

Revisions to Rules and Regulations: Tracked Changes

Revisions to the Securities Listing Regulations and Other Rules Pertaining to Revisions to Listing Rules for ETFs, etc.

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Securities Listing Regulations

(as of ~~July 22~~ May 30, 2025)

Rule 2. Definitions

The meanings of the terms referred to in each of the following items in these regulations shall be as defined in each of such items:

- (1) A company that voluntarily adopts IFRS means a company that prepares financial statements, etc. or interim financial statements, etc. in accordance with a designated international accounting standard as prescribed in Article 312 of the Regulation on Terminology, Forms and Preparation Methods of Consolidated Financial Statements (Ministry of Finance Order No. 28 of 1976; hereinafter referred to as the "Consolidated Financial Statements Regulation") or Article 326, Paragraph 2 of the Regulation on Terminology, Forms, and Preparation Methods of Financial Statements (Ministry of Finance Order No. 59 of 1963; hereinafter referred to as the "Financial Statements Regulation") and submits such statements, etc. to the Prime Minister, etc.
- (1)-2 An ETN means, out of the securities referred to in Article 2, Paragraph 1, Item (5) of the Act or the securities referred to in Item (17) of the same paragraph, the security which has the same attributes as bonds provided in Item (5) of the same paragraph, and whose redemption value tracks a specific indicator (meaning indicators such as quotations on a financial instruments market; the same shall apply hereinafter.);
- (1)-3 An ETN trust beneficiary certificate means, of the securities trust beneficiary certificates prescribed in Article 2-3, Item (3) of the Enforcement Order, that whose entrusted security is an ETN;
- (1)-4 An investment trust managed based on instructions from the settlor means an investment trust managed based on instructions from the settlor prescribed in Article 2, Paragraph 1 of the Investment Trust Act;
- (1)-5 An investment trust managed without instructions from the settlor means an investment trust managed without instructions from the settlor prescribed in Article 2, Paragraph 2 of the Investment Trust Act;
- (1)-6 A unit means a trading unit prescribed in Rule 15 of the Business Regulations;
- (2) A parent company means a parent company prescribed in Article 8, Paragraph 3 of the Financial Statements Regulation;
- (3) A parent company, etc. means a parent company, other related companies (meaning other related companies prescribed in Rule 8, Paragraph 8 of the Financial Statements Regulation; the same shall apply hereinafter) or their parent company;
- (4) A foreign country means a country or a region other than Japan;
- (5) A foreign company means an issuer of a foreign stock, etc.;
- (6) A foreign stock means, out of the securities referred to in Article 2, Paragraph 1, Item (17) of the Act, a security with a nature of a stock referred to in Item (1) of the same paragraph;
- (7) A foreign stock, etc. means a foreign stock or a foreign stock depositary receipt, etc.;
- (8) A beneficial shareholder of a foreign stock, etc. means a beneficial shareholder of a foreign stock, etc. prescribed in the rules concerning custody and book-entry transfer settlement of foreign stocks, etc. set forth by a designated book-entry

transfer institution;

- (9) The book-entry transfer operation for foreign stocks, etc. means business concerning custody and book-entry transfer of foreign stocks, foreign stock depositary receipts, senior securities (meaning senior securities prescribed in Rule 813, Paragraph 1), foreign ETFs, foreign spot commodity ETFs, and country funds for which a designated book-entry transfer institution receives approval as a concurrent business pursuant to the provisions of the proviso of Article 9, Paragraph 1 of the Book-Entry Transfer Act;
- (10) A foreign stock trust beneficiary certificate means, out of securities trust beneficiary certificates prescribed in Article 2-3, Item (3) of the Enforcement Order, a security trust beneficiary certificate whose entrusted security (meaning an entrusted security prescribed in Article 2-3, Item (3) of the Enforcement Order; the same shall apply hereinafter) is a foreign stock;
- (11) A foreign stock depositary receipt means a security representing rights pertaining to a foreign stock which is a security referred to in Article 2, Paragraph 1, Item (20) of the Act;
- (12) A foreign stock depositary receipt, etc. means a foreign stock depositary receipt or a foreign stock trust beneficiary certificate;
- (13) A foreign financial instruments exchange, etc. means a foreign financial instruments exchange or a foreign organized over-the-counter market specified by the Enforcement Rules;
- (13)-2 A foreign investment security means a foreign investment security prescribed in Article 2, Paragraph 1, Item (11) of the Act;
- (13)-3 A foreign investment trust means a foreign investment trust prescribed by Article 2, Paragraph 24 of the Investment Trust Act;
- (13)-4 A foreign investment corporation means a foreign investment corporation prescribed in Article 2, Paragraph 25 of the Investment Trust Act;
- (14) A foreign holding company means a foreign company whose primary business is to control business activities of another company by owning its shares;
- (15) A Cabinet Office Order on Disclosure means the Cabinet Office Order on Disclosure of Corporate Affairs, etc. (Cabinet Office Order No.5 of 1973);
- (16) A company means a company or a foreign company or cooperative structured financial institution prescribed in Article 2, Item (1) of the Companies Act (Act No. 86 of 2005);
- (17) A stock, etc. means a domestic stock or a foreign stock, etc.;
- (18) A shareholder services agent means a corporate institution which is not an issuer but generally undertakes shareholder services (including works pertaining to preferred equity investments; the same shall apply hereinafter) such as notification to shareholders, etc., in addition to transfer of shares, and also which is an administrator of shareholder registry prescribed in Article 123 of the Companies Act or an administrator of preferred equity investment registry prescribed by the Preferred Equity Investment Act;
- (18)-2 A shareholder, etc. record date means a record date pertaining to the status of major shareholders or of large contributors included in an annual securities report.
- (19) A related company means a related company prescribed in Article 8, Paragraph 8 of the Financial Statements Regulation;

- (20) Audit certification means audit certification prescribed in Article 193-2, Paragraph 1 of the Act;
- (21) Audit certification, etc. means audit certification or certification corresponding to audit certification;
- (22) Certification corresponding to audit certification means certification deemed to correspond to audit certification prescribed in Article 1-2 of the Cabinet Office Order on Audit Certification;
- (23) A Cabinet Office Order on Audit Certification means the Cabinet Office Order on Audit Certification of Financial Statements, etc. (the Order of the Ministry of Finance No.12 of 1957);
- (24) A managing trading participant means a trading participant of the Exchange, out of managing financial instruments business operators;
- (25) An affiliated company means an affiliated company prescribed in Article 8, Paragraph 5 of the Financial Statements Regulation;
- (26) A corporate group means a company, its subsidiaries and affiliated companies;
- (27) A business group means a business group prescribed in Article 4, Paragraph 1, Item (1) of the Consolidated Financial Statements Regulation;
- (27)-2 A share with voting rights means, out of domestic stocks, a class of shares whose voting rights are not restricted as to important issues including selection and dismissal of board members at general shareholders meetings;
- (28) A record date, etc. means a record date set pursuant to the provisions of the Companies Act or the Preferred Equity Investment Act and a record date in cases where the book-entry transfer institution prescribed by Article 2, Paragraph 2 of the Book-Entry Transfer Act notifies all beneficial shareholders pursuant to the provisions of Article 151, Paragraph 1 or Paragraph 8 of the same Act (including cases where they are applied mutatis mutandis in Article 235 of the same Act);
- (29) A cooperative structured financial institution means a cooperative structured financial institution prescribed in the Preferred Equity Investment Act;
- (30) A false statement means a false statement as to annual securities reports, etc. in the case where a company receives a revision order (meaning, as a general rule, a revision order pertaining to Article 10 of the Act (including cases where it is applied mutatis mutandis in Article 24-2 and Article 24-5 of the Act) or Article 23-10 of the Act) or a surcharge payment order (meaning an order pertaining to Article 172-2, Paragraph 1 of the Act (including cases where it is applied mutatis mutandis in Paragraph 4 of the same article) or Article 172-4, Paragraph 1 or Paragraph 2 of the Act) from the Prime Minister, etc., or where accusation pertaining to Article 197 or Article 207 of the Act is made by the Prime Minister, etc. or the Securities and Exchange Surveillance Commission, or where a company submits a revision notice, registration statement of issuing revision or revision statement and, in addition, where the detail of such revisions is deemed important;
- (31) A financial instruments business operator means an entity who carries out class 1 financial instruments business prescribed in Article 28, Paragraph 1 of the Act, out of the financial instruments business operators prescribed in Article 2, Paragraph 1 of the Act;
- (32) An exchangeable corporate bond means a corporate bond (meaning a security as referred to in Article 2, Paragraph 1, Item (5) of the Act or a bond with the characteristics of the security referred to in Item (5) of the same paragraph out of the securities referred to in Item (17) of the same paragraph; the same shall apply hereinafter), which shall be redeemed

in the form of a domestic stock or foreign stock of a specified company other than the issuer upon the claim of the holder of the corporate bond;

- (33) A certified public accountant means a certified public accountant or a foreign certified public accountant prescribed in Article 16-2, Paragraph 5 of the Certified Public Accountant Act (Act No. 103 of 1948);
- (34) A certified public accountant, etc. means a certified public accountant, an audit firm or an entity corresponding to these;
- (35) A public offering means an issue or disposal of a stock, etc. or depositary receipt (meaning the security referred to in Article 2, Paragraph 1, Item (20) of the Act) representing the rights pertaining to the stock, etc. by a general offering;
- (36) A subsidiary means a subsidiary company prescribed by Article 8, Paragraph 3 of the Financial Statements Regulation;
- (37) A subsidiary-linked dividend stock means an equity share of a class whose substance is that the issuer pays surplus dividend to shareholders in accordance with the business performance, dividend, etc. of its consolidated subsidiary (meaning a consolidated subsidiary prescribed by Article 2, Paragraph 4 of the Consolidated Financial Statements Regulation; the same shall apply hereinafter);
- (37)-2 Internationally Active Shinkin Banks means Internationally Active Shinkin Banks prescribed in Article 1, Item (9)-3 of "Criteria for Judging Whether Capital of a Shinkin Bank and the Federation of Shinkin Banks Is Sufficient in Light of the Assets Held, etc. (Financial Services Agency Notification No. 21 of 2006) under the provision of Article 14-2 of the Banking Act which is applied mutatis mutandis in Article 89, Paragraph 1 of the Shinkin Bank Act;
- (37)-3 An Internationally Active Banks, etc. means Internationally Active Banks, the Norinchukin Bank, Internationally Active Shinkin Banks, and the Shoko Chukin, Ltd. prescribed in Article 1, Item (10)-2 of "Criteria for Judging Whether Capital of a Bank Is Sufficient in Light of the Assets Held, etc. (The Financial Services Agency Notification No. 19 of 2006) under the provision of Article 14-2 of the Banking Act."
- (38) A bond means a bond excluding a corporate bond with subscription warrants (meaning a bond attached with subscription warrants; the same shall apply hereinafter), an exchangeable corporate bond or an ETN;
- (38)-2 Financial covenants means financial covenants as prescribed in Article 19, Paragraph 2, Item (12)-4 of the Cabinet Office Order on Disclosure;
- (39) Financial statements, etc. means financial statements (meaning balance sheets, income statements, statements of changes in net assets, cash flow statements, and ancillary statements), and consolidated financial statements (meaning consolidated balance sheets, consolidated income statements and consolidated statements of comprehensive income or consolidated statements of income and comprehensive income, consolidated statements of changes in net assets, consolidated cash flow statements, and consolidated ancillary statements) or financial documents;
- (40) A financial document means documents concerning financial calculation of a foreign company;
- (41) A treasury share means a stock, etc. held by the issuer of such stock, etc.;
- (41)-2 An asset management company means an asset management company prescribed in Article 2, Paragraph 21 of the Investment Trust Act (including entities which have been entrusted by such asset management company with all or some rights pertaining to the management of assets entrusted by the investment corporation);
- (42) A designated book-entry transfer institution means a book-entry transfer institution prescribed in Article 2, Paragraph 2 of the Book-Entry Transfer Act, which is an entity specified by the Enforcement Rules;

- (42)-2 A controlling shareholder means a parent company or an entity specified by the Enforcement Rules as entity which directly or indirectly hold a majority of the voting rights;
- (43) A quarterly accounting period means each three-month period within a business year (excluding the last of these periods) when the business year exceeds three months;
- (43)-2 A cumulative quarterly accounting period means the period from the first day of a business year to the last day of a quarterly accounting period;
- (43)-3 A quarterly consolidated accounting period means each three-month period within a consolidated accounting year (excluding the last of these periods) when the consolidated accounting year exceeds three months;
- (43)-4 A cumulative quarterly consolidated accounting period means the period from the first day of a consolidated accounting year to the last day of a quarterly consolidated accounting period;
- (43)-5 A beneficiary certificate means a beneficiary certificate prescribed in Article 2, Paragraph 7 of the Investment Trust Act, Article 185, Paragraph 1 of the Trust Act, and Article 2, Item (15) of the Asset Securitization Act;
- (43)-6 An equity contribution security means a security referred to in Article 2, Paragraph 1, Item (6) of the Act;
- (43)-7 A listed ETN trust beneficiary certificate means an ETN trust beneficiary certificate listed on the Exchange;
- (44) A listed foreign company means an issuer of a listed foreign stock, etc.;
- (45) A listed foreign stock means a foreign stock listed on the Exchange;
- (46) A listed foreign stock, etc. means a listed foreign stock or a listed foreign stock depositary receipt, etc.;
- (47) A listed foreign stock trust beneficiary certificate means a foreign stock trust beneficiary certificate listed on the Exchange;
- (48) A listed foreign stock depositary receipt means a foreign stock depositary receipt listed on the Exchange;
- (49) A listed foreign stock depositary receipt, etc. means a listed foreign stock depositary receipt or a listed foreign stock trust beneficiary certificate;
- (50) A listed company means an issuer of a listed stock, etc.;
- (51) A listed stock, etc. means a stock, etc. listed on the Exchange;
- (51)-2 A listed share with voting rights means a share with voting rights which is listed on the Exchange;
- (52) A listed exchangeable corporate bond means an exchangeable corporate bond listed on the Exchange;
- (53) A listed bond means a bond listed on the Exchange;
- (54) Deleted.
- (55) A listed convertible bond means a convertible bond listed on the Exchange;
- (56) A listed domestic company means an issuer of a listed domestic stock;
- (57) A domestic stock means a domestic stock listed on the Exchange;
- (58) A listed share without voting rights means a share without voting rights which is listed on the Exchange;
- (59) A listed security means a security listed on the Exchange;
- (60) A listed preferred stock, etc. means a preferred stock, etc. listed on the Exchange;
- (61) A listed preferred equity investment security means a preferred equity investment security listed on the Exchange;
- (62) A subscription warrant security means a security with the characteristics of a subscription warrant security referred to in Item (9) in the same paragraph out of securities referred to in Article 2, Paragraph 1, Item (9) of the Act or the securities

referred to in Article 2, Paragraph 1, Item (17) of the same act;

(63) Initial listing means a listing of a security of the class or the number which is not listed on the Exchange;

(64) An initial listing applicant means an issuer where the issuer whose stock, etc. is not listed on the Exchange applies for initial listing of its stock, etc.;

(64)-2 The Trust Act means the Trust Act (Act No. 108 of 2006);

(65) Spin-off type company split means a company split in which all or part of the shares of a succeeding company or a newly created company will be delivered to the shareholders of the company effecting the company split at the time of such a company split;

(66) Distribution with a quantitative limit means an off-auction distribution or a distribution corresponding to this in accordance with the rules and regulations of any other financial instruments exchange in Japan in which a limit to the purchase application quantity is set up at less than fifty (50) units;

(67) The Enforcement Order means the Enforcement Order of the Financial Instruments and Exchange Act (Cabinet Order No.321 of 1965);

(67)-2 Third-party allotment means a third-party allotment as prescribed in Article 19, Paragraph 2, Item (1), Sub-item (I) of the Cabinet Office Order on Disclosure.

(68) Off-auction distribution means an off-auction distribution prescribed in Rule 42 of the Business Regulations;

(69) The number of shares constituting one unit means the Share Unit prescribed by Article 2, Item (20) of the Companies Act;

(70) Interim financial statements, etc. means interim financial statements (meaning interim balance sheets, interim income statements, and interim cash flow statements (or, for a company that is set forth in the left column of Item 2 or Item 3 of the table in Article 24-5, Paragraph 1 of the Act, interim balance sheets, interim income statements, interim statement of changes in net assets, and interim cash flow statements)) and interim consolidated financial statements (meaning interim consolidated balance sheets, interim consolidated income statements and interim consolidated statements of comprehensive income or interim consolidated statements of income and comprehensive income, and interim consolidated cash flow statements (or, for a company that is set forth in the left column of Item 2 or Item 3 of the same table, interim consolidated balance sheets, interim consolidated income statements and interim consolidated statements of comprehensive income or interim consolidated statements of income and comprehensive income, interim consolidated statement of changes in net assets and interim consolidated cash flow statements)) or financial documents for an interim accounting period;

(71) Multiple listing means listing or continuous trading on foreign financial instruments exchange(s), etc., or what is specified by the Enforcement Rules as equivalent to this;

(72) The end of the most recent business year, etc. means the end of an immediately prior business year or a day where six months have lapsed counting from the commencement day of such a business year, or a day specified by the Enforcement Rules;

(73) Provisions for technical listing mean the provisions of Rule 208, Rule 214, or Rule 220;

(74) Conversion means that, in cases of a share, a company delivers another class of shares or subscription warrants in exchange for acquiring shares issued by the company, and in cases of subscription warrants, the company delivers shares

- or subscription warrants in exchange for acquiring subscription warrants issued by the company;
- (75) A convertible bond means that the purpose of the contribution at the time of the execution of the subscription warrants is a corporate bond pertaining to such corporate bond with subscription warrants, out of the corporate bonds with subscription warrants;
- (75)-2 Investment Management Business means the investment management business prescribed in Article 28, Paragraph 4 of the Act;
- (75)-3 An investment security means an investment security prescribed in Article 2, Paragraph 15 of the Investment Trust Act;
- (75)-4 Deleted.
- (75)-5 An investment trust means an investment trust prescribed in Article 2, Paragraph 3 of the Investment Trust Act;
- (75)-6 An investment trust management company means an investment trust management company prescribed in Article 2, Paragraph 11 of the Investment Trust Act (including entities which have been entrusted by such investment trust management company with the authority, in whole or in part, to give instructions for investment of the investment trust assets of an investment trust managed based on instructions from the settlor);
- (75)-7 The Investment Trust Act means the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951).
- (75)-8 The Investment Trust Act Enforcement Regulation means the Regulation for Enforcement of the Act on Investment Trusts and Investment Corporations (Prime Minister's Office Order No. 129 of November 17, 2000);
- (75)-9 The Investment Trust Act Enforcement Order means the Order for Enforcement of the Act on Investment Trusts and Investment Corporations (Cabinet Order No. 480 of 2000);
- (75)-10 An investment corporation means an investment corporation prescribed in Article 2, Paragraph 12 of the Investment Trust Act;
- (75)-11 The Investment Corporation Accounting Order means the Order on Accountings of Investment Corporations (Cabinet Office Order No. 47 of 2006);
- (75)-12 An investment corporation bond certificate means an investment corporation bond certificate prescribed in Article 2, Paragraph 20 of the Investment Trust Act.
- (75)-13 A registered auditor of listed companies means a registered auditor of listed companies as defined in Article 34-34-8, Paragraph 1 of the Certified Public Accountants Act;
- (75)-14 The Regulated Securities Disclosure Order means the Cabinet Office Order on Disclosure of Information, etc. of Regulated Securities (Order of the Ministry of Finance No. 22 of 1993);
- (76) The Prime Minister, etc. means the Prime Minister or an entity (including foreign administrative agencies corresponding to these in cases of a foreign company or any other foreign entity) entrusted with authority belonging to the Prime Minister pursuant to the provisions of laws and regulations;
- (77) A domestic company means an issuer of a domestic stock;
- (78) A domestic stock means a domestic stock (excluding preferred stocks, etc.) referred to in Article 2, Paragraph 1, Item (9) of the Act;
- (79) Insider trading means trading prohibited by Article 166 and Article 167 of the Act;
- (79)-2 Insider trading, etc. means insider trading and acts prohibited under the provisions of Article 167-2 of the Act;

- (79)-3 An internal control report means an internal control report prescribed in Article 24-4-4, Paragraph 1 of the Act (including cases of applying mutatis mutandis in the Act) (in cases of a foreign entity that submits a document as a substitute for such internal control report pursuant to the provisions of Article 24, Paragraph 8 of the Act that is applied mutatis mutandis with rewording in Paragraph 6 of the same article (including cases of applying mutatis mutandis in the Act), such document);
- (80) Takeover response policies mean policies stipulated by a listed company by which it resists attempts at acquisition (meaning, mainly, an act where a buyer obtains a controlling interest in a listed company by acquiring its shares; the same shall apply hereinafter) through carrying out gratis allotment of subscription warrants with discriminatory exercise conditions or acquisition clauses (or other things) without a primary business purpose such as raising funds;
- (80)-2 Countermeasures against acquisitions mean specific actions such as gratis allotment of subscription warrants which are stipulated in takeover response policies.
- (81) An issuer is an issuer prescribed in Article 2, Paragraph 5 of the Act;
- (81)-2 A semiannual securities report means a semiannual securities report prescribed in Article 24-5, Paragraph 1 of the Act (including cases of applying mutatis mutandis in the Act) (in cases of a foreign entity that submits a document as a substitute for such semiannual securities report pursuant to the provisions of Paragraph 7 of the same article (including cases of applying mutatis mutandis in the Act), such document);
- (81)-3 A non-participating preferred stock means, out of a class of shares which have precedence on surplus dividends, a stock whose shareholder is unable to receive dividend from the residual distributable amount after receiving payment of preferred dividend;
- (82) The Book-Entry Transfer Act means the Act Concerning Book-Entry Transfer of Corporate Bonds, Stocks, Etc. (Act No. 75 of 2001);
- (83) The Act means the Financial Instruments and Exchange Act (Act No. 25 of 1948);
- (84) An offered share means an offered share prescribed in Article 199, Paragraph 1 of the Companies Act and an offered preferred equity investment prescribed by the Preferred Equity Investment Act, and shares allotted pursuant to the provisions of foreign laws and regulations corresponding to these;
- (84)-2 Offered share, etc. means offered shares, offered subscription warrants (including own subscription warrants to be disposed) as prescribed in Article 238, Paragraph 1 of the Companies Act, or subscription warrants allotted pursuant to provisions of corresponding laws and regulations of any foreign country;
- (85) A home country means a home country or region specified by the Enforcement Rules as a country or a region to which a foreign company or any other foreign entity belongs;
- (86) A home country, etc. means a home country and a country or region where a foreign financial instruments exchange, etc. is located, and a security issued by a foreign company or any other foreign entity is listed or is continuously traded on said exchange;
- (87) A share without voting rights means, out of domestic stocks, a share whose rights to vote on important issues including selection and dismissal of board members at general shareholders meetings are restricted;
- (88) A security means a security as prescribed by Article 2, Paragraph 1 of the Act;

- (88)-2 A securities registration statement means a registration statement prescribed in Article 5, Paragraph 1 of the Act (including cases of applying mutatis mutandis in the Act) (in cases of a foreign entity that submits a document as a substitute for such registration statement pursuant to the provision of Paragraph 6 of the same article (including cases of applying mutatis mutandis in the Act), such document and supplementary documents), and documents attached thereto as well as amendment statements thereof.
- (88)-3 An annual securities report means an annual securities report prescribed in Article 24, Paragraph 1 (including cases of applying mutatis mutandis in the Act) (in cases of a foreign entity that submits a document as a substitute for such annual securities report pursuant to Paragraph 8 of the same article (including cases of applying mutatis mutandis in the Act), such document);
- (89) An annual securities report, etc. means securities notification, securities registration statement, securities registration supplementary documents and attached documents to these documents, reference documents pertaining to these documents, annual securities reports and their attached documents, semiannual securities reports, and prospectuses;
- (90) A preferred stock, etc. means a non-participating preferred stock and subsidiary-linked dividend stock;
- (91) Preferred equity investment means preferred equity investment as prescribed by the Preferred Equity Investment Act;
- (92) A preferred equity investment security means a preferred equity investment security as prescribed by the Preferred Equity Investment Act;
- (93) The Preferred Equity Investment Act means the Act on Preferred Equity Investment by Cooperative Structured Financial Institution (Act No. 44 of 1992);
- (94) A depository, etc. means, in cases of a foreign stock depository receipt, a depository pertaining to such foreign stock depository receipt, in cases of a foreign stock trust beneficiary certificate, a trustee (meaning a trustee as prescribed by Article 2, Paragraph 5 of the Trust Act) pertaining to such foreign stock trust beneficiary certificate, and in cases of a foreign ETF trust beneficiary certificate (meaning a foreign ETF trust beneficiary certificate as prescribed by Rule 1001, Item (3); the same shall apply hereinafter in this rule) and a foreign spot commodity ETF trust beneficiary certificate (meaning a foreign spot commodity ETF trust beneficiary certificate prescribed in Rule 1001, Item (5); the same shall apply hereinafter in this rule), a trustee pertaining to such foreign ETF trust beneficiary certificate or such foreign spot commodity ETF trust beneficiary certificate, and in cases of a foreign infrastructure trust beneficiary certificate (meaning a trust beneficiary certificate prescribed in Rule 1201, Item (2)-4; the same shall apply hereinafter in this rule), a trustee pertaining to such foreign infrastructure trust beneficiary certificate;
- (95) A deposit agreement, etc. means, in cases of a foreign stock depository receipt, a deposit agreement pertaining to such foreign stock depository receipt, in cases of a foreign stock trust beneficiary certificate, a trust agreement pertaining to such foreign stock trust beneficiary certificate, in cases of a foreign ETF trust beneficiary certificate and a foreign spot commodity ETF trust beneficiary certificate, a trust agreement pertaining to such foreign ETF trust beneficiary certificate and such foreign spot commodity ETF trust beneficiary certificate, and in cases of a foreign infrastructure trust beneficiary certificate, a trust agreement pertaining to such foreign infrastructure fund trust beneficiary certificate, and;
- (96) Tradable shares mean shares excluding shares as prescribed by the Enforcement Rules as securities held by entities who individually hold 10% or more of the total number of such security, out of the securities pertaining to an initial listing

application for or listed securities or any other securities, the circulation of which is poor.

Rule 947. Disclosure of Information Concerning Listed ETN

1. An issuer of a listed ETN trust beneficiary certificate shall fully acknowledge that timely and appropriate disclosure of information to investors is the basis of a sound securities market and make efforts to carry out such faithful execution of business as strengthening prompt, accurate and fair disclosure of information at all times from the viewpoint of investors.
2. Where a security falls under any of the following items, an issuer of a listed ETN trust beneficiary certificate shall disclose such content immediately pursuant to the provisions of the Enforcement Rules.
 - (1) Where an issuer or guarantor of a listed ETN trust beneficiary certificate has decided to carry out any of the matters referred to in the following a. through q. (including cases where it has decided not to carry out matters pertaining to said decision).
 - a. Secondary distribution of a listed ETN trust beneficiary certificate;
 - b. Split or reverse split of a listed ETN trust beneficiary certificate;
 - c. Merger;
 - d. Company split (limited to cases where the whole business is inherited);
 - e. Transfer of whole business;
 - f. Dissolution (excluding dissolutions by merger);
 - g. Application for delisting of an ETN trust beneficiary certificate to a domestic financial instruments exchange or application for delisting of an ETN to a foreign financial instruments exchange (limited to a listed foreign ETN trust beneficiary certificate or an ETN pertaining to a listed ETN trust beneficiary certificate);
 - h. Petition for commencement of bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings;
 - i. Change in trade name or corporate name;
 - j. Change in the name of a listed ETN trust beneficiary certificate or an ETN pertaining to a listed ETN trust beneficiary certificate;
 - j-2. Change of a specific indicator pertaining to a listed ETN trust beneficiary certificate to a new indicator;
 - k. Change in the end date of the business year;
 - l. Change to certified public accountants, etc. who carry out audit certification, etc. of financial statements, etc. or interim financial statements, etc. contained in annual securities reports or semiannual securities reports;
 - m. Putting notes on matters relating to the going concern assumption in financial statements, etc., interim financial statements, etc. or quarterly financial statements, etc. prescribed in Rule 404, Paragraph 2;
 - m-2. Submission of application for approval prescribed in Article 15-2, Paragraph 1, Article 15-2-2, Paragraph 1, Article 17-4, Paragraph 1, or Article 18-2, Paragraph 1 of the Cabinet Office Order on Disclosure pursuant to the provisions of such paragraphs (excluding submission due to laws and regulations or practices in their home country);

- n. Discontinuation of financial instruments business or registered financial institution business, or any business similar thereto; or business specified in the Enforcement Rules;
 - o. Additional issuance of a listed ETN trust beneficiary certificate or purchase of a listed ETN trust beneficiary certificate, or temporary suspension of requests pertaining to additional issuance or redemption of an ETN which is the entrusted security of a listed ETN trust beneficiary certificate;
 - p. Early redemption of all or part of an ETN which is the entrusted security pertaining to a listed ETN trust beneficiary certificate, change in the final redemption date, suspension of applications for requests pertaining to redemption in connection with the arrival of the final redemption date or determination of the final redemption value, an important change in the issuance agreement or issuance program of the ETN which is the entrusted security of a listed ETN trust beneficiary certificate or any document similar thereto, or convocation of a bondholders meeting and any other important matters relating to rights concerning an ETN which is the entrusted security of such listed ETN trust beneficiary certificate;
 - q. Other than matters referred to in the preceding a. through p., important matters related to operation, administration or assets of the issuer or guarantor of such listed ETN trust beneficiary certificate, such listed ETN trust beneficiary certificate, or an ETN which is the entrusted security pertaining to such listed ETN trust beneficiary certificate which have a significant impact on investors' investment decisions.
- (2) Where any of the facts referred to in the following a. through k. has occurred at an issuer or guarantor of a listed ETN trust beneficiary certificate.
- a. A fact that causes delisting of a listed ETN trust beneficiary certificate;
 - b. Ceasing to be an entity who conducts financial instruments business or registered financial institution business, or any business similar thereto, or business specified in the Enforcement Rules;
 - c. Suspension of operations pertaining to financial instruments business, registered financial institution business, or any business similar thereto, or any other disciplinary action equivalent to these on the basis of laws and regulations by an administrative agency, and any other fact specified in the Enforcement Rules;
 - d. Petition or notification for commencement of bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings, or execution of enterprise mortgage by a creditor or any entity other than such listed company;
 - e. Dishonor of a bill or a check, etc.;
 - f. Acceleration of obligations pertaining to an ETN which is the entrusted security of a listed ETN trust beneficiary certificate;
 - g. Early redemption of all or part of an ETN which is the entrusted security pertaining to a listed ETN trust beneficiary certificate, change in the final redemption date, an important change in the issuance agreement or issuance program of the ETN which is the entrusted security of a listed ETN trust beneficiary certificate or any document similar thereto, or convocation of a bondholders meeting and any other important matters relating to rights concerning an ETN which is the entrusted security of such listed ETN trust beneficiary certificate;
 - h. Change to certified public accountants, etc. who carry out audit certification of financial statements, etc. or

interim financial statements, etc. contained in annual securities reports or semiannual securities reports (in cases where the decision to change in certified public accountant, etc. was made by an institution which makes business execution decisions (excluding cases where the body which decides business execution has decided to change certified public accountants, etc. (including cases where it has decided not to carry out matters pertaining to said decision) and details have been disclosed pursuant to the provisions of the preceding item);

i. An annual securities report or a semiannual securities report that has an attached audit report, interim audit report or interim review report specified in Article 3, Paragraph 1 of the Cabinet Office Order on Audit Certification prepared by two or more certified public accountants or an audit firm is not expected to be submitted to the Prime Minister, etc. within the period specified in Article 24, Paragraph 1 of the Act or Article 24-5, Paragraph 1 of the Act (excluding cases of conducting disclosure on the matter referred to in m-2 of the preceding item pursuant to the provision of such item) or has not been submitted within such period (except cases where disclosure has been made that said report is unlikely to be submitted within said period), was submitted after such disclosure had been made, or approval has been received from the Prime Minister, etc. for the extension of said period;

i-2. Obtaining or failure to obtain approval prescribed in Article 15-2, Paragraph 3, Article 15-2-2, Paragraph 4, Article 17-4, Paragraph 4, or Article 18-2, Paragraph 4 of the Cabinet Office Order on Disclosure

j. Where the total remaining redemption value (including the amount which guarantees redemption of an ETN issued by another company) of an ETN to be issued (limited to a security listed on a domestic financial instruments exchange or a foreign financial instruments exchange, etc.; the same shall apply hereinafter to this j.) exceeds or is expected to exceed 25% of the amount of net assets of the issuer (where a guarantor is present, such guarantor);

k. Other than facts referred to in the preceding a. through j., important facts related to operation, administration or assets of the issuer or guarantor of such listed ETN trust beneficiary certificate, such listed ETN trust beneficiary certificate, or an ETN which is the entrusted security of such listed ETN trust beneficiary certificate which have a significant impact on investors' investment decisions.

