行政院及所屬各機關出國報告(出國類別:會議)

# 參加「銀行重建—國際經驗與政策 對越南之啟示」國際研討會報告

服務機關:中央存款保險公司

出國人職稱:國際關係暨研究室主任

姓 名:范以端

出國地點:越南河內

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#### 壹、前言

職於 2011 年 12 月 20 日至 23 日奉派參加越南金融監理委員會(National Financial Supervisory Commission,以下簡稱 NFSC)、越南存款保險機構(Deposit Insurance of Vietnam,以下簡稱 DIV) 及越南國立經濟商業大學(University of Economics and Business,以下簡稱 VNU-UEB)於越南河內舉辦之「銀行重建一國際經驗與政策對越南之啟示」國際研討會(International Workshop on Banking Restructuring — International Experiences and Policy Implications for Vietnam),並受邀擔任講座。本次研討會計有來自世界銀行(World Bank)、越南國會、金融安全網及政府相關機構、銀行界、學界及媒體代表約 200 人參加。

此行主要目的,係應 DIV 邀請,請本公司派員講授國際與台灣存款保險機構於銀行處理與重建相關經驗,供越南政府處理該國當前金融問題參考,另鑑於越南存款保險法草案業已送至國會審議,為瞭解存款保險國際準則與先進國家經驗中,有關問題銀行之處理機制,NFSF、DIV 及 VNU-UEB爰舉辦本次研討會,除邀請世界銀行及本公司等國際代表外,並邀集越南國內專家學者集思廣義,期尋求共識及解決之道。

本公司為配合政府國際化與實質外交政策,對推動國際合作與專業交流向極重視,鑑於 DIV 係本公司合作備忘錄 (Memorandum of Understanding, MOU)夥伴機構,合作關係密切,本公司爰本於 MOU 合作精神,派員參加其舉辦之國際研討會並協助其建置更完備之存保制度。此行職除於研討會前兩度與 DIV 同仁開會討論相關講授重點與細節外,並於國際研討會中積極宣傳存款保險國際準則與台灣經驗,會後另

與主辦機構交換意見並接受媒體訪問。從研討會中與會者熱烈討論,以及會後政府相關單位積極索取簡報資料觀之,此行應已順利達成專業交流合作之目的,會後本公司並獲 DIV 總經理 Dr. Bui Khac Son 致函達謝(附錄一、主辦單位謝函)。

#### 貳、越南銀行問題概況

#### 一、銀行業主要問題

由於越南政府實行金融產業開放政策,近年來越南銀行業蓬勃發展,無論銀行資產或家數均有十足的成長。截至2010年12月31日止,越南銀行總資產達1,750億美元,總放款金額達1,250億美元,相當於GDP的120%(比較同期的泰國為其GDP的100%、韓國為其GDP的80%),相較於越南目前欠佳的經濟狀況,現今銀行業的債務水準已達警戒區。

前開之高成長亦導致近年來越南商業銀行面臨嚴重的財務問題,包括不良資產增加、流動性不足、營收獲利下降、公司治理不健全及風險管理不確實等。因此,越南政府當前最迫切之任務,即是啟動有效的銀行產業重整計畫,以防止銀行倒閉及恢復銀行體系健全發展,加速越南國內經濟復甦。以下就越南銀行主要問題分述之。

#### (一)寬鬆借貸政策造成不良資產大增

銀行資產成長儼然超出整體經濟成長的速度,2008年至2010年間商業銀行放款金額每年呈30%的成長,相對於GDP每年僅成長6%至7%,銀行為經濟體系注入大量的資金,造成雙位數的通貨膨漲,並因企業極易取得低利資金,使得投資決策草率或傾向投資於風險性較高的項目,結果造成企業償債能力降低,銀行壞帳問題叢生。

