

Comparison Table of JBA TIBOR Operational Rules

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<p>Article 2 - Benchmark administration in light of IOSCO's Principles for Financial Benchmarks</p> <p>(1) In light of the <u>Final report on Principles for Financial Benchmarks</u> issued by the Board of Directors of the International Organization of Securities Commissions ("IOSCO") (on July 17, 2013; "IOSCO Principles"), JBATA shall take necessary measures to enhance the transparency and fairness of JBA TIBOR.</p> <p>(2) JBATA shall assess and disclose an overview of whether JBA TIBOR complies with the IOSCO Principles every fiscal year.</p>	<p>(Benchmark administration in light of the IOSCO's Principles for Financial Benchmarks)</p> <p>Article 2 (1) In light of the Principles for Financial Benchmarks issued by the Board of Directors of the International Organization of Securities Commissions ("IOSCO") (on July 17, 2013; "IOSCO Principles"), the JBATA shall take necessary steps to enhance the transparency and fairness of the JBA TIBOR.</p> <p>(2) The JBATA shall disclose an overview whether the JBA TIBOR operations comply with the IOSCO Principles every fiscal year.</p>
<p>Article 4 - Definitions</p> <p>The terms used in the Rules shall be defined as follows or, unless otherwise specified in the Rules, as defined by relevant rules and guidelines which are established in accordance with the Rules.</p> <p>(i) Japanese Yen TIBOR</p> <p>The Japanese Yen TIBOR is the respective average of interest rates for five tenors (i.e. 1 week, 1 month, 3 months, 6 months and 12 months) Note1 provided by reference banks to JBATA as required by the Code of Conduct. In calculating the Japanese Yen TIBOR, for each tenor, JBATA excludes the two highest and two lowest rates provided by reference banks and averages the remaining rates (rounded to the fifth decimal place).</p> <p>In cases where certain reference banks fail to provide their rates for some reason, the forgoing process is followed to derive Japanese Yen TIBOR for each tenor based on the rates provided by other banks.</p> <p>(Note1) The rates which reference banks deem as prevailing market rates, assuming transactions between prime banks on the <u>underlying market</u> (Japan unsecured call market) as of 11:00 a.m. The rates, which are quoted on a 365-day basis, with a spot start, increment in 1/100 of 1% (1 basis point).</p> <p>(ii) Euroyen TIBOR</p> <p>The Euroyen TIBOR is the respective average of interest rates for five tenors (i.e. 1 week, 1 month, 3 months, 6 months and 12 months) Note2 provided by reference banks to JBATA as required by the Code of Conduct. In calculating the Euroyen TIBOR, for each tenor, JBATA excludes the two highest and two lowest rates provided by reference banks and averages the remaining rates (rounded to the fifth decimal place).</p> <p>In cases where certain reference banks fail to provide their rates for some reason, the forgoing process is followed to derive Euroyen TIBOR for each tenor based on the rates provided by other banks.</p> <p>(Note2) The rates which reference banks deem as prevailing market rates, assuming transactions between prime banks on the <u>underlying market</u> (Japan Offshore Market) as of 11:00 a.m. The rates, which are quoted on a 360-day basis, with a spot start (based on Tokyo's business day), increment in 1/100 of 1% (1 basis point).</p> <p>(iii) Prime bank</p> <p>The term "prime bank" used in the foregoing items (i) and (ii) shall represent a bank which is financially resilient (e.g. a bank having adequate capital and sufficient liquid assets) and is an active participant in the Japan unsecured call market (or in the Japan Offshore Market in the case of Euroyen TIBOR).</p> <p>(iv) Reference bank</p> <p>The term "reference bank" shall represent a bank or financial institution, which is selected by JBATA in accordance with the procedures set out in Article 35 as a bank or financial institution, to provide JBATA submission rates for</p>	<p>(Definitions)</p> <p>Article 4 The terms used in the Rules shall be defined as follows or, unless otherwise specified in the Rules, as defined by relevant rules and guidelines which are established in accordance with the Rules.</p> <p>(i) Japanese Yen TIBOR</p> <p>The Japanese Yen TIBOR is the respective average of interest rates for five maturities (i.e. 1 week, 1 month, 3 months, 6 months and 12 months) Note1 submitted by reference banks to the JBATA as required by the Code of Conduct. In calculating the Japanese Yen TIBOR, for each maturity, the JBATA excludes the two highest quotes and two lowest quotes from reference banks and averages the remaining rates (rounded to the fifth decimal place).</p> <p>In a case where some reference bank fails to submit a part of rates for some reason, the forgoing process is followed to derive Japanese Yen TIBOR for each maturity based on the rate submitted by other banks.</p> <p>(Note1) The rates which reference banks deem as prevailing market rates, assuming transactions between prime banks on the Japan unsecured call market as of 11:00 a.m. The rates are quoted on a 365-day basis, as spot starts in increments of 1/100% (1 basis point).