(3) Where details of the financial results pertaining to the business year or interim accounting period, or consolidated accounting year or interim consolidated accounting period of the issuer or guarantor of a listed ETN trust beneficiary certificate are fixed (excluding cases where the issuer or guarantor of a listed ETN trust beneficiary certificate is a listed company).

(4) Where an issuer of a listed ETN trust beneficiary certificate conducts disclosure pursuant to the preceding item or Rule 404, or a guarantor of a listed ETN trust beneficiary certificate conducts disclosure pursuant to Rule 404, and the information on its credit situation, etc. as specified in the Enforcement Rules is finalized.

(5) Where any of the facts referred to in the following a. through c. has occurred to an issuer of a listed ETN trust beneficiary certificate (where a guarantor is present, such guarantor):

a. Change in credit rating or change in credit rating pertaining to an ETN which is the entrusted security pertaining to a listed ETN trust beneficiary certificate (limited to cases where a credit rating pertaining to an ETN which is the entrusted security pertaining to a listed ETN trust beneficiary certificate is obtained);

b. The amount of net assets has fallen or is expected to fall below JPY 250 billion ;

c. In accordance with the divisions of the following (a) through (e), facts referred to in such (a) through (e) occurred.

(a) Internationally Active Banks:

Any of the facts referred to in the following (i) through (iii) has occurred.

(i) Common equity Tier 1 Ratio has fallen or is expected to fall to or below 4.5%.

(ii) Tier 1 Capital Ratio has fallen or is expected to fall to or below 6%.

(iii) Total Capital Ratio has fallen or is expected to fall to or below 8%.

(b) Registered financial institution excluding Internationally Active Banks and other than an insurance company:

The capital adequacy ratio has fallen or is expected to fall to or below 8%.

(c) Insurance company:

The solvency margin ratio has fallen or is expected to fall to or below 400%.

(d) Financial instruments business operator:

The net capital regulation ratio has fallen or is expected to fall to or below 200%.

(e) An entity other than those referred to in (a) through the preceding (d):

The level indicating soundness of finances equivalent to the criteria specified in (a) through the preceding (d) has fallen or is expected to fall below a level deemed to be appropriate by the Exchange.

(6) Where a fact regarding a listed ETN trust beneficiary certificate that will have a material effect on the circulation of such listed ETN trust beneficiary certificate or an ETN which is the entrusted security of such listed ETN trust beneficiary certificate has occurred in a region other than Japan.

(7) Where an issuer or guarantor of a listed ETN trust beneficiary certificate, or a trustee pertaining to a listed ETN trust beneficiary certificate changes or terminates the trust agreement or any other agreement specified in Rule 951, Paragraph 1, Item (3), i, or makes any other decision on a matter which will have a significant impact on rights, etc. related to a listed ETN trust beneficiary certificate, or where a fact that has a significant impact on such rights, etc. has occurred.

(8) Where the following (a) or (b) is applicable or any other material deviation that has an impact on investment decisions has occurred ~~or is likely to occur~~ between the redemption value per security of a listed ETN trust beneficiary certificate and its market price or specific indicator, or any of these are likely to become applicable:

a. When the deviation between the redemption value per security of a listed ETN trust beneficiary certificate and the closing price of the market price (meaning the absolute value of the value obtained by dividing the closing price in the trading session by the redemption value per security of a listed ETN trust beneficiary certificate and subtracting 1, expressed as a percentage; the same shall apply in this item) is 20% or more; or

b. When the deviation between the redemption value per security of a listed ETN trust beneficiary certificate and the closing price of the market price is 5% or more for seven consecutive business days.

(9) Where an entity calculating a specific indicator pertaining to a listed ETN trust beneficiary certificate discloses that the entity has decided to cease calculating such an indicator.

3. The provisions of Rule 411-2, Rule 413 through Rule 417 shall be applied mutatis mutandis to disclosure by an issuer of a listed ETN trust beneficiary certificate pursuant to the provisions of the preceding paragraph

Rule 947-2. Provision of Information Concerning Listed ETN

1. An issuer of a listed ETN trust beneficiary certificate shall provide investors with information on said listed ETN trust beneficiary certificate referred to in each of the following items via the method of making available for public inspection. In this case, details of ~~each such item~~ Items (1) and (2) shall be prescribed by the Enforcement Rules.
 - (1) The daily total remaining redemption value and redemption value per security of a ETN which is the entrusted security of the listed ETN trust beneficiary certificate;
 - (2) The tracking performance of fluctuation between the redemption value per security of a ETN which is the entrusted security of the listed ETN trust beneficiary certificate and the specific indicator;
 - (3) Characteristics of the calculation of and points for attention regarding enhanced indicators (indicators for which the investment strategy is described as achieving a certain level of investment performance by allocating assets to a combination of multiple assets; the same shall apply hereinafter), leveraged/inverse indicators, indicators referring to the price of commodity futures contracts or similar (indicators that use commodity futures contracts or other futures contracts for which it is deemed necessary by the Exchange; the same shall apply hereinafter), and currency-hedged indicators (indicators for which the investment strategy is described as achieving investment performance that reduces the risk of increases or decreases in profits or losses due to exchange rate fluctuations; the same shall apply hereinafter);
 - ~~(2)~~(4) The total expense ratio of an ETN trust beneficiary certificate; and
 - ~~(3)~~(5) Other matters deemed necessary by the Exchange.
2. The issuer prescribed in the preceding paragraph shall submit the documents to the Exchange describing the method of information provision pursuant to the provisions of preceding paragraph
3. The issuer shall agree that the Exchange makes documents submitted to the Exchange pursuant to the provisions of the preceding paragraph available for public inspection.

Rule 1104. Criteria for Listing Examination of Indicator-Tracking ETFs

1. Listing examination of a domestic indicator-tracking ETF shall be carried out pursuant to the criteria referred to in each of the following items. In this case, necessary matters concerning examination in Item (2), c-2, d, and d-4 shall be provided by the Guidelines Concerning Listing Examination, etc.:
 - (1) A management company pertaining to a security for which an initial listing application is made shall be a member of the Investment Trusts Association, Japan (General Incorporated Association);
 - (2) A security for which an initial listing application is made shall satisfy the following a. through g. (excluding b. (c) and c-2 in cases of a security for which an initial listing application is made falling under the beneficiary certificate of a securities investment trust of other than a public or corporate investment trust (excluding issues falling under investment trusts referred to in each item of Article 12 of the Investment Trust Act Enforcement Order; the same

shall apply to this item, Item (2) of the following rule, Rule 1107-3,, Paragraph 1, Rule 1112, Paragraph 1, Item (3) , and Rule 1112-2, Item (3)); excluding b.(h) and c-3. in cases of a security for which an initial listing application is made falling under the beneficiary certificate of an investment trust referred to in Article 12, Item (1) or (2) of the Investment Trust Act Enforcement Order):

- a. A security for which an initial listing application is made shall satisfy the following (a) or (b):
 - (a) It shall be a beneficiary certificate of a securities investment trust other than a public or corporate investment trust; or
 - (b) It shall be a beneficiary certificate of an investment trust referred to in Article 12, Item (1) or (2) of the Investment Trust Act Enforcement Order;
- b. The basic terms and conditions of an investment trust applied to a security for which an initial listing application is made shall contain the contents of the following (a) through (h):
 - (a) The fluctuation rate of the net asset value per unit of investment trust assets, etc. is managed such that it tracks the fluctuation rate of a specified indicator;
 - (b) No investment trust agreement period is established;
 - (c) A beneficiary may not request a partial cancellation of the investment trust agreement during the trust agreement period (excluding cases where there is a significant change to the general conditions, etc., the ETF is purchased based on requests by beneficiaries who oppose such significant change to the general conditions, etc., and a request is made for partial termination of the investment trust agreement concerning such ETF.); and
 - (d) The calculation period is one (1) month or more;
 - (e) The solicitation of applications for acquisition of the beneficiary certificates shall be conducted by means of a public offering (notwithstanding the provisions of Rule 2, Item (35), meaning a public offering prescribed in Rule 2, Paragraph 8 of the Investment Trust Act; the same shall apply in this rule, the following rule, Rule 1112, and Rule 1112-2);
 - (f) The beneficiary certificates shall be listed on a financial instruments exchange;
 - (g) Where the beneficiary certificates are delisted from all financial instruments exchanges, procedures to terminate the investment trust shall commence on the day of the delisting; and
 - (h) Where there is a partial cancellation of the investment trust agreement during the trust agreement period due to a request by a beneficiary (except cases where such partial cancellation may be resolved by the delivery of money pertaining to an additional trust; the same shall apply to Item (2), b. (f) of the following Rule, Rule 1112, Paragraph 1, Item (3), b.(h) , and Rule 1112-2, Item (3), b.(g)), the management company shall provide an instruction to the trustee to perform conversion of, out of securities and other assets belonging to investment trust assets, etc., those equivalent to interest held by such beneficiary in such investment trust assets, etc. of beneficiary certificates pertaining to such partial cancellation.
- b-2. The Basic terms and conditions of an investment trust applied to a security for which an initial listing application is made shall contain no description to the effect that investment trust agreement will be cancelled

if the value of a specific indicator, the redemption value or the purchase value falls to or below zero (0), or other descriptions deemed appropriate by the Exchange;

c. Designated participants shall satisfy the following (a) and (b):

(a) That they are ~~All the designated participants are~~ qualified institutional investors, and the number thereof is two or more;

(b) That at least one is a trading participant of the Exchange.

c-2. Where an initial listing application security is exchanged with securities or commodities belonging to the investment trust assets, etc., such securities or commodities are deemed to be assets readily convertible;

c-3. Investment trust assets, etc. of a security for which an initial listing application is made shall be invested in rights pertaining to derivatives transactions prescribed in Article 2, Paragraph 20 of the Act, rights pertaining to commodities investment, etc. trading, or instruments referred to in Article 19, Paragraph 3, Item (1) of the Investment Trust Act Enforcement Regulation, and managed;

d. The indicator pertaining to a security for which initial listing application is made shall, according to the classification referred to in the following (a) and (b), satisfy such (a) or (b):

(a) Indicators other than leveraged/inverse indicators

The indicator shall satisfy the following i. through vii.

i. The computation method of the indicator is objective and does not lack in fairness.

ii. In the case of an indicator pertaining to securities prices (limited to specified securities, etc. prescribed in Article 163, Paragraph 1 of the Act), such indicator shall be a composite representation of the price levels of a large number of issues.

iii. In cases where an indicator pertains to prices of securities or other assets, and its component issues (meaning issues or types of such securities or other assets; the same shall apply hereinafter) may change, the criteria and method of such changes do not lack in fairness.

iv. The indicator and its computation method are published.

v. In the case of an indicator pertaining to prices of securities or other assets, its component issues (including the criteria and methods of changes in components in cases where they may change) are published.

vi. In the case of an indicator pertaining to prices of securities or commodities, it is composed of issues or types of securities or commodities which can be expected to be traded smoothly in order to make the fluctuation rate of the net asset per unit of the investment trust asset of the initial listing application issue correspond to fluctuation rate of such indicator (limited to cases where the investment is made in component securities or commodities).

vii. In the case of a financial indicator (including commodity prices) prescribed in Article 2, Paragraph 25 of the Act or a commodities index prescribed in Article 2, Paragraph 2 of the Commodity Derivatives Act, derivatives transactions prescribed in Article 2, Paragraph 20 of the Act or commodities investment, etc. transactions are expected to be smooth in order to make the fluctuation rate of the net asset value per

unit of investment trust asset of the initial listing application issue correspond to the fluctuation rate of such indicator (limited to cases where investment is made in rights pertaining to such derivatives transactions or rights pertaining to such commodities investment, etc. transactions).

(b) Leveraged/inverse indicators

The indicator shall satisfy the following i. through iv.

- i. The indicator shall satisfy the matters referred to in the preceding (a) i., iv. and vii.
- ii. The underlying indicator satisfies the matters referred to in i. through v. in the preceding (a) and is not a leveraged/inverse indicator.
- iii. Where the underlying indicator is a financial indicator calculated based on securities prices or derivatives prices pertaining to securities (meaning a financial indicator prescribed in Article 2, Paragraph 25 of the Act; the same shall apply hereinafter in this (b)), market derivatives transactions prescribed in Article 2, Paragraph 21 of the Act, or foreign market derivatives transactions prescribed in Paragraph 23 of the same article is or is expected to be conducted for such financial indicator or derivatives transactions pertaining to such financial indicator.
- iv. Where the underlying indicator is a financial indicator calculated based on commodity prices or derivatives prices pertaining to commodities or the commodity indices prescribed in Article 2, Paragraph 2 of the Commodity Derivatives Act, its component assets or commodity derivatives prescribed in Paragraph 15 of the same article pertaining to such assets are or are expected to be traded in a commodity market prescribed in Paragraph 9 of the same article (including a foreign commodities market prescribed in Paragraph 12 of the same article) and other markets which are organized and operated continuously, and its prices are publicized.

d-2. An initial listing application issue shall meet any of the following (a) to (c):

- (a) Where a specified indicator is an indicator pertaining to prices of securities or other assets, issues and types (meaning, if such indicator is a simple average type, all securities comprising such indicator, in principle) of securities and other assets (excluding those deemed inappropriate by the Exchange from the viewpoint of the public interest and the protection of investors in consideration of trustworthiness and other matters; the same shall apply hereinafter under "securities" in d-2) comprising 95% or more of the component ratio based on the market capitalization, out of component securities of such indicator, or securities issued to achieve investment performance tracking prices of each issue are expected to be embedded into investment trust assets, etc.;
- (b) Securities issued to achieve investment performance linked to specific indicators are estimated to be embedded into investment trust assets, etc.; and
- (c) A high correlation exists between the amount of net assets per unit of an initial listing application security and a specified indicator, and fluctuation of such indicator is expected to be fairly reflected in the amount of net assets per such unit.

d-3. ~~The following (a) to (c) shall be met:~~

~~(a) It is deemed that an adequate quantity of beneficiary certificates is available for loans for margin transactions;~~
~~(b) A trading participant who is a designated participant assures that it will make efforts to secure smooth trading of an initial listing application security in the market of the Exchange; and~~

~~(c) No factor which hinders smooth trading and fair price formation of an initial listing application security is recognized.~~

d-4. In the case of an initial listing application issue which falls under an indicator-tracking security incorporated ETF, there is the expectation of continual asset management after the listing, and, in addition, the management company has appropriately developed a management system, etc. regarding the credit standing of the counterparty;

e. The following (a) and (b) are satisfied:

(a) No false statements are made in annual securities reports, etc. containing financial statements, etc. for each specified period (limited to the period after the commencement date of the trust agreement; the same shall apply hereinafter in this e. and Item (2), h. of the following rule) ending in the last two years ("last" years are counted from the end of the base specified period (meaning the most recent specified period ("specified period" means that prescribed in Article 24, Paragraph 5 of the Act; the same shall apply hereinafter) for which financial statements, etc. are presented in the section containing the fund's financial information in annual securities reports, etc. (meaning, notwithstanding the provision of Rule 2, Item (89), securities registration statements (including documents deemed to be securities registration statements or amended registration statements pursuant to the provisions of the Act), annual securities reports (including alternative written documents; the same shall apply hereinafter) and documents attached thereto, semiannual securities reports (including semiannual alternative reports; the same shall apply hereinafter) and prospectuses; the same shall apply hereinafter in this chapter)) in relation to the security for which the initial listing application has been made, or in annual securities reports, etc. containing interim financial statements for each specified period (notwithstanding the provisions of Rule 2, Item (30), the inclusion of any false statements relates to cases where the Prime Minister, etc. has issued any correction order (including, as a general rule, orders for the correction financial statements, etc. by the Prime Minister, etc. in accordance with Article 10 of the Act (including cases where it is applied mutatis mutandis in Article 24-2 and Article 24-5 of the Act), or correction orders prescribed by Article 23-10) or any demand for the payment of a penalty or fine (Article 172-2, Paragraph 1 of the Act (including cases where it is applied mutatis mutandis in Paragraph 4 of the same article) or orders by Article 172-4, Paragraph 1 or Paragraph 2), or any complaints have been made by the prime minister, etc. or the Securities and Exchange Surveillance Commission in accordance with Article 197 or Article 207 of the Act, or the amended contents are acknowledged to be material where any amended registration statement (including documents deemed to be securities registration statements or amended registration statements pursuant to the provisions of the Act), or amended report has been submitted; the same shall apply hereinafter in this chapter); and

- (b) An audit report attached to financial statements, etc. for each specified period ending within the last two years or an interim audit report attached to interim financial statements, etc. for a specified period ending within the last year for the issue for which the initial listing application has been made contain an "unqualified opinion" or "qualified opinion with exceptions", an "opinion that the interim financial statements, etc. provide useful information", or a "qualified opinion with exceptions"; provided, however, that the same shall not apply to the cases where the Enforcement Rules specify otherwise;
 - f. An initial listing application security is handled in the book-entry transfer operation by a designated book-entry transfer institution or is expected to be handled in such operation by the time of listing; and
 - g. The listing is not deemed inappropriate from the viewpoint of the public interest or the protection of investors.
- (3) A management company pertaining to a security for which an initial listing application is made assures the matters referred to in the following a. through c. in writing:
 - a. A management company pertaining to a security for which an initial listing application is made is in a situation to be able to appropriately understand information of a trustee for a security for which an initial listing application is made;
 - b. A management company pertaining to a security for which an initial listing application is made discloses information of a trustee for a security for which an initial listing application is made pursuant to the provisions of Rule 1107; and
 - c. A trustee has agreed that a management company pertaining to a security for which an initial listing application is made will disclose information of such trustee pursuant to the provisions of Rule 1107.
- 2. Listing examination of a foreign ETF shall be conducted pursuant to the criteria referred to in each of the following items (excluding Item (7) in cases of a foreign ETF similar to a beneficiary certificate of an investment trust referred to in Article 12, Item (1) or Item (2) of the Investment Trust Act Enforcement Order):
 - (1) Item (2), c-2, d, d-2, d-4, e, g, and Item (3) of the preceding paragraph (excluding Item (2), c-2 of the preceding paragraph in cases of a foreign ETF similar to a beneficiary certificate of a securities investment trust (excluding those falling under an investment trust referred to in each item of Article 12 of the Investment Trust Act Enforcement Order) other than a public or corporate bond investment trust; excluding Item (3) of the same paragraph in cases of foreign ETFs falling under foreign investment securities) of the preceding paragraph are satisfied. In this case, as for foreign ETFs falling under foreign investment securities, the term "the amount of net assets per unit of the investment trust assets of an initial listing application security" in Item (2), d. of the preceding paragraph shall be deemed to be replaced with "the amount of net assets per unit pertaining to such foreign ETFs (meaning the amount obtained by dividing the amount of investment trust assets by the quantity of such foreign ETFs, in case where such foreign ETFs are foreign investment securities similar to investment corporate bonds)". The terms "the specified period (the specified period as prescribed in Article 24, Paragraph 5 of the Act; the same shall apply hereinafter)" and "the specified period" in Item (2), e. of the same paragraph shall be deemed to be replaced with "the business period", the term "the commencement date of the trust agreement period" with "the establishment date of the foreign investment corporation", respectively.;

- (2) Basic terms and conditions of a trust or documents similar thereto or terms and conditions or documents similar thereto applied to an issue for which an initial listing application is made shall contain the descriptions of the following
- a. through c. (excluding b. in cases of foreign ETFs falling under foreign investment securities) (for descriptions referred to in a., including descriptions similar thereto):
 - a. The fluctuation rate of the net asset value per unit of investment trust assets, etc. is managed to track the fluctuation rate of a specified indicator;
 - b. No trust agreement period is established; provided, however, that where a trust agreement period is set forth in accordance with the laws and regulations of the country where the foreign ETF was created (limited to the period prescribed by Article 2-3, Paragraph 2 of the Enforcement Order of the Special Taxation Measures Act (Ministry of Finance Order No. 15 of 1957), such trust agreement period; and
 - c. The computation period or the business period is one (1) month or more;
- (2)-2 Basic terms and conditions of a trust or documents similar thereto, or terms and conditions or documents similar thereto applied to an issues for which an initial listing application is made shall contains no descriptions to the effect that cancellation of a trust agreement or closure of a fund will be made subject to fluctuation in the value of a specific indicator or the base value (excluding a description to the effect that cancellation of a trust agreement or closure of a fund will be made if the value of a specific indicator or the base value falls to or below zero (0), or other descriptions deemed appropriate by the Exchange).
- (3) It shall be required that a security for which an initial listing application is subject to handling of the book-entry transfer operation for foreign stocks, etc. of the designated book-entry transfer institution, or is expected to be handled by the time of listing;
- (4) It shall be required that a security for which an initial listing application is made is listed or continuously traded on a foreign financial instruments exchange, etc., or is expected to be so;
- (5) It shall be required that laws similar to the Investment Trust Act have been developed for the issuance of an issue for which an initial listing application is made, and administrative agencies are supervising entity prescribed in each item of Rule 1101, Paragraph 1 pertaining to such issue;
- (6) The following a. ~~through~~ and ~~eb.~~ shall be met:
- a. ~~An adequate quantity of beneficiary certificates or foreign investment securities is deemed to be available for loans for margin transactions;~~
 - ~~b.~~ A trading participant designated by the Exchange as prescribed in Rule 68 of the Business Regulations is expected to be designated by the time of listing of the initial listing application issue with a view to ensure circulation of foreign ETFs in the Exchange market.
 - ~~eb.~~ No factor which hinders smooth trading and fair price formation of an issue for which the initial listing application is made is recognized; ~~and~~
- (7) Investment trust assets, etc. of a security for which an initial listing application is made shall be invested in rights pertaining to derivatives transactions prescribed in Article 2, Paragraph 20 of the Act, rights pertaining to commodities investment, etc. transactions, monetary claims referred to in Article 3, Item (7) of the Investment Trust Act

Enforcement Regulation, or instruments referred to in Article 19, Paragraph 3, Item (1) of the Investment Trust Act Enforcement Order and managed.

3. Listing examination of a foreign ETF trust beneficiary certificate shall be conducted pursuant to the criteria referred to in each of the following items. Details of each of such items in this case shall be prescribed by the Enforcement Rules:

- (1) Paragraph 1, Item (2), d, d-2, d-4, e, and g, Item (3) of the same paragraph, and Item (2), Item (2)-2 and Items (4)

through (6) of the preceding paragraph (excluding Paragraph 1, Item (3) in cases where a foreign ETF whose entrusted security pertaining to the initial listing application issue falls under a foreign investment security) are met. In this case, the term "initial listing application issue" in Paragraph 1, Item (2), d, d-2, and e and Items (2), (2)-2 and (4) of the preceding paragraph shall be deemed to be replaced with "foreign ETF which is an entrusted security pertaining to an initial listing application security", the term "foreign ETF" in Item (2), b. of the preceding paragraph with "a foreign ETF which is an entrusted security pertaining to an initial listing application issue", the term "issuance of an initial listing application issue" in Item (5) of the preceding paragraph with "issuance of a foreign ETF which is an entrusted security pertaining to an initial listing application issue", and the term "a foreign ETF" with "a foreign ETF trust beneficiary certificate", respectively. In addition, where a foreign ETF which is an entrusted security pertaining to an issue for which an initial listing application is made falls under foreign investment securities, the term "the amount of net assets per unit of the investment trust assets of an issue for which an initial listing application is made" in Paragraph 1, Item (2), d. of shall be deemed to be replaced with "the amount of net assets per unit pertaining to such foreign ETF (meaning the amount obtained by dividing the amount of investment trust assets by the quantity of such foreign ETFs, in the case where such foreign ETFs are foreign investment securities similar to investment corporate bonds)", the terms "the specified period (the specified period as prescribed in Article 24, Paragraph 5 of the Act; the same shall apply hereinafter)" and "the specified period" in Item (2), e. of the same paragraph with "the business period", the term "the commencement date of the trust agreement period" with "the establishment date of the foreign investment corporation", and the term "a foreign ETF falling under foreign investment securities" in Item (2) of the preceding paragraph with "cases where a foreign ETF which is an entrusted security pertaining to an issue for which an initial listing application is made falls under foreign investment securities", respectively;

- (2) It shall be required that a security for which an initial listing application is subject to the book-entry transfer operation conducted by the designated book-entry transfer institution, or is expected to be handled in said operation by the time of listing; and

- (3) It shall be required that the deposit agreement, etc. and any other agreements for a security for which an initial listing application is made is entered into pursuant to the provisions of the Enforcement Rules.

4. Listing examination of a domestic spot commodity ETF shall be made pursuant to the criteria referred to in each of the following items:

- (1) Paragraph 1, Item (1), Item (2), c., c-2, d, d-3, e and g of the same paragraph, as well as Item (3) of the same paragraph (excluding cases where the management company is the trustee) are satisfied. In this case, the following terms shall be deemed to be replaced as follows:

The term "A management company ... is a member of the Investment Trusts Association, Japan (General Incorporated

Association)" in Paragraph 1, Item (1) with "A management company ... is a member of the Investment Trusts Association, Japan (General Incorporated Association) (excluding cases where the management company is a registered financial institution)";

The term "investment trust assets, etc." in Item (2), c-2 of the same paragraph with "trust assets"; and

The term "investment trust asset" in Item (2), d. of the same paragraph with "trust asset".

(1)-2 The trustor shall satisfy the following a. and b. (limited to cases where the management company is the trustee):

a. It shall be a listed company or subsidiary of such company; and

b. It shall be a member or trading participant of a commodities market or foreign commodities market (limited to a commodities market or foreign commodities market that is able to conduct trading in which contract is made with regard to delivery and receipt of such product and the consideration; the same shall apply hereinafter) on which a product which is the same as the trust assets is listed, or a party equivalent to such member or trading participant as specified in the Enforcement Rules (limited to parties which perform trading, intermediation, brokerage or agency of trading, production, processing or use of such products as business; the same shall apply hereinafter).

(1)-3 Where the Exchange deems it necessary and verifies the contribution status, etc. of commodities, the trustor shall assure in writing to appropriately report matters for verification immediately (limited to cases where the management company is the trustee).

(2) Basic terms and conditions of a trust applied to an initial listing application security shall contain information as referred to in the following a. through e.:

a. The structure of tracking prices of a specific commodity;

b. The fact that the period of a trust agreement is not set up;

c. The fact that beneficiaries may not request partial cancellation of a trust agreement during the period of a trust agreement (excluding cases of an important change in the trust, etc., where ETFs are purchased based on requests by beneficiaries opposing such important change in the trust, etc. and a request is made for partial cancellation of the trust agreement of such ETF);

d. A period specified as a computation period (excluding a computation period specified by the Enforcement Rules) is one (1) month or more, but within one (1) year;

d-2. The solicitation of applications for acquisition of the beneficiary certificates shall be conducted by means of a public offering;

d-3. The beneficiary certificates shall be listed on a financial instruments exchange;

d-4. Where the beneficiary certificates are delisted from all financial instruments exchanges, procedures to terminate the trust shall begin on the day of the delisting;

d-5. The conditions for commodities pertaining to trust assets;

d-6. For the commodity that the trustor contributes, such trustor guarantees to satisfy the condition provided in the preceding d-5; and

e. Other matters specified by the Enforcement Rules;

(2)-2 Basic terms and conditions of a trust applied to an initial listing application security shall contain no description to the

effect that a trust agreement will be cancelled subject to fluctuation in the value of a specific indicator or the base value (excluding descriptions to the effect that a trust agreement will be cancelled if the value of a specific indicator or the base value falls to or below zero (0), or other descriptions deemed appropriate by the Exchange).