另根據越南中央銀行的資料,越南銀行在問題房地產放款及證券擔保品曝險達 120 億美元,占銀行體系總債務的12%,雖然目前銀行體系截至 2011 年 6 月底逾放比率為3.5%,惟倘三分之一的債務發生問題,則銀行壞帳將呈倍數增長,且有專家認為依照越南目前破產案件增長的趨勢及企業營收疲弱不振的態勢觀之,銀行逾放比率未來恐將有增無減,另未來銀行於採行國際會計準則後,所需認列的壞帳金額將更高。

#### (二)資本適足率被高估且銀行流動性不足

目前大多數越南本土銀行的資本適足率超過 8%,但業界專家深信這些銀行並未誠實認列壞帳,資本適足率有被高估之嫌,另銀行體系流動性問題亦日漸浮現,2011 年 10 月的隔夜拆款利率超過 20%,顯示流動性不足問題已十分嚴重。由於資金不足,銀行放款專員積極吸收存款而非積極放貸,造成越南一般存款人得就存款利率與銀行討價還價之奇怪現象。

#### (三)開放銀行設立後獲利能力未若預期

越南政府的開放政策為公營銀行、本地銀行及外商銀行 創造公平競爭的環境,由於相信金融產業將有很大的發展潛 力,最近幾年多家新銀行紛紛設立,然而,由於過度競爭及 壞帳等問題,平均淨值報酬率未若預期,其中 2010 年之平 均淨值報酬率為 13%。

#### (四)銀行不重視風險管理

銀行產業競爭激烈理應為消費者帶來更好的服務及更佳的金融商品,但因越南之國家銀行政策並未鼓勵銀行業者追

求審慎的成長,各家銀行積極拓展分行及衝業績,但欠缺專業與技術管理資產負債表及控制風險。

#### (五)國際金融危機影響越南銀行業經營

由於越南是全世界最開放的經濟體之一,且與世界經濟緊密相連,進出口總額佔 GDP 的 150%,故最近國際間發生的金融危機及主權債務危機嚴重影響越南金融及經濟發展。近期企業及個人破產案件造成銀行損失約 6.5 億美元,故目前越南銀行最迫切的事應是全面檢視其放款質量,以評估現今面臨的經濟危機將對其影響程度,中央銀行則需盡快研擬有效的銀行產業重整及資本重建計畫及策略。

#### 二、建議處理方式

針對越南銀行問題的解決之道,有些專家認為越南的問題在於銀行家數過多,建議應藉由整併小型銀行解決問題。亦有專家認為越南銀行同質性太高,大部分都以擴展分行作為其主要經營策略,並提供類似的金融商品與服務,最終落入價格或簡化流程上的競爭,而非金融產品的差異化,故合併綜效恐不顯著且難以提升競爭優勢,亦即以整併方式恐無法根本解決問題;另有專家學者提出應解決壞帳升高、資本不足及流動性惡化等根本問題,方能成功重整銀行產業。茲就各界主要建議歸納如下。

#### (一)解決銀行資本不足問題相關建議

- 越南央行應推行嚴格措施要求銀行自行籌資以提高 資本水平或要求資本不足之銀行與他行整併或停業 清算。
- 2. 仿照英國政府於全球金融風暴期間注資蘇格蘭皇家

銀行的方式,由越南政府針對特定銀行注資以改善資本不足的問題。

- 3. 越南央行可將其對越南銀行的貸款轉換成次級債券 或優先股以協助銀行提高資本水平。
- 4. 越南央行可採取配套資金計劃(matching fund scheme) 以鼓勵外部投資人投資小型銀行,例如,倘投資人投 資銀行1兆越南盾,則越南政府同等挹注1兆越南盾。
- 過去泰國及土耳其曾採取放寬外國投資人持有銀行 股份限制,亦不失為問題銀行資本重建之可行方案。

#### (二)解決銀行流動性不足問題相關建議

- 1. 由越南央行採行特別流動性機制(special liquidity scheme),即央行提供問題銀行貸款,但銀行需提供其商業放款作為擔保。
- 由越南央行擔保銀行隔夜拆款,以建立銀行間彼此的 信任,解決銀行體系流動性問題,惟銀行需支付央行 提供擔保的手續費。