</p> <p>(ii) Euroyen TIBOR</p> <p>The Euroyen TIBOR is the respective average of interest rates for five maturities (i.e. 1 week, 1 month, 3 months, 6 months and 12 months) Note2 submitted by reference banks to the JBATA as required by the Code of Conduct. In calculating the Euroyen TIBOR, for each maturity, the JBATA excludes the two highest quotes and two lowest quotes from reference banks and averages the remaining rates (rounded to the fifth decimal place).</p> <p>In a case where some reference bank fails to submit a part of rates for some reason, the forgoing process is followed to derive Euroyen TIBOR for each maturity based on the rate submitted by other banks.</p> <p>(Note2) The rates which reference banks deem as prevailing market rates, assuming transactions between prime banks on the Japan Offshore Market as of 11:00 a.m. The rates are quoted on a 360-day basis, as spot starts (based on the Tokyo's business day) in increments of 1/100% (1 basis point).</p> <p>(iii) Prime bank</p> <p>The term "prime bank" used in the foregoing items (i) and (ii) shall represent a bank which is financially resilient (e.g. a bank having adequate capital and sufficient liquid assets) and which is a major player in the Japan unsecured call market (or in the Japan Offshore Market in the case of Euroyen TIBOR).</p> <p>(iv) Reference bank</p> <p>The term "reference bank" shall represent a bank or financial institution, which is selected by the JBATA in accordance with the procedures set out in Article 35, as a bank or financial institution, to submit to the JBATA</p>

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<p>Japanese Yen TIBOR and Euroyen TIBOR, respectively, in order for JBATA to calculate and publish JBA TIBOR.</p> <p>(v) Submission rate The term “submission rate” shall represent a rate provided by reference banks to JBATA for Japanese Yen TIBOR and Euroyen TIBOR, respectively, pursuant to Article 14.</p> <p>(vi) Official rate The term “official rate” shall represent a rate calculated based on submission rates collected and published by the information providers for Japanese Yen TIBOR and Euroyen TIBOR, respectively, pursuant to Articles 14 to 17. The “official rate” and the “submission rate,” which is defined in item (v) described above, shall be collectively referred to as the “official rates, etc.”</p> <p>(vii) Service provider The term “service provider” shall represent a company to which JBATA outsourced JBA TIBOR calculation and other relevant operations pursuant to Articles 13 and 43.</p> <p>(viii) Information provider The term “information provider” shall represent a company, which is selected by JBATA pursuant to Article 45, to publish official rates, etc. sent <u>directly</u> by the service provider through online services or other similar means.</p>	<p>reference rates for Japanese Yen TIBOR and Euroyen TIBOR, respectively, in order for the JBATA to calculate and publish the JBA TIBOR.</p> <p>(v) Reference rate The term “reference rate” shall represent a rate quoted and submitted by reference banks to the JBATA for Japanese Yen TIBOR and Euroyen TIBOR, respectively, pursuant to Article 14.</p> <p>(vi) Official rate The term “official rate” shall represent a rate calculated based on reference rates collected and published by the information providers for Japanese Yen TIBOR and Euroyen TIBOR, respectively, pursuant to Articles 14 to 17. The “official rate” and the “reference rate,” which are defined in item (v) described above, shall be collectively referred to as the “official rate, etc.”</p> <p>(vii) Service provider The term “service provider” shall represent a company to which the JBATA outsourced the JBA TIBOR calculation and other relevant operations pursuant to Articles 13 and 43.</p> <p>(viii) Information provider The term “information provider” shall represent a company, which is selected by the JBATA pursuant to Article 45 to publish official rate, etc. sent by the service provider through online services or other similar methods.</p>
<p>Article 16 - <u>Pre-publication check</u> by JBATA</p> <p>(1) The Operation Dept. shall <u>conduct pre-publication checks of the rates</u> which are provided by the service provider pursuant to the preceding article, and grant permission to the service provider to publish them as official rates, etc. Such permission shall be granted by the personnel in a managerial position of the Operation Dept. (unless a request is made to the back-up institution to conduct pre-publication checks and grant such permission pursuant to Article 47(2)).</p> <p>(2) If the Operation Dept. identifies any possible error in the submission rate during the pre-publication check process in the preceding paragraph, it shall make an inquiry to the reference bank.</p> <p>(3) If, as a result of the inquiry made pursuant to the preceding paragraph, it is concluded that there is an error in the submission rate, the Operation Dept. shall instruct the reference bank to revise its rate. The reference bank shall make a request to the service provider to revise errors no later than 12:35 p.m. of the same day.