Fair Trade Commission

Fair Trade Commission's Professional Assessment Indices for Multi-level Sales Industry

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Version 1

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I. Preface

A. Purpose:

The Fair Trade Commission's Professional Assessment Indices for Multi-level Sales Industry is enacted to protect participant and consumer's rights and interests and facilitate the development of multi-level sales industry by requiring the multi-level sales enterprises to fully disclose their enterprise information and truthfully enforcing each administration system.

B. Contents of Professional Assessment:

Structure of Professional Assessment Indices for Multi-level Sales Industry:

Dimension 1: Completeness and Legality of Information Disclosure (48%)

- 1.1 Whether the information that ensures commodity quality, performance and safety is fully disclosed? (8%)
- 1.2 Whether the information regarding organization structure and bonus system is fully disclosed? (7%)
- 1.3 Whether the information regarding a participant's rights and interests from the beginning of his/her participation to withdrawal is fully disclosed? (11%)
- 1.4 Whether the information regarding commodity and replenish/return procedures and rules that a participant should know of is fully disclosed? (8%)
- 1.5 Whether the information regarding a participant's training system is fully disclosed? (4%)
- 1.6 Whether the information related to participant and consumer service quality is fully disclosed? (5%)
- 1.7 Whether the information disclosed due to the promotion of multi-level sales operations is legal? (5%)

Dimension 2: Enforcement Status of Company Administration Systems (52%)

- 2.1 What is the enforcement level of each system that ensures commodity quality, performance and safety? (9%)
- 2.2 What is the enforcement level of the claimed sales bonus system? (8%)
- 2.3 What is the enforcement level of agreed affairs set forth in each contract from the beginning of a participant's entry to withdrawal? (11%)
- 2.4 What is the enforcement level of commodity and replenish/return procedures and rules? (9%)
- 2.5 What is the enforcement level of participant and consumer service quality control system? (6%)
- 2.6 Internal audit organization and operating rules (5%)
- 2.7 Information system and operating rules (4%)

Dimension 3: Standard Increment and Decrement Items (+/- 5%)

- 3.1 Items causing addition to marks (+5%)
- 3.2 Items causing reduction in marks (-5%)

- C. Directive Unit: Fair Trade Commission, Executive Yuan (Cabinet)
- D. Enforcement Unit:

II. Indices

Assessment Index	Weight	Examination Descriptions		
Dimension 1: Comp	Dimension 1: Completeness and Legality of Information Disclosure (48%)			
1.1 Whether the information that ensures commodity quality, performance and safety is fully disclosed?	8%	 The assessed enterprise shall, based upon the category/type of each commodity, provide the Directive Unit with required items. The assessed enterprise shall also fully disclose information in the commodity descriptions of a commodity DM, manual, and company website, or on the actual commodity labels. Such information should include commodity functions or specifications, or commodity ingredients (structure), package capacity (weight), duration (manufacturing date/expiration date), operation methods, attentions and warnings, and grace periods in accordance with relevant commodity labeling regulations and laws. Furthermore, based upon the information provided thereby, the Enforcement Unit shall assess whether the multi-level sales enterprise completely discloses relevant information as required by the competent authority of each commodity. Services or forward commodity shall also be given descriptions consistent with the specifications set forth by the directive unit. In the event that any of the commodities mentioned above is subject to any specific Directive Unit(s), such as Department of Health/Health Bureaus, the specific Directive Unit(s) shall be requested by letter to provide administration records of the assessed enterprise for the most recent two (2) years for assessment. 		
		4. With regard to any superiority claimed by the assessed		

