社會福利事業投資應申請主管機關核准；其申請核准應具備之文件、程序、運用或投資之範圍、限額及其他應遵行事項之辦法，由主管機關定之。

persons, employees, major shareholders, or to a person having an interested party relationship with one of its responsible persons or with an employee in charge of administering the loan, the loan shall be fully secured, and the conditions may not be better than those extended to other loanees of the same class. A loan that is equal to or more than the dollar amount specified by the competent authority shall also be approved by three-fourths of the directors present at a board of directors meeting attended by at least two-thirds of the directors. The competent authority shall prescribe regulations governing the definition of interested parties, loan limits and aggregate loan balances, and other compliance matters.

The combined total amount of (i) an insurance enterprise's investment in corporate stocks and corporate bonds of a given company in accordance with Article 146-1, paragraph 1, subparagraphs 3 and 4, and (ii) loans made in accordance with paragraph 1, subparagraph 3 that are secured by corporate stocks and corporate bonds issued by that same company, shall exceed neither 10 percent of the insurance enterprise's funds nor 10 percent of the paid-in capital of the company issuing the stocks and corporate bonds.

Article 146-4

Foreign investments of insurance enterprise funds shall be limited to the following:

1. Foreign currency deposits.
2. Foreign securities.
3. Establishment of or investment in a foreign insurance company, insurance agent company, insurance broker company, or other insurance-related enterprise approved by the competent authority.
4. Such other foreign investments as may be approved by the competent authority.

The competent authority shall set limits on the aggregate dollar amount of foreign investments of insurance enterprise funds based on the state of the business of each individual insurance enterprise. At maximum, such investments may not exceed 45 percent of the funds of any individual insurance enterprise.

The competent authority shall prescribe regulations setting forth investment rules, investment limits, review procedures, and other compliance matters pertaining to foreign investments of insurance enterprise funds.

Article 146-5

Application shall be made to the competent authority for approval of allocations of insurance enterprise funds to special projects and investments in public utilities and social welfare enterprises. With respect to applications for approval, the competent authority shall prescribe regulations governing required documentation, procedures, scope of and limits upon allocations and investments,

前項資金運用方式為投資公司股票時，準用第一百四十六條之一第三項規定；其投資之條件及比率，不受第一百四十六條之一第一項第三款規定之限制。

第 146-6 條

保險業業主權益，超過第一百三十九條規定最低資本或基金最低額者，得經主管機關核准，投資保險相關事業所發行之股票，不受第一百四十六條之一第一項第三款及第三項規定之限制；其投資總額，最高不得超過該保險業業主權益。保險業依前項規定投資而與被投資公司具有控制與從屬關係者，其投資總額，最高不得超過該保險業業主權益百分之四十。保險業依第一項規定投資保險相關事業，其控制與從屬關係之範圍、投資申報方式及其他應遵行事項之辦法，由主管機關定之。

第 146-7 條

主管機關對於保險業就同一人、同一關係人或同一關係企業之放款或其他交易得予限制；其限額、其他交易之範圍及其他應遵行事項之辦法，由主管機關定之。前項所稱同一人，指同一自然人或同一法人；同一關係人之範圍，包含本人、配偶、二親等以內之血親及以本人或配偶為負責人之事業；同一關係企業之範圍，適用公司法第三百六十九條之一至第三百六十九條之三、第三百六十九條之九及第三百六十九條之十一規定。主管機關對於保險業與其利害關係人從事放款以外之其他交易得予限制；其利害關係人及

and other compliance matters.

Where the funds referred to in the preceding paragraph are allocated to investment in corporate stocks, the provisions of Article 146-1, paragraph 3 shall apply mutatis mutandis. The conditions and percentages related thereto shall not be subject to the restrictions set forth in Article 146-1, paragraph 1, subparagraph 3.

Article 146-6

When the owner's equity of an insurance enterprise exceeds the minimum capital or the minimum fund provided for in Article 139, it may, with the approval of the competent authority, invest in shares issued by insurance-related enterprises without being subject to Article 146-1, paragraph 1, subparagraph 3, or to paragraph 3 of that same article. The aggregate dollar amount of such investments may not exceed the owner's equity of the insurance enterprise.

Where an insurance enterprise makes an investment in accordance with the provisions of the preceding paragraph and it has a relationship of control or subordination with the investee company, the total dollar amount of the investment may not exceed 40 percent of the owner's equity of the insurance enterprise.

With respect to insurance enterprise investments in insurance-related enterprises made in accordance with the provisions of paragraph 1, the competent authority shall prescribe regulations defining the scope of relationships of control or subordination, the method of reporting investments, and other compliance matters.

Article 146-7

The competent authority may limit the ability of insurance enterprises to make loans to, or engage in other transactions with, a single party, a single related party, or a single related enterprise. The competent authority shall prescribe regulations to set such limits, define the scope of "other transactions," and set out other compliance matters.

The term "a single party" in the preceding paragraph means a single natural person or a single juristic person. The scope of a "single related party" includes the principal, his/her spouse, blood relatives within two degrees of kinship, and any enterprise of which the principal himself/herself or his/her spouse is the responsible person. The scope of "a single related enterprise" shall be governed by Articles 369-1 to 369-3, Article 369-9, and Article 369-11 of the Company Act.

The competent authority may limit the ability of an insurance enterprise to engage in non-loan transactions with an interested party. The competent authority shall prescribe regulations defining

交易之範圍、決議程序、限額及其他應遵行事項之辦法，由主管機關定之。

the scope of interested parties and regulated transactions, procedures for the adoption of resolutions, limits on transaction size, and other compliance matters.

第 146-8 條

第一百四十六條之三第三項所列舉之放款對象，利用他人名義向保險業申請辦理之放款，適用第一百四十六條之三第三項規定。

向保險業申請辦理之放款，其款項為利用他人名義之人所使用，或其款項移轉為利用他人名義之人所有時，推定為前項所稱利用他人名義之人向保險業申請辦理之放款。

Article 146-8

For any prospective loan recipient listed in Article 146-3, paragraph 3 who applies under the name of another person to an insurance enterprise for a loan, the provisions of Article 146-3, paragraph 3, shall apply.

If money obtained through a loan from an insurance enterprise is used by a person using another person's name, or the money is transferred to the ownership of a person using another person's name, it shall be presumed that the loan was obtained from the insurance enterprise by the person applying in the name of another person as referred to in the preceding paragraph.

第 146-9 條

保險業因持有有價證券行使股東權利時，不得有股權交換或利益輸送之情事，並不得損及要保人、被保險人或受益人之利益。

保險業於出席被投資公司股東會前，應將行使表決權之評估分析作業作成說明，並應於各該次股東會後，將行使表決權之書面紀錄，提報董事會。

保險業及其從屬公司，不得擔任被投資公司之委託書徵求人或委託他人擔任委託書徵求人。

Article 146-9

In the course of exercising shareholder rights of securities that it holds, an insurance enterprise may not do anything that would involve exchange of equity ownership or funneling of interests, nor may it prejudice the interests of a proposer, insured party, or beneficiary.

Before attending a shareholders meeting of an investee company, an insurance enterprise shall prepare an explanation of how it has evaluated and analyzed the exercise of voting rights, and after each such shareholders meeting shall submit to its board of directors a written record of the exercise of voting rights.

An insurance enterprise and any subordinate company thereof may not act as proxy solicitor for an investee company or mandate another party to act as proxy solicitor for an investee company.

第 147 條

保險業辦理再保險之分出、分入或其他危險分散機制業務之方式、限額及其他應遵行事項之辦法，由主管機關定之。

Article 147

The competent authority shall prescribe regulations governing the manner in which insurance enterprises cede or assume reinsurance or operate other risk spreading mechanisms, limits applying thereto, and other compliance matters.

第 147-1 條

保險業專營再保險業務者，為專業再保險業，不適用第一百三十八條第一項、第一百四十三條之一、第一百四十三條之三及第一百四十四條第一項規定。

前項專業再保險業之業務、財務及其他相關管理事項之辦法，由主管機關定之。

Article 147-1

An insurance enterprise that engages exclusively in reinsurance business is a professional reinsurer, and is not subject to the provisions of Article 138, paragraph 1, Article 143-1, Article 143-3, or Article 144, paragraph 1.

The competent authority shall prescribe regulations governing the business, financial, and other related management matters of the professional reinsurers referred to in the preceding paragraph.

第 148 條

主管機關得隨時派員檢查保險業之業務及財務狀況，或令保險業於限期內報告營業狀況。

前項檢查，主管機關得委託適當機構或專業經驗人員擔任；其費用，由受檢查之保險業負擔。

前二項檢查人員執行職務時，得為下列行為，保險業負責人及相關人員不得規避、妨礙或拒絕：

一、令保險業提供第一百四十八條之一第一項所定各項書表，並提出證明文件、單據、表冊及有關資料。

二、詢問保險業相關業務之負責人及相關人員。

三、評估保險業資產及負債。

第一項及第二項檢查人員執行職務時，基於調查事實及證據之必要，於取得主管機關許可後，得為下列行為：

一、要求受檢查保險業之關係企業提供財務報告，或檢查其有關之帳冊、文件，或向其有關之職員詢問。

二、向其他金融機構查核該保險業與其關係企業及涉嫌為其利用名義交易者之交易資料。

前項所稱關係企業之範圍，適用公司法第三百六十九條之一至第三百六十九條之三、第三百六十九條之九及第三百六十九條之十一規定。

第 148-1 條

保險業每屆營業年度終了，應將其營業狀況連同資金運用情形，作成報告書，併同資產負債表、損益表、股東權益變動表、現金流量表及盈餘分配或虧損撥補之議案及其他經主管機關指定之項目，先經會計師查核簽證，並提經股東會或社員代表大會承認後，十五日內報請主管機關備查。

Article 148

The competent authority may, at any time, dispatch officers to inspect the business and financial conditions of an insurance enterprise, or order an insurance enterprise to report, within a prescribed limit of time, the condition of its business.