</p> <p>(4) The Operation Dept. shall retain the record of <u>inappropriate calculation</u> identified through its pre-publication check and other relevant matters and report them to the Administration Committee and the Oversight Committee on a regular basis.</p> <p>(5) When obtaining information from a front office function of reference banks in connection with the processes of paragraphs (1) to (3), the Operation Dept. shall pay particular attention to the accuracy of such information.</p>	<p>(<u>Review of the reference rates</u> by the JBATA)</p> <p>Article 16 (1) The Operation Dept. shall <u>check (review) official rate, etc.</u>, which is presented by the service provider pursuant to the preceding article, and grant permission to the service provider to publish official rate, etc. Such permission shall be granted by the personnel in a managerial position of the Operation Dept. (unless a request is made to the back-up institution to review the JBA TIBOR and grant such permission pursuant to Article 47(2)).</p> <p>(2) If the Operation Dept. identifies any possible error in the reference rate during the reviewing process in the preceding paragraph, it shall make an inquiry to the reference bank which submitted such a rate.</p> <p>(3) If, as a result of the inquiry made pursuant to the preceding paragraph, it is concluded that there is an error in the reference rate, the Operation Dept. shall instruct the reference bank to revise its rate. The reference bank shall make a request to the service provider to revise the rate no later than 1 2:35 p.m. of the same day.</p> <p>(4) The Operation Dept. shall retain the record of <u>erroneous submission</u> identified through its review and other relevant matters and report them to the Administration Committee and the Oversight Committee on a regular basis.</p> <p>(5) When obtaining information from a front office function of reference banks in connection with the processes of paragraphs (1) to (3), the Operation Dept. shall pay particular attention to the accuracy of such information.</p>
<p>Article 19 - Minimum number of reference banks, etc.</p> <p>(1) The floor (minimum number) of reference banks shall be eight.</p> <p>(2) Should the number of reference banks temporarily fall below the floor prescribed in the preceding paragraph due to, among other things, emergencies such as severe damage of relevant facilities and electricity outages (“<u>Emergencies</u>”), as well as excessive market stress and a sharp decrease of reference banks, measures shall be</p>	<p>(Minimum number of reference banks, etc.)</p> <p>Article 19 (1) The floor (minimum number) of reference banks shall be eight.</p> <p>(2) Should the number of reference banks temporarily falls below the floor prescribed in the preceding paragraph due to, among other things, emergencies, such as severe damages of relevant facilities and electricity outage, as well as excessive market stress and a sharp decrease of reference banks, steps shall be taken in accordance with</p>

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<p>taken in accordance with the contingency plan defined in Article 46.</p>	<p>the contingency plan defined in Article 46.</p>
<p>Article 27 - Dissemination to users, etc. concerning points to note in the use of JBA TIBOR</p> <p>(1) JBATA shall announce points to note in the use of JBA TIBOR set out in each of the following items and disseminate them to users or other relevant parties:</p> <p>(i) Due to <u>Emergencies</u>, excessive market stress, a decrease in reference banks and operational risks arising from JBA TIBOR calculation, there is a possibility that JBA TIBOR is calculated and published outside of the normal process, <u>ceased</u>, or that the rates may be revised after publication. This may have an impact on the debt-credit relationship which depends on JBA TIBOR, or on fair value of financial instruments for contracts referencing JBA TIBOR.</p> <p>Further, in cases where calculation and publication of JBA TIBOR become difficult <u>temporarily</u>, in contradiction to the intent of JBATA, due to factors such as <u>Emergencies</u>, excessive market stress or a decrease in reference banks described above, JBA TIBOR for that day may be calculated and published by the methodology provided in the Contingency Plan under Article 46. In such cases, <u>JBA TIBOR of the previous business day</u> may be used as JBA TIBOR for that day.</p> <p>(ii) In the event that a change occurs in the Japan unsecured call market or the Japan Offshore Market, there is a possibility that the definitions and/or calculation methodology of JBA TIBOR will be reviewed to ensure its fairness as a benchmark as well as to better reflect actual market conditions; or that JBA TIBOR will be <u>permanently ceased</u>. This may have an impact on the debt-credit relationship which depends on JBA TIBOR, or on fair value of financial instruments for contracts referencing JBA TIBOR.</p> <p>(iii) JBATA shall not be responsible for any impact on individual contracts referencing JBA TIBOR that will, or may be caused by, the revision of JBA TIBOR after publication, or by the review of its definitions or calculation methods, unless there are special circumstances in which JBATA is deemed as responsible.