**質問表別紙（第二種金融商品取引業用）**

**Questionnaire Sheet (for Type II Financial Instruments Business)**

※以下の事項について、該当する社内規則に基づいて、当社の対応の概要を記載すること。

なお、該当しない場合は、「該当なし」と記載すること。

\*Provide a summary of your response to the following matters in accordance with your relevant company rules. Put “Not applicable.” for any item that is not applicable to you.

１．みなし有価証券販売業等に係る業務の適切性

1. Appropriateness of business operations related to securities equivalents sales business

勧誘・説明態勢（監督指針Ⅴ－２－１－１（1）～（5））

Control environment for customer solicitation and explanations (Guidelines for Supervision V-2-1-1(1)-(5))

（１）有価証券の受渡状況その他の必要情報の通知に係る留意事項

(1) Points of Attention Regarding Notification of Necessary Information Related to Delivery of Securities Equivalents and Other Matters

　　　みなし有価証券販売業者等が、次に掲げる事項を顧客に適切に通知しているか。

①　法第37条の４第１項に規定する契約締結時の書面に記載すべき事項

②　業府令第108条第１項各号に掲げる取引残高報告書に記載すべき事項

③　上記①及び②に掲げるもののほか、金銭若しくは有価証券の受渡しに関する事項

（ただし、金融機関を通じて金銭の受渡しを行う場合、振替決済により有価証券の受渡しを行う場合等、顧客との間で直接金銭又は有価証券の受渡しを行わない場合における当該受渡しに関する事項を除く。）

Whether securities equivalents sellers, etc., properly notify customers of the following items.

* 1. Items that must be specified in writing when a contract is signed under Article 37-4(1) of the FIEA.
	2. Items that must be specified in the report on the outstanding balance of transactions as specified under each item of Article 108(1) of the FIB Cabinet Office Ordinance.
	3. In addition to the items described in (i) and (ii) above, items related to the delivery of cash and securities (excluding cases where the transaction does not involve the direct delivery of cash and securities between the customer and the Financial Instruments Business Operator, such as when the delivery of cash is made through a financial institution and when the delivery of securities is made through a transfer settlement).

（２）投資信託の勧誘に係る留意事項

(2) Points of Attention Regarding Solicitation of Investment Trusts

　　　投資信託の勧誘に関し、例えば、以下の点にも留意するものとする。

①　投資信託の勧誘を行う際、販売手数料等の顧客（特定投資家を除く。②及び③において同じ。）が負担する費用について、次に掲げる事項を分かりやすく説明しているか。

 　　 イ．勧誘を行う投資信託の販売手数料の料率及び購入代金に応じた販売手数料の金額（勧誘時点で確定できない場合は概算額）

 　　 ロ．勧誘する投資信託の購入後、顧客が負担することになる費用（信託報酬（ファンド・オブ・ファンズ方式での運用を行う投資信託については投資対象とするファンドの運用管理費用を含めた実質的な負担率）、信託財産留保額等）

②　投資信託の分配金に関して、分配金の一部又は全てが元本の一部払戻しに相当する場合があることを、顧客に分かり易く説明しているか。

③　通貨選択型ファンドについては、投資対象資産の価格変動リスクに加えて複雑な為替変動リスクを伴うことから、通貨選択型ファンドへの投資経験が無い顧客との契約締結時において、顧客から、商品特性・リスク特性を理解した旨の確認書を受け入れ、これを保存するなどの措置をとっているか。

④　高齢顧客への勧誘による販売に係る留意事項については、Ⅳ－３－１－２（３）に準ずる。

⑤　ＮＩＳＡ制度を利用する取引の勧誘に係る留意事項については、Ⅳ－３－１－２（８）に準ずる。

⑥　特定資産以外の資産へ投資する投資信託等の販売に係る留意事項については、Ⅳ－３－１－２（９）に準ずる。

Regarding solicitation of investment trust products, particular attention shall be paid to the following points, for example.

(i) Whether the following points are explained in an easy-to-understand manner at the time of solicitation of investment trust products in relation to costs incurred by customers (excluding specified investors; hereinafter the same shall apply in (ii)-(iii)), such as commission on sales of investment trusts.

A. The rates of commission on sales, and the amounts of commission on sales that varies in accordance with the amount being purchased, of the investment trusts to be solicited (a rough estimate shall be provided if the exact figure is not available at the time of solicitation.).

B. Costs incurred by customers after purchasing the investment trusts under solicitation (including, for instance, trust fees (real contribution rates including the asset management costs of the destination funds of investment in cases of investment trusts using a fund-of-funds strategy), the value of assets retained in the trust, etc.)

(ii) With respect to dividends on investment trusts, whether it is explained to customers in an easily understandable manner, that all or part of the dividends may correspond to a partial repayment of principal.