The competent authority may engage an appropriate agency or professional expert to conduct the inspection referred to in the preceding paragraph. Expenses thus incurred shall be borne by the insurance enterprise that is inspected.

In performing the tasks referred to in the preceding two paragraphs, inspectors may take any of the following actions, which the responsible person and relevant persons of the insurance enterprise may not evade, obstruct, or refuse:

1. Ordering the insurance enterprise to provide the types of documents and forms described in Article 148-1, paragraph 1, and to present evidencing documents, vouchers, books, lists, and related materials.

2. Making inquiries of the persons in charge of (and other personnel involved in) relevant business operations of the insurance enterprise.

3. Assessing the assets and liabilities of the insurance enterprise.

In performing the tasks in paragraphs 1 and 2, inspectors may, after receiving permission from the competent authority, take any of the following actions as necessary in order to investigate the facts and evidence of a case:

1. Requesting that enterprises affiliated with the insurance enterprise being inspected provide financial statements, allow inspection of their related books or documents, or permit questioning of their relevant employees.

2. Inspecting the records of other financial institutions of transactions of the insurance enterprise, its affiliates, and others whose names are suspected to have been used by it for transactions.

The scope of "affiliates" in the preceding paragraph shall be governed by Articles 369-1 to 369-3, Article 369-9, and Article 369-11 of the Company Act.

Article 148-1

At the end of every fiscal year, an insurance enterprise shall (i) compile a report detailing its operational status and the use of its funds, attaching a balance sheet, profit and loss statement, statement of changes in shareholders' equity, cash flow statement and proposal for allocation of surplus profit or compensation of deficit, and other matters designated by the competent authority, (ii) have the above items certified by a certified public accountant, (iii) submit the above items for approval at a shareholders meeting or a general assembly of cooperative members, and (iv) thereafter submit the above items to the competent authority within fifteen days for

保險業除依前項規定提報財務業務報告外，主管機關並得視需要，令保險業於規定期限內，依規定之格式及內容，將業務及財務狀況彙報主管機關或其指定之機構，或提出帳簿、表冊、傳票或其他有關財務業務文件。

前二項財務報告之編製準則，由主管機關定之。

第 148-2 條

保險業應依規定據實編製記載有財務及業務事項之說明文件提供公開查閱。

保險業於有攸關消費大眾權益之重大訊息發生時，應於二日內以書面向主管機關報告，並主動公開說明。

第一項說明文件及前項重大訊息之內容、公開時期及方式，由主管機關定之。

第 148-3 條

保險業應建立內部控制及稽核制度；其辦法，由主管機關定之。

保險業對資產品質之評估、各種準備金之提存、逾期放款、催收款之清理、呆帳之轉銷及保單之招攬核保理賠，應建立內部處理制度及程序；其辦法，由主管機關定之。

第 149 條

保險業違反法令、章程或有礙健全經營之虞時，主管機關除得予以糾正或命其限期改善外，並得視情況為下列處分：

- 一、限制其營業或資金運用範圍。
- 二、命其停售保險商品或限制

recordation.

In addition to the financial and business reports that an insurance enterprise must submit pursuant to the preceding paragraph, the competent authority may, as the need arises, require either that an insurance enterprise report, within a specified time limit and observing all format and content requirements, its business and financial conditions to the competent authority or an institution designated thereby, or that an insurance enterprise furnish account books, statements, vouchers, or other related financial and operational documents.

Standards governing preparation of the financial reports referred to in the preceding two paragraphs shall be prescribed by the competent authority.

Article 148-2

An insurance enterprise shall, in compliance with regulations, truthfully prepare explanatory documents detailing the enterprise's financial and business matters, and shall make such documents publicly available for inspection.

If an insurance enterprise becomes aware of any material information with a bearing upon the rights and interests of consumers, it shall report to the competent authority in writing within two days and explain the matter publicly.

The explanatory documents referred to in paragraph 1, and the contents as well as the timing and manner of disclosure of the major information referred to in the preceding paragraph, shall be prescribed by the competent authority.

Article 148-3

An insurance enterprise shall establish internal control and auditing systems. Regulations governing such systems shall be prescribed by the competent authority.

An insurance enterprise shall establish internal handling systems and procedures for: assessment of asset quality; provision for various kinds of reserves; resolution of overdue loans and non-accrual loans; write-off of bad debts; and policy solicitation, underwriting, and claims settlement. Regulations governing such systems and procedures shall be prescribed by the competent authority.

Article 149

If an insurance enterprise violates laws, regulations, or its articles of incorporation, or is suspected of improper management, the competent authority may issue an official reprimand or order it to take corrective action within a specified period of time, and may, depending on the circumstances, take the following disciplinary actions:

1. Restrict the scope of its business or funds allocations.
2. Order the insurance enterprise to suspend sales of an insurance

其保險商品之開辦。

三、命其增資。

四、命其解除經理人或職員之職務。

保險業不遵行前項處分，主管機關應依情節，分別為下列處分：

一、撤銷法定會議之決議。

二、解除董（理）事、監察人（監事）職務或停止其於一定期間內執行職務。

三、其他必要之處置。

依前項第二款規定解除董（理）事、監察人（監事）職務時，由主管機關通知公司（合作社）登記之主管機關註銷其董（理）事、監察人（監事）登記。

保險業因業務或財務狀況顯著惡化，不能支付其債務，或無法履行契約責任或有損及被保險人權益之虞時，主管機關得依情節之輕重，分別為下列處分：

一、監管。

二、接管。

三、勒令停業清理。

四、命令解散。

依前項規定監管、接管、停業清理或解散者，主管機關得委託其他保險業、保險相關機構或具有專業經驗人員擔任監管人、接管人、清理人或清算人；其有涉及安定基金補償事項時，並應通知安定基金配合辦理。

前項經主管機關委託之相關機構或個人，於辦理受委託事項時，不適用政府採購法之規定。

保險業受接管或被勒令停業清理時，不適用公司法有關臨時管理人或檢查人之規定，除依本法規定聲請之重整外，其他重整、破產、和解之聲請及強制執执行程序當然停止。

接管人依本法規定聲請重整，

product or products or restrict its launch of new insurance products.

3. Order the insurance enterprise to increase its capital.

4. Order removal of its managers or employees from their positions.

If an insurance enterprise does not comply with the disciplinary actions of the preceding paragraph, the competent authority shall take the following disciplinary actions as circumstances merit:

1. Revoke the resolutions of statutory meetings.

2. Dismiss its directors or supervisor(s), or suspend them from their duties for a certain period of time.

3. Any other necessary disposition.

If directors or supervisors are dismissed pursuant to the provisions of preceding paragraph, subparagraph 2, the competent authority shall notify the competent authority for company (cooperative) registration to cancel the registration of the directors and supervisors.

If the business or financial conditions of an insurance enterprise deteriorate so significantly that the insurance enterprise is unable to pay its debts or perform contractual obligations, or the rights and interests of insured parties are adversely affected, the competent authority may, depending on the severity of the circumstances, take the following disciplinary actions:

1. Place the enterprise under conservatorship.

2. Place the enterprise under receivership.

3. Order the enterprise to suspend business and undergo rehabilitation.

4. Order dissolution of the insurance enterprise.

If, pursuant to the provisions of the preceding paragraph, an insurance enterprise is ordered into conservatorship, receivership, suspension of business and rehabilitation, or dissolution, the competent authority may mandate another insurance enterprise, insurance-related institution, or professional expert to serve as conservator, receiver, rehabilitator, or liquidator. Where there are matters of compensation involving a stabilization fund, the cooperation of the stabilization fund shall also be requested.

A related institution or individual mandated by the competent authority as provided for under the preceding paragraph shall not be subject to the provisions of the Government Procurement Act when handling the matters for which it was mandated.

When an insurance enterprise is placed under receivership or ordered to suspend business and undergo rehabilitation, the provisions of the Company Act pertaining to temporary managers and inspectors do not apply, and with the exception of a reorganization filed for in accordance with the provisions of this Act, any other petition for reorganization, bankruptcy, or composition shall be automatically stayed, as shall any compulsory execution proceeding.

