

Rules on Processing Complaints for Full Members' Handling of Personal Information

Established on April 27, 2005
Revised on July 15, 2005
Revised on January 19, 2007
Revised on September 21, 2007
Revised on September 19, 2008
Revised on March 19, 2009
Revised on December 20, 2012
Revised on May 18, 2017
Revised on April 18, 2019
Revised on May 20, 2021
Revised on November 18, 2022

Article 1. Purpose

These Rules provide for matters necessary for procedures, etc. to process complaints concerning the handling of personal information by Full Members (meaning Full Members as stipulated in Article 7, Paragraph 1, Item 1 of the Articles of Incorporation; the same shall apply hereinafter) of the Investment Trusts Association, Japan (hereinafter referred to as the “Association”).

Article 2. Scope of Complaints Handled

The Association shall process complaints concerning the handling of personal information pertaining to the investment management business conducted by Full Members (limited to the business set forth in Article 2, Paragraph 8, Items 12 (a) and 14 of the Financial Instruments and Exchange Act (hereinafter referred to as the “FIEA”; Act No. 25 of 1948)), business pertaining to the investment trusts managed without instructions from the settlor, and the business set forth in Article 2, Paragraph 8, Item 7 of the FIEA pertaining to beneficiary certificates, etc. (meaning beneficiary certificates, investment securities, and investment corporation bond certificates) (hereinafter referred to as “Complaints Concerning the Handling of Personal Information”).

Article 3. Basic Attitude

In processing Complaints Concerning the Handling of Personal Information, the Association shall maintain a fair and impartial attitude and endeavor to resolve such complaints promptly and in a highly transparent manner from a fair and neutral standpoint.

Article 4. Complaint Advisor

1. In order to process Complaints Concerning the Handling of Personal Information, the Association shall appoint a complaint advisor at its secretariat.
2. In order to facilitate the appropriate processing of Complaints Concerning the Handling of Personal Information, the Association shall endeavor to educate complaint advisors through training, etc.

Article 5. Complaint Processing Procedures

1. When a resolution of a Complaint Concerning the Handling of Personal Information by the Full Member has been filed by a complainant, etc. (meaning a complainant and an agent who is delegated by the complainant), the Association shall give necessary advice to such complainant upon consultation, investigate the circumstances pertaining to such complaint, and notify the Full Member of the contents of the complaint requesting such Full Member to promptly resolve this matter.
2. When receiving an oral complaint under the preceding paragraph, the Association may request the complainant to submit relevant documents as necessary.

Article 6. External Opinion Hearing System

In the event that a hearing of opinions by a third-party is desired for the resolution of a Complaint Concerning the Handling of Personal Information prescribed in Paragraph 1 of the preceding article that was filed by a complainant, etc., the Association may hear opinions, as necessary, from a fair third-party such as an attorney at law, etc.

Article 7. Submission of Materials, etc.

1. The Association may request a Full Member to provide a written or oral explanation or to submit materials when deemed necessary for the resolution of a complaint pertaining to the complaint under the preceding article.
2. A Full Member may not refuse any request from the Association pursuant to the provisions of the preceding paragraph without justifiable grounds.

Article 8. Responsibilities of Full Members

1. When receiving notification of any Complaint Concerning the Handling of Personal Information from the Association under the provisions of Article 5, Paragraph 1, the Full Member shall respond in good faith and endeavor to resolve such complaint.
2. Full Members shall report to the Association the background and outcome of their response to any complaints notified by the Association under the provisions of Article 5, Paragraph 1.

Article 9. Explanation to Complainant

At the request of the complainant, the Association shall explain to such complainant the result of the response by the Full Member as reported in accordance with the provisions in Paragraph 2 of the preceding article. Provided, however, that this shall not apply when an explanation from the Full Member is considered to be appropriate.

Article 10. Notification of Reception Desk for Members

1. In order to smoothly process Complaints Concerning the Handling of Personal Information, Full Members shall notify the Association of the reception desk dealing with such complaints via “Electronic Notification and Storage System for Notifications from Members of the Association (hereinafter referred to as the

- “Notification Management System of Investment Trusts Association”)” using Attached Form 1.
2. Any changes to the reception desk set forth in the preceding paragraph shall be notified to the Association via the Notification Management System of Investment Trusts Association using Attached Form 2.