#### (三)改善民眾對銀行體系信心相關建議

- 1. 越南央行必須確保銀行營運資訊正確且透明。為達到 此目的,首先需完整評估目前銀行資產品質及壞帳金 額。越南央行應要求銀行定期提供其資產品質檢視及 財務狀況評估資訊,並聘請外部獨立顧問協助稽核銀 行所提供的資料,其中資產品質的檢視應不局限於放 款品質,亦應包含金融投資及資產負債表外業務等項 目。
- 2. 宜考慮調高現行存款保險保障額度(2,500 美元),並強 化存款保險機制之效能,以更靈活之方式處理問題銀

行,例如應考慮允許問題銀行可拆分為「好銀行」與 「壞銀行」,將不良資產從銀行本業切割出去在市場 上銷售。

3. 越南央行可考慮設立銀行重整機構(Banking Sector Restructuring Authority),辦理協助銀行整併、對銀行隔夜拆借提供擔保、管理銀行重建基金、放寬外人投資上限及建立法規制度讓銀行得以買賣不良債權等業務。

#### 參、會議重點概述

本次研討會由越南金融監理委員會、越南存款保險機構及國立經濟商業大學共同舉辦,其主要目的在藉由國內外專家學者之討論,期尋求解決越南當前銀行問題之方法,其中並探討如何強化存款保險機制在問題機構處理時之角色功能。開幕式係由NFSC主席 Dr. Vu Viet Ngoan 及世界銀行越南代表(Country Director)Ms. Victoria Kwakwa 分別致詞,其後並進行兩場次計五項專題演講,每場次後分別進行近一個小時的綜合討論,並均由 Dr. Ngoan 親自主持。本次研討會講授代表包括 NFSC 副主席、世界銀行駐越南專案負責人、VNU-UEB 院長、越南投資開發銀行及本公司代表等。講授議題則包括:

- Ÿ 銀行體系之重建 國際經驗與教訓(Banking sector restructuring lessons from international experiences)。
- ¥ 重建後形塑越南銀行與金融體系(Shaping the Vietnamese banking and finance sector in the wake of restructuring)。
- ¥ 銀行重建─國際經驗與政策對越南之啟示(Banking restructuring International Experiences and Policy implications for Vietnam)。

- Ÿ 存款保險在銀行處理之角色—國際準則與台灣經驗(Role of Deposit Insurance in Bank Resolution: International Guidance & Taiwan Experience)。
- Ÿ 東南亞各國銀行重建經驗分析(Banking restructuring experiences from South East Asia countries)。

(各項簡報資料詳附錄二)

研討會之閉幕式,由三個主辦機構代表分別進行結論與致詞後圓滿落幕。會後職另與主辦機構代表交換意見並接受媒體訪問,並應越南國會出席代表及其他政府單位要求,同意提供本次研討會報告資料供其於未來研訂存款保險法之參考。由於目前越南國會審議中之存款保險法草案版本,賦與存保機構執行任務之權限不足,故NFSC及DIV擬藉由提供國際機制與經驗,供與會之國會、相關政府機關及媒體代表參考與瞭解之作法,期使未來審議通過之存款保險法規較為完備。

#### 肆、會議效益

2008 年全球金融危機之啟示之一,係各國應加強金融合作,共同建構更完善之國際金融安全網,以避免危機擴散。本公司本於專業合作與實質外交之精神,持續推動國際合作,其中本公司對 MOU 夥伴機構之專業合作更為重視。此次本公司應 MOU 夥伴機構 DIV 之邀,派員提供專業協助,即屬辦理國際實質合作之具體展現。透過與世界銀行、越南金融安全網相關機構及 DIV 代表就金融存保專業議題之討論,以及當地媒體對國際存款保險準則與先進國家作法之宣導,應有助於越南政府未來審議存款保險法草案及建立問題銀行處理機制。此次交流活動,應已進一步強化雙方合作關係,並達成派員與會提供技術合作之實質效益。