Assessment Index	Weight	Examination Descriptions
		enterprise concerning the aforesaid tangible commodities, services or forward commodity, the assessed enterprise shall be able to provide relevant proof given by the manufacturers or accreditation/certification of public credibility to support the superiority of such commodities stated in the commodity DM, manuals or company website. Mere self-promotion shall not be considered sufficient. In the event that the aforesaid accreditation/certification is issued by a foreign institution, the assessed enterprise shall provide other evidence to further support the public credibility of such accreditation/certification.
Whether the information regarding organization structure and bonus system is fully disclosed?	7%	1. The assessed enterprise shall provide information regarding the organization structure including each level, promotion conditions, number of participants of each level for the most recent four(4) seasons (and previous fiscal year), and the average seniority of participants of the top five(5) levels. Additionally, an example to explain the promotion process of some high level participant shall be provided, including the joining time, promotion intervals and performance.
		2. The assessed enterprise shall explain what the highest ratio of bonus issued to total revenue is, how it is calculated, what the actual issue rate is, and the difference and the reason of the difference. Generally speaking, the highest ratio of bonus issued to total revenue shall be between 30% and 50%. If the highest ratio of bonus issued to total revenue is above the average, the assessed enterprise shall explain the reason why the bonus structure is elevated.
		3. The assessed enterprise shall disclose the bonus issuing methods and schedules.4. In accordance with Article 15 of the Supervisory

Assessment Index	Weight	Examination Descriptions
		Regulations Governing Multi-level Sales: A multi-level sales enterprise shall prepare and keep in its main office balance sheets and income statement audited financial statements for the previous accounting year certified by a Certified Public Accountant. A participant who has joined a multi-level sales enterprise for more than one year and who was entitled to obtain commission, bonus, or other economic benefit during the preceding year, may inspect the audited financial statements as specified in the preceding paragraph of the multi-level sales enterprise to which the participant belongs. The multi-level sales enterprise may not refuse such request without justification. The assessed enterprise shall explain how the information is disclosed to its participants, such as in the enterprise manuals, participation contracts or other methods. The assessed enterprise shall also explain what the application procedures or rules are when a qualified participant wishes to look up the aforesaid information.
Whether the information regarding a participant's rights and interests from the beginning of his/her participation to withdrawal is fully disclosed?	11%	1. The assessed enterprises shall provide reported written contracts for the most recent two (2) years, reporting responses and comparison charts of amended articles. The reviewing commissioners will evaluate the completeness of information concerning the participant qualifications, minor participant qualifications, rescission right, termination right, withdrawal right, and commodity buyback obligations when a participation contract is terminated. The reviewing commissioners will also evaluate the reasonableness of the articles. For example, a person might have to achieve certain sales amount to be qualified as a participant. Moreover, the reviewing commissioners will also evaluate whether a participant's interests are fully protected by examining the print format of the written contract, font sizes and if the key points are printed in multiple colors or special fonts and sizes.

Assessment Index	Weight	Examination Descriptions
		 The assessed enterprise shall provide reported written contracts for the most recent two (2) years, responses and comparison charts of amended articles for record. The reviewing commissioners will evaluate the completeness of the information and reasonableness based upon the articles. Moreover, the reviewing commissioners will also evaluate whether a participant's interests are fully protected by examining the print format of the written contract, font sizes and if the key points are printed in multiple colors or special fonts and sizes. The assessed enterprise shall keep a copy of the participation contracts entered by and between the enterprise and its participants and enterprise manuals for participants to look up the contents of the articles signed. In order to understand how an assessed enterprise actually enters contracts with its participants, the assessed enterprise shall provide copies of participation contracts
		entered by three (3) participants in different months for reference. 5. The assessed enterprise shall explain how the levy obligation is revealed to its participants, such as in the enterprise manuals or participation contracts, during training, on the website or by other means.
Whether the information regarding commodity and replenish/return procedures and rules that a participant should know of is fully	8%	 The assessed enterprise shall disclose implementation methods that will allow its participants to be fully aware of the items, prices, purposes, origins, product liability insurance and other affairs related to the commodities or labor, such as disclosing commodity information during training, or on the website, or in the monthly publications, or announcing the information during the monthly meetings. The assessed enterprise shall disclose information