- (3) A trust contract pertaining to an initial listing application security shall be entered into between a single management company and a single trustee (excluding cases where the management company is the trustee);
 - (4) A management company has assured that ninety-five (95) % or more of the total of the trust assets of an initial listing application security shall be comprised of specified commodities;
 - (5) An initial listing application security shall not be a limited liability trust prescribed in Article 2, Paragraph 12 of the Trust Act;
 - (6) A management company has assured that it shall carry out instruction of management or disposition of a commodity or other asset contributed by an entity who owns rights represented in a beneficiary certificate pertaining to an initial listing application security in an appropriate manner without failing in the protection of investors or harming fair transactions, or losing the trust in transactions of the commodity pertaining to such initial listing application security; and
 - (7) An initial listing application security is handled in the book-entry transfer operation conducted by a designated book-entry transfer institution or is expected to be handled in said operation by the time of listing.
5. Examinations of a foreign spot commodity ETF shall be made pursuant to the criteria referred to in each of the following items:
- (1) Paragraph 1, Item (2), c-2, d, e and g, Item (3) of the same paragraph, Paragraph 2, Items (3), (4), and (6), and Item (4) of the preceding paragraph are satisfied. In this case, the term "investment trust assets, etc." in Paragraph 1, Item (2), c-2 shall be deemed to be replaced with "trust assets"; the term "investment trust assets" in Item (2), d. of the same paragraph with "trust assets"; and the term "foreign ETF" in Item (6) of Paragraph 2 with "foreign spot commodity ETF";
 - (2) Basic terms and conditions of a trust applied to an initial listing application security contains information as referred to in the following a. through d.:
 - a. The structure of tracking prices of a specified commodity;
 - b. The fact that no period of a trust agreement is set up; provided, however, that if a trust contract period (limited to a period prescribed in Article 2-3, Paragraph 2 of the Enforcement Regulations of the Special Taxation Measures Act) is set forth, such trust contract period;
 - c. A period specified as a computation period (excluding a computation period specified by the Enforcement Rules) is one (1) month or more, but within one (1) year; and
 - d. Other matters specified by the Enforcement Rules.
- (2)-2 Basic terms and conditions of a trust applied to an initial listing application security shall contain no description to the effect that a trust agreement will be cancelled subject to fluctuation in the value of a specific indicator or the base value (excluding descriptions to the effect that a trust agreement will be cancelled if the value of a specific indicator or the base value falls to or below zero (0), or other descriptions deemed appropriate by the Exchange).

(3) The following a. or b. is satisfied:

- a. A management company has assured that it shall carry out instruction of management or disposition of a commodity or any other assets contributed by an entity who holds rights represented on a beneficiary certificate pertaining to an initial listing application security in an appropriate manner without failing in the protection of investors, harming fair transactions, or losing the trust in transactions of the commodity pertaining to such initial listing application security; and
- b. In laws and regulations concerning an issuance of an initial listing application security or basic terms and conditions of a trust applied to an initial listing application security, appropriate measures have been taken for making appropriate instructions of management or disposition of a commodity or any other assets contributed by an entity who holds rights represented in a beneficiary certificate pertaining to an initial listing application security without failing in the protection of investors, harming fair transactions or losing the trust in transactions of the commodity pertaining to such initial listing application security;

(4) Laws concerning the issuance of an initial listing application security have been developed, and an administrative agency supervising the management company and the trustee of a trust pertaining to such initial listing application security exists.

6. Listing examination of a foreign spot commodity ETF trust beneficiary certificate shall be made in accordance with the criteria referred to in Paragraph 1, Item (2), d., e., and g., Item (3) of the same paragraph, Paragraph 2, Items (4) and (6), Paragraph 3, Items (2) and (3), Paragraph 4, Item (4), and Items (2) through (4) of the preceding paragraph. In this case, the term "initial listing application security" in Paragraph 1, Item (2), d. and e., Paragraph 2, Item (4), Paragraph 4, Item (4), and Items (2), (2)-2 and (3) of the preceding paragraph shall be deemed to be replaced with "foreign spot commodity ETF which is an entrusted security pertaining to an initial listing application security"; the term "foreign ETF" in Paragraph 2, Item (6) with "foreign spot commodity ETF trust beneficiary certificate"; the term "foreign spot commodity ETF" in Item (2) of the preceding paragraph with "foreign spot commodity ETF which is an entrusted security pertaining to an initial listing application security"; and the term "issuance of an initial listing application security" in Item (4) of the preceding paragraph with "issuance of a foreign spot commodity ETF which is an entrusted security pertaining to an initial listing application security"; respectively.

Rule 1104-2. Criteria for Listing Examination of Domestic Actively Managed ETFs

1. Listing examination of a domestic actively managed ETF shall be carried out pursuant to the criteria referred to in each of the following items. In this case, necessary matters concerning examination in Item (2), g., and Items (4) and (5) shall be prescribed by the Guidelines Concerning Listing Examination, etc.:
- (1) The management company pertaining to the security for which an initial listing application is made is a member of the Investment Trusts Association, Japan (General Incorporated Association);
 - (2) The security for which an initial listing application is made shall satisfy the following a. through j.:
 - a. It is a beneficiary certificate of a securities investment trust other than a public or corporate investment trust;
 - b. The following statements (a) through ~~(h)~~(g) are included in the investment trust's basic terms and conditions:

- (a) That the period of the investment trust agreement is not fixed;
 - (b) That the period designated as the computation period is one (1) month or more;
 - (c) That the solicitation of applications for acquisition of the beneficiary certificate shall be conducted by public offering;
 - (d) That the beneficiary certificate shall be listed on a financial instruments exchange;
 - (e) That if the beneficiary certificate is delisted from all financial instruments exchanges, procedures to terminate the investment trust shall commence on the day of delisting;
 - (f) That, when a beneficiary requests a partial cancellation of the investment trust agreement during the trust agreement period, the management company shall instruct the trustee to convert the securities and other assets within the investment trust assets that are equivalent to the interest held by said beneficiary in the investment trust assets of the beneficiary certificate pertaining to said partial cancellation;
 - ~~(g) That it shall not be invested in derivative transactions as defined in Article 2, Paragraph 20 of the Act or rights pertaining to transactions related to commodities investment, etc. except for the purposes listed in i. through iii. below~~ Matters referred to in the following (i) or (ii):
 - ~~i. The purpose of realizing the same profits and losses as if the investment trust held the underlying assets~~ That investment restrictions, as defined in the provisions of Article 17-2 of the Rules on Management of Investment Trusts, etc. set by the Investment Trusts Association, Japan have been established; or
 - ~~ii. The purpose of reducing the risk of price fluctuations and interest rate fluctuations (meaning the risk of increases or decreases in profits or losses due to exchange rate fluctuations, market interest rate fluctuations, changes in economic conditions, or other factors; the same shall apply hereinafter in this chapter) on the investment trust's assets or liabilities~~ That investment restrictions as defined in the provisions of Article 17-3, Paragraph 1, Item (3) of the Rules on Management of Investment Trusts, etc. set by the Investment Trusts Association, Japan have been established and the beneficial investment ratio in any particular single issue and investment security (in beneficiary certificates of investment trusts and investment corporations, the ratio of the total amount obtained by adding the value of any particular security belonging to the trust assets and the value of the same security invested in through other beneficiary certificates of investment trusts and investment corporations, to the total NAV of the trust assets; the same shall apply hereinafter) will not exceed 20% of the total NAV of the trust assets; and
 - ~~iii. The purpose of reducing the risk of exchange rate fluctuations on the investment trust's assets or liabilities through foreign currency futures transactions; and.~~
 - ~~(h) That investment restrictions have been established that meet the requirements of Article 17-2 of the Rules on Management of Investment Trusts, etc. established by The Investment Trusts Association, Japan;~~
- b-2. That the security for which an initial listing application is made does not fall under any of the following (a) through (d):
- (a) Beneficiary certificates of investment trusts that are managed such that the fluctuation rate of NAV per unit tracks the fluctuation rate of a specific indicator multiplied by a predetermined factor;

- (b) Beneficiary certificates of complex investment trusts similar to OTC derivative transactions as defined in Article 2 of the Rules on Complex Investment Trusts Similar to Over-the-Counter Derivatives Transactions established by the Investment Trusts Association, Japan;
 - (c) Beneficiary certificates of currency selection-type investment trusts and similar as defined in Article 3, Paragraph 2 of the Rules for Preparation of Delivery Prospectus established by the Investment Trusts Association, Japan; or
 - (d) Other beneficiary certificates of investment trusts that TSE deems inappropriate from the perspectives of risks and complexity related to fluctuations in the base value.
- c. The following statements (a) and (b) are not included in the investment trust's basic terms and conditions:
- (a) That the fluctuation rate of the NAV per unit of investment trust assets, etc. is managed to track the fluctuation rate of a specific indicator; and
 - (b) That the investment trust agreement is subject to cancellation based on base price fluctuations (excluding statements that the investment trust agreement is subject to cancellation when the base price falls to or below zero or other statements that the Exchange deems appropriate);
- d. Designated participants shall satisfy the following (a) and (b):
- (a) That they are ~~All the designated participants are~~ qualified institutional investors, and the number thereof is two or more; and
 - (b) That at least one is a trading participant of the Exchange.
- e. The investment trust assets will be invested in (i) rights connected to derivative transactions as prescribed in Article 2, Paragraph 20 of the Act, (ii) rights pertaining to transactions related to commodities investment, etc., or (iii) the items listed in Article 19, Paragraph 3, Item 1 of the Investment Trust Act Enforcement Regulation (excluding the items listed in (a) to (c) below):
- (a) Beneficiary certificates (meaning beneficiary certificates, investment securities, and foreign investment securities collectively, and including securities trust beneficiary certificates, as prescribed in Article 2-3, Item (3) of the Enforcement Order, for which these are the entrusted securities as well as securities referred to in Article 2, Paragraph 1, Item 17 of the Act that have the characteristics of beneficiary certificates of beneficiary certificate-issuing trusts as prescribed in Item 14 of the same paragraph; the same shall apply hereinafter in this chapter) of investment trusts and investment corporations (meaning investment trusts, foreign investment trusts, investment corporations, and foreign investment corporations collectively; the same shall apply hereinafter in this chapter) that are managed so that the fluctuation rate in NAV per unit of investment trust assets, etc. tracks the fluctuation rate of a leveraged or inverse indicator;
 - (b) Beneficiary certificates of investment trusts and investment corporations ~~that are managed as investments in rights pertaining to derivative transactions as prescribed in Article 2, Paragraph 20 of the Act or rights pertaining to transactions related to commodities investment, etc. for purposes other than those listed in b. (g) (excluding beneficiary certificates pertaining to investment trusts or investment corporations for which the~~

~~Exchange determines in the Enforcement Rules that the purpose for investing in said rights is of no consequence) listed in b-2, (a) through (d) or other similar beneficiary certificates of investment trusts and investment corporations; or~~

- (c) Securities other than beneficiary certificates of investment trusts and investment corporations which incorporate rights pertaining to derivative transactions as prescribed in Article 2, Paragraph 20 of the Act or rights pertaining to transactions related to commodities investment, etc., which are issued for the purpose of investment results other than being linked to a specific indicator (excluding leveraged and inverse indicators);

~~f. The following (a) through (c) are satisfied:~~

~~(a) It is deemed that an adequate quantity of the beneficiary certificate is available for loans for margin transactions;~~

~~(b) Trading participants who are designated participants give assurance that they will make efforts to secure smooth trading of the security on the market of the Exchange; and~~

~~(c) No factor which hinders smooth trading and fair price formation of the security is recognized.~~

- g. If it is an indicator-tracking security incorporated ETF, it can be expected to be managed continuously after listing, and the management company has appropriately developed a management system and other structures regarding the credit standing of the counterparty;

h. The following (a) and (b) are satisfied:

- (a) No false statement has been made in the annual securities reports, etc. containing financial statements, etc. for each specified period or interim financial statements, etc. pertaining to the security for each specified period which ended in the last two years; and

- (b) Audit reports attached to financial statements, etc. for each specified period which ended in the last two years and the interim audit report attached to interim financial statements, etc. for the specified period which ended in the last year contained "unqualified opinions" or "qualified opinions with exceptions", or "opinions that the interim financial statements, etc. provide useful information" or "qualified opinions with exceptions"; provided, however, that the same shall not apply to cases where the Enforcement Rules specify otherwise;

- i. The security is handled for book-entry transfer operations by a designated book-entry transfer institution or is expected to be such by the time of listing; and

- j. The listing is not deemed inappropriate for any other reason from the viewpoint of the public interest or the protection of investors;

- (3) The portfolio information prescribed in Rule 1107-4, Paragraph 1, Item (2) is expected to be provided to investors on an ongoing basis in accordance with the provisions of the same paragraph;

- (4) The management company is in a position to suitably disclose information regarding domestic actively managed ETFs;

- (5) The management company is in a position to implement, among other things, sound management of investment trust assets;

- (6) The management company gives assurance of the matters listed in the following a. through c. in writing:

- a. That it is in a position to appropriately keep track of information regarding the trustee of the security;

- b. That it will disclose information regarding the trustee of the security pursuant to the provisions of Rule 1107-2; and

- c. The trustee of the security has agreed that the management company can disclose information regarding said trustee in accordance with the provisions of Rule 1107-2.

Rule 1107. Disclosure of Information Concerning Listed Indicator-Tracking ETFs

1. A management company pertaining to a listed indicator-tracking ETF (meaning the foreign investment corporation and the management company in cases of foreign ETFs falling under foreign investment securities and foreign ETF trust beneficiary certificates whose entrusted securities are said foreign ETFs) shall carry out timely disclosure of information concerning such listed indicator-tracking ETF.
2. Timely disclosure of information prescribed in the preceding paragraph shall be carried out pursuant to each of the following items. Handling of each such item in this case shall be provided by the Enforcement Rules:
 - (1) Where any of the following a. through j. is applied (excluding matters which fall under those which the Exchange deems as matters whose effect on investors' investment decisions is of minor significance, such as cases the criteria specified by the Enforcement Rules, in the case of matters referred to in a. and b.), a management company pertaining to a listed indicator-tracking ETF (excluding foreign ETFs falling under foreign investment securities and foreign ETF trust beneficiary certificates whose entrusted securities are said foreign ETFs) shall disclose details thereof immediately pursuant to the provisions of the Enforcement Rules:
 - a. Where a management company pertaining to a listed indicator-tracking ETF has decided to carry out any of the matters referred to in the following (a) through (t) (excluding (r) through (s) in cases of a domestic indicator-tracking ETF; excluding (i), (n), through (o)-2, (q), and (r)-2 through (r)-4 in cases of a foreign ETF and a foreign ETF trust beneficiary certificate; excluding (q) and (s) in cases of a domestic spot commodity ETF (except issues whose management company is the trustee); excluding (q), (r)-3, and (s) in cases of a domestic spot commodity ETF (limited to issues whose management company is the trustee); and excluding (i), (n), through (o)-2, (q), (r)-3, and (r)-4 in cases of a foreign spot commodity ETF and a foreign spot commodity ETF trust beneficiary certificate):
 - (a) Secondary distribution;
 - (a)-2 Split or reverse split of beneficiary certificates pertaining to the listed indicator-tracking ETF;
 - (b) Borrowing of funds necessary for an investment trust, foreign investment trust, or trust;
 - (c) Change to the basic terms and conditions of an investment trust or basic terms and conditions of a trust, or similar documents thereto, or cancellation of an investment trust agreement or trust agreement;
 - (c)-2 Change in name of a listed indicator-tracking ETF;
 - (c)-3 Change of a specific indicator pertaining to a listed indicator-tracking ETF to a new indicator;
 - (d) Application for delisting of an indicator-tracking ETF from a financial instruments exchange in Japan or foreign financial instruments exchange, etc.;
 - (e) Merger of said management company;
 - (f) Petition for commencement of bankruptcy proceedings of said management company;
 - (g) Dissolution of said management company (excluding dissolutions by merger);
 - (h) Discontinuation of financial instruments business, registered financial institution business, or any similar

business of said management company;

- (i) Ceasing to be an entity which carries out investment management business by completing an alteration registration specified in Article 31, Paragraph 4 of the Act;
- (j) Company split of said management company (limited to cases where the whole business is inherited);
- (k) Transfer of the whole business of said management company;
- (l) Application for authorization or approval, or notification, made by said asset management company to the Prime Minister, etc. in accordance with the Act or foreign laws and regulations;
- (m) Change to certified public accountants, etc. who carry out audit certification of financial statements, etc. or interim financial statements, etc. contained in annual securities reports or semiannual securities reports;
- (n) Designation of any entity other than a qualified institutional investor as a designated participant, or exclusion of any entity other than a qualified institutional investor from being a designated participant;
- (o) Decrease in the number of designated participants to less than two or an increase to more than two;
(o)-2 Decrease in the number of designated participants who are trading participants of the Exchange to zero or an increase to one or more;
- (p) A decision regarding temporary suspension of additional trusts, partial cancellation or exchange, or purchase of listed indicator-tracking ETFs;
- (q) A decision that said issue will not be subject to book-entry transfer operations conducted by a designated book-entry transfer institution;
- (r) A decision that said issue will not be subject to custody and book-entry transfer operations for listed foreign stocks, etc. or book-entry transfer operations of a designated book-entry transfer institution;
- (r)-2 Split of a trust;
- (r)-3 That a trust agreement pertaining to a listed indicator-tracking ETF ceases to be an agreement as entered into by and between a single management company and a single trustee of a trust;
- (r)-4 That a listed indicator-tracking ETF will become a limited liability trust;
- (s) That business of said management company as a management company will cease due to expiry, cancellation, or changes of an authorization, approval, or registration, etc. necessary for business as a management company made by the Prime Minister, etc.; or
- (t) Other than the matters referred to in the preceding (a) through (s), important matters related to operation, administration or assets of a listed indicator-tracking ETF or its management company which have a significant impact on investors' investment decisions;

- b. Where any of the facts referred to in the following (a) through (h) has occurred to a management company pertaining to a listed indicator-tracking ETF (excluding (g)-2 through (g)-4 (g)-3 through (g)-5 in cases of a domestic indicator-tracking ETF; excluding (g)-2 and (g)-3 (g)-3 and (g)-4 in cases of a domestic spot commodity ETF (excluding issues whose management company is the trustee); and excluding (f), (g), and (g)-2 through (g)-4 (f) through (g)-5 in cases of, a foreign ETF, a foreign ETF trust beneficiary certificate, a foreign spot commodity ETF, and a foreign spot commodity ETF trust beneficiary certificate):

- (a) Business improvement order pursuant to the provisions of Article 51 or Article 51-2 of the Act or similar disciplinary actions;
 - (b) A fact that causes delisting (limited to those pertaining to a reason referred to in Rule 1112, Paragraph 1, Item (1));
 - (c) Other than the facts referred to in (a) and the preceding (b), authorization, approval or disciplinary actions by the Prime Minister, etc. in accordance with the Act or foreign laws and regulations;
 - (d) Change to certified public accountants, etc. who carry out audit certification of financial statements, etc. or interim financial statements, etc. contained in annual securities reports or semiannual securities reports (excluding cases where the body which decides business execution has decided to change certified public accountants, etc. (including where it has decided not to carry out matters pertaining to such decision) and details have been disclosed pursuant to the provisions of the preceding a.);
 - (e) An annual securities report or a semiannual securities report that has an attached audit report or an interim audit report specified in Article 3, Paragraph 1 of the Cabinet Office Order on Audit Certification prepared by two or more certified public accountants or an audit firm is not expected to be submitted to the Prime Minister, etc. within the period specified in Article 24, Paragraph 1 or Article 24-5, Paragraph 1 of the Act or has not been submitted within said period (except cases where disclosure has been made that said report is unlikely to be submitted within said period), was submitted after such disclosure had been made, or approval has been received from the Prime Minister, etc. for the extension of said period;
 - (f) Designation of any entity other than a qualified institutional investor as a designated participant, or exclusion of any entity other than a qualified institutional investor from being a designated participant;
 - (g) Change in the number of designated participants to less than two;
 - (g)-2 Decrease in the number of designated participants who are trading participants of the Exchange to zero;
 - (g)-3 That the trustor ceases to be a listed company or a subsidiary of such company;
 - (g)-~~34~~ That the trustor ceases to be a member or trading participant of a commodities market or foreign commodities market or such equivalent party as specified by the Enforcement Rules;
 - (g)-~~45~~ A commodity that does not satisfy the conditions prescribed in the basic terms and conditions of a trust for commodities pertaining to trust assets is trusted; or
 - (h) Other than the facts referred to in the preceding (a) through ~~(g)-4~~(g)-5, important facts related to operation, administration or assets of a listed indicator-tracking ETF or its management company which have a significant impact on investors' investment decisions;
- c. Where a trustee pertaining to a listed indicator-tracking ETF has decided to carry out any of the matters referred to in the following (a) or (b) (including cases where it has decided not to carry out matters pertaining to said decision):
- (a) Application for delisting of an indicator-tracking ETF to a financial instruments exchange in Japan or a foreign financial instruments exchange, etc.; or
 - (b) Other than the matter referred to in the preceding (a), important matters related to operation, administration or assets of a listed indicator-tracking ETF or said trustee which have a significant impact on investors'

investment decisions.

- d. Where any of the facts referred to in the following (a) or (b) has occurred to a trustee pertaining to a listed indicator-tracking ETF:
 - (a) A fact that causes delisting (limited to those pertaining to a reason referred to in Rule 1112, Paragraph 1, Item (2));
 - (b) Other than the fact referred to in the preceding (a), important facts related to operation, administration or assets of a listed indicator-tracking ETF or said trustee which have a significant impact on investors' investment decisions.
- e. Where the details of the financial results of a fund for a specified period (meaning a specified period prescribed in Article 24, Paragraph 5 of the Act, the same shall apply hereinafter) or an interim specified period (meaning the six months after the commencement date of a specified period if said specified period exceeds six months) pertaining to a listed indicator-tracking ETF are decided;
- e-2. With regard to a listed indicator-tracking securities incorporated ETF, where any of the facts referred to in the following (a) through (i) has occurred to the counterparty (where said counterparty is the guarantor, when a fact referred to in the following (a) through (g) or (i) occurs at said guarantor) and the management company gains knowledge of such fact having occurred to the counterparty:
 - (a) A change in the credit rating or change in the rating pertaining to the incorporated securities (limited to cases of acquisition);
 - (b) Notes on matters relating to the going concern assumption are stated in financial statements, etc., interim financial statements, etc. or quarterly financial statements, etc.;
 - (c) Amount of net assets falls to or below zero (0) or a situation equivalent to this at the end of the business year or consolidated accounting year, or interim accounting period or interim consolidated accounting period (in the case of a counterparty that submits quarterly financial statements or quarterly consolidated financial statements, quarterly accounting period or quarterly consolidated accounting period);
 - (d) Concerning an audit report attached to financial statements, etc., an interim audit report or interim review report attached to interim financial statements, etc., or an interim review report attached to quarterly financial statements, etc., a certified public accountant, etc. expresses an "adverse opinion" or "disclaimer of opinion" in an audit report, an "opinion that interim financial statements, etc. do not provide useful information" or "disclaimer of opinion" in an interim audit report, or an "adverse conclusion" or "disclaimer of conclusion" in an interim review report;
 - (e) Suspension of business activities, dissolution or a situation equivalent to these;
 - (f) A bill, etc. issued is dishonored and its bank transactions are suspended or their suspension becomes certain;
 - (g) Cases where it becomes necessary to enter bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings based on the provisions of laws or where falling under a situation equivalent to these;
 - (h) Acceleration of obligations pertaining to incorporated securities or incorporated claims

- (i) Other than the facts referred to in the preceding (a) through (h), material facts related to the financial situation of the counterparty
 - f. Where a fact that has a material impact on the circulation of listed indicator-tracking ETFs has arisen in a region outside Japan with respect to a listed foreign ETF, a foreign ETF which is an entrusted security pertaining to a listed foreign ETF trust beneficiary certificate, a listed foreign spot commodity ETF, or a listed foreign spot commodity ETF which is an entrusted security pertaining to a listed foreign spot commodity ETF trust beneficiary certificate;
 - g. Where a management company or a trustee pertaining to a listed foreign ETF trust beneficiary certificate or a listed foreign spot commodity ETF trust beneficiary certificate has decided (i) an alteration or termination of the deposit agreement, etc. prescribed in Rule 1104, Paragraph 3, Item (3) or any other contract, or (ii) other matters that materially affect rights, etc. of a listed foreign ETF trust beneficiary certificate or a listed foreign spot commodity ETF trust beneficiary certificate, or where a fact that materially affect such rights, etc. has arisen;
 - h. Where a management company pertaining to a listed domestic indicator-tracking ETF has carried out transactions referred to in each item of Article 13, Paragraph 1 of the Investment Trust Act (limited to cases where the same article requires the delivery of documents to a beneficiary of an investment trust);
 - i. Where the following (a) or (b) is applicable or any other material deviation that has an impact on investment decisions has occurred ~~or is likely to occur~~ between the ~~net asset value~~NAV per unit of a listed indicator-tracking ETF and the market price or the specific indicator, or any of these are likely to become applicable;
(a) When the deviation between the NAV per unit of a listed indicator-tracking ETF and the closing price of the market price (meaning the absolute value of the value obtained by dividing the closing price in the trading session by the NAV per unit of a listed indicator-tracking ETF and subtracting 1, expressed as a percentage; the same shall apply in this item) is 20% or more;
(b) When the deviation between the NAV per unit of a listed indicator-tracking ETF and the closing price of the market price is 5% or more for seven consecutive business days; or
 - j. Where an entity calculating a specific indicator pertaining to a listed indicator-tracking ETF discloses that the entity has decided to cease calculating such an indicator.
- (2) The investment trust corporation and the management company pertaining to a listed indicator-tracking ETF (limited to a foreign ETF falling under foreign investment securities and foreign ETF trust beneficiary certificates whose entrusted securities are said foreign ETFs) shall disclose the details immediately pursuant to the provisions of the Enforcement Rules, if they fall under any of the following a through i (excluding those which fall under the criteria prescribed in the Enforcement Rules as matters with minor influence over an investor's decision, in the case of matters referred to in a and c).
- a. Where a foreign investment corporation pertaining to a listed indicator-tracking ETF has decided to carry out any of the matters referred to in the following (a) through (m) (including cases where it has decided not to carry out matters pertaining to said decision but excluding (a) and (b) in cases where the listed indicator-tracking ETF is a foreign investment security similar to an investment corporate bond):
 - (a) Secondary distribution of investment units or beneficiary rights pertaining to the listed indicator-tracking ETF;

- (b) Split or reverse split of investment units or beneficiary rights pertaining to the listed indicator-tracking ETF;
 - (c) Offering of foreign investment securities similar to investment corporation bonds or borrowing of funds;
 - (d) Merger;
 - (e) Change to the certificate of incorporation or any document similar thereto, or dissolution;
 - (e)-2 Change in name of the listed indicator-tracking ETF;
 - (e)-3 Change of a specific indicator pertaining to a listed indicator-tracking ETF to a new indicator;
 - (f) Application for delisting of said ETF to a domestic financial instruments exchange or a foreign financial instruments exchange, etc.;
 - (g) Petition for commencement of bankruptcy proceedings or rehabilitation proceedings;
 - (h) Application for authorization or approval, or notification, made to the Prime Minister, etc. in accordance with the Act or foreign laws and regulations;
 - (i) Change to certified public accountants, etc. who carry out audit certification of financial statements, etc. or interim financial statements, etc. contained in annual securities reports or semiannual securities reports;
 - (j) A decision regarding temporary suspension of additional issuance or purchase of a listed indicator-tracking ETF;
 - (k) A decision that said issue will not be subject to custody and book-entry transfer operations of foreign stocks, etc. or book-entry transfer operations conducted by a designated book-entry transfer institution;
 - (l) That business as a foreign investment corporation will cease due to expiry, cancellation, or changes pursuant to the Act or foreign laws and regulations of an authorization, approval, or registration, etc. necessary for business as a foreign investment corporation;
 - (m) Other than the matters referred to in the preceding (a) through (l), important matters related to operation, administration or assets of a listed indicator-tracking ETF or its foreign investment corporation which have a significant impact on investors' investment decisions;
- b. Where any of the facts referred to in the following (a) through (e) occurs to a foreign investment corporation pertaining to a listed indicator-tracking ETF.
- (a) Authorization, approval or disciplinary action by the Prime Minister, etc. in accordance with the Act or foreign laws and regulations;
 - (b) A fact that causes delisting (limited to those pertaining to a reason referred to in Rule 1112, Paragraph 3, Item (1) or Item (2))
 - (c) Change to certified public accountants, etc. who carry out audit certification of financial statements, etc. or interim financial statements, etc. contained in annual securities reports or semiannual securities reports (excluding cases where the body which decides business execution has decided to change certified public accountants, etc. (including cases where it has decided not to carry out matters pertaining to said decision) and details have been disclosed pursuant to the provisions of the preceding a.)
 - (d) An annual securities report or a semiannual securities report that has an attached audit report or interim audit report specified in Article 3, Paragraph 1 of the Cabinet Office Order on Audit Certification prepared by two or more certified public accountants or an audit firm is not expected to be submitted to the Prime Minister, etc.