#### BẢO HIỂM TIỀN GỬI VIỆT NAM

#### **Deposit Insurance of Vietnam**

December 23rd, 2011

To: Ms. Yvonne Fan

Director of Research and International Affairs, Central Deposit Insurance Corporation (CDIC)

Address: 11F, No.3, Nanhai Road, Taipei 10066, Taiwan, R.O.C

Dear Ms. Yvonne Fan,

On behalf of the Deposit Insurance of Vietnam (DIV), I would like to express to you our heartfelt appreciation for being one of our speakers during Workshop on Bank Restructuring - International Experiences and Policy implications for Vietnam held on 21st, December, 2011 in Hanoi, Vietnam. We are aware that you are so busy and thus, we are very happy that you accepted our invitation.

The presentation you made was very inspiring and highly appreciated by the participants in terms of both contents and the way you delivered it. It brought to the participants new insights on how a deposit insurance system with proper powers and authorities like Taiwan's one can actively engage in bank restructuring by using its specific and effective methods to resolve troubled banks in a smooth and quick manner. Actually, it gave us valuable experiences about the role of an effective deposit insurance system in banking system restructuring. Therefore, I have no doubt that the Workshop would not have been the success that it was without your presence.

Once again, thank you so much for your enthusiastic participation in our Workshop. I look forward to meeting you and continuing to receive your cooperation in upcoming time. May I wish you a happy and prosperous new year.

Yours sincerely,

Bui Khac Son

General Director

Deposit Insurance of Vietnam

附錄二、研討會簡報資料

# Role of Deposit Insurance in Bank Resolution

- International Guidance & Taiwan Experience

Yvonne Fan
Central Deposit Insurance Corporation (Taiwan)
21 December 2011



# "History does not repeat itself, but it does rhyme."

~ Mark Twain



#### **Outline**

- Lessons learned
- II. Key areas of convergence
- III. International guidance on bank resolution
- IV. Taiwan experience
- V. Conclusion



# **Lessons Learned:**

Why do we need deposit insurance?



## Why do we need deposit insurance?

#### Lessons from the past

Explicit deposit insurance as a means to protect small depositors and maintain public confidence
 56 DIs before 1995 v.s. 111 DIs in March 2011

#### Lessons from the present

- Needs for better financial consumer protection
- Needs for speed & more available tools for orderly resolution
- Needs for more effective & coordinated deposit insurance systems



#### **Financial Consumer Protection**

# Financial legal framework & supervision

#### **Financial Education**

# Before consumers enter financial market

When consumers are in financial market

Consumer protection scheme as financial institutions fail

- Ensure consumers' rights appropriately protected
- Examine consumers' personal data protection
- Review standardized service contract

- Financial information disclosure and understanding
- Management & supervision of the consumer personal data protection
- Depositor reimbursement and protection
- Other financial consumers compensation

#### Handling consumers' disputes



# **Key Areas of Convergence**



# **Convergence in DIS - Resolution**

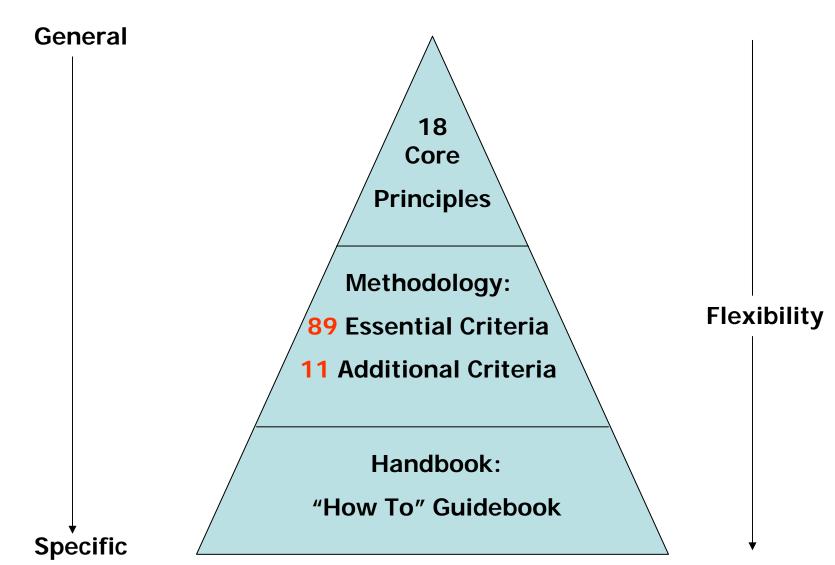
- Mandate and Powers: broader mandates
  - From "paybox" to risk minimizer (including risk management and failure resolution)
  - About 2/3 have mandate more than a "paybox"
- Reimbursing Depositors
  - A quick payout: e.g. EU DI Directive
  - Impact factors: quality and security of bank deposit records, deposit insurers' access to data, systems and capability of the deposit insurers and legal/accounting regimes.
- Failure Resolution Options
  - Over 70% DIS have more than one resolution tools/options
  - Over 50% have authority to conduct purchase and assumption transactions