Assessment Index	Weight	Examination Descriptions
disclosed?		regarding the replenishment procedures and rules to its participants during the training, or on the website, or in the enterprise manuals. Replenishment rules might include payment methods, and delivering purchased commodities to recipients and locations designated by the participants. 3. The assessed enterprise shall fully disclose information regarding general commodity returns and defects handling rules and procedures to its participants in the enterprise manuals, or on the website, or at the public areas of the business locations. 4. The assessed enterprise shall fully disclose information regarding returns (due to withdrawal) handling rules and procedures to its participants in the enterprises manuals, or on the website, or at the public areas of the business locations. 5. In the event that an assessed enterprise provides a "prepaid commodity (service)," such an assessed enterprise shall expressly describe the contract duration of such commodity (services), the proportion of the revenue of this commodity in the total revenue, company's accounting handling rules of such prepaid amount, and the mechanism to assure the performance of the contract (e.g. allocating certain percentage to a trust). The aforesaid information shall be fully disclosed to the participants through an appropriate mechanism.
Whether the information regarding a participant's training system is fully disclosed?	4%	1. The assessed enterprise shall provide information regarding its training systems including training programs given to participants of entry level and advanced levels. The assessed enterprise shall also provide information regarding its program planning, material evaluation, trainer's qualification evaluation and training evaluation as well as the proportion of training costs shared by the participants, multi-level sales system and the enterprise.

Assessment Index	Weight	Examination Descriptions		
		 The assessed enterprise shall provide the actual implementation information of its training programs (for the most recent one (1) year), the training system for the participants and programs given to participants of entry level and advanced levels. Additionally, the assessed enterprise shall explain the implementation of training programs in terms of multi-level sales regulations and participants' levy obligation. The assessed enterprise shall provide supervisory conditions of the training held by high level participants in terms of program planning, material evaluation, trainer's qualification review, training evaluation and the proportion of training costs shared by the participants, multi-level sales system and the enterprise. 		
Whether the information related to participant and consumer service quality is fully disclosed?	5%	 The assessed enterprise shall fully disclose information related to participant and consumer services, such as addresses, maps, and directions of business locations, warehouses and service locations, 0800 toll free numbers, feedback mailbox addresses, commodity showrooms, aftermarket service rules and procedures, and complaint handling rules and procedures, on the web page, or in writing, or during on-site services. The assessed enterprise shall explain whether specific groups and personnel are appointed to be in charge of handling various service requests submitted by the participants. The assessed enterprise shall explain whether it can provide information required by a participant's subordinates, such as organizational charts, sales performance, bonus and ranks. 		
Whether the information disclosed due to	5%	The assessed enterprise shall provide its internal publications, videotapes of the annual promotional meetings, special publications and training materials within the last one year. Said information will be utilized to evaluate whether the		

Assessment Index	Weight	Examination Descriptions
the promotion of multi-level sales operations is legal?		information disclosed due to the promotion of sales operations is legal. The assessment will focus on the promotion and the commodity.
Dimension 2: Enfo	rcement St	atus of Company Administration System (60%)
What is the enforcement level of each system that ensures commodity quality, performance and safety?	9%	 The assessed enterprise shall provide information related to the correspondence with its suppliers, such as replenishment quality control rules and procedures and replenishment quality control records of each commodity for random inspection. The assessed enterprise shall provide the actual inspection records of the claimed accreditation/certification of each commodity, such as the annual inspection records of ISO or various certifications and commodity inspection records, for the reviewing commissioners' verification. The Assessment Enforcement Unit shall also gather the assessed enterprise's commodity labels, DM or various related information from the market or request the Directive Unit governing such commodity to provide the administration records of the assessed enterprise to evaluate the extent of assessed enterprise's compliance with the regulations prescribed by each competent authority.
What is the enforcement level of the claimed sales bonus system?	8%	 Three (3) random participants shall be chosen from the list of participants to examine their joining time, promotion schedules and bonus awarding status. The Enforcement Unit shall examine whether the bonus is issued in a timely manner and the handling procedures of bonus disputes and actual situations pursuant to the prescribed bonus system and issuance schedules. The Enforcement Unit shall examine whether the financial statements provided for the public's inquiries at the business places are displayed in accordance with the

