

## 未經主管機關核准之境外金融商品聲明書暨高風險商品風險預告書

**Declaration of the Offshore Financial Products not Authorized by the Competent Authority and Risk Disclosure Letter for High-Risk Products**

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## 壹、未經主管機關核准之境外金融商品聲明書

**PART 1 : Declaration of the Offshore Financial Products not Authorized by the Competent Authority**

本人/本公司(以下簡稱「聲明人」)為境外客戶，茲委託 貴公司國際證券業務分公司(以下簡稱「OSU」)買賣未經主管機關核准之境外金融商品，並確認 貴公司已交付風險預告書且充分說明投資可能之潛在風險，聲明人亦完全明瞭並同意承擔該投資風險，爰聲明如下：

I/Our company ("Declarant"), an offshore client, hereby engage the offshore securities unit ("OSU") of Cathay Securities Corporation ("YOU") to trade the offshore financial products not authorized by the competent authority, and confirm that YOU have delivered the risk disclosure letter and fully explained the possible/potential risks in relation to the investments. The Declarant also fully understands and agrees to assume such investment risks. The Declarant hereby declares as follows:

- 一、聲明人確非境內客戶透過設立境外法人方式轉換居住身分於國際證券業務分公司(OSU)開立帳戶，以投資於未經主管機關核准於境內銷售之境外金融商品。
  - A. The Declarant is not an onshore client who transforms its residency status through establishing an offshore legal entity and opens an account with the OSU so as to invest in the offshore financial products not authorized by the competent authority to be sold onshore.
- 二、聲明人確實瞭解上述 OSU 業務於法令開放後，可能影響事項如下：
  - B. The Declarant fully understands the possible impacts as follows after the aforesaid regulations in relation to the OSU business were promulgated:
    1. 貴公司所提供金融商品並未經主管機關審查或核准，亦不適用備查或申報生效之規定。
    - a. The financial products provided by YOU are not reviewed or approved by the competent authority, and the regulations requiring report for recordation or report for launching do not apply.
    2. 貴公司所提供金融商品僅得於證券商國際證券業務分公司(OSU) 對中華民國境外客戶為推介及交易對象。
    - b. The financial products provided by YOU may only be recommended and traded by the OSU of a securities firm to offshore clients outside the R.O.C.
    3. 聲明人不適用中華民國金融消費者保護法之金融消費爭議處理機制。
    - c. The mechanism handling of financial consumer disputes under the Financial Consumer Protection Act of the R.O.C. does not apply to the Declarant.

三、聲明人確認瞭解，倘投資未經主管機關審查程序之商品，其商品說明文件可能以中文或英文提供。

C. The Declarant confirms and understands that the product information documents may be provided in Chinese or English, where the Declarant invests in the products not subject to the review process of the competent authority.

四、聲明人本身具相關投資經驗及產品知識，且係基於獨立審慎之判斷後自行決定投資，並於投資前已充分了解所投資標的可能產生包括但不限於國家風險、利率風險、流動性風險、提前解約風險、匯兌風險、通貨膨脹風險、交割風險、再投資風險、個別事件風險、稅賦風險、信用風險及受連結標的影響等風險，最壞之情形下，最大損失可能為全部投資本金金額及利息。

D. The Declarant not only equips with the relevant investment experiences and knowledge on products, but also decides to make the investment based on its sole and prudent judgement. Before the investment, the Declarant has fully understood the potential risks arising from the investment targets, including but not limited to the sovereign risk, interest rate risk, liquidity risk, early termination risk, foreign exchange risk, inflation risk, settlement risk, re-investment risk, individual event risk, taxation risk, credit risk and risk affected by underlying objects, etc. In the worst scenario, the maximum loss may be all of the investment principal amount and interests.

五、聲明人係完全依本身之獨立判斷決定投資標的，並承諾將自行負責證券交易之一切風險，特請 貴公司予以受理本人/本公司之委託買賣未經主管機關核准之境外金融商品，倘日後就投資產品發生任何風險或損失，將完全由聲明人自行承擔，貴公司將不負責任何交易所產生之任何損失，亦不擔保商品發行機構之行為。

E. The Declarant determines the investment targets fully based on its sole judgement, and undertakes to bear all risks in relation to securities trading. The Declarant hereby requests YOU to accept my/our orders to trade the offshore financial products not authorized by the competent authority. If there are any risks or loss occurred to the investment products, the Declarant will assume the same by itself. YOU will not be responsible to any loss arising from any transaction or assure the acts of the product issuing institution.

## 貳、高風險商品風險預告書

### PART 2 : Risk Disclosure Letter for High-Risk Products

#### 一、高風險商品定義：

##### A. Definition of high-risk products:

1. 外國店頭市場(Over-the-counter Bulletin Board；簡稱 OTCBB)、粉紅單交易系統(Pink-sheet) 交易之股票、認股權證、存託憑證、指數股票型基金(ETF)、指數投資證券(ETN)。
  - a. Stocks, stock warrants, depository certificates, exchange-traded funds ("ETF") and exchange-traded notes (ETN) traded via over-the-counter bulletin board ("OTCBB") or pink-sheet systems.