# International Guidance on Bank Resolution

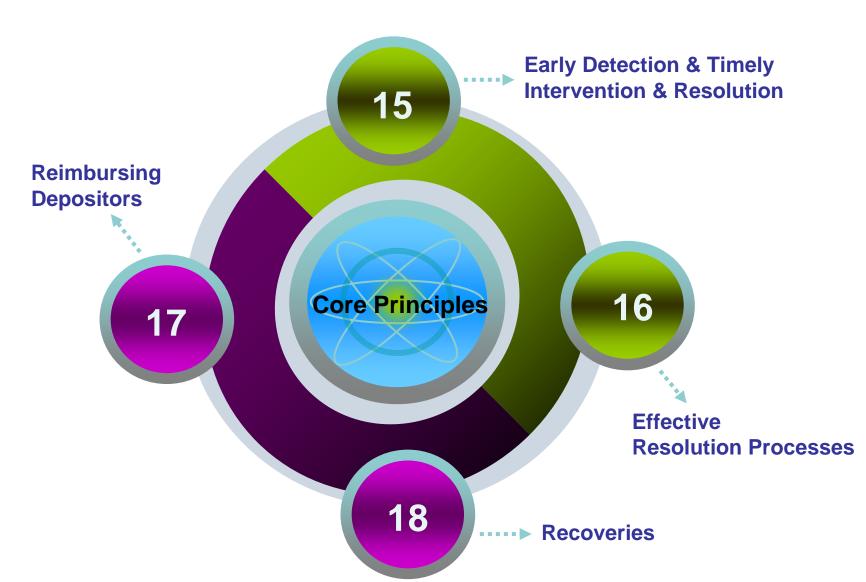


# Core Principles for Effective Deposit Insurance Systems





# **Major Related Phases of Bank Resolution**





# Core Principle 15 & 16



**Early Detection & Timely Intervention & Resolution** 

DI is part of early detection, intervention & resolution framework

Clearly defined trigger mechanism

Acted by FSN member with operational independence & power

**CP16:** 

**Effective Resolution Processes** 

Facilitate DI's ability to meet its obligation

Minimize resolution cost & market disruption

**Maximize asset recoveries** 

Reinforce discipline through legal actions



#### **IADI** Guidance on Bank Resolution

#### **Preconditions**

Interrelationship

Statutory Powers of Deposit Insurers

Operational/ Administrative Issues

Resolution of problem banks

- Strong institutional framework
- Operational Independent & accountable DI with clear mandate & insulated from undue political & industry influence
- Resolution authority consistent with public policy objectives
- Adequate legal system
- Clearly defined duties & responsibilities among FSN members
- Information sharing & coordination mechanism in place
- Explicit statutory mechanism for dealing with systemic crises
- Necessary funding; participate in decision process
- Conduct on-site reviews, perform due diligence & have access to depositor records before bank closure
- Legal protection for employees
- Legal authority to sue bank officials & directors
- Authority to contract outsourcing services CPAs, asset valuation, etc.
- Effective public awareness/communication mechanism
- Rule-based trigger mechanism;
- professional team of experts to assess viability of problem banks; least cost option;
- maximize asset recoveries;
- well defined rules for liquidation



## **Resolution Options**

#### DI's resolution tools:

- One (27%), Two (24%), Three or more (49%)
  - 1. Reimbursement (Paybox) 82%
  - 2. Purchase and Assumption (P&A) 55%
  - 3. Bridge Bank 26%
  - 4. Open Bank Assistance 35%
  - ... most appropriate option depends on a jurisdiction's legal framework (e.g., insolvency laws) and DI's mandate and authorities.