Assessment Index	Weight	Examination Descriptions		
		regulations and inspect the actual inquiry situation.		
		4. The Enforcement Unit shall interview in person or by phone three (3) participants chosen from the list of participants.		
What is the enforcement level of agreed affairs set forth in each contract from the beginning of a participant's entry to withdrawal?	11%	 The Enforcement Unit shall randomly choose several participants respectively from the groups of new participants, participants with several years of seniority and minor participants to examine the participation contracts or enterprise manuals entered or possessed by these respective participants. In order to understand the interaction between the assessed enterprise and the Directive Unit, official documents of participation contract and enterprise manual modification reported to the FTC (for the most recent two (2) years) shall be submitted to the Enforcement Unit. 		
What is the enforcement level of commodity and replenish/return	9%	1. The assessed enterprise shall provide explanations regarding the situation of returns based upon the number of return cases and the ratio of refund amount to the revenue.		
procedures and rules?		2. In case that an assessed enterprise provides prepaid commodities, such an enterprise shall provide explanations regarding the condition of returns based upon the number of return cases and the ratio of refund amount to the revenue.		
		3. The Enforcement Unit shall inspect the general return/exchange handling rules and actual enforcement situations.		
		4. The Enforcement Unit shall inspect the return handling rules and actual enforcement situations involved with participants who rescind their participation right within two (2) weeks after their participation.		

Assessment Index	Weight	Examination Descriptions		
		 The Enforcement Unit shall inspect the return handling rules and actual enforcement situations in case of a terminated participation contract. The Enforcement Unit shall inspect the return handling rules and actual enforcement situations in the event that a contract is terminated due to a participant's fault. The Enforcement Unit shall inspect the bonus return handling rules and actual enforcement situations in the event that a participant returns the commodities. The Enforcement Unit shall inspect the return handling rules of supervisors' bonus and the actual enforcement situations in the event that a participant returns the commodities. 		
What is the enforcement level of participant and consumer service quality control system?	6%	 The Enforcement Unit shall inspect the operating conditions of 0800 customer complaint center, feedback mailbox or other similar units. The Enforcement Unit shall inspect the operating conditions of designated personnel dealing with customer complaints. The Enforcement Unit shall inspect the operating conditions of information provision for participants to service their subordinates. The Enforcement Unit shall inspect the system established to decrease customer complaints. The Enforcement Unit shall inspect the handling records and results of customer complaints. The Enforcement Unit shall inspect the service showrooms, sanitation, and service attitude. 		
2.6 Internal audit	5%	The Enforcement Unit shall inspect whether the assessed enterprise has established internal audit organizations and		

Assessment Index	Weight	Examination Descriptions
organization and operating rules		discloses its organizational ranks, personnel deployment and explain organization operating situations.
		2. The assessed enterprise shall submit its internal audit operational rules and give examples explaining the actual implementation situation of individual operations; for example, whether procurement review operation rules or financial audit rules for a new commodity have been adopted.
2.7 Information system and operating rules	4%	1. The assessed enterprise shall explain its company's establishment and administration of the information system to ensure that the information system including information department arrangement, information system structure, information administration outsourcing situation and the mechanism assuring information security, is efficiently operating.
		2. The Enforcement Unit shall conduct an on-site inspection of the information system operating situations, including whether such a system can provide the following information in a timely manner:
		 organization system of the entire enterprise and each level; total number of participants and the number of new participants and withdrawing participants of the current month;
		 names or titles, ages, ID or business registration numbers, addresses and contact phone numbers of the participants;
		- types, quantity, amount and relevant matters of the commodity or service sold;
		 return handling situation and total amount paid; and commission, bonus or other economic benefits given.

Dimension 3: Standard Increment and Decrement Items

Assessment Index	Weight	Examination Descriptions	
3.1 Items causing addition to marks	(+5%)	The assessed enterprise shall provide all items that can improve the image of the multi-level sales industry, such as social welfare activities it participated. Marks shall be added upon the contribution made to improve the image of the multi-level sales industry by the assessed enterprise.	
3.2 Items causing reduction in marks	(-5%)	Assessment Enforcement Unit will request relevant competent authorities to provide any violations and penalty records of the assessed targets. Marks shall be deducted upon the harm done to the image of the multi-level sales industry by the assessed enterprise.	