</p> <p>(2) JBATA shall, through its website, recommend parties to contracts referencing JBA TIBOR to take advance measures in consideration of the points to note in the use of JBA TIBOR stipulated in the preceding paragraph. Such measures may include agreeing to include fallback provisions in the contracts between the parties referencing JBA TIBOR. These provisions would cover the arrangement in the case of JBA TIBOR's revision after publication, as well as alternative measures in the case of <u>material changes in the definition or calculation method and the permanent cessation</u> of JBA TIBOR.</p>	<p>(Dissemination to users, etc. concerning reminders regarding the use of the JBA TIBOR)</p> <p>Article 27 (1) The JBATA shall announce terms and conditions regarding the use of the JBA TIBOR set out in each of the following items and disseminate them to users or other relevant parties.</p> <p>(i) Due to <u>severe damages of the relevant facilities, electricity outage and other similar events</u>, excessive market stress, decrease in reference banks and other operational risks arising from the JBA TIBOR calculation, there is a possibility that the calculation and publication of the JBA TIBOR is conducted not in usual process, <u>suspended</u>, or that the rates may be revised after the publication. This may have an impact on those contracts referring to the JBA TIBOR by affecting a debtor-creditor relationship of the parties to the contracts which depends on the JBA TIBOR, or by affecting the market value of financial instruments.</p> <p>Further, in cases where calculation and publication of the JBA TIBOR are difficult due to <u>severe damages of the relevant facilities, electricity outage and other similar events</u>, excessive market stress, decrease in reference banks described above, JBA TIBOR could be calculated and published by the methodology provided in the Contingency Plan for JBA TIBOR Publication (“Contingency Plan”) under Article 46. In such cases, <u>the previous day’s JBA TIBOR</u> could be used as the current day’s JBA TIBOR.</p> <p>(ii) In the event that a change occurs in the Japan unsecured call market or the Japan Offshore Market, there is a possibility that the definitions and/or calculation methodology of the JBA TIBOR will be reviewed to ensure its fairness as a benchmark as well as to better reflect actual market conditions; or that the JBA TIBOR publication will be <u>suspended</u>. In such cases, there may be influences on the claims or liabilities under the financial agreements referring to the JBA TIBOR or on the fair market value of financial instruments.</p> <p>(iii) The JBATA shall not be responsible for any impact on individual contracts referring to the JBA TIBOR that will, or may be caused by, the revision of the JBA TIBOR after publication, or by the review of its definitions or calculation methods (unless the JBATA is deemed as responsible).</p> <p>(2) The JBATA shall, through its website, recommend parties to the contracts referring to the JBA TIBOR to take measures considering terms and conditions for using the JBA TIBOR stipulated in the preceding paragraph. Such measures may include agreeing to include the fallback provision in the contract between the parties to the contract referring to the JBA TIBOR with regard to the arrangement in the case of the JBA TIBOR’s revision after publication or the alternative measures in the case of the <u>suspension</u> of the JBA TIBOR publication.</p>
<p>Article 46 - Establishment of a contingency plan</p> <p>(1) JBATA shall establish a “Contingency Plan for JBA TIBOR Publication” that sets out measures to prepare for and to cope with the occurrence of <u>Emergencies</u> and for the cases where the calculation and publication of JBA TIBOR becomes difficult <u>temporarily</u>, in contradiction to the intent of JBATA, due to excessive market stress or a decrease in reference banks.</p> <p>(2) The Contingency Plan as stated in the preceding paragraph shall cover the cases where the service provider cannot carry out its outsourced operations in times of disaster or other events.</p>	<p>(Establishment of a contingency plan)</p> <p>Article 46 (1) The JBATA shall establish “Contingency Plan for JBA TIBOR Publication” that sets out measures to prepare for and to cope with the occurrence of <u>emergencies, such as electricity outage or severe damages of relevant facilities (“emergencies”)</u> and for the cases where the JBA TIBOR calculation/publication is difficult, in contradiction to the intent of the JBATA, due to excessive market stress or decrease in reference banks.</p> <p>(2) The Contingency Plan as stated in the preceding paragraph shall cover the cases where the service provider cannot carry out its outsourced operations in times of disaster or other emergencies.</p>
<p>Article 48 - Periodical review of the operational framework</p> <p>(1) JBATA shall assess and review the definitions, calculation method and overall operation of JBA TIBOR at the</p>	<p>(Periodical review of operational framework)</p> <p>Article 48 (1) The JBATA shall assess and review the definitions, calculation method and overall operation of the</p>