- within the period specified in Article 24, Paragraph 1, or Article 24-5, Paragraph 1 of the Act or has not been submitted within said period (except cases where disclosure has been made that said report is unlikely to be submitted within said period), was submitted after such disclosure had been made, or approval has been received from the Prime Minister, etc. for the extension of said period;
- (e) Other than the facts referred to in the preceding (a) through (d), important facts related to operation, administration or assets of a listed indicator-tracking ETF or its foreign investment corporation and which have a significant impact on investors' investment decisions;
- c. Where a management company pertaining to a listed indicator-tracking ETF has decided to carry out any of the matters referred to in the following (a) through (i) (including cases where it has decided not to carry out matters pertaining to said decision).
 - (a) Application for delisting of an indicator-tracking ETF to a domestic financial instruments exchange or a foreign financial instruments exchange, etc.;
 - (b) Merger of said management company;
 - (c) Petition for commencement of bankruptcy proceedings of said management company;
 - (d) Dissolution of said management company (excluding dissolutions by merger)
 - (e) Company split of said management company (limited to cases where the whole business is inherited);
 - (f) Transfer of the whole business of said management company;
 - (g) Application for authorization or approval, or notification, made to the Prime Minister, etc. in accordance with the Act or foreign laws and regulations;
 - (h) That business as a management company will cease due to expiry, cancellation, or changes pursuant to the Act or foreign laws and regulations of an authorization, approval, or registration, etc. necessary for business as a management company;
 - (i) Other than the matters referred to in the preceding (a) through (h), important matters related to operation, administration or assets of a listed indicator-tracking ETF or its management company which have a significant impact on investors' investment decisions;
 - d. Where any of the facts referred to in the following (a) through (c) has occurred to a management company pertaining to a listed indicator-tracking ETF:
 - (a) Authorization, approval or disciplinary actions by the Prime Minister, etc. in accordance with the Act or foreign laws and regulations;
 - (b) A fact that causes delisting (limited to those pertaining to a reason referred to in Rule 1112, Paragraph 3, Item (3));
 - (c) Other than the facts referred to in the preceding (a) and (b), important facts related to operation, administration or assets of a listed indicator-tracking ETF or its management company which have a significant impact on investors' investment decisions;
 - e. Where details of the financial results of funds for a business period or an interim business period of a foreign investment corporation pertaining to a listed indicator-tracking ETF are fixed;

- e-2 With regard to a listed indicator-tracking securities incorporated ETF, where any of the facts referred to in (a) through (i) in e-2. of the preceding item has occurred to the counterparty and the management company gains knowledge of such fact having occurred to the counterparty;
- f. Where any fact which will have a material effect on trading of a listed indicator-tracking ETF occurs in a region other than Japan with respect to a listed foreign ETF or a foreign ETF which is a trusted security pertaining to listed foreign ETF trust beneficiary certificates;
- g. A foreign investment corporation or a management company pertaining to a listed foreign ETF trust beneficiary certificates has decided a change or termination of a deposit agreement, etc. as prescribed in Rule 1104, Paragraph 3, Item (3) or any other agreement or other matters which will have a material impact on rights, etc. concerning the listed foreign ETF trust beneficiary certificates or a fact which will have a material effect on such rights, etc. has occurred;
- h. Where ~~the following (a) or (b) is applicable or any other~~ material deviation ~~that has an impact on investment decisions~~ has occurred ~~or is likely to occur~~ between the ~~net asset value~~NAV per unit of ~~a listed~~ indicator-tracking ETF and the market price or the specific indicator, ~~or any of these are likely to become applicable~~;
- (a) When the deviation between the NAV per unit of a listed indicator-tracking ETF and the closing price of the market price (meaning the absolute value of the value obtained by dividing the closing price in the trading session by the NAV per unit of a listed indicator-tracking ETF and subtracting 1, expressed as a percentage; the same shall apply in this item) is 20% or more; or
- (i) (b) When the deviation between the NAV per unit of a listed indicator-tracking ETF and the closing price of the market price is 5% or more for seven consecutive business days; or
- h.i. Where an entity calculating a specific indicator pertaining to a listed indicator-tracking ETF discloses that the entity has decided to cease calculating such indicator.
3. The provisions of Rule 412 shall be applied mutatis mutandis to the examinations of disclosure of corporate information of a management company pertaining to a listed indicator-tracking ETF.
4. In the case of a change in the contents of the report prescribed in Rule 1103, Paragraph 6 (in the case of submitting a report after a change pursuant to the provisions of this paragraph, such report after the change), excluding cases where the changed content is deemed to be of minor significance by the Exchange, the entity prescribed in Paragraph 1 pertaining to the listed indicator-tracking securities incorporated ETF shall submit the report after the change without delay. In this case, such entity shall agree to the Exchange making such report after the change available for public inspection.
5. Where the Exchange deems it necessary to perform an inquiry relating to the management system, etc. of the credit standing of the counterparty, the entity prescribed in Paragraph 1 pertaining to a listed indicator-tracking security incorporated ETF shall immediately report matters of inquiry.
6. The provisions of Rule 401, Rule 411-2, Rules 413 to 414, and Rule 416 shall be applied mutatis mutandis to the disclosure pursuant to the provisions of Paragraphs 2 and 3, and the provisions of Rule 415 and Rule 417 shall be applied mutatis mutandis to a management company pertaining to a listed ETF as prescribed in Paragraph 1.

Rule 1107-2. Disclosure of Information Concerning Listed Domestic Actively Managed ETFs

1. The management company pertaining to a listed domestic actively managed ETF shall conduct timely disclosure of information concerning said ETF.
2. Where any of the following items is applicable, the management company pertaining to a listed domestic actively managed ETF shall disclose details thereof immediately pursuant to the provisions of the Enforcement Rules (for matters referred to in Items (1) and (2), this excludes matters which are deemed by the Exchange to have a minor impact on investors' investment decisions, including not meeting the criteria specified by the Enforcement Rules):
 - (1) Where a management company has decided to carry out any of the matters referred to in the following a. through c. (including cases where it has decided not to carry out matters pertaining to said decision):
 - a. Actions referred to in Paragraph 2, Item (1), a., (a) through (c)-2, (d) through (q), and (t) of the preceding rule in the case of a listed domestic actively managed ETF (in this case, "listed indicator-tracking ETF" in a., (a)-2, (c)-2, (p) and (t) of the same item shall be "listed domestic actively managed ETF", and "indicator-tracking ETF" in a., (d) of the same item shall be "domestic actively managed ETF");
 - b. A change to the method of providing portfolio information as prescribed in Rule 1107-4, Paragraph 1, Item (2) (the same shall apply hereinafter in this rule); or
 - c. Suspension of provision of portfolio information to investors;
 - (2) Where any of the facts referred to in Paragraph 2, Item (1), b., (a) through ~~(g)~~(g)-2 of the preceding rule has occurred to the management company (in this case, "Rule 1112, Paragraph 1, Item (1)" in b., (b) of the same item shall be "Rule 1112-2, Item (1)" and "listed indicator-tracking ETF" in b., (h) of the same item shall be "listed domestic actively managed ETF");
 - (3) Where the trustee of the ETF has decided to carry out any of the matters referred to in Paragraph 2, Item (1), c. of the preceding rule (including cases where it has decided not to carry out matters pertaining to said decision). In this case, "indicator-tracking ETF" in the same item, Sub-item b. shall be "domestic actively managed ETF", "indicator-tracking ETF" in c., (a) of the same item shall be "domestic actively managed ETF", and "listed indicator-tracking ETF" in c. (b) of the same item shall be "listed domestic actively managed ETF";
 - (4) Where any of the facts referred to in Paragraph 2, Item (1), d. of the preceding rule has occurred to the trustee of the ETF (in this case, "Rule 1112, Paragraph 1, Item (2)" in d., (a) of the same item shall be "Rule 1112-2, Item (2)", and "listed indicator-tracking ETF" in d., (b) of the same item shall be "listed domestic actively managed ETF");
 - (5) Where the details of financial results of the fund pertaining to the ETF for a specified period or an interim specified period (meaning the six months after the commencement date of a specified period where said specified period exceeds six months) are decided;
 - (6) If the ETF is a listed indicator-tracking securities incorporated ETF, where any of the facts referred to in Paragraph 2, Item (1), e-2. of the preceding rule has occurred;
 - (7) Where the management company has carried out transactions referred to in Article 13, Paragraph 1 of the Investment Trust Act (limited to cases where the same article requires the delivery of documents to beneficiaries of the

investment trust);

(8) Where the following (a) or (b) is applicable or any other material deviation that has an impact on investment decisions has occurred or is likely to occur between the net asset value NAV per unit of a listed domestic actively managed ETF and the market price, or any of these are likely to become applicable;

a. When the deviation between the NAV per unit of a listed domestic actively managed ETF and the closing price of the market price (meaning the absolute value of the value obtained by dividing the closing price in the trading session by the NAV per unit of a listed domestic actively managed ETF and subtracting 1, expressed as a percentage; the same shall apply in this item) is 20% or more; or

b. When the deviation between the NAV per unit of a listed domestic actively managed ETF and the closing price of the market price is 5% or more for seven consecutive business days;

(9) Where there is a likelihood that portfolio information of the ETF will stop being continuously provided to investors; or

(10) Where the annual average of the total net asset value of the ETF has fallen below JPY 1 billion.

3. The provisions of Rule 412 shall apply mutatis mutandis to examinations of information disclosure pertaining to listed domestic actively managed ETFs.
4. If, after a domestic actively managed ETF is listed, any changes occur in the "Report on Product Characteristics of a Domestic Actively Managed ETF and Management System of Management Company" due to any of the matters prescribed in the Enforcement Rules, the management company of said ETF shall submit a revised report promptly after the change.
5. However, where any changes occur to the "Report on Product Characteristics of a Domestic Actively Managed ETF and Management System of Management Company" due to matters other than those specified in the preceding paragraph, it shall be sufficient for the management company of said ETF to submit a revised report within three months counting from the day following the end of the computation period in which said changes occurred (or, if the computation period is shorter than six months, the end of the computation period containing the day on which six months have elapsed from the date when said changes occurred).
6. In the case of changes as of the preceding two paragraphs, the management company of a listed domestic actively managed ETF shall agree that the Exchange can make said revised report available for public inspection.
7. The provisions of Paragraphs 4 and 5 of the preceding rule shall apply mutatis mutandis to cases where a listed domestic actively managed ETF is a listed indicator-tracking securities incorporated ETF.
8. The provisions of Rule 401, Rule 411-2, Rules 413 to 414, and Rule 416 shall apply mutatis mutandis to disclosure pursuant to the provisions of Paragraphs 2 through 6, and the provisions of Rule 415 and Rule 417 shall be applied mutatis mutandis to those as prescribed in Paragraph 1.

Rule 1107-3. Provision of Information Concerning Listed Indicator-Tracking ETFs

1. The management company pertaining to listed indicator-tracking ETF (meaning the foreign investment corporation and the management company in cases of foreign ETFs falling under foreign investment securities and foreign ETF trust beneficiary certificates whose entrusted securities are said foreign ETFs) shall provide investors with information on said

listed indicator-tracking ETF referred to in each of the following items (excluding Item (1) in cases of a domestic indicator-tracking ETF falling under a beneficiary certificate of a securities investment trust of other than a public or corporate bond investment trust, a domestic indicator-tracking ETF falling under a beneficiary certificate of an investment trust referred to in Article 12, Item (1) of the Investment Trust Act Enforcement Order, foreign ETF, foreign ETF trust beneficiary certificate, a domestic spot commodity ETF, a foreign spot commodity ETF and a foreign spot commodity ETF trust beneficiary certificate) via the method of making available for public inspection. In this case, details of ~~each such~~ items (2) and (3) shall be prescribed by the Enforcement Rules.

- (1) Details determined daily on the securities portfolio necessary to acquire beneficiary certificates for future additional trusts (excluding the day with no new details determined);
- (2) The daily total net assets of a listed indicator-tracking ETF (in cases of foreign ETFs falling under foreign investment securities similar to investment corporate bonds, it means the amount of such listed foreign ETFs) and total net assets per unit of a listed ETF (meaning the amount obtained by dividing the amount of investment trust assets, etc. by the quantity of such foreign ETFs, in cases where such foreign ETFs are foreign investment securities similar to investment corporate bonds; the same shall apply hereinafter);
- (3) The tracking performance pertaining to fluctuation between the net asset value per unit of a listed indicator-tracking ETF and the specific indicator; ~~and~~
- (4) Characteristics of the calculation of and points for attention regarding enhanced indicators, leveraged/inverse indicators, indicators referring to the price of commodity futures contracts or similar, and currency-hedged indicators;
- (5) The total expense ratio of a listed indicator-tracking ETN; and
- (6) Other matters deemed necessary by the Exchange.

2. The party prescribed in the preceding paragraph shall submit the documents to the Exchange describing the method of information provision pursuant to the provisions of preceding paragraph. In cases where the party changes the method of information provision, it shall submit the documents to the Exchange in advance describing the method after the change.
3. The party prescribed in Paragraph 1 shall agree that the Exchange makes documents submitted to the Exchange pursuant to the provisions of the preceding paragraph available for public inspection.

Rule 1107-4. Provision of Information on Listed Domestic Actively Managed ETFs

1. The management company of a listed domestic actively managed ETF shall provide investors with the information on said ETF referred to in each of the following items via a method by which it is made available for public inspection. In this case, ~~Details of each item~~ details of each item (1) and (2) shall be specified by the Enforcement Rules:
 - (1) Daily total ~~net asset value NAV~~ and ~~net asset value NAV~~ per unit;
 - (2) Portfolio information (meaning detailed information as specified in the Rules about the ETF's assets; the same shall apply hereinafter in this chapter) determined before the start of each daily trading session;
 - (3) Information regarding performance in the previous month which states matters specified by the Exchange; ~~and~~
 - (4) The total expense ratio of the ETF; and

(5) Other matters deemed necessary by the Exchange.

2. Entities prescribed in the preceding paragraph shall submit a document describing a method of providing information in accordance with the provisions of the preceding paragraph, and if the method is changed, submit in advance a document describing the new method.
3. Entities prescribed in Paragraph 1 shall agree that the Exchange can make the document submitted pursuant to the provisions of the preceding paragraph available for public inspection.

Rule 1110-2. Code of Conduct Regarding ListingListed ETFs

1. A management company pertaining to a listed ETF (in the case of a foreign ETF falling under foreign investment securities or foreign ETF trust beneficiary certificates whose entrusted securities is such foreign ETF, the foreign investment corporation and the management company) shall not conduct a reverse split or split of beneficiary rights or investment units pertaining to the listed ETF which is likely to disrupt the secondary market or undermine the interests of beneficiaries or investors.
2. A management company pertaining to a listed indicator-tracking securities incorporated ETF (in the case of a foreign ETF falling under foreign investment securities or foreign ETF trust beneficiary certificates whose entrusted securities is such foreign ETF, the foreign investment corporation and the management company) shall endeavor to appropriately develop management systems, etc. concerning the credit standing of the counterparty of such ETF.
3. The party prescribed in Paragraph 1 shall endeavor to provide investors with information which contributes to smooth trading and fair price formation and to create an environment that ensures fair price formation.

Rule 1112. Delisting Criteria for Listed Indicator-Tracking ETFs

1. Where a listed domestic indicator-tracking ETF and a listed domestic spot commodity ETF fall under any of the following items, the Exchange shall delist them. In this case, details of each such item shall be provided by the Enforcement Rules:
 - (1) Where a management company pertaining to a listed indicator-tracking ETF falls under any of the following a. through d.; provided, however, that the same shall not apply to cases where the business which has been carried out by a management company pertaining to such listed indicator-tracking ETF is taken over by another management company and such other management company submits an "ETF Listing Agreement" and a document assuring the matters prescribed in Rule 1104, Paragraph 1, Item (3):
 - a. Where registration of financial instruments business or registered financial institution business expires pursuant to the provisions of Article 50-2, Paragraph 2 of the Act;
 - b. Where registration of financial instruments business or registered financial institution business is cancelled pursuant to the provisions of Article 52, Paragraph 1, Article 52-2, Paragraph 1, or Article 54 of the Act;
 - c. Where a management company ceases to be an entity which carries out investment management business by receiving an alteration registration prescribed in Article 31, Paragraph 4 of the Act;
 - c-2. With respect to a listed domestic indicator-tracking ETF which manages investment trust assets by investing in commodities or rights relating to commodities investment, etc. trading, the management company ceases to be

- an entity who carries out business pertaining to such management;
- c-3. Where the management company ceases to carry out investment management business due to a change in the method or details of business pertaining to registered financial institution business; or
 - d. Where a management company ceases to be a member of the Investment Trusts Association, Japan (General Incorporated Association) (excluding cases where the management company is a registered financial institution);
- (2) Where a business license or authorization concerning the operation of a trust business is revoked from a trustee pertaining to a listed indicator-tracking ETF; provided, however, that the same shall not apply to cases where the business which has been carried out by a trustee pertaining to such listed indicator-tracking ETF is taken over by another trustee and such other trustee submits an "ETF Listing Agreement";
- (2)-2 Where the trustor pertaining to a domestic spot commodity ETF ceases to be a listed company or a subsidiary of such company (limited to cases where the management company is the trustee); however, this shall not apply to the cases referred to in the following a. or b.
- a. Where the trustor pertaining to such listed domestic spot commodity ETF ceases to be a listed company or a subsidiary of such company, but assures in writing to appropriately report matters for verification immediately (excluding cases specified in the Enforcement Rules) where the Exchange deems it necessary and verifies the contribution status, etc. of commodities; or
 - b. Where the status of being the trustor pertaining to such listed domestic spot commodity ETF is succeeded by any other listed company or a subsidiary of such company, and such other listed company or subsidiary of such company assures in writing to appropriately report matters for verification immediately where the Exchange deems it necessary and verifies the contribution status, etc. of commodities;
- (2)-3 Where the trustor pertaining to the listed domestic spot commodity ETF ceases to be a member or trading participant of a commodities market or foreign commodities market or such equivalent party as specified by the Enforcement Rules (limited to cases where the management company is the trustee); however, this shall not apply to cases where the status of being the trustor pertaining to such listed domestic spot commodity ETF is succeeded by other member, trading participant, or such equivalent party as specified by the Enforcement Rules;
- (3) Where an issue of a listed indicator-tracking ETF falls under any of the following a. through k. (excluding b (c), b-2 through b-5, and i-2 in cases of a listed domestic indicator-tracking ETF falling under a beneficiary certificate of a securities investment trust of other than a public or corporate bond investment trust; excluding b (h), b-2 through b-5, and i-2 in cases of a listed domestic indicator-tracking ETF falling under a beneficiary certificate of an investment trust referred to in Article 12, Item (1) or (2) of the Investment Trust Act Enforcement Order; and excluding a, b, and b-6 in cases of a listed domestic spot commodity ETF):
- a. A listed indicator-tracking ETF falls under the following (a) or (b) (excluding, where a beneficiary certificate prescribed in (a) is changed to a beneficiary certificate prescribed in (b) or where a beneficiary certificate prescribed in (b) is changed to a beneficiary certificate prescribed in (a), cases the Exchange deems, in consideration of matters specified by the Enforcement Rules, not lacking the public interest or investor protection):
 - (a) Where it ceases to be a beneficiary certificate of a securities investment trust other than a public and corporate

investment trust

(b) Where it ceases to be a beneficiary certificate of an investment trust referred to in Article 12, Item (1) or (2) of the Investment Trust Act Enforcement Order;

b. Any changes in basic terms and conditions of an investment trust which falls under any of the following (a) through

(i) is made:

(a) Where the provisions to pursue, as a basic policy, investment performance tracking a specified indicator cease to exist;

(b) Where an investment trust agreement period is established;

(c) Where beneficiaries become able to request the partial cancellation of the investment trust agreement during the trust agreement period (excluding cases where there is a significant change to the general conditions, etc., the indicator-tracking ETF is purchased based on requests by beneficiaries who oppose such significant change to the general conditions, etc., and a request is made for partial termination of the investment trust agreement regarding such indicator-tracking ETF.);

(d) Where the computation period is changed to less than one (1) month;

(e) Where the provision to perform solicitation of applications for acquisition of the beneficiary certificates by means of a public offering ceases to exist;

(f) Where the provision to list the beneficiary certificates on a financial instruments exchange ceases to exist;

(g) Where the provision to commence procedures to terminate the investment trust on the day when the beneficiary certificates are delisted from all financial instruments exchanges ceases to exist;

(h) Where the provision that the management company provides instructions to the trustor to perform conversion of, out of securities and other assets belonging to investment trust assets, etc., those equivalent to interest held by a beneficiary in such investment trust assets, etc. of beneficiary certificates pertaining to such partial cancellation when there is a partial cancellation of the investment trust agreement during the trust agreement period due to a request by such beneficiary ceases to exist; or

(i) Where the provision is established to the effect that an investment trust agreement shall be cancelled subject to fluctuation in the value of a specific indicator or the base value (excluding the provision to the effect that an investment trust agreement shall be cancelled if the value of a specific indicator or the base value falls to or below zero (0), or other provisions deemed appropriate by the Exchange).

b-2 Any change to basic terms and conditions of a trust falling under any of the following (a) to (e) is made:

(a) Where provisions concerning a structure of tracking prices of a specified commodity are abolished;

(b) Where a period of a trust agreement is prescribed;

(c) Where beneficiaries become able to request partial cancellation of the investment trust agreement during the period of a trust agreement (excluding cases where there is an important change to the trust, etc., the indicator-tracking ETF is purchased based on requests by beneficiaries who oppose such important change to the trust, etc., and a request is made for partial termination of the trust agreement regarding such indicator-tracking ETF.);

- (c)-2 Where the provision to perform solicitation of applications for acquisition of the beneficiary certificates by means of a public offering ceases to exist;
 - (c)-3 Where the provision to list the beneficiary certificates on a financial instruments exchange ceases to exist;
 - (c)-4 Where the provision to commence procedures to terminate the trust on the day when the beneficiary certificates are delisted from all financial instruments exchanges ceases to exist;
 - (c)-5 Where the provision relating to conditions for commodities pertaining to trust assets ceases to exist;
 - (c)-6 Where the provision to guarantee that commodities to be contributed by the trustor shall satisfy the conditions for commodities specified in the basic terms and conditions of a trust ceases to exist;
 - (d) Where a computation period becomes less than one (1) month or becomes more than one (1) year; or
 - (e) Where the provision is established to the effect that a trust agreement shall be cancelled subject to fluctuation in the value of a specific indicator or the base value (excluding the provision to the effect that a trust agreement shall be cancelled if the value of a specific indicator or the base value falls to or below zero (0), or other provisions deemed appropriate by the Exchange).
- b-3 A trust agreement of a listed indicator-tracking ETF ceases to be such agreement as entered into by and between with a single management company and a single trustee (excluding cases where the management company is the trustee);
- b-4 A listed indicator-tracking ETF becomes a limited liability trust prescribed in Article 2, Paragraph 12 of the Trust Act;
- b-5 Where a commodity which does not satisfy the conditions for commodities pertaining to trust assets specified in the basic terms and conditions of a trust and when procedures to improve such situation are not taken immediately or such situation does not improve without delay.
- b-6 Where such listed indicator-tracking ETF is an indicator-tracking securities incorporated ETF which falls under either of the following (a) or (b):
- (a) In the case of the financial situation of the counterparty pertaining to such listed indicator-tracking ETF deteriorates and falls into a situation specified by the Enforcement Rules, when such investment trust asset, etc. are not changed to assets other than securities issued or guaranteed by such counterparty, or rights pertaining to contracts guaranteed by the other party to a contract with such counterparty or such counterparty during the period from the day the Exchange deems such situation until the day one (1) year has elapsed (hereinafter referred to "grace period" in this (a)). However, when the Exchange deems it inappropriate to wait for the grace period to elapse, it shall be handled as specified by the Exchange on a case-by-case basis.
 - (b) In the case where the management company is no longer able to maintain the management system concerning the credit standing of the counterparty; provided, however, this shall not apply to cases where the business of such management company is succeeded by another management company, and such other management company maintains the management system concerning the credit standing of the company.
- c. The following (a) or (b) is met:
- (a) Where a decision is made to select an entity other than a qualified institutional investor as a designated participant; or

- (b) Where a designated participant loses its status as a qualified institutional investor and one (1) month or more passes continuously thereafter;
- d. The number of designated participants has been less than two for six continuous months or more;
- d-2. The number of designated participants who are trading participants of the Exchange has continuously been zero for six months or more;
- e. The correlation coefficient between the total net asset per investment unit of listed indicator-tracking ETF and the indicator becomes less than 0.9 and does not return to 0.9 or more within one (1) year;
- f. An annual securities report or a semiannual securities report to which an audit report or an interim audit report as in Article 3, Paragraph 1 of the Cabinet Office Order on Audit Certification prepared by two or more certified public accountants or an audit firm is attached is not submitted to the Prime Minister, etc. within a month after a period specified in Article 24, Paragraph 1 or Article 24-5, Paragraph 1 of the Act passes (within three months in the event that such submission delay is due to reasons not attributable to a management company pertaining to listed indicator-tracking ETF such as an act of providence).;
- g. The following (a) or (b) is met:
 - (a) Where there are false statements in an annual securities report, etc. pertaining to a listed indicator-tracking ETF and the Exchange deems that it is clearly difficult to maintain order in the market if the ETF is not delisted immediately; or
 - (b) Concerning an audit report attached to financial statements, etc. or an interim audit report attached to interim financial statements, etc. pertaining to a listed indicator-tracking ETF, where certified public accountants state an "adverse opinion" or "disclaimer of opinion" in an audit report, and an "opinion that the interim financial statements, etc. do not provide useful information" or "disclaimer of opinion" in an interim audit report, and the Exchange deems that it is clearly difficult to maintain order in the market if the ETF is not delisted immediately; however, excluding cases where the "disclaimer of opinion" is stated, and such statement is made due to reasons not attributable to the management company of the listed indicator-tracking ETF, such as act of providence
- h. Where an entity who had entered into a listing agreement pertaining to a listed indicator-tracking ETF has committed a material breach of the listing agreement as prescribed by the Enforcement Rules, where an entity has committed a material breach as to matters taken on oath in the Written Oath submitted pursuant to the provisions of Rule 1103, Paragraph 1 or where an entity that should enter into a listing agreement ceases to be a party to the listing agreement;
- i. Where an investment trust agreement or a trust agreement pertaining to a listed indicator-tracking ETF terminates;
- i-2. Where a trust pertaining to a listed indicator-tracking ETF is split;
- i-3. Where there ceases to be a specific indicator pertaining to a listed indicator-tracking ETF
- i-4. Where an indicator pertaining to a listed indicator-tracking ETF is changed to a new indicator or other similar cases are occurred, and when the Exchange deems that the indicator after the change does not meet Rule 1104, Paragraph 1, Item (2), d.(including cases pursuant to Paragraph 2 Item (1) of the same rule, Paragraph 3, Item(1) of

the same Rule, Paragraph 4, Item (1) of the same rule, Paragraph 5, Item (1) of the same rule or Paragraph 6 of the same rule), or when the Exchange deems that changes in such indicator have a significant impact on characteristics associated with a listed indicator-tracking ETF;

j. Where such listed indicator-tracking ETF has ceased to be handled in the book-entry transfer operation conducted by a designated book-entry transfer institution; or

k. Where the Exchange deems that delisting of such listed indicator-tracking ETF is appropriate for the purpose of the public interest or the protection of investors, in addition to cases of the above a. through j.

2. Where a listed foreign ETF (excluding those ETFs falling under foreign investment securities), a listed foreign ETF trust beneficiary certificate (excluding those certificates whose entrusted securities are foreign ETFs falling under foreign investment securities), a listed foreign spot commodity ETF, or a listed foreign spot commodity ETF trust beneficiary certificate falls under any of the following items, the Exchange shall delist it. In this case, details of each of such items shall be prescribed by the Enforcement Rules:

(1) Where a management company pertaining to a listed indicator-tracking ETF has ceased to carry out the business as management company with the license expired, the approval revoked, or registration, etc. altered by the Prime Minister, etc.; provided, however, that the same shall not apply to cases where the business which has been carried out by a management company pertaining to such listed indicator-tracking ETF is taken over by another management company and such other management company submits an "ETF Listing Agreement" and a document assuring the matters prescribed in Rule 1104, Paragraph 1, Item (3) that apply to the provisions of Paragraph 2, Item (1), Paragraph 3, Item (1), Paragraph 5, Item (1), or Paragraph 6 of the same rule;

(2) Where a trustee pertaining to a listed indicator-tracking ETF falls under Item (2) of the preceding paragraph;

(3) Where a security pertaining to a listed indicator-tracking ETF falls under any of the following a. through f.:

a. Where a listed company falls under any of e. to i-4 of Item (3) of the preceding paragraph. In this instance, the term "a listed indicator-tracking ETF" in Item (3), i., i-3. and i-4. of the preceding paragraph shall be deemed to be replaced with "a listed indicator-tracking ETF (in cases of a listed foreign ETF trust beneficiary certificate or a listed foreign spot commodity ETF trust beneficiary certificate, it shall be a foreign ETF or a foreign spot commodity ETF which is an entrusted security respectively)". And the term "a listed indicator-tracking ETF" in Item (3), i-2 of the preceding paragraph shall be deemed to be replaced with "a listed indicator-tracking ETF (in cases of a listed foreign ETF trust beneficiary certificate or a listed foreign spot commodity ETF trust beneficiary certificate, it shall include a foreign ETF or a foreign spot commodity ETF which is an entrusted security)";

b. Where a change to the basic terms and conditions of a trust (the basic terms and conditions of a trust pertaining to a foreign ETF or a foreign spot commodity ETF which is an entrusted security in cases of a listed foreign ETF trust beneficiary certificate and a listed foreign spot commodity ETF trust beneficiary certificate) which falls under any of the following (a) to (b) (excluding (a)-3 in cases of a listed foreign ETF and a listed foreign ETF trust beneficiary certificate; and excluding (a) and (a)-2 in cases of a listed foreign spot commodity ETF and a listed foreign spot commodity ETF trust beneficiary certificate):

(a) Where the provision to manage the fluctuation rate of the net asset value per unit of investment trust assets,

etc. to track the fluctuation rate of a specified indicator (including provisions with similar content) ceases to exist;

(a)-2 Cases referred to in Item (3), b.(d) of the preceding paragraph;

(a)-3 Cases referred to in Item (3), b-2 (a) or (d) of the preceding paragraph;

(a)-4 Where the provision is established to the effect that a trust agreement shall be cancelled subject to

fluctuation in the value of a specific indicator or the base value (excluding the provision to the effect that a trust agreement shall be cancelled if the value of a specific indicator or the base value falls to or below zero (0), or other provisions deemed appropriate by the Exchange).

or

(b) Where a period of a trust agreement (a trust agreement pertaining to a foreign ETF or a foreign spot

commodity ETF which is an entrusted security in cases of a listed foreign ETF trust beneficiary certificate and a listed foreign spot commodity ETF trust beneficiary certificate) is set forth (excluding cases where a trust agreement period (limited to the period prescribed in Article 2-3, Paragraph 2 of the Enforcement Regulations of the Special Taxation Measures Act) is set forth pursuant to the provisions of laws and regulations of a country in which a foreign investment trust or a trust is created;

b-2. Where falling under Item (3), b-6 of the preceding paragraph;

c. Where such listed indicator-tracking ETF has ceased to be handled in the custody and book-entry transfer operation for the foreign stock, etc. or the book-entry transfer operation of a designated book-entry transfer institution;

d. Where such listed indicator-tracking ETF (in cases of a listed foreign ETF and a listed foreign spot commodity ETF, this shall include a foreign ETF trust beneficiary certificate and a foreign spot commodity ETF trust beneficiary certificate whose entrusted securities are such ETFs; the same shall apply hereinafter in this d.) has been decided to be delisted from all foreign financial instruments exchanges, etc. on which said indicator-tracking ETF is listed or continuously traded, or where the Exchange deems that prices of such listed indicator-tracking ETF at foreign financial instruments exchanges, etc. have ceased to be available immediately; provided, however, that the same shall not apply to cases where delisting is deemed inappropriate in consideration of the reason, etc. for delisting on foreign financial instruments exchanges, etc., the state of trading at the Exchange and any other circumstances;

e. In cases of a listed foreign ETF trust beneficiary certificate and a listed foreign spot commodity ETF trust beneficiary certificate, where a deposit agreement, etc. as prescribed in Rule 1104, Paragraph 3, Item (3) and any other agreement are terminated. Provided, however, this shall not apply to cases where such deposit agreement, etc. and any other agreement are terminated due to change in a custodian, etc. pertaining to a listed ETF trust beneficiary certificate or a listed foreign spot commodity ETF trust beneficiary certificate; or.

f. In addition to the preceding a. through e., where the Exchange deems that delisting of such security is appropriate for the public interest or the protection of investors.

3. When a listed foreign ETF (limited to those falling under foreign investment securities) and a listed foreign ETF trust beneficiary certificate (limited to those certificates whose entrusted securities are foreign ETFs falling under foreign investment securities) falls under any of the following items, it shall be delisted. In this instance, details of applying each of

such items shall be as prescribed in Enforcement Rules.