III. Directions of Material Preparation for Complete and Legal Information Disclosure

Indices	Materials Submitted by Assessed Enterprises	Remarks
1.1 Whether the information that ensures commodity quality, performance and safety is fully disclosed?	 The assessed enterprise shall provide materials proving that each commodity is compliant with the regulations prescribed by the competent authority. The assessed enterprise shall provide materials of each accreditation/certification. The assessed enterprise shall provide materials regarding professional certificates of the service providers who provide service commodities. 	 The assessed enterprise shall request the Directive Unit to issue the relevant administration records of the assessed enterprise for the most recent two (2) years. In the event that the accreditation/certification is issued by a foreign institute, the assessed enterprise shall further provide evidence proving the public credibility of such accreditation/certification.
1.2 Whether the information regarding organization structure and bonus system is fully disclosed?	1. The assessed enterprise shall provide materials regarding the organization structure, including each level, promotion conditions, number of participants of each level for the most recent four (4) seasons (and previous fiscal year), and the average seniority of participants of the top five (5) levels.	1. An example to explain the promotion process of some high level participant shall be provided, including the joining time,

Indices	Materials Submitted by Assessed Enterprises	Remarks
	 The assessed enterprise shall explain what the highest ratio of bonus issued to total revenue is, how it is calculated, what the actual issue rate is, and the difference and the reason of the difference. The assessed enterprise shall explain the bonus issuing methods and schedules. The assessed enterprise shall explain how the participants may look up the financial statements and what the application procedures and rules are. 	promotion intervals and performance. 2. Generally speaking, the highest ratio of bonus issued to total revenue shall be between 30% and 50%. If the highest ratio of bonus issued to total revenue is above the average, the assessed enterprise shall explain the reason why the bonus structure is elevated.
1.3 Whether the information regarding a participant's rights and interests from the beginning of his/her participation to withdrawal is fully disclosed?	 The assess enterprises shall provide reported written contracts, reporting responses from the FTC and comparison charts of amended articles for the most recent two (2) years. The assessed enterprise shall explain what measure is taken to make sure that the participants understand their levy obligation. 	
1.4 Whether the information	1. The assessed enterprise shall provide materials showing full disclosure of information that	

Indices	Materials Submitted by Assessed Enterprises	Remarks
regarding commodity and replenish/return procedures and rules that a participant should know of is fully disclosed?	will assure the participants to comprehend the items, prices, purposes, origins, product liability insurance, and other affairs related to the commodities or labor and how the measures are implemented. 2. The assessed enterprise shall provide materials disclosing replenishment procedures and rules.	
	3. The assessed enterprise shall provide materials showing that the "return/exchange operating rules and procedures" and "withdrawal return operating rules and procedures" are provided to the participants.	
	4. In the event that an assessed enterprise provides a "prepaid commodity (service)," such an assessed enterprise shall expressly describe the contract duration of such commodity (services), the proportion of the revenue of this commodity in the total revenue, company's accounting handling rules of such prepaid amount, and the mechanism to assure the performance of the contract.	
1.5 Whether the information regarding a participant's training system is fully disclosed?	1. The assessed enterprise shall provide information regarding its training systems including training programs given to participants of entry level and advanced levels. The assessed enterprise shall also provide information regarding its program planning, material evaluation, trainer's qualification evaluation and training evaluation as well as the proportion of training costs shared by the participants, multi-level sales system and the enterprise.	The assessed enterprise shall provide materials regarding the actual implementation of training for the most recent one (1) year.

Indices	Materials Submitted by Assessed Enterprises	Remarks
	2. The assessed enterprise shall explain the implementation of training programs in terms of multi-level sales regulations and participants' levy obligation.	
	3. The assessed enterprise shall provide supervisory conditions of the training held by high level participants in terms of program planning, material evaluation, trainer's qualification review, training evaluation and the proportion of training costs shared by the participants, multi-level sales system and the enterprise.	
1.6 Whether the information related to participant and consumer service quality is fully disclosed?	1. The assessed enterprise shall provide statistical materials that fully disclose information related to participant and consumer services, such as addresses, maps, and directions of business locations, warehouses and service locations, 0800 toll free numbers, feedback mailbox addresses, commodity showrooms, aftermarket service rules and procedures, and complaint handling rules and procedures, on the web page, or in writing, or during on-site services.	
	 The assessed enterprise shall provide materials explaining whether specific groups and personnel are in charge of 0800 toll free phone lines, whether a designated department is in charge of returns, and whether personnel is appointed to provide dynamic service information requested by the participants. The assessed enterprise shall provide materials explaining the service information provided 	

Indices	Materials Submitted by Assessed Enterprises	Remarks
	by the information system (e.g. organizational charts, sales performance, bonus and ranks)	
1.7 Whether the information disclosed due to the promotion of multi-level sales operations is legal?	The assessed enterprise shall provide materials regarding internal publications, videotapes of the annual promotional meetings, special publications and training materials within the last one (1) year.	