A receiver filing for reorganization in accordance with the

就該受接管保險業於受接管前已聲請重整者，得聲請法院合併審理或裁定；必要時，法院得於裁定前訊問利害關係人。

保險業經主管機關依第四項第一款規定為監管處分時，非經監管人同意，保險業不得為下列行為：

- 一、支付款項或處分財產，超過主管機關規定之限額。
 - 二、締結契約或重大義務之承諾。
 - 三、其他重大影響財務之事項。
- 監管人執行監管職務時，準用第一百四十八條有關檢查之規定。
- 保險業監管或接管之程序、監管人與接管人之職權、費用負擔及其他應遵行事項之辦法，由主管機關定之。

第 149-1 條

保險業收受主管機關接管處分之通知後，應將其業務之經營及財產之管理處分權移交予接管人。原有股東會、董事、監察人或類似機構之職權即行停止。

保險業之董事、經理人或類似機構應將有關業務及財務上一切帳冊、文件與財產列表移交與接管人。董事、監察人、經理人或其他職員，對於接管人所為關於業務或財務狀況之詢問，有答復之義務。

第 149-2 條

保險業於受接管期間內，主管機關對其新業務之承接、受理有效保險契約之變更或終止、受理要保人以保險契約為質之借款或償付保險契約之解約金，得予以限制。

接管人執行職務而有下列行為時，應事先取得主管機關許可：

- 一、增資或減資後再增資。
- 二、讓與全部或部分營業、資產或負債。

provisions of this Act may petition the court to hear or rule upon its petition together with any petition for reorganization filed by the insurance enterprise under receivership before it was placed under receivership. The court may as necessary question interested parties before issuing a ruling.

If an insurance enterprise has been placed under conservatorship by the competent authority pursuant to the provisions of paragraph 4, subparagraph 1, the insurance enterprise may not perform any of the following acts without the consent of the conservator:

1. Make payments or dispose of property in excess of a limit prescribed by the competent authority.
2. Enter into any contract or undertake material obligations.
3. Any other matter that would significantly affect its finances.

The relevant provisions of Article 148 shall apply mutatis mutandis to the conservator's performance of his/her duties as conservator.

The competent authority shall prescribe regulations governing the procedures for conservatorship or receivership of insurance enterprises, the duties of conservators and receivers, fee burdens, and other compliance matters.

Article 149-1

After receiving a notice of receivership from the competent authority, an insurance enterprise shall surrender to the receiver its right to run business operations and manage and dispose of property. All authorities of office of the original shareholders' meeting, directors, supervisors, and other similar offices shall be suspended immediately.

Directors, managers, or persons holding other similar positions in the insurance enterprise shall transfer all account books, documents, and property relating to business and financial matters to the receiver along with a list of what has been transferred. The directors, supervisors, managers, and other staff shall be obligated to respond to the receiver's inquiries concerning business and financial matters.

Article 149-2

During the period in which an insurance enterprise is under receivership, the competent authority may restrict its ability to write new business, modify or terminate in-force insurance contracts, provide proposers with loans secured by insurance contracts, or pay the surrender value of insurance contracts.

A receiver shall obtain prior permission from the competent authority if, in executing his or her duties, he or she intends to take any of the following actions:

1. Carry out a capital increase, or capital decrease followed by capital increase.
2. Assign operations, assets, or liabilities in whole or in part.

三、與其他保險業合併。

四、其他經主管機關指定之重要事項。

接管人接管保險業後三個月內未將全部營業、資產或負債移轉者，除有重建更生之可能應向法院聲請重整外，應報請主管機關為清理之處分。上述期限，必要時接管人得向主管機關申請展延。

法院受理接管人依本法規定之重整聲請時，得逕依主管機關所提出之財務業務檢查報告及意見於三十日內為裁定。

依保險契約所生之權利於保險業重整時，有優先受償權，並免為重整債權之申報。

接管人依本法聲請重整之保險業，不以公開發行股票或公司債之公司為限，且其重整除本法另有規定外，準用公司法有關重整之規定。

受接管保險業依第二項第二款規定讓與全部或部分營業、資產或負債時，如受接管保險業之有效保險契約之保險費率與當時情況有顯著差異，非調高其保險費率或降低其保險金額，其他保險業不予承接者，接管人得報經主管機關核准，調整其保險費率或保險金額。

第 149-3 條

監管、接管之期限，由主管機關定之。在監管、接管期間，監管、接管原因消失時，監管人、接管人應報請主管機關終止監管、接管。

接管期間屆滿或雖未屆滿而經主管機關決定終止接管時，接管人應將經營之有關業務及財務上一切帳冊、文件與財產，列表移交與該保險業之代表人。

3. Merge with another insurance enterprise.

4. Other important matters as designated by the competent authority.

When a receiver does not assign the entire operations, assets, or liabilities of an insurance enterprise within three months after taking it into receivership, unless there is a possibility of rescue (in which case a petition for reorganization shall be filed in court), the receiver shall report to the competent authority and request that the latter carry out rehabilitation. A receiver may as necessary apply to the competent authority for an extension on the aforementioned time period.

When a court receives a petition for reorganization filed by a receiver in accordance with the provisions of this Act, it may proceed forthwith to issue a ruling within 30 days on the basis of operational and final examination reports and opinions provided by the competent authority.

When an insurance enterprise is undergoing reorganization, rights arising out of its insurance contracts shall constitute preferential claims and need not be declared as rights of creditors in reorganization.

The insurance enterprises for which a receiver may file for reorganization are not limited to companies that have publicly issued stock or corporate bonds, and except as otherwise provided in this Act, the reorganization thereof shall be subject mutatis mutandis to the provisions of the Company Act relating to reorganization.

When a receiver intends to assign operations, assets, or liabilities in whole or in part in accordance with paragraph 2, subparagraph 2, if premium rates on the in-force contracts of the insurance enterprise under receivership are significantly out of line given current conditions and the other insurance enterprise will not accept the assignment unless premium rates are increased or insured amounts are reduced, the receiver may adjust premium rates or insured amounts after approval is granted by the competent authority.

Article 149-3

The period of conservatorship or receivership shall be determined by the competent authority. If during the period of conservatorship or receivership, the reason for conservatorship or receivership ceases to exist, the conservator or receiver shall report to the competent authority and request termination of conservatorship or receivership.

When the period of receivership expires, or if the competent authority decides to terminate the receivership prior to expiration of the period of receivership, the receiver shall transfer all relevant account books, documents, and property relating to business and financial matters of the insurance enterprise to the representative of the insurance enterprise along with a list of what has been transferred.

第 149-4 條

依第一百四十九條為解散之處分者，其清算程序，除本法另有規定外，其為公司組織者，準用公司法關於股份有限公司清算之規定；其為合作社組織者，準用合作社法關於清算之規定。但有公司法第三百三十五條特別清算之原因者，均應準用公司法關於股份有限公司特別清算之程序為之。

第 149-5 條

監管人、接管人、清理人或清算人之報酬及因執行職務所生之費用，由受監管、接管、清理、清算之保險業負擔，並優先於其他債權受清償。前項報酬，應報請主管機關核定。

第 149-6 條

保險業經主管機關依第一百四十九條第四項規定為監管、接管、勒令停業清理或命令解散之處分時，主管機關對該保險業及其負責人或有違法嫌疑之職員，得通知有關機關或機構禁止其財產為移轉、交付或設定他項權利，並得函請入出境許可之機關限制其出境。

第 149-7 條

股份有限公司組織之保險業受讓依第一百四十九條之二第二項第二款受接管保險業讓與之營業、資產或負債時，適用下列規定：

一、股份有限公司受讓全部營業、資產或負債時，應經代表已發行股份總數過半數股東出席之股東會，以出席股東表決權過半數之同意行之；不同意之股東不得請求收買股份，免依公司法第一百八十五條至第

Article 149-4

When an insurance enterprise organized as a company is ordered to dissolve in accordance with the provisions of Article 149, the provisions of the Company Act concerning liquidation of a company limited by shares shall apply mutatis mutandis to the enterprise's liquidation procedures unless otherwise provided in this Act. If the insurance enterprise is organized as a cooperative, the provisions of the Cooperative Act concerning liquidation shall apply mutatis mutandis, provided that if special liquidation procedures are required for any of the reasons contained in Article 335 of the Company Act, the procedures for special liquidation of a company limited by shares, as set forth in the Company Act, shall apply mutatis mutandis.

Article 149-5

Remuneration of the conservator, receiver, rehabilitator, or liquidator, and expenses arising from the performance of their duties, shall be borne by the insurance enterprise under conservatorship, receivership, rehabilitation, or liquidation, and shall take precedence over the rights of other creditors.

The remuneration referred to in the preceding paragraph shall be submitted to the competent authority for approval.

Article 149-6

When an insurance enterprise is ordered by the competent authority, pursuant to the provisions of Article 149, paragraph 4, into conservatorship, receivership, suspension of business and rehabilitation, or dissolution, the competent authority may instruct the relevant authorities or institutions to prohibit the insurance enterprise, its responsible person, or any of its employees suspected of violating the law, from transferring, delivering, or otherwise encumbering property of the enterprise, and may also request by letter that immigration authorities prevent such persons from leaving the country.

Article 149-7

When an insurance enterprise organized in the form of a company limited by shares takes assignment of the operations, assets, or liabilities of another insurance enterprise that is under receivership pursuant to Article 149-2, paragraph 2, subparagraph 2, the following provisions shall apply:

1. For a company limited by shares, assumption in whole of operations, assets, or liabilities shall proceed upon adoption of a resolution by a majority vote of the voting rights represented at a shareholders meeting attended by shareholders representing a majority of the total issued shares. Dissenting shareholders may not request repurchase of their shares and the requirements of Article 185 to 187 of the Company Act shall be waived.