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<p>Administration Committee, in consideration of, among other things, the matters set out in the following items and feedback provided by external parties to JBATA:</p> <p>(i) Conditions of the Japan unsecured call market and the <u>Japan Offshore Market</u>, and the adequacy of the percentage of transactions executed by reference banks in these markets</p> <p>(ii) Conditions of relevant markets other than the Japan unsecured call market and the <u>Japan Offshore Market</u></p> <p>(iii) Reasonableness of the basis for submission rate calculation by reference banks</p> <p>(2) With regard to the assessment and review at the Administration Committee as set out in the preceding paragraph, JBATA shall report to the Oversight Committee at least annually, and the Oversight Committee shall examine the contents of such report and make recommendations for remedial actions to the Board of Directors, as necessary. The matters set out in each item of the preceding paragraph shall be disclosed in accordance with the decision by the Board of Directors regardless of whether such recommendations are made to the Board of Directors.</p> <p>(3) In response to the recommendations by the Oversight Committee as stipulated in the preceding paragraph, the Board of Directors shall take necessary actions, such as giving instructions on appropriate measures to the Administration Committee and the Planning Committee. Further, the Oversight Committee may receive a report on, and require the explanation of, the subsequent actions taken by the Board of Directors in response to the recommendations.</p> <p>(4) If, as a result of the assessment and review pursuant to paragraph (1), JBATA concludes that a situation set out in any of the items of paragraph (1) of the following article exists, it shall consider changes to the definitions or calculation methods of JBA TIBOR in accordance with the procedures stipulated in the following article.</p> <p>(5) Notwithstanding the provisions of paragraphs (1) to (3), a review of the scope and management method of conflicts of interest shall be considered in accordance with the provisions of Article 21.</p>	<p>JBA TIBOR at the Administration Committee, in consideration of, among other things, the matters set out in the following items and feedbacks provided by external parties to the JBATA at least annually in principle.</p> <p>(i) Conditions of the Japan unsecured call market and the <u>Japan Euroyen market</u>, and the adequacy of the percentage of transactions executed by reference banks in these markets</p> <p>(ii) Conditions of relevant markets other than the Japan unsecured call market and the <u>Japan Euroyen market</u></p> <p>(iii) Reasonableness of the basis for reference rate calculation by reference banks</p> <p>(2) With regard to the assessment and review at the Administration Committee as set forth in the preceding paragraph, the JBATA shall report to the Oversight Committee at least annually, and the Oversight Committee shall examine the contents of such report and make recommendations to the Board of Directors, as necessary. The matters set out in each item of the preceding paragraph shall be disclosed in accordance with the decision by the Board of Directors regardless of whether such recommendations are made to the Board of Directors.</p> <p>(3) In response to the recommendations by the Oversight Committee as stipulated in the preceding paragraph, the Board of Directors shall take necessary actions, such as giving an instruction on appropriate measures to the Administration Committee and the Planning Committee. Further, the Oversight Committee may receive a report on and require the explanation on the subsequent actions taken by the Board of Directors in response to the recommendations.</p> <p>(4) If, as a result of the assessment and review pursuant to paragraph (1), the JBATA concludes that a situation set out in any of the items of paragraph (1) of following article exists, it shall consider changes to the definitions or calculation methods of the JBA TIBOR in accordance with the procedures stipulated in the following article.</p> <p>(5) Notwithstanding the provisions of paragraphs (1) to (3), a review of the scope and management method of conflicts of interest shall be considered in accordance with the provisions of Article 21.</p>