- (1) A foreign investment corporation pertaining to a listed indicator-tracking ETF falls under a reason for dissolution as prescribed in Article 222 of the Investment Trust Act;
- (2) When a foreign investment corporation pertaining to a listed indicator-tracking ETF falls into states of being requiring to take bankruptcy proceedings or rehabilitation proceedings in accordance with the laws or when it falls into a status corresponding to this;
- (3) When a fund pertaining to a listed indicator-tracking ETF terminates in accordance with the reason as prescribed in the terms and conditions or a document similar thereto;
- (4) When a management company pertaining to a listed indicator-tracking ETF comes to cease to carry out business as a management company because any license, permission or registration, etc. required for carrying out business as a management company has terminated, been canceled or changed. However, the same shall not apply to cases where the business that has been carried out by the management company pertaining to such listed indicator-tracking ETF is taken over by other management company and, in addition, such other management company submits an "ETF listing agreement".
- (5) Where an issue of a listed indicator-tracking ETF falls under any of the following a to f:
 - a. Where any of Paragraph 1, Item (3), e. through h., i-3. and i-4. is met;
 - b. Where a foreign investment corporation of a listed indicator-tracking ETF is to change the terms and conditions falling under any of the following (a) through (c) or a document similar thereto:
 - (a) Cases referred to in Item (3), b.(a) in the preceding paragraph;
 - (b) Where the operational period becomes less than one (1) month;
 - (c) Where the provision is established to the effect that a fund shall be closed subject to fluctuation in the value of a specific indicator or the base value (excluding the provision to the effect that a fund shall be closed if the value of a specific indicator or the base value falls to or below zero (0), or other provisions deemed appropriate by the Exchange).
 - b-2. Where falling under Paragraph 1, Item (3), b-6. In this case, "management company" in (b) of the same b-6 shall be read as "foreign investment corporation and management company";
 - c. Such listed indicator-tracking ETF ceases to be subject to the custody and book-entry transfer operations for foreign stocks, etc. or the book-entry transfer operations of a designated book-entry transfer institution;
 - d. Where such listed indicator-tracking ETF is decided to be delisted from all the foreign financial instruments exchanges, etc. where such listed indicator-tracking issue is listed or continuously traded (including, in cases of a listed foreign ETF, foreign ETF trust beneficiary certificates whose entrusted securities are such ETFs, and including, in cases of a listed foreign ETF trust beneficiary certificate, a foreign ETF which is an entrusted security; the same shall apply hereinafter in this d) or where the Exchange deems that prices or quotes of such listed indicator-tracking ETF become unavailable immediately from foreign financial instruments exchanges, etc. However, the same shall not apply when delisting is not deemed appropriate in consideration of reasons for delisting such listed indicator-tracking ETF from foreign financial instruments exchanges, etc., the state of trading at

- the Exchange or any other matters;
 - e. In cases of listed foreign ETF trust beneficiary certificates, where a deposit agreement prescribed in Rule 1104, Paragraph 3, Item (3), etc. or any other agreement terminates. However, the same shall not apply when such deposit agreement, etc. or any other agreement terminates because of changes in a deposit institution, etc. pertaining to the listed foreign ETF trust beneficiary certificates;
 - f. In addition to the preceding a. to e., where the Exchange deems delisting of such issue is appropriate for the public interest and the protection of investors.
4. The provisions of Rule 605 shall be applied mutatis mutandis to examination pertaining to delisting pursuant to the provisions of the preceding three paragraphs.

Rule 1112-2. Delisting Criteria for Listed Domestic Actively Managed ETFs

1. Where a listed domestic actively managed ETF falls under any of the following items, the Exchange shall delist it. Details of the application of each of these items shall be specified in the Enforcement Rules.
- (1) Where the management company pertaining to the ETF falls under any of the following a. through f.;
- a. Registration as a financial instruments business or registered financial institution business expires pursuant to the provisions of Article 50-2, Paragraph 2 of the Act;
 - b. Registration as a financial instruments business or registered financial institution business is cancelled pursuant to the provisions of Article 52, Paragraph 1, Article 52-2, Paragraph 1, or Article 54 of the Act;
 - c. It ceases to carry out an investment management business because of receiving an alteration registration as prescribed in Article 31, Paragraph 4 of the Act;
 - d. For an ETF which manages investment trust assets by investing in rights pertaining to transactions related to commodities investment, etc., the management company ceases to carry out business pertaining to such management;
 - e. It ceases to carry out an investment management business due to a change in the method or details of its business pertaining to the registered financial institution business; or
 - f. It ceases to be a member of the Investment Trusts Association, Japan (General Incorporated Association) (unless it is a registered financial institution);
- (2) Where the business license or authorization concerning the operation of the trust business is revoked from the trustee pertaining to the ETF; provided, however, that the same shall not apply to cases where the business which has been carried out by said trustee is taken over by another trustee and said other trustee submits an "ETF Listing Agreement";
- (3) Where the ETF falls under any of the following a. through h.:
- a. It ceases to be a beneficiary certificate of a securities investment trust other than a public or corporate investment trust;
 - b. Changes are made to the basic terms and conditions of the investment trust which fall under any of the following (a) through (j):
 - (a) A provision is established that specifies management so that the fluctuation rate of the net asset value per unit

- matches the fluctuation rate of a specific indicator;
- (b) The period of the investment trust agreement is fixed;
 - (c) The computation period is changed to less than one month;
 - (d) The provision that solicitation of applications for acquisition of the beneficiary certificate shall be conducted by public offering ceases to exist;
 - (e) The provision that the beneficiary certificate shall be listed on a financial instruments exchange ceases to exist;
 - (f) The provision stating that if the beneficiary certificate is delisted from all financial instruments exchanges, procedures for terminating the investment trust will be commenced on the day the beneficiary certificate is delisted ceases to exist;
 - (g) The provision stating that if a beneficiary requests a partial cancellation of the investment trust agreement during the trust agreement period, the management company shall instruct the trustee to convert the securities and other assets within the investment trust assets that are equivalent to the interest held by said beneficiary in the investment trust assets of the beneficiary certificates that are being partially canceled ceases to exist;
 - (h) A provision that would cancel the investment trust agreement based on base price fluctuations (excluding statements that the investment trust agreement is subject to cancellation when the base price falls to or below zero or other statements that TSE deems appropriate) is established;
 - (i) ~~The provision that states the investment trust shall not be invested in derivatives transactions as defined in Article 2, Paragraph 20 of the Act or rights pertaining to transactions related to commodities investment, etc. except for the purposes referred to in i. through iii. below ceases to exist:~~
 - ~~i. The purpose of realizing the same profits and losses as if the investment trust held the underlying assets;~~
 - ~~ii. The purpose of reducing the risk of price fluctuations and interest rate fluctuations on the investment trust's assets or liabilities; and~~
 - ~~iii. The purpose of reducing the risk of exchange rate fluctuations on the investment trust's assets or liabilities through foreign currency futures transactions~~ Investment restrictions that meet the requirements of Article 17-2 of the Rules on Management of Investment Trusts, etc. established by The Investment Trusts Association, Japan are removed (except when investment restrictions that meet the requirements of Article 17-3, Paragraph 1, Item (3) of the Rules on Management of Investment Trusts, etc. are established as well as a provision prescribing that the beneficial investment ratio in any particular single issue or investment security shall not exceed 20% of the total NAV of the trust assets); or
 - (j) Investment restrictions that meet the requirements of ~~Article 17-2~~ Article 17-3, Paragraph 1, Item (3) of the Rules on Management of Investment Trusts, etc. established by The Investment Trusts Association, Japan are removed, ~~or the provision prescribing that the beneficial investment ratio in any particular single issue or investment security shall not exceed 20% of the total NAV of the trust assets is removed (except when investment restrictions that meet the requirements of Article 17-2 of the Rules on Management of Investment Trusts, etc. are established);~~

b-2. The ETF falls under any of the following (a) through (d):

(a) Beneficiary certificates of investment trusts that are managed such that the fluctuation rate of the NAV per unit tracks the fluctuation rate of a specific indicator multiplied by a predetermined factor;

(b) Beneficiary certificates of complex investment trusts similar to OTC derivative transactions as defined in Article 2 of the Rules on Complex Investment Trusts Similar to Over-the-Counter Derivatives Transactions established by the Investment Trusts Association, Japan;

(c) Beneficiary certificates of currency selection-type investment trusts or similar as defined in Article 3, Paragraph 2 of the Rules for Preparation of Delivery Prospectus established by the Investment Trusts Association, Japan;
or

(d) Other beneficiary certificates of investment trusts that the Exchange deems inappropriate from the perspectives of risks and complexity related to fluctuations in the base value.

c. The ETF is an indicator-tracking securities incorporated ETF that falls under Paragraph 1, Item (3), b-6. of the preceding rule (in this case, "listed indicator-tracking ETF" in b-6. of the same item shall be "listed domestic actively managed ETF");

d. It falls under Paragraph 1, Item (3) c. of the preceding rule;

e. It falls under Paragraph 1, Item (3) d. or d-2. of the preceding rule;

f. Where the annual average of the total net asset value has fallen below JPY 1 billion and does not reach at least JPY 1 billion within one year. However, if the Exchange deems it inappropriate to apply this criterion due to a sudden deterioration of market conditions overall, it shall specify the criterion on a case-by-case basis;

g. It falls under any of Paragraph 1, Item (3), f. through i. of the preceding paragraph (in this case, "listed indicator-tracking ETF" in f. through i. of the same item and j. through k. of the same item shall be "listed domestic actively managed ETF"); or

h. The portfolio information has continuously not been provided to investors for a period of one month, except when the Exchange deems that this is for reasons beyond the control of the management company such as natural disasters.

Supplementary Provisions

1. These revisions shall take effect on May 30, 2025.

2. The revised provisions of Rules 1104 and 1104-2 shall apply to issues for which initial listing applications are made on or after the day on which these revised rules will be implemented (hereinafter referred to as the "implementation date").

3. The revised provisions of Rule 947-2, Paragraph 1, Item (4), Rule 1107-3, Paragraph 1, Item (5), and Rule 1107-4, Paragraph (1), Item (4) shall apply from the time of information provision when the details of the total expense ratios for computation periods that end on and after the implementation date are determined.

Enforcement Rules for Securities Listing Regulations

(as of ~~July 22~~May 30, 2025)

Rule 1103. Attached Documents to Security Initial Listing Application Form

1. "Documents specified by the Enforcement Rules" as prescribed in Rule 1103, Paragraph 2, Item (1) of the Regulations mean the documents referred to in each of the following items.

- (1) Where the entity calculating the index pertaining to the security for which an initial listing application is made is not the Exchange, the documents referred to in a. through d. below:
 - a. A list of securities comprising the index;
 - b. The procedure for computation of the index;
 - c. A document stating the changes in securities comprising the index on or after the day three (3) years prior to the date of initial listing application; and
 - d. A document stating the basic information such as the corporate identity, etc. of the entity calculating the indicator; provided, however, attachment is not required where such calculating entity is a calculating entity for an indicator pertaining to a listed ETN trust beneficiary certificate or a listed indicator-tracking ETF.
- (2) For domestic indicator-tracking ETF, foreign ETF and foreign ETF trust beneficiary certificate, a document stating the structure and measures for securing consistency between the volatility of the net asset amount per unit of the security for which an initial listing application is made (with respect to a foreign ETF trust beneficiary certificate, a foreign ETF that is an entrusted security pertaining to a security for which an initial listing application is made) and a particular index.
- (2)-2 A document stating the likelihood of securing smooth circulation of the security for which an initial listing application is made after listing.
- ~~(2)-3 For a domestic indicator-tracking ETF and domestic spot commodity typed ETF, a document of assurance by the trading participant who is a designated participant to strive to secure smooth circulation of such domestic indicator-tracking ETF and domestic spot commodity typed ETF in the market of the Exchange.~~
- (3) For a domestic indicator-tracking ETF, foreign ETF (excluding those deemed to be a foreign investment security), foreign ETF trust beneficiary certificate (excluding those that have a foreign ETF deemed to be a foreign investment security as the entrusted security), domestic spot commodity typed ETF, foreign spot commodity typed ETF and foreign spot commodity typed ETF trust beneficiary certificate, a document of assurance by a management company pursuant to the provisions of Rule 1104, Paragraph 1, Item (3) (including pursuant to Paragraph 2, Item (1), Paragraph 3, Item (1), Paragraph 4, Item (1), Paragraph 5, Item (1), or Paragraph 6 of the same rule) of the Regulations.
- (3)-2 For domestic spot commodity typed ETF, foreign spot commodity typed ETF, and foreign spot commodity typed ETF trust beneficiary certificate, the documents referred to in a. through c. below:

- a. A document of assurance by the entrustor of the trust pursuant to Rule 1104, Paragraph 4, Item (1)-3 of the Regulations;
 - b. A document of assurance by the management company pursuant to Rule 1104, Paragraph 4, Item (4) (including the case where it falls under the provisions of Paragraph 5, Item (1) or Paragraph 6 of the same rule) of the Regulations; and
 - c. A document of assurance by the management company pursuant to Rule 1104, Paragraph 4, Item (6) or Paragraph 5, Item (3),a. (including where it falls under the provisions of Paragraph 6 of the same rule) of the Regulations.
- (4) Basic terms and conditions of an investment trust, basic terms and conditions of a trust or a document similar thereto, or the terms and conditions or a document similar thereto.
- (5) For foreign ETF, foreign ETF trust beneficiary certificate, foreign spot commodity typed ETF, and foreign spot commodity typed ETF trust beneficiary certificate, documents referred to in a. through e. below:
- a. Legal opinion from a legal expert concerning the lawfulness of the establishment or issuance of such foreign ETF, a foreign ETF that is an entrusted security pertaining to such foreign ETF trust beneficiary certificate, foreign spot commodity typed ETF, or a foreign spot commodity typed ETF that is an entrusted security pertaining to such foreign spot commodity typed ETF trust beneficiary certificate, and the relevant provisions in the relevant laws and regulations.
 - b. A document proving that the representative stated in the "Security Initial Listing Application Form" is a person with due authority concerning the listing of such foreign ETF, foreign ETF trust beneficiary certificate, foreign spot commodity typed ETF, or foreign spot commodity typed ETF trust beneficiary certificate.
 - c. A document proving that the management company or agent of a foreign investment corporation, etc. as prescribed in Rule 1109 of the Regulations have been selected, or that an informal consent of undertaking has been received from such agent, etc.
 - d. A copy of the document proving that the approval, authorization, permission, notification or similar requirements concerning establishment or issuance of such foreign ETF, foreign ETF that is an entrusted security pertaining to a foreign ETF trust beneficiary certificate, foreign spot commodity typed ETF, or a foreign spot commodity typed ETF that is an entrusted security pertaining to such foreign spot commodity typed ETF trust beneficiary certificate, have been obtained pursuant to the laws and regulations of the country where the foreign ETF, foreign ETF that is an entrusted security pertaining to a foreign ETF trust beneficiary certificate, foreign spot commodity typed ETF, or a foreign spot commodity typed ETF that is an entrusted security pertaining to such foreign spot commodity typed ETF trust beneficiary certificate was established or issued.
 - e. A copy of the document proving the applications from trading participants prescribed in Rule 32-2, Paragraph 1 of the Enforcement Rules for Business Regulations pertaining to the foreign ETF, foreign ETF trust beneficiary certificate, foreign spot commodity typed ETF, and foreign spot commodity typed ETF trust beneficiary certificate.
2. Documents specified by the Enforcement Rules as prescribed in Rule 1103, Paragraph 2, Item (2) of the Regulations mean the documents referred to in each of the following items:
- (1) "Report on Product Characteristics of a Domestic Actively Managed ETF and Management System of Management

Company" as determined by the Exchange;

(2) A written commitment by a management company which states that the ETFs are not beneficiary certificates referred to in Rule 1104-2, Item (2), b-2, (a) through (d);

(2)(3) A written commitment by a management company which states that it will invest in assets referred to in Rule 1104-2, Item (2), e. of the Regulations;

(3)(4) A written commitment which states that information will be provided on an ongoing basis; and

(4)(5) The provisions of Items (2)-2 through (3) and (4) of the preceding paragraph shall apply mutatis mutandis to cases where a security for which an initial listing application is made is a domestic actively managed ETF. In this case, "the provisions of Rule 1104, Paragraph 1, Item (3) (including cases where Paragraph 2, Item (1), Paragraph 3, Item (1), Paragraph 4, Item (1), Paragraph 5, Item (1), or Paragraph 6 of the same rule applies)" in Item (3) of the preceding paragraph shall be "the provisions of Rule 1104-2, Item (6) of the Regulations").

Rule 1106-2. Handling of the Criteria for Listing Examination of Domestic Actively Managed ETFs

1. ~~Investment trusts for which the Exchange determines in the Enforcement Rules that the purpose for investing in rights pertaining to derivative transactions or rights pertaining to transactions related to commodities investment, etc. is of no consequence, as prescribed in Rule 1104-2, Item (2), e., (b) of the Regulations, mean investment trusts and investment corporations listed in the following items:~~

~~(1) Those whose purpose is to invest investors' funds mainly in real estate as referred to in Rule 1201, Item (12) or infrastructure assets referred to in Item (1)-3 of the same rule and have their beneficiary certificate listed on a domestic financial instruments exchange;~~

~~(2) Those which manage the fluctuation rate of the net asset value per unit so that it matches the fluctuation rate of a specific indicator (excluding leveraged and inverse indicators (meaning indicators which amplify or invert the rate of change or rate of fluctuation of another indicator by methods including multiplying the fluctuations of the underlying indicator by a certain numerical value)) and have their beneficiary certificate listed on a domestic financial instruments exchange; and~~

~~(3) Those similar to those referred to in the preceding two items which have their beneficiary certificate listed on a foreign financial instruments exchange, etc.~~

~~2. Cases where the Enforcement Rules specify otherwise prescribed in Rule 1104-2, Item (2), h., (b) of the Regulations means those referred to in each item of Paragraph 1 of the preceding rule.~~

Rule 1109. Handling of Disclosure of Information Concerning Listed Indicator-Tracking ETFs

1. The provisions of Rule 402-2, Paragraph 1 shall be applied mutatis mutandis to the details that should be disclosed pursuant to the provisions of Rule 1107, Paragraph 2, Items (1) and (2) of the Regulations.

2. The criteria provided by the Enforcement Rules as prescribed in Rule 1107, Paragraph 2, Items (1) and (2) of the Regulations mean the criteria described in the following items, following the classifications of matters referred to in such items.

(1) Matters referred to in Rule 1107, Paragraph 2, Item (1), a. (c) of the Regulations and Item (2), a.(e) of the same

paragraph:

The reason for change of the basic terms and conditions of an investment trust, basic terms and conditions of a trust or a similar document, or terms and conditions of a similar document shall fall under any of the following a. through c.:

- a. Changes to written expressions accompanying revisions to laws or regulations.
- b. Change of address of the head office
- c. Other reasons that are deemed by the Exchange to have material significance on investment decisions of investors.

(2) Matters referred to in Rule 1107, Paragraph 2, Item (1), a. (l) of the Regulations Item (2), a. (h) of the same paragraph, and c. (g) of the same item:

Among the notifications such management company or such foreign investment corporation submit to the Prime Minister, etc. based on laws or foreign laws and regulations, those prescribed by the Exchange.

(3) Matters referred to in Rule 1107, Paragraph 2, Item (1), a. (b) of the Regulations:

Out of necessary funds borrowed for investment trust, foreign investment trust, or trust, funds that fall under borrowed funds pertaining to payment of consumption tax, etc. in connection with the creation of the trust;

(4) Facts referred to in Rule 1107, Paragraph 2, Item (1), b. ~~(g)~~-4-(g)-5 of the Regulations:

Out of cases where commodities that do not satisfy the conditions for commodities pertaining to trust assets as specified in the basic terms and conditions of a trust, cases where, on the day the management company confirms such fact, the price of the commodity to be trusted in place of such commodities falls below the amount equivalent to 3/100 of the total net asset value on the previous business day.

3. "Persons corresponding thereto specified by the Enforcement Rules" as prescribed in Rule 1107, Paragraph 2, Item (1), b. ~~(g)~~-3-(g)-4 of the Regulations, means a juridical person prescribed in Rule 1106, Paragraph 4.
4. The provisions of Rule 501, Paragraph 6 shall be applied mutatis mutandis to the amount of net assets prescribed in Rule 1107, Paragraph 2, Item (1), e-2. (c) of the Regulations.
5. Cases corresponding to one where it becomes necessary to enter bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings on the basis of the provisions of laws as prescribed in Rule 1107, Paragraph 2, Item (1), e-2 (g) of the Regulations shall be cases where it is determined that it becomes necessary for the counterparty to enter bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings on the basis of the provisions of laws.
6. Cases where suspension of bank transactions becomes certain as prescribed in Rule 1107, Paragraph 2, Item (1), e-2. (f) of the Regulations shall be where a bill, etc. issued by the counterparty is dishonored and its bank transactions are suspended or where their suspension becomes certain.

Rule 1110. Handling of Submission of Documents, etc. Concerning Listed Indicator-Tracking ETFs

1. Submission of documents, etc. as prescribed in Rule 1108, Paragraph 1 of the Regulations related to a listed indicator-tracking ETF shall be in accordance with the provisions of this rule.
2. A management company pertaining to a listed indicator-tracking ETF (excluding foreign ETF that is deemed as a foreign investment security and a foreign ETF trust beneficiary certificate for which such foreign ETF is the entrusted security) shall, where it makes a decision concerning any of the matters referred to in the following items, submit documents to the

Exchange in accordance with the provisions of the relevant item. However, where the Exchange deems it appropriate in cases where the details that should be described in documents that should be submitted to the Exchange are deemed to have been sufficiently disclosed through disclosure of corporate information pursuant to the provisions of Rule 1107 of the Regulations, submission of such documents is not required. In such instance, a management company pertaining to a listed indicator-tracking ETF shall agree to having the Exchange make documents prescribed in Item (1), a. (excluding those prepared pursuant to the provisions of the first sentence of Article 13, Paragraph 1, and Paragraph 3 of the Act) and documents prescribed in Item (2) and Item (4) available for public inspection.

(1) Matters referred to in Rule 1107, Paragraph 2, Item (1), a. (a) of the Regulations:

As prescribed in a. and b. below; provided, however, the submission of documents referred to in a. will not be necessary, where the securities registration statement has been submitted to the Prime Minister, etc. through the electronic disclosure.

- a. With respect to the prospectus, immediately after it is prepared; and
- b. With respect to the copy of securities notification (including the amendment thereto), without delay after it is submitted to the Prime Minister, etc.

(2) Matters referred to in Rule 1107, Paragraph 2, Item (1), a. (c) of the Regulations:

With respect to the basic terms and conditions of an investment trust or basic terms and conditions of a trust or a document similar thereto subsequent to the change, immediately after the finalization of the change

(2)-2 Matters referred to in Rule 1107, Paragraph 2, Item (1), a. (c)-3 of the Regulations:

Submission shall be in accordance with the following a. through d. in cases where an entity calculating the indicator pertaining to an initial listing application issue is not the Exchange; provided, however, that in cases where such an entity calculating the indicator is the entity calculating the indicator pertaining to a listed ETN trust beneficiary certificate or a listed indicator-tracking ETF, submission of a document referred to in d. is not required.

- a. With regard to a list of securities comprising the indicator, immediately after the decision is made;
- b. With regard to the procedure for computation of the indicator, immediately after the decision is made;
- c. With regard to a document stating the changes in securities comprising the indicator on or after the day three (3) years prior to the day when the disclosure is made, immediately after the decision is made;
- d. With regard to a document stating the basic information such as the corporate identity, etc. of the entity calculating the indicator, immediately after the decision is made

(3) Change of the representative and other important matters pertaining to the rights, etc. concerning the listed indicator-tracking ETF:

With respect to the notification pertaining to a decision, immediately after it is decided.

(4) Matter prescribed in Rule 424

With respect to a written document including the decision to submit a foreign company notification, etc. to the Prime Minister, etc. for the first time and a period of submission of such foreign company notification, etc., promptly after the decision of submission.

3. A foreign investment corporation and management company pertaining to a listed indicator-tracking ETF (limited to a

foreign ETF that is deemed as a foreign investment security and a foreign ETF trust beneficiary certificate for which such foreign ETF is the entrusted security) shall, where it makes a decision concerning any of the matters referred to in the following items, submit documents to the Exchange in accordance with the provisions of the relevant item. However, where the Exchange deems it appropriate in cases where the details that should be described in documents that should be submitted to the Exchange are deemed to have been sufficiently disclosed through disclosure of corporate information pursuant to the provisions of Rule 1107 of the Regulations, submission of such documents is not required. In such instance, a foreign investment corporation and management company pertaining to such listed indicator-tracking ETF shall agree to having the Exchange make documents prescribed in Item (1), a. (excluding those prepared pursuant to the provisions of the first sentence of Article 13, Paragraph 1, and Paragraph 3 of the Act) and documents prescribed in Item (2), Item (3), b., and Item (6) available for public inspection.

(1) Matters referred to in Rule 1107, Paragraph 2, Item (2), a. (a) of the Regulations:

As referred to in a. and b. below; provided, however, the submission of documents referred to in a. will not be necessary where the securities registration statement has been submitted to the Prime Minister, etc. through the electronic disclosure.

- a. With respect to the prospectus and provisional registration prospectus, immediately after it is prepared; and
- b. With respect to the copy of securities notification (including the amendment thereto), without delay after it is submitted to the Prime Minister, etc.

(2) Matters referred to in Rule 1107, Paragraph 2, Item (2), a. (d) of the Regulations

With respect to the copy of merger agreement, immediately after the agreement is concluded

(3) Matters referred to in Rule 1107, Paragraph 2, Item (2), a. (e) of the Regulations

As referred to in a. and b. below:

- a. With respect to the notification pertaining to the decision, immediately after it is decided
- b. With respect to the amended terms and conditions or similar documents, immediately after they are amended

(3)-2 Matters referred to in Rule 1107, Paragraph 2, Item (2), a. (e)-3 of the Regulations:

Submission shall be in accordance with the following a. through d. in cases where an entity calculating the indicator pertaining to an initial listing application issue is not the Exchange; provided, however, that in cases where such an entity calculating the indicator is the entity calculating the indicator pertaining to a listed ETN trust beneficiary certificate or a listed indicator-tracking ETF, submission of a document referred to in d. is not required.

- a. With regard to a list of securities comprising the indicator, immediately after the decision is made;
- b. With regard to the procedure for computation of the indicator, immediately after the decision is made;
- c. With regard to a document stating the changes in securities comprising the indicator on or after the day three (3) years prior to the day when the disclosure is made, immediately after the decision is made;
- d. With regard to a document stating the basic information such as the corporate identity, etc. of the entity calculating the indicator, immediately after the decision is made

(4) Establishment of the record date

With respect to the notification pertaining to the decision, immediately after it is decided

(5) Change of the representative and other important matters pertaining to the rights, etc. concerning the listed indicator-tracking ETF: and

With respect to the notification pertaining to the decision, immediately after it is decided.

(6) Matter prescribed in Rule 424.

With regard to a written document including the decision to submit a foreign company notification, etc. to the Prime Minister, etc. for the first time and a period of submission of such foreign company notification, etc., promptly after the decision of submission.

4. A management company pertaining to a listed indicator-tracking ETF (limited to domestic spot commodity type ETFs) shall, where a fact referred to in Rule 1107, Paragraph 2, Item (1), b. ~~(g)-4~~-(g)-5 of the Regulations occurs, submit documents as prescribed by the Exchange.

5. A management company pertaining to a listed indicator-tracking ETF (excluding foreign ETFs that are deemed as foreign investment securities and foreign ETF trust beneficiary certificates for which such foreign ETF is the entrusted security) shall, submit documents referred to in each of the following items to the Exchange in accordance with the provisions of the relevant item. However, where the Exchange deems it appropriate in cases where the details that should be described in documents that should be submitted to the Exchange are deemed to have been sufficiently disclosed through disclosure of corporate information pursuant to the provisions of Rule 1107 of the Regulations, submission of such documents is not required.

(1) For foreign ETF and foreign spot commodity typed ETF, a document stating the number of deposited units as of the end of December:

Immediately after the number of deposited units is confirmed

(1)-2 For foreign ETF trust beneficiary certificate and foreign spot commodity typed ETF trust beneficiary certificate, a document stating the number of units of listed beneficiary rights as of the end of December:

Immediately after the number of units of listed beneficiary rights is confirmed

(1)-3 A copy of the notification related to approval of the Prime Minister, etc. as prescribed in Rule 1107, Paragraph 2, Item (1), b. (e) of the Regulations.

Without delay after the receipt of such notification related to approval of the Prime Minister, etc.

(2) A document stating the expected amount of profit distribution pertaining to a listed indicator-tracking ETF or benefits pertaining to the trust assets:

The day that is two (2) days (excluding non-business days) prior to the last day of the computation period (for foreign ETFs and foreign ETF trust beneficiary certificates that prescribe a date different from the last day of the computation period as the deadline for confirming the recipient of such profit distribution or benefits, such different date; the same shall apply hereinafter in this item) (if the last day of the computation period falls on a non-business day, the day that is three (3) days (excluding non-business days) prior to the last day of the computation period)

(3) A document stating the net asset value per unit of listed indicator-tracking ETF and closing value of specific indicator as

of the end of each month during the one (1) year before the end of December:

Immediately after the total net asset value per unit and closing value of specific indicator are confirmed.

6. A foreign investment corporation pertaining to a listed indicator-tracking ETF (limited to a foreign ETF that is deemed as a foreign investment security and a foreign ETF trust beneficiary certificate for which such foreign ETF is the entrusted security) shall, submit documents referred to in each of the following items to the Exchange in accordance with the provisions of the relevant item. However, where the Exchange deems it appropriate in cases where the details that should be described in documents that should be submitted to the Exchange are deemed to have been sufficiently disclosed through disclosure of corporate information pursuant to the provisions of Rule 1107 of the Regulations, submission of such documents is not required.

- (1) For foreign ETFs, a document stating the number of deposited units as of the end of December:

Immediately after the number of deposited units is confirmed

- (2) For foreign ETF trust beneficiary certificates, a document stating the number of units of listed beneficiary rights as of the end of December:

Immediately after the number of units of listed beneficiary rights is confirmed

- (3) A document stating the expected amount of dividends pertaining to the listed indicator-tracking ETF or benefits pertaining to the trust assets:

The day that is two (2) days (excluding non-business days) prior to the last day of the business period or computation period (in cases of a foreign ETF or a foreign ETF trust beneficiary certificate for which a record date for fixing persons who will receive such dividends or benefits is not the last day of the business period or the computation period; the same shall apply hereinafter in this item) (if the last day of the business period or computation period falls on a non-business day, the day that is three (3) days (excluding non-business days) prior to the last day of the business period or computation period)

- (4) A document stating the net asset value per unit of listed indicator-tracking ETF and closing value of specific indicator as of the end of each month during the one (1) year before the end of December:

Immediately after the total net asset value per unit and closing value of specific indicator are confirmed.