一百八十七條規定辦理。

二、債權讓與之通知以公告方式辦理之，免依民法第二百九十七條之規定辦理。

三、承擔債務時免依民法第三百零一條債權人承認之規定辦理。

四、經主管機關認為有緊急處理之必要，且對市場競爭無重大不利影響時，免依公平交易法第十一條第一項規定向行政院公平交易委員會申報結合。保險業依第一百四十九條之二第二項第三款與受接管保險業合併時，除適用前項第一款及第四款規定外，解散或合併之通知得以公告方式辦理之，免依公司法第三百十六條第四項規定辦理。

第 149-8 條

保險業之清理，主管機關應指定清理人為之，並得派員監督清理之進行。

清理人之職務如下：

一、了結現務。

二、收取債權，清償債務。

保險業經主管機關為勒令停業清理之處分時，準用第一百四十九條之一、第一百四十九條之二第一項及第七項規定。

清理人執行第二項職務，有代表保險業為訴訟上及訴訟外一切行為之權。但將保險業營業、資產或負債予以轉讓，或與其他保險業合併時，應報經主管機關核准。

其他保險業受讓受清理保險業之營業、資產或負債或與其合併時，應依前條規定辦理。

清理人執行職務聲請假扣押、假處分時，得免提供擔保。

第 149-9 條

清理人就任後，應即於保險業所在地之日報為三日以上之公告，催告債權人於三十日內申

2. Notice of the assignment of creditors' rights shall be given by public announcement, and the requirements of Article 297 of the Civil Code shall be waived.

3. Where debt is assumed, the provision of Article 301 of the Civil Code requiring acknowledgement by the creditor shall be waived.

4. Where the competent authority deems that there is a need for urgent measures and that there will be no material adverse impact on market competition, the requirement to report a business combination to the Fair Trade Commission of the Executive Yuan under Article 11, paragraph 1 of the Fair Trade Act shall be waived. Where an insurance enterprise merges, pursuant to Article 149-2, paragraph 2, subparagraph 2, with an insurance enterprise under receivership, the provisions of subparagraphs 1 and 4 of the preceding paragraph shall apply, notice of merger or dissolution may be given by public announcement, and the requirements of Article 316, paragraph 4 of the Company Act shall be waived.

Article 149-8

For rehabilitation of an insurance enterprise, the competent authority shall appoint a rehabilitator, and may dispatch personnel to supervise the rehabilitation.

The duties of the rehabilitator are as follows:

1. To wind up pending matters.

2. To collect assets and discharge liabilities.

When an insurance enterprise is ordered by the competent authority to suspend business and undergo rehabilitation, the provisions of Article 149-1 and Article 149-2, paragraphs 1 and 7 shall apply mutatis mutandis.

In performing the duties referred to in paragraph 2, the rehabilitator shall have the authority to perform all litigious and non-litigious acts on behalf of the insurance enterprise. However, approval from the competent authority shall be obtained before transfer of operations, assets, or liabilities of the insurance enterprise, or before its merger with another insurance enterprise.

When an insurance enterprise takes assignment of the operations, assets, or liabilities of, or merges with, an insurance enterprise under rehabilitation, it shall comply with the provisions of the preceding article.

A rehabilitator who petitions for provisional attachment or provisional injunction in connection with the exercise of his/her duties shall be exempt from any requirement to provide security.

Article 149-9

After being instated, the rehabilitator shall immediately make public announcement for at least three days in a daily newspaper published in the area where the insurance enterprise is located, notifying

報其債權，並應聲明屆期不申報者，不列入清理。但清理人所明知之債權，不在此限。

清理人應即查明保險業之財產狀況，於申報期限屆滿後三個月內造具資產負債表及財產目錄，並擬具清理計畫，報請主管機關備查，並將資產負債表於保險業所在地日報公告之。

清理人於第一項所定申報期限內，不得對債權人為清償。但對已屆清償期之職員薪資，不在此限。

第 149-10 條

保險業經主管機關勒令停業進行清理時，第三人對該保險業之債權，除依訴訟程序確定其權利者外，非依前條第一項規定之清理程序，不得行使。

前項債權因涉訟致分配有稽延之虞時，清理人得按照清理分配比例提存相當金額，而將所餘財產分配於其他債權人。

下列各款債權，不列入清理：

一、債權人參加清理程序為個人利益所支出之費用。
二、保險業停業日後債務不履行所生之損害賠償及違約金。

三、罰金、罰鍰及追繳金。

在保險業停業日前，對於保險業之財產有質權、抵押權或留置權者，就其財產有別除權；有別除權之債權人不依清理程序而行使其權利。但行使別除權後未能受清償之債權，得依清理程序申報列入清理債權。

清理人因執行清理職務所生之費用及債務，應先於清理債權，隨時由受清理保險業財產清償之。

依前條第一項規定申報之債權或為清理人所明知而列入清理

creditors to file their claims within thirty days and stating that in case of failure to file within the time limit such claims will not be included in the rehabilitation proceeding, provided that this restriction does not apply to claims known to the rehabilitator.

The rehabilitator shall immediately ascertain the status of the insurance enterprise's assets; prepare a balance sheet and list of property within three months from the expiration of the time limit for filing a claim; prepare a rehabilitation plan; submit all of the above to the competent authority; and publicize the balance sheet in a daily newspaper published in the area where the insurance enterprise is located.

During the filing period set forth in paragraph 1, the rehabilitator may not make payment to creditors, provided that employee salaries that are due are not subject to this restriction.

Article 149-10

For an insurance enterprise that has been ordered by the competent authority into suspension of business and rehabilitation, creditors' rights shall not be exercised by any third party against the insurance enterprise other than through the rehabilitation proceeding set forth in paragraph 1 of the preceding article, except for rights that have been ascertained through litigation procedures.

If the distribution of payment of creditors' rights referred to in the preceding paragraph is likely to be delayed due to litigation, the rehabilitator may set aside an amount based on the rehabilitation distribution ratio, and distribute the balance of the property to other creditors.

The following creditors' rights shall be excluded from rehabilitation:

1. Expenses incurred by creditors for personal benefit while taking part in the rehabilitation proceeding.
2. Damages and penalties owed by the insurance enterprise due to non-performance of debt obligations after the day of suspension of business.
3. Criminal fines, administrative fines, and arrears fees.

Those holding pledges, mortgages, or liens on property of the insurance enterprise prior to the day of suspension of business shall enjoy the right of exclusion with respect to such property. Creditors with the right of exclusion may exercise their creditors' rights independently of the rehabilitation proceeding, provided that for debts that remain unsettled after exercise of the right of exclusion, such creditors may file a claim in accordance with the rehabilitation proceeding.

Expenses and debts incurred by the rehabilitator in the execution of rehabilitation duties have priority over payment of creditors, and shall be reimbursed on a running basis from the property of the insurance enterprise under rehabilitation.

The limitations period for claiming payment for creditors' rights shall be interrupted from the time that a claim is filed or that rights

之債權，其請求權時效中斷，自清理完結之日起重行起算。

債權人依清理程序已受清償者，其債權未能受清償之部分，對該保險業之請求權視為消滅。清理完結後，如復發現可分配之財產時，應追加分配，於列入清理程序之債權人受清償後，有剩餘時，第三項之債權人仍得請求清償。

第 149-11 條

清理人應於清理完結後十五日內造具清理期內收支表、損益表及各項帳冊，並將收支表及損益表於保險業所在地之新聞紙及主管機關指定之網站公告後，報主管機關廢止保險業許可。

前項經廢止許可之保險業，自停業時起視為解散，原有清理程序視為清算。

第 150 條

保險業解散清算時，應將其營業執照繳銷。

第二節 保險公司

第 151 條

保險公司除本法另有規定外，適用公司法關於股份有限公司之規定。

第 152 條

保險公司之股票，不得為無記名式。

第 153 條

保險公司違反保險法令經營業務，致資產不足清償債務時，其董事長、董事、監察人、總經理及負責決定該項業務之經理，對公司之債權人應負連帶無限清償責任。

known to the rehabilitator are included in the rehabilitation pursuant to paragraph 1 of the preceding article, and shall resume from the day the rehabilitation is completed.

Where a creditor has received payment through the rehabilitation proceeding, right of claim against the insurance enterprise for the portion of credit not fully paid up shall be deemed extinguished. After completion of rehabilitation, if distributable property is discovered, supplemental distribution shall be carried out. If there is any balance after paying those creditors who are listed in the rehabilitation proceeding, the creditors referred to in paragraph 3 shall be entitled to claim it.

Article 149-11

Within fifteen days of completion of the rehabilitation, the rehabilitator shall: prepare a revenue and expense statement, a profit and loss statement, and various account books for the rehabilitation period; publicize the revenue and expense statement and the profit and loss statement in newspapers published in the area where the insurance enterprise is located, and on a website designated by the competent authority; and submit a report to the competent authority requesting that it revoke insurance the enterprise's business permit.

An insurance enterprise whose business permit is revoked as provided for in the preceding paragraph shall be deemed dissolved from the time of business suspension, and the original rehabilitation proceeding shall be deemed liquidation.

Article 150

When an insurance enterprise is dissolved and liquidated, its business license shall be revoked.

