

**Arbitration Rules**  
(as of September 30, 2007)

Tokyo Stock Exchange, Inc.

**Rule 1. Purpose**

These Rules shall provide necessary matters concerning arbitration pursuant to the provisions of Rule 44, Paragraph 3 of the Trading Participant Regulations.

**Rule 2. Request for Arbitration**

1. When making a request for arbitration pursuant to Rule 44, Paragraph 1 of the Trading Participant Regulations, two copies of the signed and sealed arbitration request form containing matters listed in each of the following items must be submitted to the Exchange.

- (1) Date of request;
- (2) Trade name or name, and the address of the requesting party;
- (3) Trade name or name, and the address of the other party;
- (4) Purpose of the request;
- (5) Facts and circumstances concerning the dispute;
- (6) In cases where there are reference materials, indication of the same.

2. In cases where the request form fails to meet the requirements prescribed in each of the items of the preceding paragraph, and is not corrected without delay, the Exchange shall not accept such request form.

3. In cases where the Exchange accepts the request, one copy of the request form shall be delivered to the other party.

**Rule 3. Dismissal of Arbitration**

When any of the following items is applicable to a request for arbitration, the Exchange may dismiss the arbitration:

- (1) The request is made more than three years after the date of the occurrence of the dispute;
- (2) A request for arbitration is made concerning a dispute that is undergoing litigation;
- (3) A request for arbitration is made concerning a dispute that is undergoing mediation at an authorized financial instruments firms association; or
- (4) In other cases that is deemed to fall under the proviso of Paragraph 1 of Rule 44 of the Trading Participant Regulations.

**Rule 4. Participation of an Arbitrator**

When deemed necessary by the Exchange, subject to the consent of the parties in arbitration, the Exchange may appoint a trading participant representative of another trading participant or a person that the Exchange deems appropriate as an arbitrator, and have such person participate in the arbitration.

**Rule 5. Obligation to Submit an Answer**

1. With regards to a request for arbitration, in cases where the other party accepts arbitration by the Exchange, such other party must, subsequent to delivery and receipt of the request form in Rule 2, Paragraph 3, prepare and submit two copies of signed and sealed answers containing matters listed in each of the following items to the Exchange without delay.

- (1) Date of preparation;
- (2) Trade name or name, and the address of the parties;
- (3) Statement of the dispute;
- (4) Facts and circumstances concerning the dispute;
- (5) Answers to and defense against the request form; and
- (6) In cases where there are reference materials, indication of the same.

2. When the answer prescribed in the previous Paragraph is submitted, the Exchange shall deliver one copy to the requesting party.

**Rule 6. Obligation to Submit the Reason for Rejection of Arbitration**

1. Concerning a request for arbitration, when the other party refuses arbitration by the Exchange, such other party must submit two signed and sealed copies of the written reason for rejection of arbitration stating the matters listed in each of the items in Paragraph 1 of the preceding rule and the reason for refusing the arbitration by the Exchange.

2. When the written reason for rejection of arbitration prescribed in the previous paragraph is submitted, the Exchange shall deliver one copy to the requesting party.

**Rule 7. Hearing**

1. The Exchange may request either or both of the parties to appear for a hearing by designating a date.

2. In cases a party is to request change of the date prescribed in the previous paragraph, such request must be two or more days prior to such date.

3. A party requested to appear must appear in person; provided, however, that, if the Exchange approves, a representative may appear.

**Rule 8. Obligation to Submit Materials, etc.**

The Exchange may, when it arbitrates a dispute, request the submission of reports and materials with respect to matters necessary for arbitration from the parties, in addition to conducting an investigation as prescribed in Rule 44, Paragraph 2 of the Trading Participant Regulations.

**Rule 9. Termination of Arbitration**

The Exchange may terminate the arbitration, when it acknowledges matters that fall under any of the following items are applicable to the dispute under arbitration:

- (1) A false representation is recognized in the request for arbitration;
- (2) When the request for arbitration is not abandoned as prescribed in the provisions of Rule 10, Paragraph 2; or
- (3) There is no likelihood that the parties will reach an agreement.

**Rule 10. Abandonment of Request for Arbitration**

1. When the requesting party is to abandon the request for arbitration, it shall do so by a written statement indicating the reason.
2. When the requesting party is to file a lawsuit or request mediation by an authorized financial instruments firms association concerning a dispute under arbitration, the requesting party must abandon the request for arbitration prior to such filing or request.

**Rule 11. Presentation of an Arbitration Proposal**

The Exchange may, where it deems necessary, prepare a written arbitration proposal, present the same to the parties, and recommend its acceptance.

**Rule 12. Preparation of a Settlement Agreement**

1. Under arbitration by the Exchange, when the parties reach an agreement or accept the arbitration proposal, two copies of the settlement agreement in a prescribed form shall be prepared, and each party shall retain one copy.
2. The requesting party must submit a photocopy of the settlement agreement to the Exchange.