# **Taiwan Experience**

CDIC's early intervention & resolution mechanism



## **CDIC** Profile

- ✓ Established in Sep. 1985
- √ Government agency: under
- ✓ Competent authority: Financial Supervisory Commission
- ✓ Mandate
  - Handle deposit insurance issues
  - Control insured risks
  - Deal with problem financial institutions
  - Special inspection

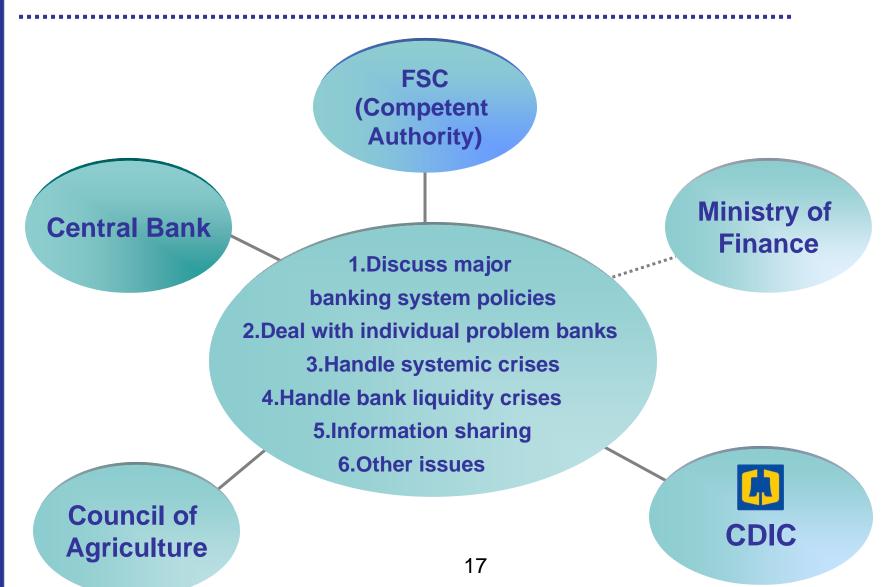




**Risk Minimizer** 



# Financial Safety Net & Its Liaison System





# **Risk Management Mechanisms**

Financial Early Warning System

Strengthening Risk Management

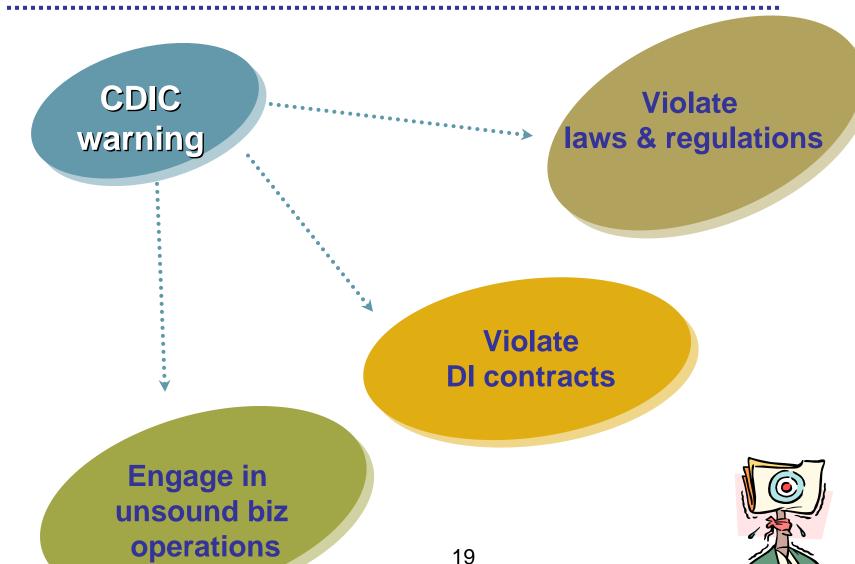
**Real-time Internet Transmission System** 