Section 2. Insurance Companies

Article 151

Except as otherwise provided for in this Act, the provisions of the Company Act relating to companies limited by shares are applicable to insurance companies.

Article 152

The shares of an insurance company may not be in bearer form.

Article 153

Where an insurance company violates insurance laws or regulations in conducting its business, and this results in a situation where its assets are insufficient to pay off its debts, its chairman of the board of directors, directors, supervisors, president, and managers responsible for deciding such business matters shall bear unlimited joint and several liability to the company's creditors.

主管機關對前項應負連帶無限清償責任之負責人，得通知有關機關或機構禁止其財產為移轉、交付或設定他項權利，並得函請入出境許可之機關限制其出境。

第一項責任，於各該負責人卸職登記之日起滿三年解除。

The competent authority may notify the relevant authorities or institutions that they are prohibited from transferring, delivering, or otherwise encumbering property of persons who shall bear the unlimited joint and several liability referred to in the preceding paragraph, and may also instruct immigration authorities in writing to prevent such persons from leaving the country.

Each of the said responsible persons shall be discharged from the liability referred to in paragraph 1 three years after the date of registration of dismissal from his/her position.

第 154 條
(刪除)

Article 154
(Deleted)

第 155 條
(刪除)

Article 155
(Deleted)

第三節 保險合作社

Section 3. Insurance Cooperatives

第 156 條

保險合作社除依本法規定外，適用合作社法及其有關法令之規定。

Article 156

In addition to the provisions of this Act, an insurance cooperative shall also be governed by the provisions of the Cooperative Act and other relevant laws and regulations.

第 157 條

保險合作社，除依合作社法籌集股金外，並依本法籌足基金。

Article 157

In addition to raising membership share capital in accordance with the Cooperative Act, an insurance cooperative shall, as necessary, take other measures pursuant to this Act to ensure that its authorized fund meets the legal requirement.

前項基金非俟公積金積至與基金總額相等時，不得發還。

The fund referred to in the preceding paragraph may not be retired until the surplus has accumulated to an amount equal to the total amount of the fund.

第 158 條

保險合作社於社員出社時，其現存財產不足抵償債務，出社之社員仍負擔出社前應負之責任。

Article 158

Where an insurance cooperative does not have sufficient existing assets to pay off its debts when a member withdraws from the cooperative, the withdrawing member shall continue to bear the liability that he/she bore prior to withdrawal.

第 159 條

保險合作社之理事，不得兼任其他合作社之理事、監事或無限責任社員。

Article 159

A director of an insurance cooperative may not concurrently serve as a director, supervisor, or member with unlimited liability of another cooperative.

第 160 條
(刪除)

Article 160
(Deleted)

第 161 條

保險合作社之社員，對於保險合作社應付之股金及基金，不

Article 161

Members of an insurance cooperative may not use their creditors' rights with respect to the cooperative to offset their subscriptions to

得以其對保險合作社之債權互相抵銷。

membership share capital or other elements of the cooperative's fund.

第 162 條

財產保險合作社之預定社員人數不得少於三百人；人身保險合作社之預定社員人數不得少於五百人。

Article 162

The start-up membership of a cooperative engaged in non-life insurance may not be less than three hundred persons. The start-up membership of a cooperative engaged in insurance of the person may not be less than five hundred persons.

第四節 保險業代理人、經紀人、公證人

Section 4. Insurance Agents, Brokers, and Surveyors

第 163 條

保險業之經紀人、代理人、公證人，非向主管機關登記，繳存保證金或投保責任保險，領有執業證書，不得執行業務。前項經紀人、代理人、公證人，或其他個人及法人，不得為未經主管機關核准之保險業經營或介紹保險業務。

Article 163

An insurance agent, broker, or surveyor may not begin practicing until he or she has registered with the competent authority, posted bond, obtained liability insurance, and obtained a practice license.

The insurance agents, brokers, and surveyors referred to in the preceding paragraph, or other individuals or juristic persons, may not engage in insurance business on behalf of, or refer insurance business to, insurance enterprises that have not been approved by the competent authority.

第 164 條

保險業代理人、經紀人、公證人，應繳存之保證金或投保責任保險之保險金額，由主管機關訂之。

Article 164

The amount of the bond that insurance agents, brokers, and surveyors must post, or the insured amount of the liability insurance that such parties must obtain, shall be determined by the competent authority.

第 165 條

保險業代理人、經紀人、公證人，應有固定業務處所，並專設帳簿記載業務收支。

Article 165

An insurance agent, broker, or surveyor shall have a fixed place of business and set up special ledgers to record his or her business income and expenditures.

第四節之一 同業公會

Section 4-1. Trade associations

第 165-1 條

保險業、保險代理人公司、保險經紀人公司、保險公證人公司非加入同業公會，不得營業；同業公會非有正當理由，不得拒絕其加入，或就其加入附加不當之條件。

Article 165-1

An insurance enterprise, agent, broker, or surveyor company may not engage in business until it has become a member of the association; without legitimate reason, the association may not deny an application for membership thereby or attach improper conditions to it.

第 165-2 條

同業公會為會員之健全經營及維護同業之聲譽，應辦理下列事項：

Article 165-2

To ensure sound operations and maintain the reputations of its members, the association shall carry out the following matters:

一、訂定共同性業務規章、自

1. Draw up general operating bylaws, self-regulatory, and practical

律規範及各項實務作業規定，並報請主管機關備查後供會員遵循。

二、就會員所經營業務，為必要指導或協調其間之糾紛。

三、主管機關規定或委託辦理之事項。

四、其他為達成保險業務發展及公會任務之必要業務。

同業公會為辦理前項事項，得要求會員提供有關資料或提出說明。

codes, and then provide these, to members for their compliance as the competent authority agreed to file for recordation.

2. Exercise necessary guidance for members' running business and coordinate disputes between them.

3. Handle matters required and entrusted by the competent authority.

4. Handle other matters as necessary to develop insurance business and achieve the mission of the association.

To carry out the matters set forth in the preceding paragraph, the association may require members to provide relevant information or make explanations.

第 165-3 條

同業公會之業務、財務規範與監督、章程應記載事項、負責人與業務人員之資格條件及其他應遵行事項之規則，由主管機關定之。

Article 165-3

The competent authority shall prescribe regulations for the supervision of operational and financial affairs of the association, the contents of constitution, the required qualifications of responsible men and related persons, and other compliance matters.

第 165-4 條

同業公會之理事、監事有違反法令、怠於遵守該會章程、規章、濫用職權或違背誠實信用原則之行為者，主管機關得予以糾正或命令同業公會予以解任。

Article 165-4

Where a director or supervisor of the association violates laws or regulations, fails to obey the association's constitution or bylaws, abuses his or her authority, or breaches the principle of good faith, the competent authority may issue an official reprimand or order the association to dismiss the actor.

第 165-5 條

主管機關為健全保險市場或保護被保險人之權益，必要時，得命令同業公會變更其章程、規章、規範或決議，或提供參考、報告之資料，或為其他一定之行為。

Article 165-5

When necessary to ensure the soundness of insurance market or safeguard interests of the insured, the competent authority may order the association to amend its constitution, bylaws, rules, resolutions, or to provide reference materials, reports, or to perform other certain acts.

第 165-6 條

同業公會得依章程之規定，對會員或其會員代表違反章程、規章、自律規範、會員大會或理事會決議等事項時，為必要之處置。

Article 165-6

The association may, in accordance with its constitution, impose necessary sanctions against members or members' representatives who violate the constitution, bylaws, self-regulatory rules, or resolutions made by the convention or the board of directors.

第 165-7 條

同業公會章程之變更及理事會、監事會會議紀錄，應報請主管機關備查。

Article 165-7

Amendments to the association's constitution, and minutes of the board of directors and of supervisors, shall be filed for recordation as the competent authority agreed.

第五節 罰則

Section 5. Penal Provisions

第 166 條

未依第一百三十七條規定，經主管機關核准經營保險業務者，應勒令停業，並處新臺幣三百萬元以上一千五百萬元以下罰鍰。

第 167 條

非保險業經營保險或類似保險業務者，處三年以上十年以下有期徒刑，得併科新臺幣一千萬元以上二億元以下罰金。其犯罪所得達新臺幣一億元以上者，處七年以上有期徒刑，得併科新臺幣二千五百萬元以上五億元以下罰金。

法人犯前項之罪者，處罰其行為負責人。

第 167-1 條

違反第一百六十三條規定者，處新臺幣九十萬元以上四百五十萬元以下罰鍰。

第 167-2 條

違反第一百七十七條所定保險代理人經紀人公證人管理規則者，除本法另有規定者外，應限期改正，或併處新臺幣九十萬元以上四百五十萬元以下罰鍰；情節重大者，並得命令停止執業或撤銷執業證書。

第 168 條

保險業違反第一百三十八條第一項、第三項、第五項或第二項所定辦法中有關業務範圍之規定者，處新臺幣九十萬元以上四百五十萬元以下罰鍰。

Article 166

Enterprises that engage in the business of insurance without obtaining approval from the competent authority in accordance with the provisions of Article 137 of this Act shall be ordered to suspend business, and shall be assessed an administrative fine of not less than New Taiwan Dollars three million but not more than New Taiwan Dollars fifteen million.