<p>Article 49 - Changes in the definitions or calculation methods of JBA TIBOR</p> <p>(1) JBATA shall consider changes in the definitions or calculation methods of JBA TIBOR in cases <u>where either or both of the following situations are likely to</u> continue to exist for a certain period of time and there is no prospect of early restoration of such situation(s), which has led to a conclusion that JBA TIBOR may no longer be representative as a benchmark:</p> <p>(i) where there have been any structural changes in the Japan unsecured call market or the Japan Offshore Market that may require changes in the definitions, calculation methods of JBA TIBOR; or</p> <p>(ii) where underlying interest which JBA TIBOR seeks to measure is no longer generally used or is not functioning, and hence is deemed to be not fulfilling its role as a reliable benchmark.</p> <p>(2) Notwithstanding the preceding paragraph, JBATA shall consider changes in the definitions, calculation methods of JBA TIBOR, as appropriate, where it is deemed necessary to make such changes in light of a change in users' needs and actual market conditions.</p> <p>(3) When JBATA considers changes in the definitions or calculation methods of JBA TIBOR pursuant to the foregoing two paragraphs, such changes shall be decided by the Board of Directors after discussion at the Administration Committee. In submitting matters for resolution to the Board of Directors, the matters shall also be reported to the Oversight Committee to receive review. The Oversight Committee may review and challenge as necessary the decision made by the Board of Directors. This consideration and decision shall, to the utmost extent,</p>	<p>(Changes in the definitions or calculation methods of the JBA TIBOR)</p> <p>Article 49 (1) The JBATA shall consider changes in the definitions or calculation methods of the JBA TIBOR in cases <u>where any of the following situations</u> continues to exist for a certain period of time and there is no prospect of early remediation of such situation(s), which has led to a conclusion that the JBA TIBOR may no longer be representative as benchmark:</p> <p>(i) where there have been any structural changes in the Japan unsecured call money market or the Japan Offshore Market that may require changes in the definitions, calculation methods of the JBA TIBOR; or</p> <p>(ii) where underling interest which the JBA TIBOR seeks to measure is no longer generally used or is not functioning, and hence is deemed to be not fulfilling its role as a reliable benchmark.</p> <p>(2) Notwithstanding the preceding paragraph, the JBATA shall consider changes in the definitions, calculation methods of the JBA TIBOR, as appropriate, where it is deemed necessary to make such change in light of a change in users' needs and actual market conditions.</p> <p>(3) When the JBATA considers changes in the definitions, calculation methods of the JBA TIBOR pursuant to the foregoing two paragraphs, such change shall be decided by the Board of Directors after discussion at the Administration Committee. The Oversight Committee shall scrutinize and challenge as necessary the discussion. This consideration and decision shall, to the utmost extent, reflect an objective of continuously ensuring the soundness of the JBA TIBOR determination, considering the effect of such change on the stability of the financial</p>

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<p>reflect an objective of continuously ensuring the soundness of JBA TIBOR determination, considering the effect of such a change on the stability of the financial economy, the scope of contracts referencing JBA TIBOR, and the degree of the impact of such a change on the contracts. As a result of the consideration as stated herein, where it is deemed necessary to consider <u>the permanent cessation</u> of JBA TIBOR, etc., rather than making a change, the <u>permanent cessation</u>, etc. shall be considered in accordance with Article 51. However, this shall not preclude considering the change in the definition and methodology pursuant hereto and the <u>permanent cessation</u>, etc. pursuant to Article 51 simultaneously.</p> <p>(4) If the change considered pursuant to the foregoing three paragraphs is deemed material (a material change means that the change may significantly undermine the similarity with the pre-change JBA TIBOR, or is reasonably expected to have a significant impact on the level of JBA TIBOR), JBATA shall seek public comment and hold discussions with stakeholders, as appropriate.</p> <p>(5) Notwithstanding the preceding paragraph, if the change is deemed as a material change based on the consideration and determination pursuant to paragraph (3), JBATA may seek public comment and hold discussions with stakeholders as appropriate, as set out in the preceding paragraph.</p> <p>(6) In seeking public comment as stated in the foregoing two paragraphs, JBATA shall allow a sufficient period so that stakeholders, such as users, can have appropriate time to consider and comment on the change, and JBATA shall consider carrying out an impact analysis of the change, as appropriate.</p> <p>(7) When JBATA changes the definitions or calculation methods of JBA TIBOR as stated herein, it shall disclose on its website at least three months prior to the effective date of the details of the change, the reason, the feedback and comments submitted by stakeholders through public consultations as stated in the preceding paragraphs and the details of the discussions with the comment submitter(s) based on such comments (unless the comment submitter(s) request non-disclosure), and the effective date.