(iii) Given that multi-currency funds involve not only a risk that the price of the invested asset will fluctuate but also the complex risk of currency fluctuation, when entering a contract with a customer that has no experience in investing in multi-currency funds, whether the securities company, etc. takes measures, such as receiving a written confirmation from the customer to the effect that he/she has understood the product characteristics and risk profile, and keeping it.

(iv) IV-3-1-2(3) shall be applied mutatis mutandis to points of attention regarding sales through solicitation targeting elderly customers.

(v) IV-3-1-2(8) shall be applied mutatis mutandis to points of attention regarding the solicitation of transactions that use the NISA Program.

(vi) IV-3-1-2(9) shall be applied mutatis mutandis to points of attention regarding sale of investment trusts, etc. which invest in assets other than specified assets.

（３）投資信託の乗換えに関する重要事項の説明に係る留意事項

(3) Points of Attention Regarding Explanation of Important Items Related to Investment Trust Switching

みなし有価証券販売業者等が、顧客の理解度に応じて、投資信託等の乗換えの投資目的との整合性を含め、当該乗換えの合理性について顧客が判断するために必要な事項の説明を行っているか。

行っていない場合において、実効的な検証を行うために必要な社内管理体制を構築しているか。なお、当該乗換えの合理性について顧客が判断するために必要な事項としては、例えば、投資信託等の販売にかかる一般的な説明事項のほか、解約する投資信託等の概算損益や、解約する投資信託等と取得する投資信託等の商品性や費用等の比較といった事項等が含まれ得るものの、個別の事案毎に顧客の知識、経験、財産の状況、投資目的や投資信託等の性質等に応じて異なり得ることに留意するものとする。

Whether a securities equivalents seller, etc., provides explanations regarding the information necessary for customers to make a judgment as to a rationale for the switching of investment trusts, etc., including the consistency of the switching and customers' investment purposes, in accordance with each customer's depth of understanding.

Whether a securities equivalents seller, etc., establishes internal control system for conducting effective verification if such explanation is not provided.

The information necessary for customers to make a judgment as to whether there is a rationale for switching may include roughly calculated profit and loss of the investment trust, etc. to be cancelled and comparisons of merchantability and expenses between the investment trust, etc. to be cancelled and that to be newly acquired, in addition to general items to be explained in relation to sale of investment trusts, etc., but it shall be noted that explanations may vary by case depending on each customer's knowledge, experience, status of assets, investment purposes, and the characteristics of relevant investment trusts, etc.

（４）ファンドに関する説明義務に係る留意事項

(4) Points of Attention Regarding Sale of Funds

①　ファンドに関する説明義務に係る留意事項

みなし有価証券販売業者等がこれら権利を取り扱う際には、組合契約等の概要や、当該ファンドが現に行っている事業の概要、当該契約に基づく権利のリスクに関する説明が、出資者に対して十分になされているか。

②　契約締結前の書面交付に係る留意事項

　　　　業府令第92条の２第１項第３号に規定する「事業型出資対象事業持分の売買その他の取引に係る契約の特性」としては、具体的には、（ⅰ）顧客が出資した金銭が充てられる出資対象事業の概要、（ⅱ）顧客は出資した金銭の実際の使途や収支の状況等について、出資対象事業を行う者から相対で入手する情報に基づいて顧客自身で判断する必要があること、（ⅲ）出資対象事業の収益性について保証等がされている訳ではないこと等について記載されているか。

(i) Points of Attention Regarding Responsibility for Providing Explanations Concerning Funds

In cases where a securities equivalents seller or a self-offering company handles such rights, whether it provides investors with sufficient explanations regarding the key points of association contracts, businesses in which relevant funds are involved and risks regarding rights based on the contracts.

(ii) Points of Attention Regarding Provision of Documents Prior to Signing Contracts

With regard to "Characteristics of contracts regarding buy or sell, or other transactions on holdings in businesses eligible for business-style investment" prescribed in Article 92-2(1)(iii) of the FIB Cabinet Office Ordinance, whether the document specifically refers to (1) overview of businesses eligible for investment to which funds invested by customers are assigned, (2) that customers themselves need to make judgment on the actual use of the funds they invested and the status of account balance based on information obtained from the individuals operating the business to which the investment is made, and (3) that there is no guarantee on the profitability of the business to which the investment is made.