2. 外幣基金：參照「中華民國證券投資信託暨顧問商業同業公會基金風險報酬等級分類標準」，以「RR5」等級以下，且未經主管機關核備之基金。
  - b. Foreign currency funds: Please refer to the funds of which the rating is "RR5" or below under the "Risk Return Classification of the Securities Investment Trust and Consulting Association" and not approved by the competent authority.
3. 外幣債券：以 S&P 信用評等或其對應評等之「CC」等級以下。
  - c. Foreign currency bonds: S&P credit rating (or its equivalence) is "CC" or below.
4. 外幣結構型商品：發行機構信用評等「A-」(不含 A-)等級以下，或主要發行機構之信用利差加碼幅度排名 90% 以後。
  - d. Foreign currency structured products: Credit rating of the issuing institution is lower than "A-" (excluding A-) or the markup scale of credit spreads of the major issuing institution ranks is not in top 90%.

二、委託人茲此聲明除已充分瞭解 貴公司於受託買賣外幣有價證券及外幣金融商品契約所揭露之風險預告書內容外，於決定投資高風險商品前，並已充分瞭解下列特有風險：

**B. The client hereby declares that he/she not only fully understands the contents disclosed by Cathay Securities Corporation ("YOU") in the risk disclosure letter attached to the agreement for trading of foreign currency securities and foreign currency financial products, but also considers the following specific risks before deciding to invest in the high-risk products:**

1. 投資高風險商品，委託人所應承受高風險商品之流動性風險可能更大。
  - a. With respect to the investments in high-risk products, the client may be subject to higher liquidity risk associated with the high-risk products.
2. 投資高風險商品，導致委託人投資本金及利息損失的機率可能更高。
  - b. With respect to the investments in high-risk products, the possibility that the client loses the investment principal and interests may be higher.
3. 投資高風險之外幣債券，委託人所應承受之債券違約風險機率可能更高。
  - c. With respect to the investment in high-risk foreign currency bonds, the client may be subject to higher default risk of the bonds.
4. 投資高風險之外幣結構型商品，委託人所應承受發行機構之信用風險可能更大。
  - d. With respect to the high-risk foreign currency structured products, the client may be subject to higher credit risk of the issuing institution.
5. 本高風險商品風險預告書之預告事項甚為簡要，亦僅為例示性質，因此對所有投資風險及影響市場行情之因素無法逐項詳述，委託人於交易前，除不僅須對本高風險商品風險預告書詳加研析，對其他可能影響之因素亦須慎思明辨，並確實評估風險，以免因貿然從事交易而遭到無法承受之損失。
  - e. The items in this high-risk disclosure letter are pretty concise and for illustration only. Thus, it cannot detail all investment risks and factors affecting the market trend. Before entering into the transaction, the client shall not only carefully read this high-risk disclosure letter but also consider other possible affecting factors and fully assess the risks so as to avoid the transaction from suffering the unbearable loss.

6. 委託人瞭解 貴公司得隨時修改本高風險商品風險預告書，並於 貴公司網站公告，該修改或增訂事項應於公告所列生效日期生效。倘委託人不同意該修改或增訂事項，得於前述公告所列生效日期前終止與 貴公司之契約關係，否則視為同意該修改或增訂事項。
- f. The client understands that YOU may amend this high-risk disclosure letter and announce the same on your company website at any time. Such amendment or supplement items shall be effective on the effective date listed in the announcement. If the client disagrees on such amendment or supplement items, it may terminate the contractual relationship with YOU before the effective date listed in the aforesaid announcement; otherwise the client is deemed to agree on such amendment or supplement items.
7. 委託人係完全依本身之獨立判斷決定投資標的，並承諾將自行負擔證券交易之一切風險，特請 貴公司予以受理，倘日後就投資產品發生任何風險或委託人損失，將完全由委託人自行承擔，貴公司將不負責任何交易所產生之任何損失，亦不擔保商品發行機構之行為。
- g. The client determines the investment targets completely based on its sole judgment and undertakes that it will assume all risks relating to the securities trading, and asks YOU to accept this engagement. If any risks occur to the investment product or any loss occurs to the client, it will assume the same by itself and YOU will not be liable for any loss incurred from any transaction and will not assure the activities of the product issuing institutions.

三、委託人進行承作高風險商品，以委託人於 貴公司總庫存市值不得超過 貴公司淨值的百分之二十為上限。如已超逾限額仍欲承作，則須另案申請。

C. With respect to the high-risk products invested in by the client, the market value of the client's total investments with YOU shall not exceed 20% of the net value of YOU. If the client still intends to invest beyond the limit, it shall make an application with YOU separately.

經 貴公司指派專人解說，委託人已充分閱讀及瞭解且接受本未經主管機關核准之境外金融商品聲明書暨高風險商品風險預告書。

After the explanations by the personnel appointed by YOU, the client has carefully read and understood this Declaration of the Offshore Financial Products not Authorized by the Competent Authority and disclosure letter for high-risk product, and agrees to accept the same.

此致

國泰綜合證券股份有限公司 Cathay Securities Corporation

聲明人/委託人 Declarant/Client : \_\_\_\_\_ (簽蓋原留印鑑)  
( Affix Registered Seal)

聲明人/委託人身分證字號 ID number of Declarant/Client : \_\_\_\_\_

分公司 Branch : \_\_\_\_\_

營業員 Clerk : \_\_\_\_\_

核印 Seal Verified by : \_\_\_\_\_

日期 Date : 西元      年 year      月 month      日 day