Content

Title：	Futures Transaction Tax Act Ch
Date：	2008.08.06
Legislative：	1.Promulgated on June 20, 1998 2.Articles 1 and 2 Revised on 14 December 2005 by government decree Hua-tzung-1 Yi No. 09400199331 3.Amended on August 06, 2008
Content：	Article 1 Trading of futures within the Republic of China shall be subject to futures transaction tax in accordance with the provisions of this Act. Article 2 The buying and selling parties of a futures transaction shall each be levied futures transaction tax at the following rates: 1.Stock index and single stock futures contracts: Futures transaction tax is levied per transaction at a rate of not less than 0.0000125% and not more than 0.06%, based on the value of the futures contract. 2.Interest rate futures contracts: Futures transaction tax is levied per transaction at a rate of not less than 0.0000125% and not more than 0.00025% based on the value of the futures contract. 3.Option contracts or option contracts on futures: Futures transaction tax is levied per transaction at a rate of not less than 0.1% and not more than 0.6%, based on the premium paid. 4.Other futures contracts: Futures transaction tax is levied per transaction at a rate of not less than 0.0000125% and not more than 0.06%, based on the value of the futures contract. The applicable rates in the subparagraphs of Paragraph 1 shall be set respectively by the Ministry of Finance (hereinafter referred to as the MOF) subject to the approval of the Executive Yuan. In a futures contract where the buyer and seller settle by the difference in value upon or before the expiration of the contract, the futures transaction tax payable by each shall be levied based on the settlement price in the market at the rates provided in the following regulations: 1.Option contracts or option contracts on futures regulated in Subparagraph 3, Paragraph 1 shall be levied at the rates of Subparagraph 1, 2 or 4 of Paragraph 1 according to kind. 2.Futures contracts regulated in the Subparagraph 1, 2 or 4 of Paragraph 1 shall levied at the rates of that subparagraph. Article 3 Futures transaction tax shall be collected by the futures commission merchant (FCM) on the day the transactions occurred at the tax rate specified in the preceding article and paid to the national treasury on the following day along with a filled-in payment slip. The collecting agent shall produce a list or digital data for each day

transactions recording the names and addresses of the traders, types, volume, and amount of contracts traded, and the amounts of tax collected, and file the same with the competent tax authority by the fifth day of the month following the month that the transactions occurred.

Article 4
A collecting agent that fulfills its collection obligations in compliance with the statutory procedure and time limit is entitled to a reward, payable by the competent tax authority, equal to one thousandth of the tax collected by the said agent, up to a maximum of NT$24 million in reward per agent each year.

Article 5
If a collecting agent fails to fulfill its obligation to collect futures transaction tax or under-collects the tax, the competent tax authority may order the said agent to pay any back taxes and impose a fine of not less than 10 and not more than 30 times the amount of uncollected tax.
A collecting agent that fails to file the futures transaction list or digital data with the competent tax authority, or files a fraudulent list in violation of Paragraph 2, Article 3 of this Act, shall be subject to a non-reporting surcharge of not less than NT$15,000 and not more than NT$30,000.

Article 6
A collecting agent that fails to surrender the futures transaction tax collected within the time limit specified in Paragraph 1, Article 3 herein shall be subject to a belated surcharge.

Article 7
The futures transaction tax is a national tax, and will be collected by the competent tax authority under the MOF.

Article 8
This Act shall be implemented upon promulgation.

Data Source：Ministry of Finance, R.O.C. Laws and Regulations Retrieving System