（５）証券化商品の販売に係る留意事項（証券化商品の追跡可能性（トレーサビリティ）の確保）

(5) Points of Attention Regarding Sale of Securitization Products (Assurance of Traceability of Securitization Products)

みなし有価証券販売業者等が信託受益権の販売等を行う場合においても、日本証券業協会自主規制規則「証券化商品の販売等に関する規則」に準じて、以下のような点に留意するものとする。

なお、信託受益権販売業者が単なる売買の媒介しか行わないなど限定的な役割しか担わない場合であっても、投資者と接点を有する限りにおいては、実務上可能な範囲で協力をすることが望ましい。

①　販売に先立ち、原資産の内容やオリジネーターのリスクの継続保有状況、リスクに関する情報を収集し、適切な説明が可能となるよう、分析を行っているか。

②　販売の際に、格付けのみに依存することなく、原資産のリスク、格付けに反映されない流動性リスク等についても情報伝達を行うよう、社内手続き・ルールが定められており、必要な態勢が整備されているか。

③　投資者である顧客からの要望があれば、当該顧客が原資産の内容やリスクに関する情報を適切にトレースすることができるよう、情報伝達のための社内手続き・ルールが定められており、必要な態勢が整備されているか。

④　市場価格の特定が困難となった場合にも、理論価格等を評価・算定し、顧客に迅速かつ的確に提示することができる態勢が整備されているか。また、当該理論価格等の評価・算定に当たっては、情報利用者による意図的な特定の利用に資することを優先した恣意的な算定等がなされていないか。

Securities equivalents sellers, etc., who handle the sale, etc. of trust beneficiary rights, shall pay attention to the following points, in accordance with the self-regulatory regulations of the Japan Securities Dealers Association, entitled “Regulations Concerning the Distribution, etc. of Securitized Products.”

It should be noted that even if trust beneficiary rights sellers play only a limited role in transactions, such as acting as a sales agent, it is desirable that they provide support where possible as long as they deal with investors.

(i) Whether before selling securitization products, the trust beneficiary rights seller collects information regarding the contents of the underlying assets, the status of originators’ continuous retention of the risks and the risks involved therein and conducts sufficient analysis to provide appropriate explanations.

(ii) Whether the trust beneficiary rights seller has established the internal procedures and rules necessary for providing information regarding the risks involved in the underlying assets and liquidity risks not reflected in credit ratings, rather than relying exclusively on credit ratings, when they sell securitization products.

(iii) Whether the trust beneficiary rights seller has established the internal procedures and rules necessary for providing information in ways that enable customers investing in securitization products to trace information regarding the contents of the underlying assets and the risks involved therein, if requested to do so by the investors.

(iv) Whether the trust beneficiary rights seller has developed a control environment for evaluating and calculating theoretical prices and quickly informing customers of them, even when it is difficult to determine market prices. Whether trust beneficiary rights sellers avoid evaluating and calculating theoretical prices in an arbitrary manner, so as to refrain from giving priority to promoting the arbitrary use of the information for specific purposes.

　取引一任契約等（監督指針Ⅴ－２－１－２（1）～（2））

Discretionary trading contracts, etc. (Guidelines for Supervision V-2-1-2(1), (2))

　誤認防止措置（監督指針Ⅴ－２－１－３（1））

Measures to prevent misrecognition (Guidelines for Supervision V-2-1-3(1))

（１）他の金融機関との誤認防止措置に係る留意事項

(1) Points of Attention Regarding Measures to Prevent Securities Equivalents Sellers, etc., from Being Misrecognized as Other Financial Institutions

　みなし有価証券販売業者等が、本店その他の営業所を他の金融機関と同一の建物に設置してその業務を行う場合には、顧客が当該みなし有価証券販売業者等を当該金融機関と誤認することを防止する観点から、以下の点について顧客に十分に説明しているか。

　　①　当該みなし有価証券販売業者等と当該金融機関は、別法人であること。

②　当該みなし有価証券販売業者等が提供する有価証券関連業に係る商品・サービスは、当該金融機関が提供しているものではないこと。

In cases where the securities equivalent seller, etc. conducts business operations, with its headquarters or sales branches located in a building also occupied by another financial institution, whether the securities equivalents seller, etc. provides sufficient explanations regarding the following matters to customers, from the viewpoint of preventing customers from misrecognizing the said securities equivalents seller, etc. as the said financial institution.

(i) The securities equivalents seller, etc. and the financial institution sharing the building are different corporations.

(ii) Products and services provided by the securities equivalents seller, etc. are different from those provided by the said financial institution.

　暗号等資産による出資金等に係る分別管理（監督指針Ⅴ－２－１－４）

Segregated management of investments through crypto-and other assets (Guidelines for Supervision V-2-1-4)

　　暗号等資産が出資又は拠出される場合には、当該暗号等資産が、暗号資産交換業者や信託会社等への管理の委託により適切に管理されなければならず、みなし有価証券販売業者等においては、委託先となる暗号資産交換業者や信託会社等の流出リスクの低減のための態勢等について適切に確認が行われているか。

When crypto-and other assets are invested or contributed, the securities equivalents seller, etc. needs to appropriately manage the crypto--and other assets by entrusting the management to a crypto-asset exchange service provider or a trust company, etc. Whether the securities equivalents seller, etc. appropriately confirms the control environment, etc. for reducing the risk of leakage developed by the outsourced crypto-asset exchange service providers or trust company, etc.