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Regulations

Chapter 600 Securities Depository System Disruptions

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Regulation

Chapter 600 Securities Depository System Disruptions

601 Securities Depository System Disruptions

Any event which affects or may affect the operations of TSD, and which causes or may cause the TSD to be unable to operate as normal, shall be deemed by TSD as a disruption affecting the securities depository system under this chapter. In this regard, such disruptions shall include any other disruptions stipulated by TSD.

Disruptions affecting the operations, in accordance with paragraph one, shall include the following cases:

(1) natural disasters or losses which may affect the operations of TSD, such as fire, bombing or bomb threats, short circuits, severe earthquakes, or any other incidents which would be detrimental to the life and body of staff or a person contacting TSD, etc.;

(2) events which are incidental to the policies of the government agencies, and an agency regulating the depository operations, which affect the depository operations of the depositor and the normal operations of TSD, such as the announcement of a state of emergency upon terrorist attacks in the country, etc.;

(3) problems in the securities depository system; and

(4) other events which the committee, and/or executive committee with direct responsibility in relation to emergencies, has considered and found that they affect or may affect the TSD's depository system.

602 Action Undertaken by TSD upon Disruptions

Upon the occurrence of a disruption under Regulation 601, TSD shall undertake any, or many, of the following actions to resolve the disruption or the result of such event:

(1) stop providing services which are related to, or which are affected by or may be affected by the disruption;

(2) change the procedures and conditions in relation to the provision of securities depository systems of depositors, as deemed expedient by TSD;

(3) amend or cancel particulars in the depository system during the disruption period, so as to be correct, without prior permission from depositors;

(4) cause the depositor to undertake action, or to not undertake any action, to remedy the disruption, or stop the effect which may arise from the disruption, which affects securities depository services; and

(5) undertake any other action as deemed expedient by TSD.

603 Responsibility for the Consequence of Action Undertaken to Resolve Disruptions

Where TSD has appropriately undertaken action under this chapter to resolve the disruption which has occurred to the securities depository system, the depositor shall not demand any damages that arose, or which may arise, from such action from TSD or the person acting on behalf or for the benefit of TSD, or shall not undertake any act which is an objection, or uncooperative, to TSD in undertaking such action.