**Account Officer Analysis System** 

\* Warning of Deposit Insurance Contract Termination

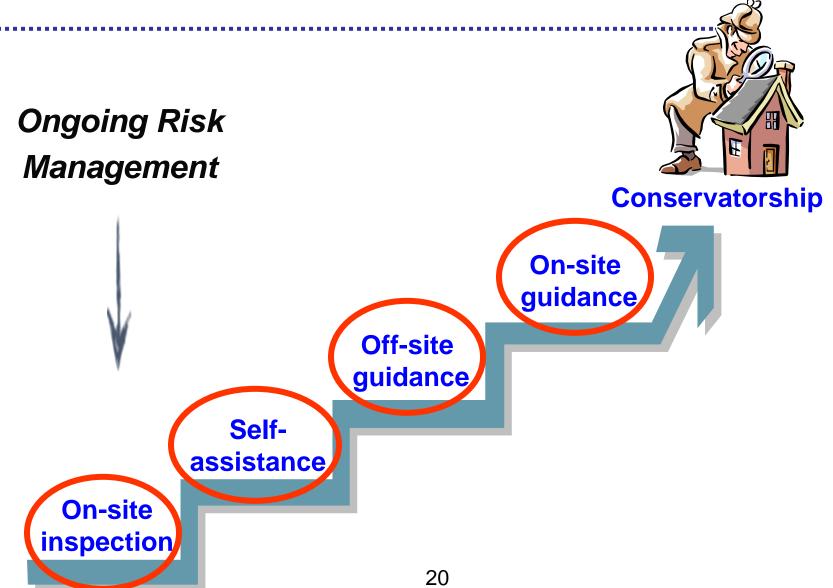


# Warning of DI Contract Termination



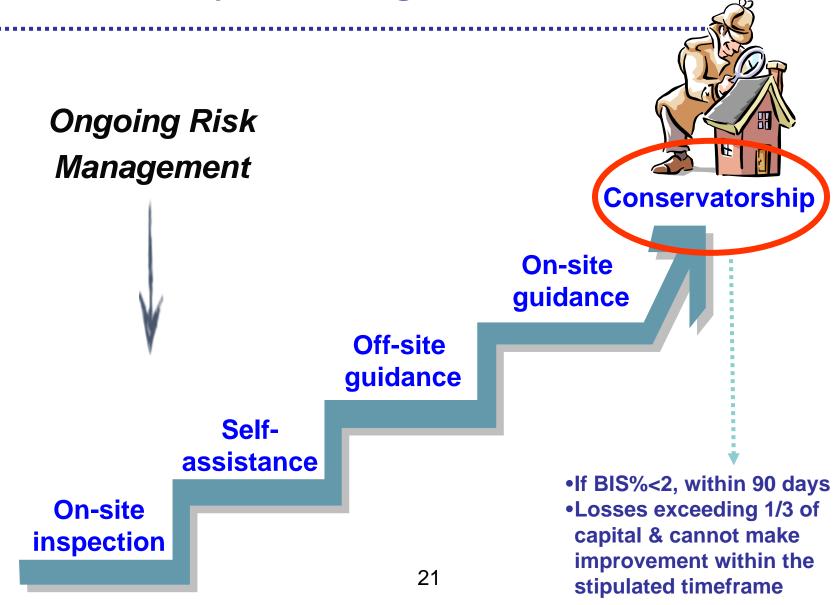


# **Steps of Early Intervention**





**Early Banking Resolution** 

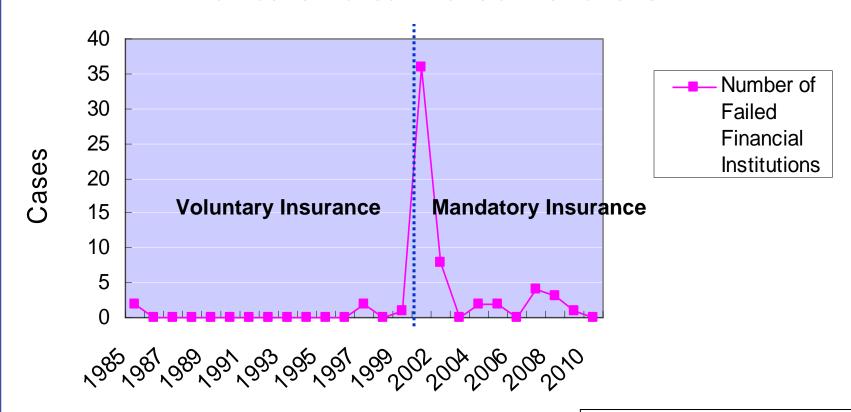


#### **Funding Sources: Resolution methods** \* Premiums; Borrowing from government and market. Collecting special premiums under systemic crisis. **Payout** Open bank assistance P&A Deposit transfer Bridge bank (systemic crisis) (systemic crisis) Friday: Recruit financial **Entrusted** Bank closure consultant to draw bank Transfer of Conditions: Nondisposition strategies makes domestic Problem bank is transfer of payout on Sunday: businesses, critically underassets and behalf of Submit the strategies Print & capitalized and put good liabilities **CDIC** to FSC and get mail letter under assets and approval conservatorship notices to some Bank failure will depositors, necessary Open bid announcement Receivership trigger a systemic including liabilities crisis Due diligence by potential investors payout Competent authorities amount Decide reserve price deem it non-viable **CDIC** and shall be closed Monday: Open bid **Bridge Depositor** bank Sign P&A contract with winner s receive notices Loans **Others** and can Settlement receive P&A **Deposits** payout CDIC continues to deal with payment unsettlement items soon



# **Number of Failed Financial Institutions**

#### **Number of Failed Financial Institutions**



**Total failed banks: 57** 



# **Purchase and Assumption**

- The only method adopted by CDIC in all the past resolution cases.
- The most cost effective way in protecting depositors and preserving critical banking functions to minimize disruption of markets.