Article 167

A non-insurance enterprise that engages in the operation of insurance business or of a business similar to insurance shall be punished by a prison term of not less than three years but not more than 10 years, and in addition may be assessed a criminal fine of not less than New Taiwan Dollars 10 million but not more than New Taiwan Dollars two hundred million. Where its gains from the crime are New Taiwan Dollars one hundred million or more, it shall be punished by a prison term of not less than seven years, and in addition may be assessed a criminal fine of not less than New Taiwan Dollars twenty-five million but not more than New Taiwan Dollars five hundred million.

Where a juristic person commits the offense described in the preceding paragraph, the persons responsible for the offense shall be punished.

Article 167-1

A violation of Article 163 shall be punished by an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than New Taiwan Dollars four million five hundred thousand.

Article 167-2

Unless otherwise provided in this Act, where there is a violation of the Regulations Governing Insurance Agents, Brokers, and Surveyors as provided in Article 177, a time limit for rectification shall be specified, and in addition thereto, an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than New Taiwan Dollars four million five hundred thousand may also be assessed. For violations deemed severe, an order to suspend business may also be issued or the offender's practice license revoked.

Article 168

If an insurance enterprise violates the provisions of Article 138, paragraph 1, 3, or 5, or the provisions relating to business scope in regulations prescribed by the competent authority pursuant to Article 138, paragraph 2, an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than four million five hundred thousand shall be imposed.

保險業違反第一百三十八條之二第二項、第四項、第五項、第七項、第一百三十八條之三第一項、第二項或第三項所定辦法中有關賠償準備金提存額度、提存方式之規定者，處新臺幣九十萬元以上四百五十萬元以下罰鍰；其情節重大者，並得廢止其經營保險金信託業務之許可。

保險業違反第一百四十三條者，處新臺幣九十萬元以上四百五十萬元以下罰鍰。

保險業資金之運用有下列情形之一者，處新臺幣九十萬元以上四百五十萬元以下罰鍰或勒令撤換其負責人；其情節重大者，並得撤銷其營業執照：

- 一、違反第一百四十六條第一項、第三項、第五項、第七項或第六項所定辦法中有關專設帳簿之管理、保存及投資資產運用之規定，或違反第八項所定辦法中有關保險業從事衍生性商品交易之條件、交易範圍、交易限額、內部處理程序之規定。
- 二、違反第一百四十六條之一第一項、第二項、第三項或第四項所定辦法中有關投資條件、投資範圍、內容及投資規範之規定。
- 三、違反第一百四十六條之二規定。
- 四、違反第一百四十六條之三第一項、第二項或第四項規定。
- 五、違反第一百四十六條之四第一項、第二項或第三項所定辦法中有關投資規範或投資額度之規定。
- 六、違反第一百四十六條之五第一項前段規定、同條後段所定辦法中有關投資範圍或限額之規定。
- 七、違反第一百四十六條之六第一項、第二項或第三項所定

If an insurance enterprise violates the provisions of Article 138-2, paragraph 2, 4, 5, or 7, or Article 138-3, paragraph 1 or 2, or the provisions relating to the amount to be provisioned for the compensation reserve fund and the manner of such provisioning as set out in regulations prescribed by the competent authority pursuant to paragraph 2 of that same article, an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than four million five hundred thousand shall be imposed; where the circumstances are severe, the enterprise's permit to engage in insurance trust business may also be revoked.

Where an insurance enterprise violates Article 143, an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than New Taiwan Dollars four million five hundred thousand shall be imposed.

Where any one of the following circumstances obtains with respect to the funds allocation of an insurance enterprise, an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than New Taiwan Dollars four million five hundred thousand shall be imposed, or the enterprise shall be ordered to replace its responsible person; where the circumstances are severe, its business license may also be revoked:

1. A violation of Article 146, paragraph 1, 3, 5, or 7, or the provisions relating to administration and custody of special ledgers or the allocation of investment assets as set out in regulations prescribed by the competent authority pursuant to paragraph 6 of that same article, or a violation of provisions relating to the terms and conditions of derivatives trading by insurance enterprises, the scope thereof, transaction limits, or internal handling procedures as set out in regulations prescribed by the competent authority pursuant to paragraph 8 of that same article.
2. A violation of Article 146-1, paragraph 1, 2, or 3, or the provisions relating to eligibility conditions, scope and type of investments, and investment rules as set out in regulations prescribed by the competent authority pursuant to paragraph 4 of that same article.
3. A violation of the provisions of Article 146-2.
4. A violation of the provisions of Article 146-3, paragraph 1, 2, or 4.
5. A violation of Article 146-4, paragraph 1 or 2, or the provisions relating to investment rules or investment limits as set out in regulations prescribed by the competent authority pursuant to paragraph 3 of that same article.
6. A violation of the forepart of paragraph 1 of Article 146-5, or of the provisions relating to scope of or limits upon investments as set out in regulations prescribed by the competent authority pursuant to the latter part of that same article.
7. A violation of Article 146-6, paragraph 1 or 2, or the provisions relating to the method of reporting investments as set out in

辦法中有關投資申報方式之規定。

八、違反第一百四十六條之七第一項所定辦法中有關放款或其他交易限額之規定，或第三項所定辦法中有關決議程序或限額之規定。

九、違反第一百四十六條之九第一項、第二項或第三項規定。

保險業依第一百四十六條之三第三項或第一百四十六條之八第一項規定所為之放款無十足擔保或條件優於其他同類放款對象者，其行為負責人，處三年以下有期徒刑或拘役，得併科新臺幣二千萬元以下罰金。

保險業依第一百四十六條之三第三項或第一百四十六條之八第一項規定所為之擔保放款達主管機關規定金額以上，未經董事會三分之二以上董事之出席及出席董事四分之三以上同意者，或違反第一百四十六條之三第三項所定辦法中有關放款限額、放款總餘額之規定者，其行為負責人，處新臺幣二百萬元以上一千萬元以下罰鍰。

第 168-1 條

主管機關依第一百四十八條規定派員，或委託適當機構或專業經驗人員，檢查保險業之業務及財務狀況或令保險業於限期內報告營業狀況時，保險業之負責人或職員有下列情形之一者，處新臺幣一百八十萬元以上九百萬元以下罰鍰：

- 一、拒絕檢查或拒絕開啟金庫或其他庫房。
- 二、隱匿或毀損有關業務或財務狀況之帳冊文件。
- 三、無故對檢查人員之詢問不為答復或答復不實。
- 四、逾期提報財務報告、財產目錄或其他有關資料及報告，或提報不實、不全或未於規定

regulations prescribed by the competent authority pursuant to paragraph 3 of that same article.

8. A violation of the provisions relating to limits on loans or other transactions as set out in regulations prescribed by the competent authority pursuant to Article 146-7, paragraph 1, or of the provisions relating to procedures for the adoption of resolutions or limits on transaction size as set out in regulations prescribed by the competent authority pursuant to Article 146-7, paragraph 3.

9. A violation of the provisions of Article 146-9, paragraph 1, 2, or 3.

Where a secured loan made by an insurance enterprise under Article 146-3, paragraph 3 or Article 146-8, paragraph 1 is not fully secured or the conditions are better than those extended to other loanees of the same class, the person responsible for the act shall be sentenced to imprisonment for not more than three years or detention, and in addition may be assessed a criminal fine of not more than New Taiwan Dollars twenty million.

Where a secured loan made by an insurance enterprise under Article 146-3, paragraph 3 or Article 146-8, paragraph 1 reaches or exceeds the monetary amount prescribed by the competent authority without approval by three-quarters of the directors present at a board of directors meeting attended by at least two-thirds of the directors, or where an insurance enterprise violates the provisions relating to loan limits and aggregate loan balances as set out in regulations prescribed by the competent authority pursuant to Article 146-3, paragraph 3, the person responsible for the act shall be assessed an administrative fine of not less than New Taiwan Dollars two million but not more than New Taiwan Dollars ten million.

Article 168-1

Where the competent authority, pursuant to Article 148, dispatches an officer or commissions an appropriate institution or expert to inspect the business and financial conditions of an insurance enterprise, or orders an insurance enterprise to report the status of its business within a specific time limit, a responsible person or an employee of the insurance enterprise who commits any of the following acts shall be assessed an administrative fine of not less than New Taiwan Dollars one million and eight hundred thousand but not more than New Taiwan Dollars nine million:

1. Refusing to allow inspection or to open the safe or other storage areas.
2. Concealing or destroying account books or documents related to the enterprise's business or financial conditions.
3. Refusing to respond to, or making false representation in response to, an investigator's queries without cause.
4. Missing the deadline for submission of financial reports, a list of assets, or other related information and reports, or in submitting such items, making false or incomplete representations, or missing

期限內繳納查核費用者。
保險業之關係企業或其他金融機構，於主管機關依第一百四十八條第四項派員檢查時，怠於提供財務報告、帳冊、文件或相關交易資料者，處新臺幣一百八十萬元以上九百萬元以下罰鍰。

第 168-2 條

保險業負責人或職員或以他人名義投資而直接或間接控制該保險業之人事、財務或業務經營之人，意圖為自己或第三人不法之利益，或損害保險業之利益，而為違背保險業經營之行為，致生損害於保險業之財產或利益者，處三年以上十年以下有期徒刑，得併科新臺幣一千萬元以上二億元以下罰金。其犯罪所得達新臺幣一億元以上者，處七年以上有期徒刑，得併科新臺幣二千五百萬元以上五億元以下罰金。

保險業負責人或職員或以他人名義投資而直接或間接控制該保險業之人事、財務或業務經營之人，二人以上共同實施前項犯罪之行為者，得加重其刑至二分之一。

第一項之未遂犯罰之。

第 168-3 條

犯第一百六十七條或第一百六十八條之二之罪，於犯罪後自首，如有犯罪所得並自動繳交全部所得財物者，減輕或免除其刑；並因而查獲其他正犯或共犯者，免除其刑。

犯第一百六十七條或第一百六十八條之二之罪，在偵查中自白，如有犯罪所得並自動繳交全部所得財物者，減輕其刑；

the deadline for payment of inspection fees.