Rule 1113. Handling of the Delisting Criteria for Listed Indicator-Tracking ETFs

1. Where the management company pertaining to the listed indicator-tracking ETF falls under any of Rule 1112, Paragraph 1, Item (1), a. through d., the main clause of Paragraph 2, Item (1) of the same rule, or the main clause of Paragraphs 3, Item (4) of the same rule of the Regulations, and a written report is received from the management company pertaining to the listed indicator-tracking ETF that the succession of business and submission of documents prescribed in the provisos of Paragraph 1, Item (1), Paragraph 2, Item (1), or Paragraph 3, Item (4) of the same rule of the Regulations cannot be carried out, it shall be treated as falling under Paragraph 1, Item (1), Paragraph 2, Item (1), or Paragraph 3, Item (4) of the same rule.
2. Where the trust trustee pertaining to the listed indicator-tracking ETF falls under the main clause of Rule 1112, Paragraph 1, Item (2) of the Regulations (including cases where Paragraph 2, Item (2) of the same rule applies), and a written report is

received from the management company pertaining to the listed indicator-tracking ETF that the succession of business and submission of documents prescribed in the provisos of Paragraph 1, Item (2) of the same rule cannot be carried out, it shall be treated as falling under the same item, or Paragraph 2, Item (2) of the same rule.

3. The cases specified in the Enforcement Rules as prescribed in Rule 1112, Paragraph 1, Item (2)-2 of the Regulations mean cases where the ETF is delisted due to the entrustor of the trust pertaining to a listed domestic spot commodity ETF falling under Rule 601, Paragraph 1, Item (5), (6), (8), (10), (19), or (20) of the Regulations (including cases according to Rule 602, Paragraph 1, Item (5) of the Regulations or Paragraph 2, Item (3) of the same rule).
4. The "equivalent party as specified by the Enforcement Rules" as prescribed in Rule 1112, Paragraph 1, Item (2)-3 of the Regulations means the company prescribed in Rule 1106, Paragraph 4.
5. Matters specified by the Enforcement rules as prescribed in Rule 1112, Paragraph 1, Item (3), a. of the Regulations shall be matters referred to in the following items:
 - (1) Details of change in credit standing of the counterparty in connection with change in the type of investment trust assets,
 - (2) Details of change in trust fees,
 - (3) Details of change in the establishment method or exchange method, and
 - (4) Other matters deemed appropriate as those equivalent to the matter referred to in the preceding three items.
6. Where the basic terms and conditions of an investment trust, basic terms and conditions of a trust, or a document similar thereto, or terms and conditions or a document similar thereto falling under any of Rule 1112, Paragraph 1, Item (3), a. through b-2., Paragraph 2, Item (3), b. of the same rule, or Paragraph 3, Item (5), b. of the same rule is to be amended, and a written report that the amendment of such basic terms and conditions of an investment trust, basic terms and conditions of a trust, or a document similar thereto, or terms and conditions or a document similar thereto has been confirmed is received from the management company or a foreign investment corporation pertaining to the listed indicator-tracking ETF, it shall be handled as falling under Paragraph 1, Item (3), Paragraph 2, Item (3), or Paragraph 3, Item (5) of the same rule.
7. The cases where the financial situation of the counterparty severely deteriorates as specified by the Enforcement Rules as prescribed in Rule 1112, Paragraph 1, Item (3), b-6. (a) of the Regulations mean cases where the counterparty or the securities that are incorporated into the trust investment assets falls under each of the following items, and the day the Exchange deems such situation as prescribed in the same (a) means the day specified in such items; provided, however, that in cases where the counterparty is a foreign corporation, the Exchange shall take into account legal systems, etc. in the home country, etc. of the foreign corporation.
 - (1) Cases where a financial statement, etc. or interim financial statement, etc. contains a note on matters related to the assumption of a going concern:

In the case of a financial statement, etc., the last day of the business year or consolidated accounting year pertaining to such financial statements, etc., or in the case of an interim financial statement, etc., the last day of the interim accounting period or interim consolidated accounting period pertaining to such financial statements, etc.
 - (2) Cases where falling into a state that the amount of net assets falls to or below zero (0) or a situation corresponding to

this as of the last day of the business year or consolidated accounting year, or interim accounting period or interim consolidated accounting period. In this case, the provisions of Rule 501, Paragraph 6 shall be applied mutatis mutandis to the state the amount of net assets.

The last day of the business year or consolidated accounting year, or interim accounting period or interim consolidated accounting period in which the counterparty falls into a state that the amount of net assets falls to or below zero (0) or a situation corresponding to this.

- (3) Cases where a certified public accountant, etc. issues an "adverse opinion" or "disclaimer of opinion" in an audit report attached to a financial statement, etc., issues an "opinion that interim financial statements, etc. do not provide useful information" or "disclaimer of opinion" in an interim audit report attached to an interim financial statement, etc., or issues an "adverse conclusion" or "disclaimer of conclusion" in an interim review report:

In the case of an audit report, the last day of the business year or consolidated accounting year pertaining to such audit report, or in the case of an interim audit report or interim review report, the last day of the interim accounting period or interim consolidated accounting period pertaining to such interim audit report or interim review report.

- (4) Cases of suspension of business activities, dissolution, or falling into a situation corresponding to these:

The day of suspension of business activities, dissolution, or falling into a situation corresponding to these;

- (5) Cases of dishonoring of issued bills or suspension of bank transactions, or a situation where this has become certain:

The day of dishonoring of issued bills or suspension of bank transactions, or a situation where this has become certain;

- (6) Cases where it becomes necessary to enter bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings on the basis of the provisions of laws, or falls into a situation corresponding to these:

The day on which it files to commence bankruptcy proceedings, rehabilitation proceedings, or reorganization proceedings on the basis of the provisions of laws, or falls into a situation corresponding to these;

- (7) Acceleration of obligations pertaining to incorporated securities or incorporated claims:

The day of acceleration of obligations pertaining to incorporated securities or incorporated claims;

- (8) Other cases where the Exchange deems that the financial situation of the counterparty has severely deteriorated:

The day determined by the Exchange on a case-by-case basis.

8. The cases where the management company is no longer able to maintain the management system concerning the credit standing of the counterparty as prescribed in Rule 1112, Paragraph 1, Item (3), b-6. (b) of the Regulations means cases where the management system prescribed in Rule 1104, Paragraph 3, Item (1) can no longer be described in report prescribed in Rule 1103, Paragraph 6 of the Regulations, and other cases where such management system can no longer be confirmed.
9. With respect to the application of the provisions of Rule 1112, Paragraph 1, Item (3), c. (a), where a written report is received from the management company pertaining to the listed indicator-tracking ETF that a decision has been made to make person other than a qualified institutional investor as its designated participant, it shall be treated as falling under c. (a).
10. With respect to the application of the provisions of Rule 1112, Paragraph 1, Item (3), c. (b), where a written report is not received from the management company pertaining to the listed indicator-tracking ETF that a person other than a

qualified institutional investor is no longer the designated participant by the day when one (1) month lapses from when a person other than a qualified institutional investor is included as a designated participant, it shall be treated as falling under c. (b).

11. With respect to the application of the provisions of Rule 1112, Paragraph 1, Item (3), d., where a written report is not received from the management company pertaining to the listed indicator-tracking ETF that the designated participant has become two (2) or more companies by the day when six (6) months lapse from when the designated participant has become less than two (2) companies, it shall be treated as falling under d.

12. With respect to the application of the provisions of Rule 1112, Paragraph 1, Item (3), d-2., where a written report is not received from the management company pertaining to the listed indicator-tracking ETF that the number of designated participants that are trading participants of the Exchange has become one (1) or more by the day when six (6) months lapse from when the number of designated participants that are trading participants of the Exchange has become zero, it shall be treated as falling under d-2.

1213. With respect to the examination of the criteria prescribed in Rule 1112, Paragraph 1, Item (3), e. (including cases where Paragraph 2, Item (3), a. and Paragraph 3, Item (5), a. of the same rule apply; the same shall apply hereinafter in this paragraph) shall be treated as referred to in each of the items below:

- (1) The correlation coefficient between the total net asset per investment unit of listed indicator-tracking ETF and specified index prescribed in Rule 1112, Paragraph 1, Item (3), e., shall be computed based on the following formula:

Formula

$$A/(B*C)$$

Symbols used in the formula

A: Covariance between the total net asset per investment unit of listed indicator-tracking ETF compared to the preceding month and the specified index compared to the preceding month

B: Standard deviation of the total net asset per investment unit of listed indicator-tracking ETF compared to the preceding month

C: Standard deviation of the specified index compared to the preceding month

- (1)-2 Concerning the provisions of Rule 1112, Paragraph 1, Item (3), b. of the Regulations, examination of whether the correlation coefficient is less than 0.9 shall be conducted on a record date, which is the last day of every December.

- (2) The total net asset per investment unit of listed indicator-tracking ETF compared to the preceding month as prescribed in Item (1) shall be computed with the last 60 months as a measurement period, based on the following formula for each month (the "last (60 months)" is calculated by counting back the period from the last record date (the record date prescribed in the preceding Item; the same shall apply in this paragraph), and in cases where the period is less than 60 months, said computation period).

Formula

$$(D/E)-1$$

Symbols used in the formula

D: Total net asset per investment unit of listed indicator-tracking ETF as of the end of the month

E: Total net asset per investment unit of listed indicator-tracking ETF as of the end of the preceding month

- (3) Total net asset per investment unit of listed indicator-tracking ETF as of end of the month and total net asset per investment unit of listed indicator-tracking ETF as of end of the preceding month as prescribed in the preceding item shall take into consideration the profit distribution, dividends, or the benefits pertaining to the trust assets in cases where the correlation coefficient prescribed in Item (1) is likely to be less than 0.9.
- (4) Notwithstanding the provisions of Item (2), where the management company pertaining to the listed indicator-tracking ETF (in the case of a foreign ETF falling under the category of a foreign investment security and foreign ETF trust beneficiary certificate whose entrusted security is such foreign ETF, a foreign investment corporation) carried out a reverse split or split of beneficiary rights or investment units pertaining to the listed indicator-tracking ETF, it shall, where deemed appropriate by the Exchange, compute the total net asset per investment unit of listed indicator-tracking ETF compared to the preceding month prescribed in the provisions of Item (1), taking into account the effect of such reverse split or split.
- (5) The specified index compared to the preceding month as prescribed in Item (1) shall be computed based on the following formula for each month in the last 60 months (the "last (60 months)" is calculated by counting back the period from the last record date, and in cases where the period is less than 60 months, said computation period).

Formula

$(F/G)-1$

Symbols used in the formula

F: Closing price of such index as of the end of the month (upon computation of the total net asset per investment unit of listed indicator-tracking ETF as of the end of month as prescribed in Item (2), if the investment trust asset, trust asset or the asset is evaluated based on the price on a date prior to the end of the month, as of such date)

G: Closing price of such index as of the end of the preceding month (upon computation of the Total net asset per investment unit of listed indicator-tracking ETF as of end of the preceding month as prescribed in Item (2), if the investment trust asset, trust asset or the asset is evaluated based on the price on a date prior to the end of the preceding month, as of such date)

- (6) The case where the correlation coefficient does not reach 0.9 or higher within one (1) year prescribed in Rule 1112, Paragraph 1, Item (3), e. of the Regulations means when the correlation coefficient does not reach 0.9 or higher in an examination conducted on a record date when one (1) year counted back from the day following the record date when the correlation coefficient was less than 0.9 in an examination has elapsed.
- (7) With regard to the application of Items (2) and (5) pertaining to an examination conducted on a record date when one (1) year has elapsed counting from the day following a record date when the correlation coefficient in the preceding Item was less than 0.9 in an examination, "the last 60 months (the "last (60 months)" is calculated by counting back the period from the last record date, and in cases where the period is less than 60 months, said computation period.)" in the Items (2) and (5) shall be "until the month containing the day when one (1) year has elapsed counting from the day following the record date in an examination where the correlation coefficient was less than 0.9".
- (8) Where the correlation coefficient has reached 0.9 or higher in an examination conducted on a record date when

one (1) year has elapsed counting from the day following the record date when the correlation coefficient in Item (6) was less than 0.9 in an examination, with regard to the application of Items (2) and (5) pertaining to an examination to be conducted after said examination, "the last 60 months (the "last (60 months)" is calculated by counting back the period from the last record date and in cases where the period is less than 60 months, said computation period)" in the Items (2) and (5) shall be "the last 60 months (the "last (60 months)" is calculated by counting back the period from the last record date, and in cases where the period is less than 60 months, said computation period) between the month containing the day following the record date when the correlation coefficient was less than 0.9 in the examination and the last record date".

(9) The computation period prescribed in Items (2) and (5) (including cases where the provisions apply by replacing terms pursuant to the preceding two items) shall be counted back excluding months in which a specified index pertaining to a listed indicator-tracking ETF is changed to a new index or months in which the Exchange deems asset management to be difficult for reasons that cannot be attributed to the management company pertaining to a listed indicator-tracking ETF such as natural disasters.

(10) The provisions of Rule 1112, Paragraph 1, Item (3), e. shall not be applied to a listed ETF for which two (2) years from listing has not lapsed.

~~13~~14. The provisions of Rule 601, Paragraph 8 shall be applied mutatis mutandis to the case specified by the Enforcement Rules as prescribed in Rule 1112, Paragraph 1, Item (3), h. (including cases where Paragraph 2, Item (3), a. and Paragraph 3, Item (5), a. of the same rule apply) of the Regulations.

~~14~~15. With respect to the termination of an investment trust agreement (for a foreign ETF, domestic spot commodity typed ETF, and foreign spot commodity typed ETF, a trust agreement pertaining to the listed indicator-tracking ETF, and for foreign ETF trust beneficiary certificate and foreign spot commodity typed ETF trust beneficiary certificate, the trust agreement pertaining to the foreign ETF or the foreign spot commodity typed ETF that is the entrusted security; the same shall apply hereinafter in this paragraph) pertaining to a listed indicator-tracking ETF as prescribed in Rule 1112, Paragraph 1, Item (3), i. (including cases where Paragraph 2, Item (3), a. of the same rule applies) of the Regulations, where the investment trust agreement is to be cancelled, if a written report from the management company pertaining to the listed indicator-tracking ETF that the cancellation of the investment trust agreement has been confirmed, it shall be treated as falling under Paragraph 1, Item (3) (in case of Paragraph 2, Item (3), a., such item) of the same rule.

~~15~~16. With respect to the application of the provisions of Rule 1112, Paragraph 3, Items (1) and (3) of the Regulations, if a written report is received from the foreign investment corporation pertaining to the listed indicator-tracking ETF that an event causing dissolution or a termination has occurred, it shall be treated as falling under Item (1) or (3) of the same paragraph.

~~16~~17. Where it requires bankruptcy proceedings or rehabilitation proceedings pursuant to laws and regulations as prescribed in Rule 1112, Paragraph 3, Item (2) of the Regulations means, where a listed foreign investment corporation determines that bankruptcy proceedings or rehabilitation proceedings are necessary due to occurrence of a cause as prescribed in the laws and regulations for such bankruptcy proceedings or rehabilitation proceedings.

Rule 1113-2. Handling of Delisting Criteria for Listed Domestic Actively Managed ETFs

1. Where the trustee pertaining to a listed domestic actively managed ETF falls under the main clause of Rule 1112-2, Item (2) of the Regulations, and a written report is received from the management company pertaining to said ETF that the succession of business and submission of documents prescribed in the proviso of the same item cannot be carried out, the trustee shall be treated as falling under the same item.
2. Where there are amendments to the basic terms and conditions of the investment trust or similar documents that fall under Rule 1112-2, Item (3), a. or b., the provisions of Paragraph 6 of the preceding rule shall apply mutatis mutandis. In this case, "such basic terms and conditions of an investment trust, basic terms and conditions of a trust, or a document similar thereto, or terms and conditions or a document similar thereto has been confirmed is received from the management company or a foreign investment corporation pertaining to the listed indicator-tracking ETF" shall be "said basic terms and conditions of an investment trust or a document similar thereto from the management company pertaining to the listed domestic actively managed ETF", and "Paragraph 1, Item (3) of the same rule, Paragraph 2, Item (3) of the same rule, or Paragraph 3, Item (5) of the same rule" shall be "Rule 1112-2, Item (3)".
3. The provisions of Paragraphs 7 and 8 of the preceding rule shall apply mutatis mutandis to the application of the provisions of Rule 1112, Paragraph 1, Item (3), b-6 of the Regulations pursuant to the provisions of Rule 1112-2, Item (3), c. of the Regulations for listed domestic actively managed ETFs.
4. The provisions of Paragraphs 9 through ~~1112~~ of the preceding rule shall apply mutatis mutandis to the application of the provisions of Rule 1112, Paragraph 1, Item (3), ~~c., or d., or d-2.~~ of the Regulations pursuant to the provisions of Rule 1112-2, Item (3), d. or e. of the Regulations for listed domestic actively managed ETFs. In this case, "listed indicator-tracking ETF" in the provisions of Paragraphs 9 through ~~1112~~ of the preceding rule shall be "listed domestic actively managed ETF."
5. Handling of total net asset value as prescribed in Rule 1112-2, Item (3), f. of the Regulations shall be in accordance with each of the following items:
 - (1) Total net asset value as prescribed in Rule 1112-2, Items (3), f. of the Regulations shall be calculated as specified in the basic terms and conditions of the investment trust or any similar written document;
 - (2) The annual average of the total net asset value as prescribed in Rule 1112-2, Item (3), f. of the Regulations means a simple average of daily total net asset value for the year from April 1 of the previous year to the end of March;
 - (3) Examination of whether the annual average of the total net asset value is below JPY 1 billion shall be made with the last day of March as the record date;
 - (4) A case where the annual average of the total net asset value does not reach JPY 1 billion within one year means where the annual average of the total net asset value did not reach JPY 1 billion in the examination on the record date and does not reach JPY 1 billion in an examination conducted on the next record date; and
 - (5) The provisions of Rule 1112-2, Item (3), f. of the Regulations shall not apply to issues that have been listed for less than five years as of the record date.
6. The provisions of Paragraph 13 of the preceding rule shall apply mutatis mutandis to the application of the provisions of Rule 1112, Paragraph 1, Item (3), h, of the Regulations pursuant to the provisions of Rule 1112-2, Item (3), g. of the Regulations for listed domestic actively managed ETFs.

7. The provisions of Paragraph 14 of the preceding rule shall apply mutatis mutandis to the application of the provisions of Rule 1112, Paragraph 1, Item (3), i. of the Regulations pursuant to the provisions of Rule 1112-2, Item (3), g. of the Regulations for listed domestic actively managed ETFs. In this case, "listed indicator-tracking ETF" shall be "listed domestic actively managed ETF," "investment trust agreement (for a foreign ETF, domestic spot commodity typed ETF, and foreign spot commodity typed ETF, a trust agreement pertaining to the listed indicator-tracking ETF, and for a foreign ETF trust beneficiary certificate and foreign spot commodity typed ETF trust beneficiary certificate, the trust agreement pertaining to the foreign ETF or the foreign spot commodity typed ETF that is the entrusted security; the same shall apply hereinafter in this paragraph)" shall be "investment trust agreement," and "Paragraph 1, Item (3) of the same rule (in cases of Paragraph 2, Item (3), a. of the same rule, the same item)" shall be "Rule 1112-2, Item (3) of the Regulations."

Rule 1115. Handling of Designation of Securities Under Supervision

1. The Exchange may, where a listed ETF falls under any of the following items, designate such listed ETF as a Security Under Supervision as prescribed in Rule 1115 of the Regulations. In such instance, if any of Item (8), Item (9) or Item (14) is applicable, such listed ETF shall be designated as a Security Under Supervision (Examination), and others shall be designated as a Security Under Supervision (Confirmation).
- (1) Where the main clause of Rule 1112, Paragraph 1, Item (1), Item (2) (including cases where Paragraph 2, Item (2) of the same rule applies), or Item (2)-2 or Item (2)-3 of the Regulations, the main clause of Paragraph 2, Item (1) of the same rule or the main clause of Paragraph 3, Item (4) of the same rule, or Rule 1112-2, Item (1) or the main clause of Item (2) of the Regulations is applicable; or
- (2) Where the management company pertaining to the listed ETF makes a decision concerning an amendment of the basic terms and conditions of an investment trust or basic terms and conditions of a trust that falls under any of Rule 1112, Paragraph 1, Item (3), a. through b-2. of the Regulations, or Rule 1112-2, Item (3), a. or b. of the Regulations.
- (2)-2 Where the management company pertaining to the listed ETF makes a decision that falls under Rule 1112, Paragraph 1, Item (3), b-3. or b-4. of the Regulations, or Rule 1112-2, Item (3), b-2. of the Regulations.
- (3) Where the management company pertaining to the listed ETF makes a decision concerning an amendment of the basic terms and conditions of a trust or a document similar thereto that falls under Rule 1112, Paragraph 2, Item (3), b. of the Regulations.
- (3)-2 Where the foreign investment corporation pertaining to the listed ETF makes a decision concerning an amendment of the terms and conditions or a document similar thereto that falls under Rule 1112, Paragraph 3, Item (5), b. of the Regulations.
- (3)-3 Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), b-5. of the Regulations.
- (3)-4 Where it cannot be confirmed that, by the final day of the grace period prescribed in Rule 1112, Paragraph 1, Item (3), b-6. (a) of the Regulations, the listed ETF no longer falls under the first sentence of the same (a) (including cases pursuant to Paragraph 2, Item (3), b-2., Paragraph 3, Item (5), b-2. of the same rule, and Rule 1112-2, Item (3) c. of the Regulations).

- (3)-5 Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), b-6. (b) of the Regulations (including cases pursuant to Paragraph 2, Item (3), b-2., Paragraph 3, Item (5), b-2. of the same rule, and Rule 1112-2, Item (3), c. of the Regulations).
- (4) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), c. (b) of the Regulations (including cases pursuant to Rule 1112-2, Item (3), d. of the Regulations).
- (5) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), d. or d-2. of the Regulations (including cases pursuant to Rule 1112-2, Item (3), e. of the Regulations).
- (6) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), e. of the Regulations (including cases where Paragraph 2, Item (3), a. or Paragraph 3, Item (5), a. of the same rule applies).
- (7) Where a. or b. below is applicable to an annual securities report or a semiannual securities report to which an audit report or an interim audit report as in Article 3, Paragraph 1 of the Cabinet Office Ordinance on Audit Certification prepared by two (2) or more certified public accountants or an audit firm is attached:
- a. A disclosure has been made that it cannot be submitted to the Prime Minister, etc. by the last day of the period prescribed in Article 24, Paragraph 1 or Article 24-5, Paragraph 1 of the Act, by such last day; or
 - b. It is not submitted to the Prime Minister, etc. by such last day.
- (8) Where the Exchange deems that the management company pertaining to the listed ETF (for a foreign ETF that is deemed as a foreign investment security and foreign ETF trust beneficiary certificate that has such foreign ETF as the entrusted security, the foreign investment corporation) falls under the first sentence of Rule 1112, Paragraph 1, Item (3), g. (a) or g. (b) of the Regulations (including cases where Paragraph 2, Item (3), a., Paragraph 3, Item (5), a. of the same rule, or Rule 1112-2, Item (3), g. of the Regulations applies), or where the Exchange deems that there is adequate reason to believe they are applicable.
- (9) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), h. of the Regulations (including cases where Paragraph 2, Item (3), a. or Paragraph 3, Item (5), a. of the same rule, or Rule 1112-2, Item (3), g. of the Regulations applies).
- (9)-2 Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), i. of the Regulations (including cases where Paragraph 2, Item (3), a. of the same rule or Rule 1112-2, Item (3), g. of the Regulations applies).
- (9)-3 Where the management company pertaining to the listed ETF makes a decision that falls under Rule 1112, Paragraph 1, Item (3), i-2. (including cases where Paragraph 2, Item (3), a. of the same rule applies) of the Regulations.
- (9)-4 Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), i-3 of the Regulations (including cases where Paragraph 2, Item (3), a. of the same rule or Paragraph 3, Item (5), a. of the same rule applies).
- (9)-5 Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), i-4 of the Regulations (including cases where Paragraph 2, Item (3), a. of the same rule or Paragraph 3, Item (5), a. of the same rule applies).
- (10) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), j. of the

Regulations (including cases where Rule 1112-2, Item (3), g. of the Regulations applies).

- (11) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 2, Item (3), c. of the Regulations, or Paragraph 3, Item (5), c. of the same rule.
 - (12) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 2, Item (3), d. of the Regulations, or Paragraph 3, Item (5), d. of the same rule.
 - (13) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 2, Item (3), e. of the Regulations, or Paragraph 3, Item (5), e. of the same rule.
 - (14) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112, Paragraph 1, Item (3), k. of the Regulations (including cases where Rule 1112-2, Item (3), g. of the Regulations applies), Rule 1112, Paragraph 2, Item (3), f. of the Regulations, or Paragraph 3, Item (5), f. of the same rule (excluding wrongful issuance of beneficiary certificates)
 - (15) Where the Exchange deems that the listed ETF is likely to fall under any of Rule 1112, Paragraph 3, Items (1) through (3) of the Regulations.
 - (16) Where the annual average of the total net asset value of the listed ETF did not reach JPY 1 billion at an examination and the Exchange deems that the simple average of the daily total net asset value for the 11 months from April 1 of the previous year to the end of February is unlikely to reach JPY 1 billion one month before the record date after the record date of said examination, in accordance with Rule 1112-2, Item (3), f. and Rule 1113-2, Paragraph 5 of the Regulations, or where the Exchange deems that any other listed ETFs are likely to fall under Rule 1112-2, Item (3), f. of the Regulations.
 - (17) Where the Exchange deems that the listed ETF is likely to fall under Rule 1112-2, Item (3), h. of the Regulations.
2. The Exchange may designate a listed ETF for which a delisting application was made pursuant to the provisions of Rule 606 of the Regulations as applied mutatis mutandis in Rule 1119 of the Regulations as a Security Under Supervision. In this case, it shall be designated as a Security Under Supervision (Confirmation).
 3. The period of designation as a Security Under Supervision as prescribed in the preceding two paragraphs shall be, in accordance with the classifications referred to in each of the following items, from the time prescribed in such item until the day when the Exchange determines whether or not to delist such listed ETF;
 - (1) Where any of Paragraph 1, Items (1) through (3)-3, (4), and (5) is applicable:

The day following the day when the Exchange receives a written report from the management company or foreign investment corporation pertaining to the listed ETF (to be moved down in order if the day falls on a non-business day; the same shall apply hereinafter in this paragraph)
 - (2) Where Paragraph 1, Item (3)-4 is applicable:

The day following the final day of the grace period prescribed in Rule 1112, Paragraph 1, Item (3), b-6. (a) of the Regulations.
 - (3) Where any of Paragraph 1, Items (3)-5 and Items (8) through (17) is applicable:

The day when the Exchange deems it necessary.
 - (4) Where Paragraph 1, Item (6) is applicable:

The day following the day on which the Exchange confirmed that the correlation coefficient had fallen below 0.9

(5) Where Paragraph 1, Item (7) is applicable:

Where Paragraph 1, Item (7), a. is applicable, the time determined by the Exchange on a case-by-case basis on the day when such disclosure is made, and where Paragraph 1, Item (7), b. is applicable, the day following such last day.

(6) Where a delisting application as prescribed in the preceding paragraph is made:

The day when the delisting application is made

4. In case of the preceding paragraph, where the Exchange deems necessary, the period of designation as a Security Under Supervision shall commence from the time prescribed in each of the following items, pursuant to the cases referred to in the classifications in such items, and the end of the period of designation as a Security Under Supervision shall be, the time prescribed by the Exchange on a case-by-case basis, of the day prescribed as the last day of the period of designation as a Security Under Supervision in the same paragraph:

(1) In the case referred to in Item (1) of the preceding paragraph:

The time prescribed by the Exchange on a case-by-case basis, of the day when such written report is received.

(2) In case referred to in Items (2) through (6) of the preceding paragraph:

The time prescribed by the Exchange on a case-by-case basis.

Rule 1118. Handling of Succession at the Time of Technical Listing

The provisions stipulated by the Enforcement Rules as prescribed in Rule 1118 of the Regulations means those referred to in each of the following items.

(1) Rules 504 through 506 of the Regulations that are applied mutatis mutandis in the provisions of Rule 1111 of the Regulations

(2) Rule 601, Paragraph 8 of the Regulations that are applied mutatis mutandis in the provisions of Rule 1113, Paragraph ~~13~~14.

Supplementary Provisions

1. These revisions shall take effect on May 30, 2025.

2. The revised provisions of Rules 1103 and 1106-2 shall apply to issues for which initial listing applications are made on or after the day on which these revised rules are implemented.

Rules Concerning Selection of Stocks Eligible for Standardized Margin Transactions and Loans for Margin Transactions

(as of ~~January 15~~ May 30, 2024⁴⁵)

Rule 2. Criteria for Selecting Issues Eligible for Standardized Margin Transactions Related to Stocks, etc.

