

This English translation of the Regulation of the Institution of Actuaries of Japan is an unofficial translation. Only the original Japanese texts of the Regulation have effect, and the translations are to be used solely as reference material to aid in the understanding of the Regulation.

この規則の翻訳は公定訳ではありません。効力を有するのは日本語の規則であり、翻訳はあくまでその理解を助けるための参考資料です。

## **Disciplinary Procedures Regulations of the Institute of Actuaries of Japan**

Established on May 21, 1997

Revised on March 22, 2012

Revised on January 29, 2013

### *Article 1 General Provisions*

1. The objectives of these Disciplinary Procedures Regulations (hereinafter referred to as the "Regulations") are to maintain the confidence in, and honor of the Institute of Actuaries of Japan (hereinafter referred to as the "Institute") as a professional organization, and to contribute to the benefit of the public served by the Institute.
2. The revision or abolition of the Regulations shall be determined by a resolution of the Board of Directors of the Institute.

### *Article 2 Respondent*

A respondent (hereinafter referred to as the "Respondent") under the Regulations shall be a member of the Institute.

### *Article 3 Complaint*

A person (hereinafter referred to as the "Complainant") who thinks a member of the Institute falls down any one of the disciplinary matters set forth in the provision of article 9.1 of the Constitution of the Institute may file a complaint against such member in writing after the example of the appended Complaint Form 1 with the Disciplinary Committee, under the provisions of article 4 of the Regulations.

### *Article 4 The Disciplinary Committee*

1. The Disciplinary Committee (hereinafter referred to as the "Committee") shall be established within the Institute.
2. When persons make a complaint against members of the Institute, the duty of the Committee is to arrive at a decision (hereinafter referred to as the "Decision") correctly and fairly.
3. The Board of Directors of the Institute shall have the authority to elect or dismiss members of the Committee.
4. The chairman of the Committee shall be appointed from among the members of the Committee by the Board of Directors of the Institute.
5. The organization, the duties and any other necessary matters related to the Committee shall be stipulated in the Regulations of the Disciplinary Committee.

### *Article 5 The Appeals Board*

1. The Appeals Board shall be established within the Institute.

2. The duty of the Appeals Board is to rule on an appeal (hereinafter referred to as the "Appeal") by the Respondent or by the Board of Directors of the Institute from a Decision.
3. The election or dismissal of a member of the Appeals Board shall be made by the Board of Directors of the Institute. However, a member of the Committee shall not serve concurrently as a member of the Appeals Board.
4. The chairman of the Appeals Board shall be appointed from among the Appeals Board members by the Board of Directors of the Institute.
5. The organization of the Appeals Board, the procedures for an Appeal and any other necessary matters of the Appeals Board shall be set forth in the Regulations of the Appeals Board.

*Article 6 Effect of the Decision*

1. A Decision under the provisions of article 9.2 of Constitution of the Institute shall be effective when the Committee notifies the Respondent of the Decision under the provisions of article 11 of the Regulations of the Disciplinary Committee.
2. Notwithstanding the preceding clause, if the Respondent appeals a Decision, the effect of the Decision shall be deferred until the Decision becomes conclusive.

*Article 7 Confirmation of the Decision*

The Decision shall become conclusive upon any of the following events:

- (1) When the thirty day period for an appeal, under the provisions of article 5 of the Regulations of the Appeals Board, has elapsed after the notification of the Decision by the Committee is made.
- (2) When the Appeals Board gives notice as to the dismissal of the Appeal or as to the amendment of the Decision.
- (3) When the Committee gives notice as to the confirmation or amendment of the Decision which has been remanded by the Appeals Board to the Committee for its reexamination.

*Article 8 Expulsion*

1. Notwithstanding the preceding two articles, if the Decision of the Committee is expulsion, the Decision shall become conclusive when the Respondent is notified that the General Meeting of Members has resolved the expulsion of the Respondent.
2. For the period between the notification of the Decision regarding expulsion to the Respondent and the confirmation of the Decision regarding expulsion prescribed in the preceding paragraph, the disciplinary punishment of the Respondent shall be suspension of qualification. However, with an Appeal by the Respondent, the effect regarding the suspension of qualification shall be deferred until any event prescribed in the Article 7.
3. If the General Meeting of Members votes against the expulsion of the Respondent, the Committee may make a Decision other than expulsion again, following the Regulations.

*Article 9 Notification*

1. Notification under the Regulations or the stipulations under the Regulations shall be made by mail or other suitable method of communication.
2. If the notification referred to in the preceding paragraph is made by registered mail, the notification shall be deemed effective when such registered mail is supposed to be notified in normal condition.

*Article 10 Public Announcement*

When a Decision becomes conclusive under the Regulations, the President of the Institute shall announce the Decision publicly by means of the Institute's Bulletin.

*Supplementary Provisions*

The revision on January 29, 2013 shall come into effect from the date of registration of the establishment of the public interest corporation as provided for in Paragraph 1, Article 106, of the Act on Arrangement of Relevant Acts Incidental to Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations and the Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations (Act No. 50 of 2006).

The Complaint Form 1

[Example of Complaint Form] (Describe the matters using separated papers as follows.)

<p>The Complaint Form</p>
<p>To: The Disciplinary Committee of the Institute of Actuaries of Japan</p>
<p>From: (Name) (Address) (Telephone)</p>
<ul style="list-style-type: none"><li>• Respondent: (Name) (Company)</li></ul>
<ul style="list-style-type: none"><li>• Date of Submission:</li></ul>
<ul style="list-style-type: none"><li>• Signature of Complainant</li></ul>
<ul style="list-style-type: none"><li>• Nature of Complaint</li></ul>
<ul style="list-style-type: none"><li>• Explanation of Disciplinary Matters</li></ul>
<p style="text-align: center;">( Describe backgrounds you became filing a complaint and behaviors of a potential respondent orderly, specifically and clearly. )</p>
<p>Attached Documents</p> <ol style="list-style-type: none"><li>1. Evidences</li><li>2. Documents the Disciplinary Committee could decide disciplinary matters and so on</li></ol>

Note

- The telephone number of complainant should be one which could be reached easily because the Disciplinary Committee needs to investigate the facts sufficiently.
- Documents filed could not be returned.

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