</p>	<p>economy, the scope of contracts referring to the JBA TIBOR, and the degree of the impact of such change on the contracts. As a result of the consideration as stated herein, where it is deemed necessary to consider <u>suspending the ongoing publication</u> of the JBA TIBOR, etc., rather than changing the definitions and calculation methods, <u>such suspension</u>, etc. shall be considered in accordance with Article 51. However, this shall not preclude simultaneously considering the change in the definition and methodology pursuant hereto and the <u>suspension</u>, etc. pursuant to Article 51.</p> <p>(4) If the change considered pursuant to the foregoing three paragraphs is deemed material (a material change mean that the change may significantly undermine the similarity with the pre-change JBA TIBOR, or is reasonably expected to have a significant impact on the level of the JBA TIBOR rate), the JBATA shall seek public comment and hold discussions with stakeholders, as appropriate.</p> <p>(5) Notwithstanding the preceding paragraph, if the change is deemed a material change based on the consideration and determination pursuant to paragraph (3), the JBATA may seek public comment and hold discussions with stakeholders as appropriate, as set forth in the preceding paragraph.</p> <p>(6) In seeking public comment as stated in the foregoing two paragraphs, the JBATA shall allow a sufficient period so that stakeholders, such as users, can make full discussions, and the JBATA shall consider carrying out an impact analysis of such change, as appropriate.</p> <p>(7) When the JBATA changes the definitions or calculation methods of the JBA TIBOR as stated herein, it shall disclose on its website at least three months prior to the effective date the details of the change, the reason, the feedback and comments submitted by stakeholders through the public comment as stated in the preceding paragraphs and the details of the discussions with the comment submitter(s) based on such comment (unless the comment submitter(s) request non-disclosure), and effective date.</p>
<p>Article 50 - <u>Temporary cessation</u></p> <p>(1) If it is deemed necessary to temporarily <u>cease</u> JBA TIBOR publication due to unavoidable circumstances caused by disasters affecting broad areas or other events, JBATA may <u>cease</u> the publication <u>of that day</u>, upon a decision by the chairperson of JBATA after consultation with relevant authorities in accordance with the Contingency Plan as stipulated in Article 46. <u>In the above case, the previous business day's official rates are published as the current day's JBA TIBOR.</u> If the chairperson is not capable of performing their duty due to accidents or other reasons, the persons set out below, in descending order, shall fulfill the duty on behalf of the chairperson.</p> <p>(i) Vice chairperson of JBATA  (ii) Chairperson of the Administration Committee  (iii) Substitute person pre-designated by the Board of Directors</p> <p>(2) When the <u>temporary cessation</u> has been decided pursuant to the preceding paragraph, JBATA shall disclose it promptly and report to the Oversight Committee.</p>	<p>(Temporary <u>suspension</u>)</p> <p>Article 50 (1) If it is deemed necessary to temporarily <u>suspend</u> the JBA TIBOR publication due to unavoidable circumstances caused by disasters affecting broad areas or other emergencies, the JBATA may temporarily <u>suspend</u> the publication, upon a decision by the chairperson of the JBATA, in accordance with the Contingency Plan as stipulated in Article 46, as well as after having a discussion with relevant authorities. If the chairperson is not capable of performing its duty due to accidents, the person set out below, in this order, shall fulfill the duty on behalf of the chairperson. <u>In the above case, the previous day's official rates are used as the current day's JBA TIBOR.</u></p> <p>(i) Vice chairperson of the JBATA  (ii) Chairperson of the Administrative Committee  (iii) Substitute person pre-designated by the Board of Directors</p> <p>(2) When the <u>suspension</u> has been decided pursuant to the preceding paragraph, the JBATA shall disclose it promptly. In such cases, the current day's JBA TIBOR shall be identical with the previous day's JBA TIBOR.</p>
<p>Article 51 - <u>Permanent cessation</u> of JBA TIBOR, etc.</p> <p>(1) JBATA shall consider <u>permanent cessation</u> of JBA TIBOR, etc. in cases where any <u>(either individually or collectively)</u> of the following situations <u>are likely to</u> continue to exist <u>over a long period</u> and there is no prospect</p>	<p>(<u>Continuous suspension</u> of the JBA TIBOR, etc.)</p> <p>Article 51 (1) The JBATA shall consider <u>continuous suspension</u> of the JBA TIBOR publication, etc. in cases where any of the following situations continues to exist <u>for a certain</u> period of time and there is no prospect of early</p>

Comparison Table of JBA TIBOR Operational Rules

Revised version	Current version