1. The Exchange shall select from issues other than those already selected as standardized margin transaction issues, a stock, etc. (including preferred stock, etc. and preferred equity investment securities; the same shall apply hereinafter) as a standardized margin transaction issue, if the issue satisfies each requirement prescribed in the following items.
 - (1) Where the first contract price of an issue has been determined after listing.
 - (2) Where the issuer of an issue has positive net assets as of the end of the most recent business year (meaning those specified by Rule 501, Paragraph 6, Item 1 of the Enforcement Rules for Securities Listing Regulations; the same shall apply hereinafter).
 - (3) Where an issue is not deemed to be delisted on and after the selection date prescribed in the provisions of Rule 4.
 - (4) Where an issue is not designated as a Security on Special Alert, a security under supervision, or a security to be delisted.
 - (5) Where an issue is not an issue in the period prescribed in Rule 501, Paragraph 7, Item 1 of the Enforcement Rules for Securities Listing Regulations; (excluding the cases pertaining to the criteria provided for under Rule 501, Paragraph 1, Item 1-b (b), Item 2-b (b), Item 3-b (b), and Item 4-b (b) of the Securities Listing Regulations) and Rule 501, Paragraph 7, Item 5 and Rule 601, Paragraph 5, Item 5 of the same regulations.
 - (6) Where an issue is not subject to regulatory measures for trading or margin transactions.
 - (7) In addition to the above, where an issue is not deemed inappropriate to be a standardized margin transaction issue.
2. Notwithstanding the provisions of the preceding paragraph, if a stock, etc. to be listed pursuant to any of the provisions of Rule 207, Rule 213, or Rule 831 of the Securities Listing Regulations and a preferred stock, etc. issued by the issuer of such stock, etc. satisfy Items 1 and 3 through 7 of the same paragraph at the time of the first selection examination (limited to that conducted in a period from listing until the first securities report is submitted after listing), the Exchange shall select such stock, etc. and such preferred stock, etc. as standardized margin transaction issues.
3. Notwithstanding the provisions of the Paragraph 1, where a stock, etc. to be listed on the Exchange pursuant to any of the provisions of Rule 208, Paragraph 1, Items 1 through 4, Rule 214, Paragraph 1, Items 1 through 4, Rule 220, Items 1 through 4, or Rule 832 of the Securities Listing Regulations (excluding the cases where Rule 208, Paragraph 1, Item 5 is applied mutatis mutandis) as well as a preferred stock, etc. issued by an issuer of such stock, etc. satisfies the provisions of Items 2, 5, and 7 of the preceding paragraph, the Exchange shall select such stock, etc. or such preferred stock as a standardized margin transaction issue at the time of the first selection examination after listing.
4. Notwithstanding the provisions of Paragraph 1, where a stock, etc. that is to be listed on the Exchange pursuant to the provisions of Rule 303 of the Securities Listing Regulations (including the cases where it is applied mutatis mutandis in Rule

- 842, Paragraph 3 of the same regulations) satisfies the provisions of Paragraph 1, Items 2, 5, and 7, the Exchange shall select such stock, etc. as a standardized margin transaction issue at the time of the first selection examination after listing.
5. Notwithstanding the provisions of Paragraph 1, where a listed company, which is not an issuer of a standardized margin transaction issue, absorbs a listed company, which is an issuer of standardized margin transaction issues, through a merger; or where it carries out a stock swap which results in a listed company, which is an issuer of standardized margin transaction issues, becoming its wholly-owned subsidiary, the Exchange shall select the stock, etc. of such merging or surviving company as a standardized margin transaction issue, if the stock, etc. satisfies each of Paragraph 1, Items 2 through 7 at the time of the first selection examination after completion of the merger or stock swap.
 6. Notwithstanding the provisions of Paragraph 1, where a stock, etc. that is listed on other domestic financial instruments exchanges (hereinafter referred to as a "stock listed on another market") satisfies each of Paragraph 1, Items 2 through 7, the Exchange shall select such stock, etc. as a standardized margin transaction issue at the time of the first selection examination after listing.
 7. Notwithstanding the provisions of Paragraph 1, where an issuer whose stock, etc. has been selected as a standardized margin transaction issue issues a new stock, etc. and such new stock, etc. is listed or to be listed on the Exchange, the Exchange may select the new stock, etc. as a standardized margin transaction issue.

Rule 2-2. Criteria for Selecting Real Estate Investment Trust Securities Eligible for Standardized Margin Transactions

1. The Exchange shall select from issues other than those already selected as standardized margin transaction issues, a real estate investment trust security as a standardized margin transaction issue, if the security satisfies each of the following items.
 - (1) Where the first contract price of an issue has been determined after listing.
 - (2) Where the total amount of net assets of the issue is not negative as of the last day of a computation period or business period immediately prior to the current computation period or business period of the security (the provisions of Rule 1206, Paragraph 1 of the Enforcement Rules for the Securities Listing Regulations shall apply mutatis mutandis to calculations; the same shall apply hereinafter).
 - (3) Where an issue is not deemed to be delisted on and after the selection date prescribed in the provisions of Rule 4.
 - (4) Where an issue is not designated as a Security on Special Alert, a security under supervision, or a security to be delisted.
 - (5) Where an issue is not designated as a security placed in the grace period prescribed in Rule 1233, Paragraph 1, Item 1 of the Enforcement Rules for the Securities Listing Regulations.
 - (6) Where an issue is not subject to regulatory measures that restrict securities trading or margin transactions.
 - (7) In addition to the above, where an issue is not deemed inappropriate to be a standardized margin transaction issue.
2. Notwithstanding the provisions of the preceding paragraph, if a real estate investment trust security that is to be listed on the Exchange pursuant to the provisions of Rule 1206 of the Securities Listing Regulations satisfies Items 1 and 3 through 7 of the same paragraph at the time of the first selection examination (see Note below), the Exchange shall select such security as a standardized margin transaction issue.

(Note) Such selection examination shall be limited to that conducted in a period from listing until the first securities report of such real estate investment trust security is submitted after listing.

3. Notwithstanding the provisions of Paragraph 1, where an investment security that is to be listed on the Exchange pursuant to the provisions of Rule 1207 of the Securities Listing Regulations satisfies Items 2 and 7 of the preceding paragraph, the Exchange shall select such security as a standardized margin transaction issue at the time of the first selection examination after listing.
4. Notwithstanding the provisions of Paragraph 1, where a listed investment corporation (meaning an investment corporation which is an issuer of a real estate investment trust security listed on the Exchange; the same shall apply hereinafter in this paragraph and Rule 3-2, ~~Paragraph 6~~ Paragraph 4), which is not an issuer of standardized margin transaction issues, absorbs a listed investment corporation, which is an issuer of standardized margin transaction issues, through a merger, the Exchange shall select an investment security of the merging listed investment corporation as a standardized margin transaction issue, if the investment security satisfies each of Paragraph 1, Items 2 through 7 at the time of the first selection examination after completion of the merger.
5. Notwithstanding the provisions of Paragraph 1, where a real estate investment trust security that is listed on other domestic financial instruments exchanges (hereinafter referred to as a "real estate investment trust security listed on another market") satisfies each of Paragraph 1, Items 2 to 7, the Exchange shall select such security as a standardized margin transaction issue at the time of the first selection examination after listing.
6. Notwithstanding the provisions of Paragraph 1, where a new real estate investment trust security issued by an issuer, whose real estate investment trust security has been selected as a standardized margin transaction issue, is listed or to be listed on the Exchange, the Exchange may select the new security as a standardized margin transaction issue.

Rule 2-5. Criteria for Selecting Standardized Margin Transaction Issues Related to Venture Funds

1. The Exchange shall select from issues other than those already selected as standardized margin transaction issues, a venture fund as a standardized margin transaction issue, if such venture fund satisfies each of the following items.
 - (1) Where the first contract price of a venture fund has been determined after listing.
 - (2) Where a venture fund is not deemed to be delisted on and after the selection date prescribed in the provisions of Rule 4.
 - (3) Where a venture fund is not designated as a Security on Special Alert, a security under supervision, or a security to be delisted.
 - (4) Where a venture fund is not designated as a security placed under the grace period prescribed in Rule 1329, ~~Paragraph 5~~ Paragraph 10, Item 1 of the Enforcement Rules for the Securities Listing Regulations.
 - (5) Where a venture fund is not subject to regulatory measures that restrict securities trading or margin transactions.
 - (6) In addition to the above, where an issue is not deemed inappropriate to be a standardized margin transaction issue.
2. Notwithstanding the provisions of the preceding paragraph, where a venture fund that is to be listed on the Exchange pursuant to the provisions of Rule 1307 of the Securities Listing Regulations satisfies Item 6 of the same paragraph, the Exchange shall select such venture fund as a standardized margin transaction issue at the time of the first selection

examination after listing.

3. Notwithstanding the provisions of Paragraph 1, where a listed investment corporation (meaning an investment corporation which is an issuer of a venture fund listed on the Exchange; the same shall apply to this paragraph and Rule 3-5, ~~Paragraph 5 Paragraph 4~~), which is not an issuer of standardized margin transaction issues, absorbs a listed investment corporation, which is an issuer of standardized margin transaction issues, through a merger, the Exchange shall select a venture fund of the merging listed investment corporation as a standardized margin transaction issue, if the venture fund satisfies each of Paragraph 1, Items 2 through 6 at the time of the first selection examination after completion of the merger.
4. Notwithstanding the provisions of Paragraph 1, where a venture fund that is listed on other domestic financial instruments exchanges (hereinafter referred to as a "venture fund listed on another market") satisfies each of Paragraph 1, Items 2 through 6, the Exchange shall select such venture fund as a standardized margin transaction issue at the time of the first selection examination after listing.
5. Notwithstanding the provisions of Paragraph 1, where a new venture fund issued by an issuer, whose venture fund has been selected as a standardized margin transaction issue, is listed or to be listed on the Exchange, the Exchange may select the new security as a standardized margin transaction issue.

Rule 2-6. Criteria for Selecting Standardized Margin Transaction Issues Related to Country Funds

1. The Exchange shall select from issues other than those already selected as standardized margin transaction issues, a country fund as a standardized margin transaction issue, if such country fund satisfies each of the following items.
 - (1) Where the first contract price of a country fund has been determined after listing.
 - (2) Where a country fund is not deemed to be delisted on and after the selection date prescribed in the provisions of Rule 4.
 - (3) Where a country fund is not designated as a Security on Special Alert, a security under supervision, or a security to be delisted.
 - (4) Where a country fund is not subject to regulatory measures that restrict securities trading or margin transactions.
 - (5) In addition to the above, where a country fund is not deemed inappropriate to be a standardized margin transaction issue.
2. Notwithstanding the provisions of preceding paragraph, where a listed investment corporation (meaning an investment corporation which is an issuer of a country fund listed on the Exchange; the same shall apply to this paragraph and Rule 3-6, ~~Item 4 Paragraph 3~~), which is not an issuer of standardized margin transaction issues, absorbs a listed investment corporation, which is an issuer of a standardized margin transaction issue, through a merger, the Exchange shall select a country fund of the merging listed investment corporation as a standardized margin transaction issue if the investment security satisfies each of Paragraph 1, Items 2 through 5 at the time of the first selection examination after completion of the merger.
3. Notwithstanding the provisions of Paragraph 1, where a country fund that is listed on other domestic financial instruments exchanges (hereinafter referred to as a "country fund listed on another market") satisfies each of Paragraph 1, Items 2 through 5, the Exchange shall select such country fund as a standardized margin transaction issue at the time of the first

selection examination after listing.

4. Notwithstanding the provisions of Paragraph 1, where a new country fund issued by an issuer, whose country fund has been selected as a standardized margin transaction issue, is listed or to be listed on the Exchange, the Exchange may select the new country fund as a standardized margin transaction issue.

Rule 2-7. Criteria for Selecting Standardized Margin Transaction Issues Related to Infrastructure Funds

1. When an infrastructure fund satisfies each of the following items, the Exchange shall select it as a standardized margin transaction issue unless such fund has been already selected as a standardized margin transaction issue.
 - (1) Where the first contract price of the infrastructure fund has been determined after listing,
 - (2) Where the total amount of net assets (see Note below) at the end of the immediately prior accounting period or business period of the infrastructure fund is not negative,
(Note) The provisions of Rule 1505, Paragraph 1 of the Enforcement Rules for Securities Listing Regulations shall apply mutatis mutandis for the calculation of such total amount; the same shall apply hereinafter)
 - (3) Where the infrastructure fund is not deemed to be surely delisted on or after the day of selection pursuant to the provisions of Rule 4,
 - (4) Where the infrastructure fund is not designated as a Security on Special Alert, security under supervision, or security to be delisted,
 - (5) Where the infrastructure fund is not in the grace period specified in Rule 1536, Paragraph 1, Item 1 of the Enforcement Rules for Securities Listing Regulations,
 - (6) Where the infrastructure fund is not being subject to regulatory measures that restrict securities trading or margin transactions, and
 - (7) Other than the above, where the infrastructure fund is not deemed inappropriate as a standardized margin transaction issue.
2. Notwithstanding the provisions of the preceding paragraph, if an infrastructure fund to be listed pursuant to the provisions of Rule 1506 of the Securities Listing Regulations, such infrastructure fund satisfies Items 1 and 3 through 7 of the same paragraph at the time of the first selection examination (see Note below), the Exchange shall select such infrastructure fund as a standardized margin transaction issue.
(Note) Such selection examination shall be limited to that conducted during a period from the listing until the first securities report is submitted after listing of such infrastructure fund.
3. Notwithstanding the provisions of Paragraph 1, if an investment security to be listed pursuant to the provisions of Rule 1507 of the Securities Listing Regulations satisfies Items 2 and 7 of the same paragraph at the time of the first selection examination, the Exchange shall select such investment security as a standardized margin transaction issue.
4. Notwithstanding the provisions of Paragraph 1, in the case where a listed investment corporation (meaning an investment corporation which is an issuer of an infrastructure fund listed on the Exchange; the same shall apply for this paragraph and Rule 3-7, ~~Paragraph 6~~ Paragraph 4) which is not an issuer of a standardized margin transaction issue absorbs a listed investment corporation which is an issuer of a standardized margin transaction issue, through a merger, if the

infrastructure fund which is not an issuer of a standardized margin transaction issue satisfies each of Paragraph 1, Items 2 through 7 at the time of the first selection examination after completion of the merger, the Exchange shall select such infrastructure fund as a standardized margin transaction issue.

5. Notwithstanding the provisions of Paragraph 1, if an infrastructure fund that is listed on other domestic financial instruments exchange(s) (hereinafter referred to as "other market-listed infrastructure") satisfies each of Paragraph 1, Items 2 through 7 at the time of the first selection examination after listing, the Exchange shall select such infrastructure fund as a standardized margin transaction issue.
6. Notwithstanding the provisions of Paragraph 1, where a new infrastructure fund issued by an issuer of an infrastructure fund that is a standardized margin transaction issue is already listed or to be listed, the Exchange may select the new infrastructure fund as a standardized margin transaction issue.

Rule 3-2. Criteria for Selecting Real Estate Investment Trust Securities Eligible for Loans for Margin Transactions

1. If a real estate investment trust security which is a standardized margin transaction issue satisfies each requirement prescribed in the following items, the Exchange shall select it as an issue for loans for margin transactions unless it is, except for cases where such security has been already selected as such an issue for loans for margin transactions.
 - (1) Where a real estate investment trust security has been listed for more than six (6) months.
 - (1)-2. Where the number of listed beneficiary right units or the number of listed investment units is at least 20,000.
 - (2) The number of beneficiaries (excluding the major beneficiaries (meaning the top ten beneficiaries in descending order of beneficiary rights held; the same shall apply hereinafter) or the number of investors (excluding the major investors (meaning the top ten investors in descending order of investment units held); hereinafter the same shall apply in this rule, Rule 3-5, Rule 3-7, Rule 6-2, Rule 6-4, and Rule 6-6) is not less than 1,700.
 - (3) Where the trading volume, etc. of an issue during, in principle, the past six (6) months backdated from the last day of the second month immediately following the month containing the last day of the computation period or business period of a real estate investment trust security satisfies either of the following sub-items a. or b.:
 - a. The average monthly trading volume of a real estate investment trust security is not less than 100 units and the number of active days of the security accounts for 80% or more of the trading days on the market of the Exchange;
or
 - b. Where the average monthly trading volume of a real estate investment trust security listed on any such other domestic financial instruments exchanges is not less than 100 and its number of active days is 80% or more of the number of trading days on such market, on the Exchange market, its average monthly trading volume is not less than 50 units and its number of active trading day is 40% or more of the number of trading days.
 - (4) Deleted
 - (5) Deleted
 - (6) Where a real estate investment trust security is not deemed to be delisted on and after the selection date prescribed in the provisions of Rule 4.
 - (7) Where a real estate investment trust security is not designated as a Security on Special Alert, a security under

supervision, or a security to be delisted.

(8) Where a real estate investment trust security is not designated as a security placed under the grace period prescribed in Rule 1233, Paragraph 1, Item 1 of the Enforcement Rules for the Securities Listing Regulations.

(9) Where a real estate investment trust security is not subject to regulatory measures that restrict securities trading or margin transactions.

(10) Where a real estate investment trust security is not deemed inappropriate to be an issue for loans for margin transactions according to its number of stocks available for loans for margin transactions.

(11) In addition to the above, where a real estate investment trust security is not deemed inappropriate to be an issue for loans for margin transactions.

2. The provisions of Rule 212, Paragraph 1, Items 4 and 8 of the Enforcement Rules for the Securities Listing Regulations shall be applied mutatis mutandis to the number of beneficiaries or the number of investors prescribed in Item 2 of the preceding paragraph respectively. In this case, terms shall be reworded in accordance with Appendix Table 3.

~~3.— Notwithstanding the provisions of Paragraph 1, where a real estate investment trust security for which an initial computation period or business period has not yet been completed, pursuant to a trust deed of an investment trust or rules of an investment corporation, satisfies each of the following items (excluding cases to which the next paragraph and Paragraph 7 apply), the Exchange shall select such a security as an issue for loans for margin transactions at the time of the first selection examination after listing.~~

~~(1) Where a real estate investment trust security satisfies each of Paragraph 1, Items 1, Sub-item 2, Item 2, and Items 6 through 11.~~

~~(2) Where the trading volume, etc. of a real estate investment trust security during, in principle, the past six (6) months backdated from the last day of the second month immediately following the month containing the last day (hereinafter referred to as the "day subject to examination"), which is obtained by backdating the number of months of a regular computation period or business period of the security from the month containing the last day of an initial computation period or business period of the security in a trust deed of an investment trust or terms and conditions of an investment corporation, satisfies Paragraph 1, Item 3, Sub-items a. and b.~~

~~(3) Where the total amount of net assets of a real estate investment trust security is expected to reach JPY 50 billion or more at the time of its listing. In this regard, the provisions of Rule 1206, Paragraph 1 of the Enforcement Rules for the Securities Listing Regulations shall apply mutatis mutandis to the calculation of the total amount of assets and the total amount of net assets prescribed above.~~

~~4.— Notwithstanding the provisions of Paragraph 1, where a real estate investment trust security with 100,000 or more listed beneficiary right units or listed investment units as well as market capitalization of JPY 50 billion or more at the time of listing (meaning an amount calculated by multiplying the lowest price during the five (5) business days from the day on which the first contract price is determined after listing by the number of listed beneficiary right units or listed investment units) satisfies each of Paragraph 1, Items 2, and 6 through 11, the Exchange shall select such security as an issue for loans for margin transactions at the time of the first selection examination after listing (excluding cases to which the provisions of Paragraph 7 apply).~~

53. Notwithstanding the provisions of Paragraph 1, where an investment security that is to be listed on the Exchange pursuant to the provisions of Rule 1207 of the Securities Listing Regulations satisfies each of the following items (limited to cases where an investment security issued by any party who carries out activities prescribed in Rule 1207 of the Securities Listing Regulations is an issue for loans for margin transactions), the Exchange shall select such security as an issue for loans for margin transactions at the time of the first selection examination after listing.

(1) Where an investment security satisfies each of Rule 2-2, Paragraph 1, Item 2 and Paragraph 1, Items 1-2, 10, and 11 of this rule.

(2) Where the number of investors is expected not to fall under the provisions of Rule 6-2, Paragraph 1, Item 2 by the end of the first business period after listing.

64. Notwithstanding the provisions of Paragraph 1, where a listed investment corporation, which is not an issuer of issues for loans for margin transactions, absorbs an investment corporation, which is an issuer of issues for loans for margin transactions, through a merger, the Exchange shall select an investment security of such merging listed investment corporation as an issue for loans for margin transactions, if the investment security satisfies each of the following items at the time of the first selection examination after completion of the merger.

(1) Where an investment security satisfies each of Rule 2-2, Paragraph 1, Item 2 and Paragraph 1, Items 1-2, and 6 through 11 of this rule.

(2) Where the number of investors is expected not to fall under the provisions of Rule 6-2, Paragraph 1, Item 2 by the end of the first business period after completion of the merger.

75. Notwithstanding the provisions of Paragraph 1, where a real estate investment trust security listed on another market satisfies each of the following items, the Exchange shall select such security as an issue for loans for margin transactions at the time of the first selection examination after listing.

(1) Where the period between the day on which a real estate investment trust security is listed on another domestic financial instruments exchange and the day on which it is listed on the Exchange exceeds six (6) months.

(2) Where a real estate investment trust security satisfies each of Paragraph 1, Items 1-2, 2, and 6 through 11.

(3) Where the average monthly trading volume is not less than 100 units on another domestic financial instruments exchange during, as a general rule, past six (6) months backdated from the last day of the month immediately preceding the month containing the listing date of the security on the Exchange and the number of active days of the security accounts for 80% or more of the trading days in such market.

86. Notwithstanding the provisions of Paragraph 1, where a listed real estate investment trust security (excluding a real estate investment trust security that had been listed on another domestic financial instruments exchange) satisfies each of Paragraph 1, Items 1-2, 2, and 6 through 11, the Exchange shall select such security as an issue for loans for margin transactions at the time of the first selection examination after listing.

Rule 3-3. Criteria for Selecting ETFs Eligible for Loans for Margin Transactions

1. If an ETF which is a standardized margin transaction issue satisfies each requirement prescribed in the following items, The Exchange shall select it as an issue for loans for margin transactions unless it is from issues other than those already

selected as such issues for loans for margin transactions, an ETF as an issue for loans for margin transactions, if the ETF satisfies each requirement prescribed in the provisions of Rule 3, Paragraph 1, Items 6 through 11.:

(1) The number of listed beneficiary right units is not less than 20,000;

(2) The total net assets is not less than JPY 1 billion;

(3) The average monthly trading volume is not less than 100 units on the market of the Exchange and the number of active days accounts for 80% or more of the number of trading days on such market during the six (6) months backdated from the end of December;

(4) The ETF is not one for which delisting on and after the selection date prescribed in the provisions of Rule 4 is deemed to be inevitable;

(5) The ETF is not designated as a Security on Special Alert, Security Under Supervision, or Security to Be Delisted;

(6) The ETF is not in a grace period prescribed in Rule 1112, Paragraph 1, Item 3, b-6 (a) of the Enforcement Rules for the Securities Listing Regulations;

(7) The ETF is not subject to regulatory measures for trading or margin transactions;

(8) The ETF is not deemed inappropriate to be an issue for loans for margin transactions according to its number of ETFs available for loans for margin transactions; or

(9) The ETF is not deemed inappropriate to be an issue for loans for margin transactions.

2. Notwithstanding the provisions of the preceding paragraph, where an ETF satisfies each item of Paragraph 1, Items 1, 2, and 4 through 9 in the selection examinations with record dates of the end of the month that includes the listing date of the ETF and the next two months, the Exchange shall select said ETF as an issue for loans for margin transactions.

Rule 3-5. Criteria for Selecting Venture Funds Eligible for Loans for Margin Transactions

1. If a venture fund which is a standardized margin transaction issue satisfies each requirement prescribed in the following items, ~~t~~The Exchange shall select it as an issue for loans for margin transactions unless it is from venture funds other than those already selected as ~~such~~ issues for loans for margin transactions, a venture fund as an issue for loans for margin transactions, if the venture fund satisfies each of the following items.

(1) Where a venture fund has been listed for more than six (6) months.

(2) Where the number of investment units is not less than 20,000.

(3) Where the number of investors is not less than 1,700.

(4) Where the trading volume, etc. satisfies the following Sub-items a. or b. during, in principle, the past six (6) months backdated from the last day of the second month immediately following the month containing the last day of the business period of the security.

a. The average monthly trading volume is not less than 100 units on the market of the Exchange and the number of active days accounts for 80% or more of the number of trading days on such market.

b. The average monthly trading volume of a venture fund listed on other domestic financial instruments exchanges as well as on the Exchange is not less than 100 units and its number of active days accounts for 80% or more of the number of trading days on any such other domestic financial instruments exchanges, on the market of the

Exchange, where its average monthly trading volume is not less than 50 units and its number of trading days is 40% or more of the number of trading days on the market of the Exchange.

(5) Where a venture fund is not deemed to be delisted on and after the selection date prescribed in the provisions of Rule 4.

(6) Where a venture fund is not designated as a Security on Special Alert, a security under supervision, or a security to be delisted.

(7) Where a venture fund is not designated as a security placed under the grace period prescribed in Rule 1329, ~~Paragraph 5~~Paragraph 10, Item 1 of the Enforcement Rules for the Securities Listing Regulations.

(8) Where a venture fund is not subject to regulatory measures that restrict securities trading or margin transactions.

(9) Where a venture fund is not deemed inappropriate to be an issue for loans for margin transactions according to its number of investment units available for loans for margin transactions.

(10) In addition to the above, where a venture fund is not deemed inappropriate to be an issue for loans for margin transactions.

2. The provisions of Rule 212, Paragraph 1, Items 4 and 8 of the Enforcement Rules for the Securities Listing Regulations shall apply mutatis mutandis to the number of investors prescribed in Item 3 of the preceding paragraph. Terms prescribed above shall be replaced in accordance with Appendix Table 4.

~~3. Notwithstanding the provisions of Paragraph 1, where a venture fund with 100,000 or more listed investment units as well as market capitalization of JPY 50 billion or more at the time of its listing (meaning an amount calculated by multiplying the lowest price during the five (5) business days from the day on which the first contract price is determined after listing by the number of listed investment units; the same shall apply to the provisions of Rule 3-6, Paragraph 3) satisfies each of Paragraph 1, Items 3, and 5 through 10, the Exchange shall select such venture fund as an issue for loans for margin transactions at the time of the first selection examination after listing (excluding cases to which the provisions of Paragraph 6 apply).~~

~~4~~3. Notwithstanding the provisions of Paragraph 1, where a venture fund that is to be listed on the Exchange pursuant to the provisions of Rule 1307 of the Securities Listing Regulations satisfies each of the following items (limited to cases where a venture fund issued by any party who carries out activities prescribed in Rule 1307 of the Securities Listing Regulations is an issue for loans for margin transactions), the Exchange shall select such venture fund as an issue for loans for margin transactions at the time of the first selection examination after listing.

(1) Where a venture fund satisfies each of Paragraph 1, Items 2, 9, and 10

(2) Where the number of investors is expected not to fall under the provisions of Rule 6-4, Paragraph 1, Item 2 by the end of the first business period after listing

~~5~~4. Notwithstanding the provisions of Paragraph 1, where a listed investment corporation which is not an issuer of issues for loans for margin transactions absorbs through a merger an investment corporation which is an issuer of issues for loans for margin transactions, the Exchange shall select a venture fund of such merger corporation as an issue for loans for margin transactions, if the venture fund satisfies each of the following items at the time of the first selection examination after completion of the merger.

- (1) Where a venture fund satisfies each of Paragraph 1, Items 2, and 5 through 10.
- (2) Where the number of investors is expected not to fall under the provisions of Rule 6-4, Paragraph 1, Item 2 by the end of the first business period after completion of the merger.

65. Notwithstanding the provisions of the preceding Paragraph 1, where a venture fund listed on another market satisfies the following items, the Exchange shall select such security as an issue for loans for margin transactions at the time of the first selection examination after listing.

- (1) Where the period between the day on which an issue is listed on another domestic financial instruments exchange and the day on which it is listed on the Exchange exceeds six (6) months.
- (2) Where a venture fund satisfies each of Paragraph 1, Items 2, 3, and 5 through 10.
- (3) Where the average monthly trading volume of an issue is no less than 100 units in any market of other domestic financial instruments exchanges during, in principle, the past six (6) months backdated from the last day of the month immediately preceding the month containing the listing date of the issue on the Exchange and the number of active days of the issue accounts for 80% or more of the number of trading days on such market.

76. Notwithstanding the provisions of Paragraph 1, where a listed venture fund (excluding a venture fund listed on another domestic financial instruments exchange) satisfies each of Paragraph 1, Items 2, 3, and 5 through 10, the Exchange shall select such venture fund as an issue for loans for margin transactions at the time of the first selection examination after listing.

Rule 3-6. Criteria for Selecting Country Funds Eligible for Loans for Margin Transactions

1. ~~If a country fund which is a standardized margin transaction issue satisfies each requirement prescribed in the following items, t~~The Exchange shall select it as an issue for loans for margin transactions unless it is~~from country funds other than those already selected as such issues for loans for margin transactions, a country fund as an issue for loans for margin transactions, if the venture fund satisfies each of the following items.~~

- (1) Where a country fund has been listed for more than six (6) months.
- (2) Where the number of investment units is not less than 4 million.
- (3) The number of investors in Japan prescribed in the provisions of Rule 1405, Item 2 of the Enforcement Rules for the Securities Listing Regulations ("the number of investors" hereinafter in this rule and Rule 6-5) is not less than 1,700.
- (4) Where the trading volume, etc. satisfies the items prescribed in the following a. or b. during, in principle, the past six (6) months backdated from the last day of the second month immediately following the month containing the last day of the business period of the security.
 - a. The average monthly trading volume is not less than 100 units on the market of the Exchange and the number of active days accounts for 80% or more of the number of trading days on the market of the Exchange.
 - b. The average monthly trading volume of a country fund listed on other domestic financial instruments exchanges as well as on the Exchange is not less than 100 units in any such other domestic financial instruments exchanges and

its number of active days accounts for 80% or more of the number of trading days on such market, on the market of the Exchange, its average monthly trading volume is not less than 50 units and its number of active cases is 40% or more of the number of trading days on the market of the Exchange.

(5) Where a venture fund is not deemed to be delisted on and after the selection date prescribed in the provisions of Rule 4.

(6) Where a country fund is not designated as a Security on Special Alert, a security under supervision, or a security to be delisted.

(7) Where a country fund is not subject to regulatory measures that restrict securities trading or margin transactions.

(8) Where a country fund is not deemed inappropriate to be an issue for loans for margin transactions according to its number of investment units available for loans for margin transactions.

(9) In addition to the above, where a venture fund is not deemed inappropriate to be an issue for loans for margin transactions.

2. The provisions of Rule 212, Paragraph 1, Item 4 of the Enforcement Rules for the Securities Listing Regulations shall apply mutatis mutandis to the number of investors prescribed in Item 3 of the preceding paragraph. Terms prescribed above shall be replaced in accordance with Appendix Table 5.

~~3. Notwithstanding the provisions of Paragraph 1, where a country fund with 4 million or more listed investment units as well as market capitalization of JPY 50 billion or more at the time of listing satisfies each of Paragraph 1, Items 3, and 5 through 9, the Exchange shall select such country fund as an issue for loans for margin transactions at the time of the first selection examination after listing (excluding cases to which the provisions of Paragraph 5 apply).~~

43. Notwithstanding the provisions of Paragraph 1, where a listed investment corporation, which is not an issuer of issues for loans for margin transactions, absorbs an investment corporation, which is an issuer of issues for loans for margin transactions, through a merger, the Exchange shall select a country fund of such merging listed investment corporation as an issue for loans for margin transactions, if the country fund satisfies each of the following items at the time of the first selection examination after completion of the merger.

(1) Where a country fund satisfies each of Paragraph 1, Items 2, and 5 through 9.

(2) Where the number of investors is expected not to fall under the provisions of Rule 6-5, Paragraph 1, Item 2 by the end of the first business period after completion of the merger.

54. Notwithstanding the provisions of Paragraph 1, where a country fund that is listed on another domestic financial instruments exchanges satisfies each of the following items, the Exchange shall select such country fund as an issue for loans for margin transactions at the time of the first selection examination after listing.

(1) Where the period between the day on which a country fund is listed on another domestic financial instruments exchange and the day on which it is listed on the Exchange exceeds six (6) months.