Where the competent authority dispatches an officer to conduct inspection pursuant to Article 148, paragraph 4, an affiliate of the insurance enterprise, or any other financial institution related thereto, that fails to submit the financial statements, account books, documents, or relevant transaction records shall be assessed an administrative fine of not less than New Taiwan Dollars one million eight hundred thousand but not more than New Taiwan Dollars nine million.

Article 168-2

Where a responsible person or employee of an insurance enterprise, or any person using another person's name to make investments through which he or she is able to directly or indirectly control the personnel, financial, or business operations of an insurance enterprise, operates the insurance enterprise improperly with intent to reap illegal gains for himself/herself or a third party or to harm the interests of the insurance enterprise, and by such action harms property or interests of the insurance enterprise, shall be sentenced to a prison term of not less than three years but not more than 10 years, and in addition thereto, may also be assessed a criminal fine of not less than New Taiwan Dollars 10 million but not more than New Taiwan Dollars two hundred million. Where gains from the crime are New Taiwan Dollars one hundred million or more, such person shall be punished by a prison term of not less than seven years, and in addition may be assessed a criminal fine of not less than New Taiwan Dollars twenty-five million but not more than New Taiwan Dollars five hundred million.

Where two or more responsible persons or employees of an insurance enterprise, or persons using other people's names to make investments through which they are able to exercise direct or indirect control over the personnel, financial, and business matters of an insurance enterprise, act jointly in committing a crime described in the preceding paragraph, the penalty may be increased by up to one-half.

Any attempted offense described in paragraph 1 shall be punishable.

Article 168-3

A person who commits an offense as set out in Article 167 or Article 168-2 and subsequently voluntarily surrenders himself or herself before the offense is discovered, if there is criminal gain and he or she voluntarily hands over the gained assets in full, shall have his or her punishment reduced or remitted. Where another principal offender or an accomplice is captured as a result, his or her punishment shall be remitted.

A person who commits an offense as set out in Article 167 or Article 168-2 and confesses during the prosecutorial inquiry, if there is criminal gain and he or she voluntarily hands over the gained assets in full, shall have his or her punishment reduced. Where

並因而查獲其他正犯或共犯者，減輕其刑至二分之一。
犯第一百六十七條或第一百六十八條之二之罪，其犯罪所得利益超過罰金最高額時，得於所得利益之範圍內加重罰金；如損及保險市場穩定者，加重其刑至二分之一。

第 168-4 條

犯本法之罪，因犯罪所得財物或財產上利益，除應發還被害人或得請求損害賠償之人外，屬於犯人者，沒收之。如全部或一部不能沒收時，追徵其價額或以其財產抵償之。

第 168-5 條

犯本法之罪，所科罰金達新臺幣五十萬元以上而無力完納者，易服勞役期間為二年以下，其折算標準以罰金總額與二年之日數比例折算；所科罰金達新臺幣一億元以上而無力完納者，易服勞役期間為三年以下，其折算標準以罰金總額與三年之日數比例折算。

第 168-6 條

第一百六十八條之二第一項之保險業負責人、職員或以他人名義投資而直接或間接控制該保險業之人事、財務或業務經營之人所為之無償行為，有害及保險業之權利者，保險業得聲請法院撤銷之。

前項之保險業負責人、職員或以他人名義投資而直接或間接控制該保險業之人事、財務或業務經營之人所為之有償行為，於行為時明知有損害於保險業之權利，且受益之人於受益時亦知其情事者，保險業得聲請法院撤銷之。

依前二項規定聲請法院撤銷

another principal offender or an accomplice is captured as a result, his or her punishment shall be reduced by one-half.

Where the criminal benefit gained by a person through commission of the offense in Article 167 or Article 168-2 exceeds the maximum amount of the criminal fine, the fine may be increased within the scope of the benefit gained; if the stability of the insurance market is harmed, the fine shall be increased by one-half.

Article 168-4

Any asset or property benefit gained through commission of a crime under this Act, other than that which shall be returned to a victim or person entitled to claim damages, and where it belongs to the offender, shall be confiscated. If the whole or a part of such gain cannot be confiscated, the value thereof shall be collected from the offender or satisfied out of his or her property.

Article 168-5

Where a criminal fine assessed for an offense under this Act is New Taiwan Dollars fifty million or more and the offender lacks the ability to pay it in full, it shall be commuted to labor for a period of not more than two years, to be calculated by the ratio of the total amount of the fine to the number of days in two years; where the criminal fine assessed is New Taiwan Dollars one hundred million or more and the offender lacks the ability to pay it in full, it shall be commuted to labor for a period of not more than three years, to be calculated by the ratio of the total amount of the fine to the number of days in three years.

Article 168-6

Where "a responsible person or employee of an insurance enterprise, or any person using another person's name to make investments through which he or she is able to directly or indirectly control the personnel, financial, or business operations of an insurance enterprise" as set forth in Article 168-2, paragraph 1 does any gratuitous act that is prejudicial to the rights of an insurance enterprise, the insurance enterprise may petition a court to revoke the act.

Where "a responsible person or employee of an insurance enterprise, or any person using another person's name to make investments through which he or she is able to directly or indirectly control the personnel, financial, or business operations of an insurance enterprise" as set forth in the preceding paragraph does any non-gratuitous act knowing at the time of the act that it is prejudicial to the rights of an insurance enterprise and the beneficiary of the act also knows the circumstances at the time the benefit is received, the insurance enterprise may petition a court to revoke the act.

A party petitioning for revocation in accordance with either of the

時，得並聲請命受益之人或轉得人回復原狀。但轉得人於轉得時不知有撤銷原因者，不在此限。

第一項之保險業負責人、職員或以他人名義投資而直接或間接控制該保險業之人事、財務或業務經營之人與其配偶、直系親屬、同居親屬、家長或家屬間所為之處分其財產行為，均視為無償行為。

第一項之保險業負責人、職員或以他人名義投資而直接或間接控制該保險業之人事、財務或業務經營之人與前項以外之人所為之處分其財產行為，推定為無償行為。

第一項及第二項之撤銷權，自保險業知有撤銷原因時起，一年間不行使，或自行為時起經過十年而消滅。

第 168-7 條

第一百六十八條之二第一項之罪，為洗錢防制法第三條第一項所定之重大犯罪，適用洗錢防制法之相關規定。

第 169 條

保險業違反第七十二條規定超額承保者，除違反部分無效外，處新臺幣四十五萬元以上二百二十五萬元以下罰鍰。

第 169-1 條

(刪除)

第 169-2 條

保險業對於安定基金之提撥，如未依限或拒絕繳付者，主管機關得視情節之輕重，處新臺幣二十四萬元以上一百二十萬元以下罰鍰，或勒令撤換其負責人。

preceding two paragraphs may also petition the court to order the beneficiary or any party to whom the benefit is transferred to restore the status quo ante, provided this does not apply where the party to whom the benefit is transferred was not aware at the time of transfer that there was cause for revocation.

Any disposition of property between "a responsible person or employee of an insurance enterprise, or any person using another person's name to make investments through which he or she is able to directly or indirectly control the personnel, financial, or business operations of an insurance enterprise" as set forth in paragraph 1 and such a person's spouse, lineal relative, cohabiting relative, head of household, or family member shall be deemed a non-gratuitous act.

Any disposition of property between "a responsible person or employee of an insurance enterprise, or any person using another person's name to make investments through which he or she is able to directly or indirectly control the personnel, financial, or business operations of an insurance enterprise" as set forth in paragraph 1 and any person other than those set forth in the preceding paragraph shall be presumed to be a non-gratuitous act.

The right of revocation under paragraphs 1 and 2 shall be extinguished one year after the time the insurance enterprise learns there is cause for voidance if the insurance enterprise fails to exercise, or 10 years after the time of the act.

Article 168-7

The crimes set forth in Article 168-2, paragraph 1 are serious crimes as defined in Article 3, paragraph 1 of the Money Laundering Control Act.

Article 169

If an insurance enterprise violates the provisions of Article 72 of this Act by underwriting insurance in excess of the value of the subject matter insured, the portion in violation shall become void, and the offense shall also be punished by an administrative fine of not less than New Taiwan Dollars four hundred fifty thousand but not more than New Taiwan Dollars two million two hundred fifty thousand.

Article 169-1

(Deleted)

Article 169-2

If an insurance enterprise fails to pay its stabilization fund contributions in time or refuses to pay them, the competent authority may, taking into consideration the seriousness of the violation, impose an administrative fine of not less than New Taiwan Dollars two hundred forty thousand but not more than New Taiwan Dollars one million two hundred thousand, or order removal and

replacement of the responsible person.