# **On-site Inspection**

- Any event causing termination of deposit insurance contract
- Assets and liabilities of insured institutions before bank closure
- Properties of employees of failed insured institutions, who violate the laws, to pursue civil liabilities
- Accuracy of deposit assessment base and content of electronic data files



## **On-site Inspection of Electronic Data Files**

#### Legal basis



Deposit Insurance Act

> Fls are required to set up e-data files based on CDIC's format

Electronic
Data Files
- 7 categories
with 25
types
of data

Inspection emphasis



- File format
- Data type
- Data content



# **Retained Asset Management**

- Follow market mechanism, in principle
- Various disposal measures per features of assets
- Careful monitoring and management
- Entrust specialized institutions for auction
  - Major goal ······ Disposal as soon as possible





# **CDIC's Compliance with Core Principles**

Taiwan's early intervention & bank resolution mechanism



# Core Principles

for Effective Deposit Insurance Systems

Principle 15 – Early detection & timely intervention & resolution

Principle 16 – Effective resolution processes



#### **Conclusion**

- Effective DIS is an important link of financial consumer protection in bank resolution
- Quick and accurate resolution/reimbursement is key to a successful DIS
- Resolution mechanism will be effective when five areas are met: preconditions, interrelationship, aligned mandate & powers, operational readiness and clear legal framework
- DIS should benchmark Core Principles for Effective DIS with appropriate legal framework



"The Chinese use two brush strokes to write the word crisis. One brush stroke stands for danger; the other for opportunity. In a crisis, be aware of the danger, but recognize the opportunity."

~ John F. Kennedy



# Thank You