(2) Where a country fund satisfies each of Paragraph 1, Items 2, 3, and 5 through 9.

(3) Where the average monthly trading volume of a country fund is no less than 100 units in any such other domestic financial instruments exchanges during, in principle, the past six (6) months backdated from the last day of the month immediately preceding the month containing the listing date of the country fund on the Exchange and the number of

active days of the issue accounts for 80% or more of the number of trading days on such market.

65. Notwithstanding the provisions of Paragraph 1, where a listed country fund (excluding a country fund listed on another domestic financial instruments exchange) satisfies each of Paragraph 1, Items 2, 3, and 5 through 9, the Exchange shall select such country fund as an issue for loans for margin transactions at the time of the first selection examination after listing.

Rule 3-7. Criteria for Selecting Infrastructure Funds Eligible for Loans for Margin Transactions

1. If an infrastructure fund ~~which that~~ is a standardized margin transaction issue satisfies each ~~requirement prescribed in~~ the following items, the Exchange shall select ~~it the infrastructure fund~~ as an issue for loans for margin transactions unless ~~it is such fund has been~~ already selected as ~~such an issue for loans for margin transactions~~.
 - (1) Where the infrastructure fund has been listed for more than six (6) months,
 - (2) Where the number of listed beneficiary right units or listed investment units is not less than 2 million,
 - (3) Where the number of beneficiaries or investors is not less than 1,700,
 - (4) Where the trading volume, etc. of the infrastructure fund during, in principle, the past six (6) months before the end of the second month following the month containing the end of the accounting period or business period of the infrastructure fund satisfy either of the following Sub-item a. or b.,
 - a. Where the average monthly trading volume of the infrastructure fund at the Exchange market is not less than 100 units and the number of active days accounts for 80% or more of the trading days at the Exchange market; or
 - b. Where the average monthly trading volume of the infrastructure fund listed on the Exchange and other domestic financial instruments exchanges at any of such other exchange is not less than 100 units and the number of active days accounts for 80% or more of the number of trading days at such other exchange and the average monthly trading volume at the Exchange market is not less than 50 units and the number of active trading days accounts for 40% or more of the number of trading days. However, in the case of a foreign infrastructure fund, with regard to an infrastructure fund that is listed on the Exchange and listed on or continuously traded at other domestic financial instruments exchange or a foreign, etc., where the average monthly trading volume is not less than 100 units and the number of active days accounts for 80% or more of the number of trading days at any of such exchange, etc., and the average monthly trading volume is not less than 50 units and the number of active days accounts for 40% or more of the number of trading days at the Exchange market.
- (5) Deleted
- (6) Deleted
- (7) Where the infrastructure fund is not deemed to be surely delisted on or after the day of selection pursuant to the provisions of Rule 4,
- (8) Where the infrastructure fund is not designated as a Security on Special Alert, security under supervision, or security to be delisted,
- (9) Where the infrastructure fund is not in the grace period specified in Rule 1536, Paragraph 1, Item 1 of the Enforcement Rules for Securities Listing Regulations,

- (10) Where the infrastructure fund is not subject to regulatory measures that restrict trading or margin transactions,
- (11) Where the infrastructure fund is not deemed inappropriate to be an issue for loans for margin transactions in light of the number of infrastructure funds available for loans for margin transactions, and
- (12) Other than the above, where the infrastructure fund is not deemed inappropriate to be an issue for loans for margin transactions.

2. The provisions of Rule 212, Paragraph 1, Items 4 and 8 of the Enforcement Rules for Securities Listing Regulations shall be applied mutatis mutandis to the number of beneficiaries or investors prescribed in Item 3 of the preceding paragraph. In this case, terms shall be reworded in accordance with Appendix Table 6.

~~3. Notwithstanding the provisions of Paragraph 1, if an infrastructure fund for which a period specified as an initial accounting period or business period by the basic terms and conditions of an investment trust or the certificate of incorporation of an investment corporation has not yet been completed satisfies each of the following items at the time of the first selection examination after listing (excluding cases where the next paragraph or Paragraph 7 applies), the Exchange shall select such fund as an issue for loans for margin transactions.~~

~~(1) Where the infrastructure fund satisfies each of Paragraph 1, Items 2, 3, and 7 through 12,~~

~~(2) Where the trading volume, etc. satisfy Paragraph 1, Item 4, Sub-item a. or b. during, in principle, the past six (6) months before the end of the second month following the month containing the day subject to examination, and~~

~~(3) Where the total amount of net assets of the infrastructure fund is expected to reach at least JPY 50 billion at the time of listing. In this case, the provisions of Rule 1505, Paragraph 1 of the Enforcement Rules for Securities Listing Regulations shall be applied mutatis mutandis to the calculation of the total amount of net assets.~~

~~4. Notwithstanding the provisions of Paragraph 1, an infrastructure fund with listed beneficiary right units or listed investment units of at least 100,000 and market capitalization of at least JPY 50 billion at the time of listing (see Note below) satisfies each of Paragraph 1, Items 3, and 7 through 12 at the time of the first selection examination after listing (excluding cases for which the provisions of Paragraph 7 apply), the Exchange shall select such infrastructure fund as an issue for loans for margin transactions.~~

~~(Note) The market capitalization at the time of listing shall be an amount obtained by multiplying the lowest price during five (5) business days from the day on which the first contract price is determined after listing by the number of listed beneficiary right units or listed investment units~~

53. Notwithstanding the provisions of Paragraph 1, if an investment security to be listed pursuant to the provisions of Rule 1507 of Securities Listing Regulations satisfies each of the following items at the time of the first selection examination after listing, the Exchange shall select such security as an issue for loans for margin transactions (limited to cases where an investment security issued by a party who conducts acts specified in Rule 1507 of Securities Listing Regulations is an issue for loans for margin transactions),

(1) Where the investment security satisfies each of Rule 2-7, Paragraph 1, Item 2 as well as Paragraph 1, Items 2, 11 and 12 of this rule.

(2) Where the number of investors is expected not to fall under the provisions of Rule 6-6, Paragraph 1, Item 2 by the end of the first business period after listing.

64. Notwithstanding the provisions of Paragraph 1, where a listed investment corporation that is not an issuer of an issue for loans for margin transactions absorbs an investment corporation that is an issuer of an issue for loans for margin transactions through a merger, if an investment security of the investment corporation that is not an issuer of such issue for loans for margin transactions satisfies each of the following items at the time of the first selection examination after completion of the merger, the Exchange shall select the investment security of such investment corporation as an issue for loans for margin transactions.

- (1) Where the investment security satisfies each of Rule 2-7, Paragraph 1, Item 2 and Paragraph 1, Items 2, and 7 through 12 of this rule,
- (2) Where the number of investors is expected not to meet the provisions of Rule 6-6, Paragraph 1, Item 2 by the end of the first business period after completion of the merger.

75. Notwithstanding the provisions of Paragraph 1, if another market-listed infrastructure fund satisfies each of the following items at the time of the first selection examination after listing, the Exchange shall select such fund as an issue for loans for margin transactions.

- (1) Where the period between the day on which an infrastructure fund was listed on another domestic financial instruments exchange and the day on which it was listed on the Exchange exceeds six (6) months.
- (2) Where the infrastructure fund satisfies each of Paragraph 1, Items 2, 3, and 7 through 12,
- (3) Where the average monthly trading volume at another domestic financial instruments exchange is not less than 100 units during, in principle, the past six (6) months before the end of the month immediately preceding the month containing the listing date of the security and the number of active days of the security accounts for 80% or more of the trading days in the Exchange market.

86. Notwithstanding the provisions of Paragraph 1, where a listed infrastructure fund (excluding an infrastructure fund that had been listed on another domestic financial instruments exchange) satisfies each of Paragraph 1, Items 2, 3, and 7 through 12 at the time of the first selection examination after listing, the Exchange shall select such fund as an issue for loans for margin transactions.

Rule 4. Timing of Selection

1. The selection of standardized margin transaction issues pursuant to the provisions of Rule 2, Paragraphs 1 and 2, Rule 2-2, Paragraphs 1 and 2, Rule 2-5, Paragraph 1, Rule 2-6 Paragraph 1, and Rule 2-7, Paragraphs 1 and 2 shall be made, the day immediately following the day on which the first contract price is determined after listing (if such day falls on a non-business day of the Exchange, it shall be moved down accordingly).

2. The selection of issues for loans for margin transactions prescribed in each of the following items shall be made on the day specified in said items.

(1) For Tthe selection of issues for loans for margin transactions pursuant to the provisions of Rules 3, 3-2, 3-5, 3-6, and 3-7:

~~shall be made, on~~On a monthly basis, on the first day (if such first day falls on a non-business day of the Exchange, it shall be moved down accordingly; the same shall apply hereinafter) of the fifth month following the month containing the

last day of the issuer's business year (in the case of a real estate investment trust security, venture fund, country fund, and infrastructure fund the last day of computation period or business period ~~or the day subject to examination prescribed in Rule 3-2, Paragraph 3, Item 2~~).

(2) For the selection of issues for loans for margin transactions pursuant to the provisions of Rule 3-3:

First day of February each year.

3. Notwithstanding the provisions of the preceding two paragraphs, the selection of standardized margin transaction issues or issues for loans for margin transactions prescribed in each of the following items shall be made on the day specified in said items.

(1) For the selection of standardized margin transaction issues pursuant to the provisions of Rule 2, Paragraphs 3 and 4, Rule 2-2, Paragraph 3, Rule 2-5, Paragraph 2, and Rule 2-7, Paragraph 3 and issues for loans for margin transactions pursuant to the provisions of Rule 3, Paragraphs 3 and 4, Rule 3-2, ~~Paragraph 5~~Paragraph 3, Rule 3-5, ~~Paragraph 4~~Paragraph 3 and Rule 3-7, ~~Paragraph 5~~Paragraph 3:

The date on which the issue was listed.

(2) For the selection of standardized margin transaction issues pursuant to the provisions of Rule 2, Paragraph 5, Rule 2-2, Paragraph 4, Rule 2-5, Paragraph 3, Rule 2-6, Paragraph 2, and Rule 2-7, Paragraph 4 as well as issues for loans for margin transactions pursuant to the provisions of Rule 3, Paragraph 5, Rule 3-2, ~~Paragraph 6~~Paragraph 4, Rule 3-5, ~~Paragraph 5~~Paragraph 4, Rule 3-6, ~~Paragraph 4~~Paragraph 3, and Rule 3-7, ~~Paragraph 6~~Paragraph 4:

The date on which a stock, etc., a real estate investment trust security, venture fund, country fund, or infrastructure fund issued due a merger or stock swap was listed.

(3) For the selection of standardized margin transaction issues pursuant to the provisions of Rule 2, Paragraph 6, Rule 2-2, Paragraph 5, Rule 2-5, Paragraph 4, Rule 2-6, Paragraph 3, and Rule 2-7, Paragraph 5 as well as the selection of issues for loans for margin transactions pursuant to the provisions of Rule 3, Paragraph 6, Rule 3-2, ~~Paragraph 7~~Paragraph 5, Rule 3-5, ~~Paragraph 6~~Paragraph 5, Rule 3-6, ~~Paragraph 5~~Paragraph 4, and Rule 3-7, ~~Paragraph 7~~Paragraph 5:

The date on which the issue was listed.

(4) For the selection of standardized margin transaction issues pursuant to the provisions of Rule 2, Paragraph 7, Rule 2-2, Paragraph 6, Rule 2-5, Paragraph 5, Rule 2-6, Paragraph 4, and Rule 2-7, Paragraph 6:

a. In the case where a new stock, etc., a new real estate investment trust security, new venture fund, new country fund, or new infrastructure fund is already listed:

The day on which the stock, etc., real estate investment trust security, venture fund, or country fund of the issuer of the new stock, etc., new real estate investment trust security, new venture fund, new country fund, infrastructure fund is selected as a standardized margin transaction issue.

b. In the case where a new stock, etc., a new real estate investment trust security, new venture fund, new country fund, or new infrastructure fund is to be listed:

The date on which a new stock, etc., a new real estate investment trust security, new venture fund, new country fund, or new infrastructure fund was listed

(5) For the selection of issues for loans for margin transactions pursuant to the provisions of Rule 3, Paragraphs 7, Rule 3-2,

Paragraphs 3, 4, and 8-Paragraph 6, Rule 3-5, Paragraphs 3 and 7-Paragraph 6, Rule 3-6, Paragraphs 3 and 6-Paragraph 5, and Rule 3-7, Paragraphs 3, 4, and 8-Paragraph 6:

The date which falls on the sixth day (excluding non-business days) counting from the day on which the first contract price is determined after listing

(5)-2 For the selection of issues for loans for margin transactions pursuant to the provisions of Rule 3-3, Paragraph 2:

The first day of the second month following the month containing the listing date of said issue

(6) The first time of selection as a standardized margin transaction issue following non-selection resulting from the selection examination of a standardized margin transaction issue pursuant to the Paragraph 1 as well as Items 1 through 5 of this paragraph.

A day determined by the Exchange on a case-by-case basis

(7) The first time of selection as a standardized margin transaction issue following disqualification as a standardized margin transaction issue pursuant to the provisions of Item 1 of the following paragraph or Rule 5-2, Item 1.

A day determined by the Exchange on a case-by-case basis

4. The selection of standardized margin transaction issues pursuant to the provisions of Rules 2-3 and 2-4, as well as the selection of issues for loans for margin transactions pursuant to the provisions of ~~Rules 3-3 and~~ Rule 3-4 shall be made on a day determined by the Exchange on a case-by-case basis.

5. The selection of issues for loans for margin transactions prescribed in Paragraph 2, Item 1 may be carried out on, in addition to the day specified therein, any day until the last day of the eighth month counting from the month to which such day belongs (if such day falls on a non-business day, it shall be moved up; the same shall apply hereinafter). The selection of issues for loans for margin transactions prescribed in Paragraph 2, Item 2 may be carried out on, in addition to the day specified therein, any day until the last day of the third month counting from the month to which such day belongs. The selection of issues for loans for margin transactions prescribed in Paragraph 3, Item 3 may be carried out on, in addition to the day specified therein, any day within the period between the day immediately following such specified day and the day in the third month corresponding to such specified day (if such corresponding day does not exist, it shall be the last day of such month; if such corresponding day falls on a non-business day, it shall be moved down accordingly; the same shall apply hereinafter). The selection of issues for loans for margin transactions prescribed in Paragraph 3, Item 5 may be carried out on, in addition to the day specified therein, any day within the period between the day immediately following such specified day and the day in the sixth month corresponding to such specified day. The selection of issues for loans for margin transactions prescribed in Paragraph 3, Item 5-2 may be carried out on, in addition to the day specified therein, any day until the last day of the fifth month counting from the month to which such day belongs.

Rule 5-3. Criteria for Disqualification of an ETF or ETN Trust Beneficiary Certificate as a Standardized Margin Transaction Issue

The Exchange shall disqualify an ETF or ETN trust beneficiary certificate as a standardized margin transaction issue, if the ETF or ETN trust beneficiary certificate falls under any of the conditions prescribed in ~~Rule 5, Items 2 or 3.~~ the following items:

(1) Where its delisting has been determined; or

(2) Where it is deemed inappropriate to be a standardized margin transaction issue for any reason other than the above.

Rule 6-3. Criteria for Disqualification of an ETF or ETN Trust Beneficiary Certificate as Issue for Loans for Margin Transactions

1. The Exchange shall disqualify an ETF ~~or ETN trust beneficiary certificate~~ as an issue for loans for margin transactions; if the ETF ~~or ETN~~ falls under any of the conditions prescribed in ~~Rule 6, Paragraph 1, Items 5 or 6~~ the following items.:

(1) Where the number of listed beneficiary right units at the end of each month for the six-month period backdated from the end of December is less than 20,000 on average;

(2) Where the total net asset value at the end of each month for the six-month period backdated from the end of December is less than JPY 1 billion on average;

(3) Where its delisting has been determined; or

(4) Where it is deemed inappropriate to be a loan margin transaction issue for any reason other than the above.

2. The Exchange shall disqualify an ETN trust beneficiary certificate as an issue for loans for margin transactions; if the ETN trust beneficiary certificate falls under either of the conditions prescribed in the following items:

(1) Where its delisting has been determined; or

(2) Where it is deemed inappropriate to be an issue for loans for margin transactions for any reason other than the above.

Rule 7-3. Special Provisions for Criteria for Disqualification of an ETF as Issue for Loans for Margin Transactions

Notwithstanding the provisions of Rule 6-3, Paragraph 1, the Exchange shall not disqualify an ETF as an issue for loans for margin transactions in the case where it falls under any of the provisions of Item 1 or 2 of the same paragraph but does not fall under the same provisions again within the period of one year counting from the end of the first December from when the ETF fell under the same provisions, in principle.

~~Rule 7-3~~Rule 7-4. Special Provisions for Criteria for Disqualification of a Venture Fund as Issue for Loans for Margin Transactions

1. Notwithstanding the provisions of Rule 6-4, Paragraph 1, the Exchange shall not disqualify a venture fund as an issue for loans for margin transactions in the case where, ~~in principle, the venture fund~~ it falls under any of the provisions of Item 1 or 2 of the same paragraph but does not fall under the same provisions again within the grace period, in principle.

2. The provisions of Rule 601, Paragraph 1, Items 2 and 3 of the Enforcement Rules for the Securities Listing Regulations shall apply mutatis mutandis to a venture fund in the grace period that had been applied as a result of falling under any of the provisions of Rule 6-4, Paragraph 1, Item 1 or 2. Terms prescribed above shall be deemed to be replaced in accordance with Appendix Table 14.

~~Rule 7-4~~Rule 7-5. Special Provisions for Criteria for Disqualification of a Country Fund as Issue for Loans for Margin Transactions

1. Notwithstanding the provisions of Rule 6-5, Paragraph 1, the Exchange shall not disqualify a country fund as an issue for

loans for margin transactions in the case where it falls under any of the provisions of Item 1 or 2 of the same paragraph but does not fall under the same provisions again within the grace period, in principle.

2. The provisions of Rule 601, Paragraph 1, Items 2 and 3 of the Enforcement Rules for the Securities Listing Regulations shall apply mutatis mutandis to a country fund in the grace period that had been applied as a result of falling under any of the provisions of Rule 6-5, Paragraph 1, Item 1 or 2. Terms prescribed above shall be deemed to be replaced in accordance with Appendix Table 15.

Rule 7-5Rule 7-6. Special Provisions for Criteria for Disqualification of Infrastructure Fund as Issue for Loans for Margin Transactions

1. Notwithstanding the provisions of Rule 6-6, Paragraph 1, when an issue for loans for margin transactions of an infrastructure fund meets Item 1 or Item 2 of the same paragraph, the Exchange shall not disqualify the infrastructure fund as an issue for loans for margin transactions unless it is deemed to have met any of these provisions throughout the grace period, in principle.
2. The provisions of Rule 601, Paragraph 1, Items 2 and 3 of the Enforcement Rules for Securities Listing Regulations shall be applied mutatis mutandis to an infrastructure fund in the grace period due to meeting Rule 6-6, Paragraph 1, Item 1 or 2. In this case, the provisions shall be reworded as specified by Appendix Table 16.

Rule 8. ~~The~~Timing of Disqualification of Standardized Margin Transaction Issue / Issue for Loans for Margin Transactions

1. The disqualification of a standardized margin transaction issue or an issue for loans for margin transactions which falls under any of the provisions of Rule 5, Item 1 or 3, Rule 5-2, Item 1 or 3, Rule 5-3, Item 2, Rule 5-4, Item 2, Rule 5-5, Item 2, Rule 5-6, Item 1 or 3, Rule 6, Paragraph 1, Item 3, 4, or 6, ~~and~~ Rule 6-2, Paragraph 1, Item 3 or 5, Rule 6-3, Paragraph 1, Item 4 or Paragraph 2, Item 2, Rule 6-4, Paragraph 1, Item 4, Rule 6-5, Paragraph 1, Item 4, or Rule 6-6, Paragraph 1, Item 3 or 5 (~~including disqualification pursuant to the provisions of Rule 5-3 or Rule 6-3~~) shall be made on a day determined by the Exchange on a case-by-case basis.
2. The disqualification of ~~a standardized margin transaction issue or~~ an issue for loans for margin transactions in the grace period pursuant to the provisions from Rule 7 through to the preceding rule (excluding Rule 7-3) due to falling under any of the provisions of Rule 6, Paragraph 1, Item 1 or 2, Rule 6-2, Paragraph 1, Item 1 or 2, Rule 6-4, Paragraph 1, Item 1 or 2, Rule 6-5, Paragraph 1, Item 1 or 2, or Rule 6-6, Paragraph 1, Item 1 or 2 and that in the grace period pursuant to the provisions in Rule 7-3 due to falling under either of the provisions of Rule 6-3, Paragraph 1, Item 1 or 2 shall be made on the first day of the fifth month counting from the month following the month containing the last day of the grace period and on the first day of the second month following the month containing the last day of the grace period, respectively.
3. The disqualification of a standardized margin transaction issue or an issue for loans for margin transactions which falls under any of the provisions of Rule 5, Item 2, Rule 5-2, Item 2, Rule 5-3, Item 1, Rule 5-4, Item 1, Rule 5-5, Item 1, Rule 5-6, Item 2, Rule 6, Paragraph 1, Item 5, Rule 6-2, Paragraph 1, Item 4, Rule 6-3, Paragraph 1, Item 3 or Paragraph 2, Item 1, Rule 6-4, Paragraph 1, Item 3, Rule 6-5, Paragraph 1, Item 3, or Rule 6-6, Paragraph 1, Item 4 (~~including disqualification pursuant to the provisions of Rule 5-3 or Rule 6-3~~) shall be made on the day immediately following the day on which such

issue is determined to be delisted by the Exchange.

Rule 9. Reference Materials for Selection or Disqualification

1. Any selection pursuant to the provisions of Rule 2 through Rule 3-7, and any disqualification pursuant to the provisions of Rule 5 through Rule 6-6 shall be made according to the actual conditions on the day on which the selection or disqualification is to be made.
2. Notwithstanding the provisions of Paragraph 1, any selection or disqualification prescribed in the following items shall be made with reference to materials prescribed in said items.

- (1) Rule 3, Paragraph 1, Item 2 and Paragraph 5, Item 2; Rule 3-2, Paragraph 1, Item 2 and ~~Paragraph 6~~Paragraph 4, Item 2; Rule 3-5, Paragraph 1, Item 3 and ~~Paragraph 5~~Paragraph 4, Item 2; Rule 3-6, Paragraph 1, Item 3 and ~~Paragraph 4~~Paragraph 3, Item 2; Rule 3-7, Paragraph 1, Item 3 and ~~Paragraph 6~~Paragraph 4, Item 2; Rule 6, Paragraph 1, Item 2; Rule 6-2, Paragraph 1, Item 2; Rule 6-4, Paragraph 1, Item 2; and Rule 6-5, Paragraph 1, Item 2; and Rule 6-6, Paragraph 1, Item 2:

Securities reports, etc.; "Table of Distribution of Stocks, etc." submitted pursuant to the provisions of Rule 423, Paragraph 1 of the Enforcement Rules for the Securities Listing Regulations; or "Table of Distribution of Listed Real Estate Investment Trust Securities" submitted pursuant to the provisions of Rule 1230, Paragraph 5, Item 3 of the same rules; "Table of Distribution of Listed Venture Funds" submitted pursuant to the provisions of Rule 1327, Paragraph 3, Item 3 of the same rules; "Table of Distribution of Listed Infrastructure Funds" submitted pursuant to the provisions of Rule 1531, Paragraph 5, Item 3 of the same rules; and so forth.

- (2) Rule 2, Paragraph 1, Item 2; Rule 2-2, Paragraph 1, Item 2; and Rule 2-7, Paragraph 1, Item 2:

Securities reports, etc.

- (3) Rule 3, Paragraph 3, Item 2; Rule 3-2, ~~Paragraph 5~~Paragraph 3, Item 2; Rule 3-5, ~~Paragraph 4~~Paragraph 3, Item 2; and Rule 3-7, ~~Paragraph 5~~Paragraph 3, Item 2:

"Plan for Distribution of Stocks, etc. on or after the Initial Listing Application Day" submitted pursuant to the provisions of Rule 205, Item 1, Sub-item a. (c) of the Enforcement Rules for the Securities Listing Regulations; or "Plan for Distribution of Investment Units on or after the Initial Listing Application" submitted pursuant to the provisions of Rule 1202, Paragraph 3, Item 1, Sub-item b; "Plan for Distribution of Investment Units on or after the Initial Listing Application" submitted pursuant to the provisions of Rule 1302, Paragraph 4, Item 1, Sub-item b.; or "Plan for Distribution of Investment Units after the Initial Listing Application" submitted pursuant to the provisions of Rule 1502, Paragraph 3, Item 1, Sub-item b.

- (4) Rule 3-3, Items 1 and 2 and Rule 6-3, Paragraph 1, Items 1 and 2:

Information provided pursuant to the provisions of Rule 1107-3, Paragraph 1 of the Securities Listing Regulations and Rule 1107-4, Paragraph 1 of the same regulations; or documents submitted pursuant to the provisions of Rule 1108, Paragraph 2 of the same regulations and Rule 1108-2, Paragraph 2 of the same regulations.

Supplementary Provisions

1. The revised rules shall be implemented on May 30, 2025.
2. The revised provisions of Rule 3-3, Paragraph 2 shall apply to ETFs for which initial listing applications are made on or after the day on which these revised rules are implemented (hereinafter referred to as the "implementation date").
3. ETFs for which an initial listing application has been made before the implementation date and that are found to not meet the revised selection criteria for loans for margin transactions specified in the revised Rule 3-3 in the examination with a record date of December 31, 2025 will enter a grace period for disqualification from issues for loans for margin transactions from January 1, 2026 to December 31, 2026.
4. ETFs that have entered a grace period pursuant to the provisions of the preceding paragraph and are again found to not meet the criteria in the revised Rule 3-3 in the examination with a record date of December 31, 2026 will be disqualified as issues for loans for margin transactions on May 6, 2027.
5. The revised provisions of Rules 6-3, Paragraph 1, Items 1 and 2 shall apply to the disqualification examination pertaining to the record date referred to in each of said items in accordance with the classification referred to in the following items:
 - (1) ETFs for which an initial listing application has been made before the implementation date and that will not enter a grace period prescribed in Paragraph 3
End of December 2026
 - (2) ETFs for which an initial listing application has been made before the implementation date but that will enter a grace period prescribed in Paragraph 3
End of December 2027

Appendix Table 14 (related to ~~Rule 7-3~~Rule 7-4, Paragraph 2)

Corresponding provisions of the Enforcement Rules for Securities Listing Regulations	Word or phrase to be replaced	Word or phrase to replace with
Rule 601, Paragraph 1, Items 2 and 3	stocks, etc.	venture fund
	the listed company	the issuer of the venture fund
	improvement period	grace period
Rule 601, Paragraph 1, Item 2	the number of shareholders	the number of investors
	an issue failing to meet the criteria specified in Rule 501, Paragraph 1, Item 1, a., Item 2, a., Item 3, a. or Item 4, a. of the Regulations	An issue of which the number of investors is less than 1,200
	equal to or more than the criteria specified in the Rule 501, Paragraph 1, Item 1, a., Item 2, a., Item 3, a. or Item 4, a. of the Regulations	1,200 or more
Rule 601, Paragraph 1, Item 3	the number of tradable shares	the number of listed investment units
	tradable shares	investment unit
	an issue failing to meet the criteria specified in Rule 501, Paragraph 1, Item 1, b.(a), Item 2, b.(a), Item 3, b.(a) or Item 4, b. (a) of the Regulations	an issue of which the number of listed investment units is less than 20,000
	equal to or more than the	20,000 units or more

	criteria specified in the Rule 501, Paragraph 1, Item 1, b.(a), Item 2, b.(a), Item 3, b.(a) or Item 4, b.(a) of the Regulations	
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Appendix Table 15 (related to ~~Rule 7-4~~Rule 7-5, Paragraph 2)

Corresponding provisions of the Enforcement Rules for Securities Listing Regulations	Word or phrase to be replaced	Word or phrase to replace with
Rule 601, Paragraph 1, Items 2 and 3	the listed company	the issuer of the listed country fund
	improvement period	grace period
	stocks, etc.	country fund
Rule 601, Paragraph 1, Item 2	the number of shareholders	the number of investors
	an issue failing to meet the criteria specified in Rule 501, Paragraph 1, Item 1, a., Item 2, a., Item 3, a. or Item 4, a. of the Regulations	an issue of which the number of investors is less than 1,200
	equal to or more than the criteria specified in Rule 501, Paragraph 1, Item 1, a., Item 2, a., Item 3, a. or Item 4, a. of the Regulations	1,200 or more
Rule 601, Paragraph 1, Item 3	the number of tradable shares	the number of listed investment units
	tradable shares	investment units
	an issue failing to meet the criteria specified in Rule 501, Paragraph 1, Item 1, b.(a),	an issue of which the number of listed investment units is less

	Item 2, b.(a), Item 3, b.(a) or Item 4, b. (a) of the Regulations	than 4 million
	equal to or more than the criteria specified in the Rule 501, Paragraph 1, Item 1, b.(a), Item 2, b.(a), Item 3, b. (a) or Item 4, b.(a) of the Regulations	4 million units or more

Appendix Table 16 (related to ~~Rule 7-5~~Rule 7-6, Paragraph 2)

Corresponding provisions of the Enforcement Rules for Securities Listing Regulations	Word or phrase to be replaced	Word or phrase to replace with
Rule 601, Paragraph 1, Items 2 and 3	stock, etc.	infrastructure fund
	the listed company	the issuer of a listed infrastructure fund
	improvement period	grace period
Rule 601, Paragraph 1, Item 2	the number of shareholders	the number of beneficiaries or investors
	an issue failing to meet the criteria specified in Rule 501, Paragraph 1, Item 1, a., Item 2, a., Item 3, a. or Item 4, a. of the Regulations	an issue of which the number of beneficiaries or investors is less than 1,200
	equal to or more than the criteria specified in Rule 501, Paragraph 1, Item 1, a., Item 2, a., Item 3, a. or Item 4, a. of the Regulations	1,200 or more
Rule 601, Paragraph 1, Item 3	the number of tradable shares	the number of listed beneficiary right units or listed investment units

	tradable shares	listed beneficiary right units or listed investment units
	an issue failing to meet the criteria specified in Rule 501, Paragraph 1, Item 1, b.(a), Item 2, b.(a), Item 3, b.(a) or Item 4, b. (a) of the Regulations	an issue of which the number of listed beneficiary right units or the number of listed investment units is less than 20,000
	equal to or more than the criteria specified in the Rule 501, Paragraph 1, Item 1, b.(a)., Item 2, b.(a), Item 3, b. (a) or Item 4, b.(a) of the Regulations	20,000 or more