Article 11. Reception Desk Processing Complaints

The business pertaining to processing Complaints Concerning the Handling of Personal Information prescribed in Article 5 shall be handled by the **Member Supervision and Investigation Office**.

Article 12. Bearing of Costs

The Association shall not collect any fees for processing Complaints Concerning the Handling of Personal Information from the complainant. However, any communication expenses, etc. required for procedures, etc. to be filed by the complainant shall be borne by the complainant.

Article 13. Retention of Records on Outcome of Complaint Processing, etc.

1. The Association shall record and retain the reception status of Complaints Concerning the Handling of Personal Information and the outcome of the response thereto.
2. The period to retain records, etc. prescribed in the preceding paragraph shall be 5 years.

Article 14. Publication of Aggregated Outcome of Complaint Processing

The Association shall periodically make public the aggregated outcomes of complaint processing.

Article 15. Confidentiality

The complaint advisor or a person who served in the capacity thereof shall not divulge to others or misappropriate any secret learned in the course of processing Complaints Concerning the Handling of Personal Information without justifiable grounds.

Article 16. Auditing of Complaint Processing

The Association shall audit for the Member Supervision and Investigation Office, which handles the business pertaining to processing Complaints Concerning the Handling of Personal Information.

Audits in these cases shall be performed by an audit supervisor who is designated in advance from employees outside of the Member Supervision and Investigation Office.

Article 17. Others

Any matters not provided for in these Rules regarding procedures for processing complaints from investors concerning the handling of personal information by Full Members may be decided by resolution of the Board of Directors.

Supplementary Provision

These Rules shall come into effect on the day that the Association obtains certification from an accredited personal information protection organization under the provisions of Article 37, Paragraph 1 of the Act on the Protection of Personal Information. (Implemented on July 1, 2005)

Supplementary Provision

This amendment shall come into effect on July 15, 2005.

Supplementary Provision

This amendment shall come into effect on January 19, 2007.

Supplementary Provision

This amendment shall come into effect on September 30, 2007.

Supplementary Provision

This amendment shall come into effect on October 1, 2008.

Supplementary Provision

This amendment shall come into effect on March 19, 2009.

Supplementary Provision

This amendment shall come into effect on January 4, 2013.

Supplementary Provision

This amendment shall come into effect on May 30, 2017.

* The amended Articles are as follows:

- Article 16 has been newly established and the former Article 16 have been amended to Article 17.

Supplementary Provision

This amendment shall come into effect on May 1, 2019.

* Necessary arrangement in connection with the change of era name

Supplementary Provision

This amendment shall come into effect on June 1, 2021.

* The amended Articles are as follows:

- Article 10, Paragraphs 1 and 2
- Attached Form 1 and Attached Form 2 specified in the respective paragraphs of the same Article.

Supplementary Provision

This amendment shall come into effect on November 18, 2021.

* The amended Articles are as follows:

- Article 11 and Article 16,

Attached Form 1

Application Date	MM/DD/YYYY
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To: Chairperson of the Investment Trusts Association, Japan

Trade Name or Name	
Representative	

Notification of Reception Desk for Complaints Concerning the Handling of Personal Information

We hereby notify you of the reception desk for complaints pursuant to Article 10, Paragraph 1 of the Rules on Processing Complaints for Full Members' Handling of Personal Information

Department Receiving Complaints	
Telephone Number	
Title of Contact	
Name of Contact (Reading)	
Name of Contact	

Attached Form 2

Application Date	MM/DD/YYYY
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To: Chairperson of the Investment Trusts Association, Japan

Trade Name or Name	
Representative	

Notification of Changes to Reception Desk for Complaints Concerning the Handling of Personal Information

We hereby notify you of the changes in the reception desk for complaints pursuant to Article 10, Paragraph 2 of the Rules on Processing Complaints for Full Members' Handling of Personal Information

	After Change	Before Change
Department Receiving Complaints		
Telephone Number		
Title of Contact		
Name of Contact (Reading)		
Name of Contact		

Date of Change	MM/DD/YYYY
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