IV. Directions of Material Preparation for Company Administration System

Indices	Materials Prepared by Assessed Enterprise	Remarks
2.1 The level of enforcement of each system to ensure commodity quality, performance and safety	 The assessed enterprise shall provide information related to the correspondence with its suppliers, such as replenishment quality control rules and procedures and replenishment quality control records of each commodity for inspection. The assessed enterprise shall provide the actual inspection records of the claimed accreditation/certification of each commodity. 	
2.2 The level of enforcement of the claimed sales bonus system	The assessed enterprise shall provide information related to the handling procedures and actual situations of bonus disputes.	
2.3 The level of enforcement of agreed affairs set forth in each agreement from the beginning of a participant's entry to withdrawal	 The assessed enterprise shall provide copies of the actual participation contracts entered by six (6) participants (adults and minors) in different months. The assessed enterprise shall provide information regarding the interaction between the assessed enterprise and the Directive Unit. 	
2.4 The level of enforcement of commodity and replenish/return procedures and rules	 The assessed enterprise shall provide information regarding the situation of returns based upon the number of return cases and the ratio of refund amount to the revenue. In the event that an assessed enterprise provides prepaid commodities, such an enterprise shall provide information regarding the situation of returns based upon the 	

Indices	Materials Prepared by Assessed Enterprise	Remarks
	number of return cases and the ratio of refund	
	amount to the revenue.	
	3. The assessed enterprise shall provide	
	information regarding the general	
	return/exchange handling rules and actual	
	enforcement situations.	
	4. The Enforcement Unit shall inspect the return	
	handling rules and actual enforcement	
	situations with regard to those participants	
	who rescind their participation right within	
	two(2) weeks after their participation.	
	5. The Enforcement Unit shall inspect the return	
	handling rules and actual enforcement	
	situations in case of a terminated participation	
	contract.	
	6. The Enforcement Unit shall inspect the return	
	handling rules and actual enforcement	
	situations in the event that a contract is	
	terminated due to a participant's fault.	
	7. The Enforcement Unit shall inspect the bonus	
	return handling rules and actual enforcement	
	situations in the event that a participant	
	returns the commodities.	
	8. The Enforcement Unit shall inspect the return	
	handling rules of supervisors' bonus and the	
	actual enforcement situations when a participant returns the commodities.	
2.5.771 1 1 2		
2.5 The level of enforcement of	1. The assessed enterprise shall provide	
participant and	information regarding the operating conditions of 0800 customer complaint	
consumer service	center, feedback mailbox or other similar	
quality assurance	units.	
system		
	2. The assessed enterprise shall explain whether	
	specific groups and personnel are appointed	

Indices	Materials Prepared by Assessed Enterprise	Remarks
mulces	to be in charge of customer complaints. 3. The assessed enterprise shall explain whether information required by a participant's subordinates can be provided. 4. The assessed enterprise shall provide information regarding the system established to decrease customer complaints. 5. The assessed enterprise shall provide	ACIII AS
	information regarding the handling records and results of customer complaints. 6. The assessed enterprise shall provide information regarding service showrooms, sanitation, and service attitude.	
2.6 Internal audit organization and operating rules	1. The assessed enterprise shall explain whether internal audit organizations are established and its organizational ranks, personnel deployment and explain organization operating situations disclosed.	
	2. The assessed enterprise shall submit its internal audit operational rules and gives examples explaining the actual implementation situation of individual operations.	
2.7 Information system and operating rules	1. The assessed enterprise shall explain its company's establishment and administration of the information system to ensure that the information system including information department arrangement, information system structure, information administration outsourcing situation and the mechanism assuring information security, is efficiently operating.	