

## Application form for preservation of the priority status for fine immunity in an illegal concerted action case

Applicant	The name of the enterprise		The uniform invoice number		
	The name of representative or person in charge		National ID Number		
	Registered office address				
	Business or contact address				
	The date of business registration		Paid-in capital (New Taiwan Dollar)		
	The annual revenues for the last three years (New Taiwan Dollar)				
	Contact information	Contact person		Department and Title	
		Phone Number		Fax Number	
	Agent	Name		Occupation	
		Phone Number		Fax Number	
Address					
Type of Application	<input type="checkbox"/> Immunity from fines	<input type="checkbox"/> Application filed under Subparagraph 1, Paragraph 1, Article 35 of the Fair Trade Act <input type="checkbox"/> Application filed under Subparagraph 2, Paragraph 1, Article 35 of the Fair Trade Act			
	<input type="checkbox"/> Variation of application type (from immunity to reduction)	※ This field is optional. The applicant can consider whether it is necessary to tick it.			

<b>Factual description of the concerted action</b>	※The following fields must be completed.	
	The product or service involved	
	The form of the alleged concerted action	
	Enterprises involved in the alleged concerted action	
	The time and location where the mutual understanding has been established	
	The duration of the alleged concerted action	
	The geographic areas affected by the alleged concerted action	
<b>Applications by affiliated enterprises</b>	The type of affiliated enterprises filing joint applications	
	The status of an affiliated enterprise's application when it does not meet requirements of joint applications	
<b>Reasons for the application</b>	Please explain the reason for the application to preserve the priority status rather than file a formal application for immunity from fines, as well as relevant information and evidence intended to submit to the Fair Trade Commission (hereinafter referred to as the FTC)	
<b>Remark</b>		
Applicant: _____ (Signature/Stamp) Agent : _____ (Signature/Stamp) Filing date : _____ (Month)_____ (Date)_____ (Year)		

**Note:**

1. **This form only applies to “an enterprise applying for immunity from fines”. It does not apply to “an enterprise applying for reduction of fines”. Regarding the optional item “Variation of application type”, it is designed for the following circumstance: when an application for immunity from fines does not meet statutory requirements, upon the applicant’s request, the application type can be changed from immunity to reduction of fines and proceed in accordance with the procedure for reduction of fines.** (Article 7 of Regulations on Immunity and Reduction of Fines in Illegal Concerted Action Cases provides that “Under one of the following circumstances, full fine immunity shall be granted: (1) the enterprise is the first to apply according to Subparagraph 1, Paragraph 1, Article 35 of the Fair Trade Act, agrees to the attached conditions stated in Paragraph 1 of Article 6, and fulfills all the conditions attached; (2) the enterprise is the first to apply in according to Subparagraph 2, Paragraph 1, Article 35 of the Fair Trade Act while the preceding subparagraph is not applicable to any other enterprises, agrees to the attached conditions stated in Paragraph 1 of Article 6, and fulfills all the conditions attached.” The last sentence of Paragraph 2, Article 14 provides that “When an application for fine immunity is rejected, the enterprise in concern may file a written request for permission to take the procedure for fine reduction application and reapply and retain its priority status based on the time of its application for fine immunity.”)
2. The application form must be completed in Chinese. If any documents attached to its application are written in a language other than Chinese, Chinese translations of those documents are required.
3. When delegating an agent to file an application, a proof of delegation is required.
4. When the space of any field in this application form is not sufficient, separate sheets of paper can be used and enclosed with this application form.
5. In terms of the field of “the annual revenues for the last three years”, “yearly” and “total sale or operating revenue” generated every year are required in each column.
6. Apart from affiliated enterprises, any application must be filed by individual enterprise, otherwise it will be rejected. When applications are not jointly filed by affiliated enterprises, the filed “Applications by Affiliated Enterprises” can be left blank.
7. **When an applicant receives the FTC’s written notice of its priority status being granted, the applicant must provide relevant information and evidence within a period specified by the FTC. If the applicant fails to submit the required information or evidence, the applicant’s priority status will lapse.**
8. If you have any questions about completing this application form, please contact us on (02)2351-0022 or (02) 2351-7588 ext380. FTC staff are able to provide you further information.
9. **Submission of Application: An application form must be delivered to the Secretariat of the Fair Trade Commission by registered mail or in person. The postal address is 12 F, No. 2-2 Jinan Rd., Sec. 1, Zhongzheng District, Taipei City 10051.**