<p>of early restoration of such situation(s) <u>in the future</u>, which has led to a conclusion that JBA TIBOR is <u>probably</u> no longer representative as a benchmark:</p> <p>(i) where any structural changes in the Japan unsecured call market or the Japan Offshore Market have given rise to the decline in the awareness of such market as an active market by market participants and related authorities, and <u>doubt exists as to its use as the underlying market of JBA TIBOR</u>;</p> <p>(ii) where the publication of JBA TIBOR has violated laws and regulations;</p> <p>(iii) where the reduction in demand for JBA TIBOR users is significant and it is determined that the impact on the financial industry and the economy will be limited even if the publication of JBA TIBOR will be <u>ceased</u>; or</p> <p>(iv) where <u>a change is deemed to be difficult to improve</u> although the change in the definitions or calculation methods of JBA TIBOR has been considered pursuant to the preceding Article 49 (1).</p> <p>(2) When JBATA considers the <u>permanent cessation</u> of JBA TIBOR, etc. pursuant to the preceding paragraph, such <u>permanent cessation</u> shall be decided by the Board of Directors after discussion at the Administration Committee. In submitting matters for resolution to the Board of Directors, the matters shall also be reported to the Oversight Committee. This consideration and decision shall, to the utmost extent, reflect an objective of continuously ensuring the soundness of JBA TIBOR determination, taking into account the effect of such <u>cessation</u>, etc. on the stability of the financial economy, the scope of contracts referencing JBA TIBOR, and the degree of the impact of such <u>cessation</u> on the contract.</p> <p>(3) In considering the <u>cessation</u> pursuant to the preceding two paragraphs, JBATA shall seek public comment and hold discussions with market participants including the users, as appropriate. Further, JBATA shall hold discussions with related authorities as appropriate.</p> <p>(4) In seeking the public comment as stated in preceding paragraph, JBATA shall allow a sufficient period so that stakeholders, such as users, can have appropriate time to consider and comment on the impact of the <u>cessation</u>, and JBATA shall consider carrying out an impact analysis of the cessation, as appropriate.</p> <p>(5) When JBATA <u>ceases</u> JBA TIBOR publication, etc. as stated herein, it shall disclose at least six months prior to the effective date of the timing of the <u>cessation</u>, its reason, the feedback and comments submitted by stakeholders through public consultations as stated in the preceding paragraphs and the details of the discussions with the comment submitter(s) based on such comments (unless the comment submitter(s) request non-disclosure).</p>	<p>remediation of such situation(s), which has led to a conclusion that the JBA TIBOR is no longer representative as benchmark:</p> <p>(i) where any structural changes in the Japan unsecured call money market or the Japan Offshore Market have given rise to not only the decline in the awareness of such market as an active market by market participants and related authorities but also a <u>doubt about the necessity of the existence as a market</u>;</p> <p>(ii) where the publication of the JBA TIBOR has violated the laws and regulations;</p> <p>(iii) where impact on the financial industry and the economy is believed to be limited even if a remarkable reduction in the needs of the JBA TIBOR users has given rise to the <u>suspension</u> of the publication, etc.; or</p> <p>(iv) where the <u>situation as stated in paragraph (1) of the preceding article continues</u> to exist although the change in the definitions or calculation methods of the JBA TIBOR has been considered pursuant to the preceding Article 49.</p> <p>(2) When the JBATA considers the <u>continuous suspension</u> of the JBA TIBOR publication, etc. pursuant to the preceding paragraph, such <u>suspension</u> shall be decided by the Board of Directors after discussion at the Administration Committee. The <u>suspension</u> shall be reported to the Oversight Committee. This consideration and decision shall, to the utmost extent, reflect an objective of continuously ensuring the soundness of the JBA TIBOR determination, taking into account the effect of such <u>suspension</u>, etc. on the stability of the financial economy, the scope of contracts referring to the JBA TIBOR, and the degree of the impact of such <u>suspension</u> on the contract.</p> <p>(3) In considering the <u>suspension</u> pursuant to the preceding two paragraphs, the JBATA shall seek public comment and hold discussions with stakeholders, as appropriate.</p> <p>(4) In seeking the public comment as stated in preceding paragraph, the JBATA shall allow a sufficient period so that stakeholders, such as users, can make full discussions and shall consider carrying out an impact analysis of such change, as appropriate.</p> <p>(5) When the JBATA <u>suspends</u> the JBA TIBOR publication, etc. on a continued basis as stated herein, it shall disclose at least six months prior to the effective date the timing of the <u>suspension</u>, its reason, the feedbacks and comments submitted by stakeholders through the public comment as stated in the preceding paragraphs and the details of the discussions with the comment submitter(s) based on such comment (unless the comment submitter(s) request non-disclosure), and effective date.</p>

Non-substantive revisions are not highlighted in the Comparison Table.