第 170 條
(刪除)

Article 170
(Deleted)

第 170-1 條

保險業辦理再保險業務違反第一百四十七條所定辦法中有關再保險之分出、分入、其他危險分散機制業務之方式或限額之規定者，處新臺幣九十萬元以上四百五十萬元以下罰鍰。

專業再保險業違反第一百四十七條之一第二項所定辦法中有關業務範圍或財務管理之規定者，處新臺幣九十萬元以上四百五十萬元以下罰鍰。

Article 170-1

Where an insurance enterprise violates the provisions relating to the manner in which insurance enterprises cede or assume reinsurance or operate other risk spreading mechanisms, or limits applying thereto, as set out in regulations prescribed by the competent authority pursuant to Article 147, an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than four million five hundred thousand shall be imposed.

If a professional reinsurance enterprise violates the provisions relating to business scope or financial management as set out in regulations prescribed by the competent authority pursuant to Article 147-1, paragraph 2, an administrative fine of not less than New Taiwan Dollars nine hundred thousand but not more than four million five hundred thousand shall be imposed.

第 171 條

保險業違反第一百四十四條、第一百四十五條規定者，處新臺幣六十萬元以上三百萬元以下罰鍰，並得撤換其核保或精算人員。

Article 171

An insurance enterprise that violates the provisions of Article 144 or 145 shall be assessed an administrative fine of not less than New Taiwan Dollars six hundred thousand but not more than New Taiwan Dollars three million, and in addition thereto may be ordered to remove and replace its underwriters or actuaries.

第 171-1 條

保險業違反第一百四十八條之一第一項或第二項規定者，處新臺幣六十萬元以上三百萬元以下罰鍰。

保險業違反第一百四十八條之二第一項規定，未提供說明文件供查閱、或所提供之說明文件未依規定記載，或所提供之說明文件記載不實，處新臺幣六十萬元以上三百萬元以下罰鍰。

保險業違反第一百四十八條之二第二項規定，未依限向主管機關報告或主動公開說明，或向主管機關報告或公開說明之內容不實，處新臺幣三十萬元以上一百五十萬元以下罰鍰。

保險業違反第一百四十八條之三第一項規定，未建立或未執行內部控制或稽核制度，處新臺幣六十萬元以上三百萬元以

Article 171-1

An insurance enterprise that violates the provisions of Article 148-1, paragraph 1 or 2 shall be assessed an administrative fine of not less than New Taiwan Dollars six hundred thousand but not more than New Taiwan Dollars three million.

An insurance enterprise that violates the provisions of Article 148-2, paragraph 1 by not making explanatory documents publicly available for inspection, or submitting explanatory documents that do not contain required information, or submitting explanatory documents containing misrepresentations, shall be assessed an administrative fine of not less than New Taiwan Dollars six hundred thousand but not more than New Taiwan Dollars three million.

An insurance enterprise that violates the provisions of Article 148-2, paragraph 2 by failing to report to the competent authority or to provide a public explanation within the specified time period, or by making false representations in its reports to the competent authority or public explanations, shall be assessed an administrative fine of not less than New Taiwan Dollars three hundred thousand but not more than New Taiwan Dollars one million five hundred thousand.

An insurance enterprise that violates the provisions of Article 148-3, paragraph 1 by failing to establish or enforce internal control or auditing systems shall be assessed an administrative fine of not less

下罰鍰。

保險業違反第一百四十八條之三第二項規定，未建立或未執行內部處理制度或程序，處新臺幣六十萬元以上三百萬元以下罰鍰。

第 172 條

保險業經撤銷登記延不清算者，得處負責人各新臺幣六十萬元以上三百萬元以下罰鍰。

第 172-1 條

保險業於主管機關監管、接管或勒令停業清理時，其董(理)事、監察人(監事)、經理人或其他職員有下列情形之一者，處一年以上七年以下有期徒刑，得併科新臺幣二千萬元以下罰金：

- 一、拒絕將保險業業務財務有關之帳冊、文件、印章及財產等列表移交予監管人、接管人或清理人或不為全部移交。
- 二、隱匿或毀損與業務有關之帳冊、隱匿或毀棄該保險業之財產，或為其他不利於債權人之處分。
- 三、捏造債務，或承認不真實之債務。
- 四、無故拒絕監管人、接管人或清理人之詢問，或對其詢問為虛偽之答覆，致影響被保險人或受益人之權益者。

第 172-2 條

保險業經依本節規定處罰後，於規定期限內仍不予改正者，得對其同一事實或行為，再予加一倍至五倍處罰。

第 173 條

(刪除)

than New Taiwan Dollars six hundred thousand but not more than New Taiwan Dollars three million.

An insurance enterprise that violates the provisions of Article 148-3, paragraph 2 by failing to establish or enforce internal handling systems or procedures shall be assessed an administrative fine of not less than New Taiwan Dollars six hundred thousand but not more than New Taiwan Dollars three million.

Article 172

If an insurance enterprise that has had its registration voided delays in carrying out liquidation procedures, each responsible person may be assessed an administrative fine of not less than New Taiwan Dollars six hundred thousand but not more than New Taiwan Dollars three million.

Article 172-1

When an insurance enterprise has been ordered by the competent authority into conservatorship, receivership, or suspension of business and rehabilitation, the directors, supervisors, managers, or other staff of the insurance enterprise shall, under any of the following circumstances, be sentenced to imprisonment of not less than one year but not more than seven years, and may in addition be assessed a criminal fine of not more than New Taiwan Dollars twenty million:

1. It refuses to transfer to the conservator, receiver, or rehabilitator account books and documents, seals, and a list of assets related to the insurance enterprise's business and financial matters, or fails to transfer them completely.
2. It conceals or destroys account books or documents related to business matters, conceals or destroys assets of the insurance enterprise, or otherwise disposes thereof to the detriment of creditors' rights.
3. It counterfeits a debt or acknowledges false debts.
4. It refuses to respond to the inquiries of the conservator, receiver or rehabilitator without cause, or responds with untrue answers, thereby affecting the rights and interests of insured persons or beneficiaries.

Article 172-2

If an insurance enterprise, after having been punished in accordance with the provisions of this Section, fails to make corrections within the time period provided that the punishment for the same fact or action may be increased by 100 percent to 500 percent.

Article 173

(Deleted)

第六章 附則**第 174 條**

社會保險另以法律定之。

第 174-1 條

法院為審理違反本法之犯罪案件，得設立專業法庭或指定專人辦理。

第 175 條

本法施行細則，由主管機關定之。

第 175-1 條

為促進我國與其他國家保險市場主管機關之國際合作，政府或其授權之機構依互惠原則，得與外國政府、機構或國際組織，就資訊交換、技術合作、協助調查等事項，簽訂合作條約或協定。

除有妨害國家利益或投保大眾權益者外，主管機關依前項簽訂之條約或協定，得洽請相關機關、機構依法提供必要資訊，並基於互惠及保密原則，提供予與我國簽訂條約或協定之外國政府、機構或國際組織。

第 176 條

保險業之設立、登記、轉讓、合併及解散清理，除依公司法規定外，應將詳細程序明訂於管理辦法內。

第 177 條

代理人、經紀人、公證人及保險業務員之資格取得、登錄、撤銷登錄、教育訓練、懲處及其他應遵行事項之管理規則，由主管機關定之。

第 178 條**Chapter VI. Supplementary Provisions****Article 174**

Social insurance is to be separately prescribed by an act of law.

Article 174-1

A court may establish a specialized division or designate a specific person(s) to try criminal cases involving violation of this Act.

Article 175

Enforcement Rules to this Act shall be prescribed by the competent authority.

Article 175-1

In order to further international cooperation between the competent insurance authorities of the ROC government and foreign countries, the ROC government and agencies (or institutions) authorized by it may, based on the principle of reciprocity, enter into a cooperative treaty or agreement with a foreign government or agency (institution), or with an international organization, to facilitate matters such as information exchange, technical cooperation, and investigative assistance.

Unless such action otherwise conflicts with the interests of the state or the rights of the insurance-buying public, the competent authority may, in accordance with the treaty or agreement made pursuant to the preceding paragraph, request the provision of necessary information from related authorities and agencies (institutions) in accordance with the law, and based on the principles of reciprocity and confidentiality, provide such information to the foreign government, agency (institution), or international organization which has executed the given treaty or agreement with the ROC government.

Article 176

The establishment, registration, transfer, merger, and dissolution and rehabilitation of insurance enterprises shall, in addition to being carried out in accordance with the provisions of the Company Act, be further subject to detailed procedures set forth in the Regulations Governing the Administration of Insurance Enterprises.

Article 177

Regulations governing compliance matters related to agents, brokers, surveyors, and insurance solicitors (including the obtaining of qualifications, registration, voidance of registration, education, training, and disciplinary matters) shall be prescribed by the competent authority.

Article 178

本法除中華民國九十五年五月三十日修正公布之條文自中華民國九十五年七月一日施行外，自公布日施行。

With the exception of the provisions amended and promulgated on 30 May 2006, which will enter into force from 1 July 2007, this Act shall enter into force from the date of promulgation.