

The Amendment Creates the Statuses of Residence for Acceptance of the New Foreign Workers

1. Creation of the Statuses of Residence of *Specified Skilled Worker (i)* and *Specified Skilled Worker (ii)*

- (1) Specified Skilled Worker (i): This status of residence is aimed at foreign nationals engaging in work requiring a considerable degree of knowledge or experience, in specified industrial fields where human resources are needed to supplement the shortage of labor.
- (2) Specified Skilled Worker (ii): This status of residence is aimed at foreign nationals engaging in work requiring proficient skills in the above-mentioned industrial fields.

2. Establishing Provisions on the Acceptance Process

- (1) Provisions on the Basic Policy (cabinet decision) to clarify cross-industrial policies
- (2) Provisions on the Field-Specific Operation Policy to clarify the policy in each accepting field
- (3) Provisions to stipulate specific fields, etc. by Ministry of Justice Order
- (4) Provisions on the examinations that specified skilled workers undergo on occasions such as when entering the country or changing accepting organizations
- (5) Provisions for cases in which it is necessary to temporarily suspend the acceptance of specified skilled workers

3. Establishing Provisions on Support for Foreign Nationals

- (1) Accepting organizations are required to formulate support plans and to use these as the basis for implementing support for working life, daily life, and social life of foreign nationals with *Specified Skilled Worker (i)* status.
- (2) The support plan is required to meet the necessary set of criteria.

4. Establishing Provisions Regarding Accepting Organizations

- (1) In order to ensure that the amount of remuneration and other conditions for a specified skilled worker are equal to or greater than those of a Japanese national, the employment contract between the specified skilled worker and the accepting organization is required to meet the necessary standards.
- (2) It is required for accepting organizations to meet the necessary standards in order to ensure 1) the proper performance of employment contracts and 2) the appropriate implementation of support plans.

5. Establishing Provisions on Registered Support Organizations

- (1) If the accepting organization has entrusted the support of foreign nationals with *Specified Skilled Worker (i)* status to a registered support organization, it is deemed to meet the requirement referred to in 4(2)2).
- (2) A person who has been entrusted to provide support for foreign nationals with *Specified Skilled Worker (i)* status may be registered by the Commissioner of the Immigration Services Agency.
- (3) Other provisions concerning registration

6. Establishing Provisions on Notification, Guidance, Advice, and Reports

- (1) Provisions on notifications that foreign nationals, accepting organizations, and registered support organizations file with the Commissioner of the Immigration Services Agency
- (2) Provisions on guidance and advice directed to accepting organizations and registered support organizations by the Commissioner of the Immigration Services Agency, provisions on the Commissioner's collection of reports from these organizations, and other such provisions
- (3) Provisions on orders for improvement issued by the Commissioner of the Immigration Services Agency to accepting organizations

7. Establishing Provisions That Make It Possible to Grant Statuses of Residence to Spouses and Children of Foreign Nationals with *Specified Skilled Worker (ii)* Status

8. Establishing Other Related Procedures and Penalties, etc.

Amendment of the Role of the Ministry of Justice

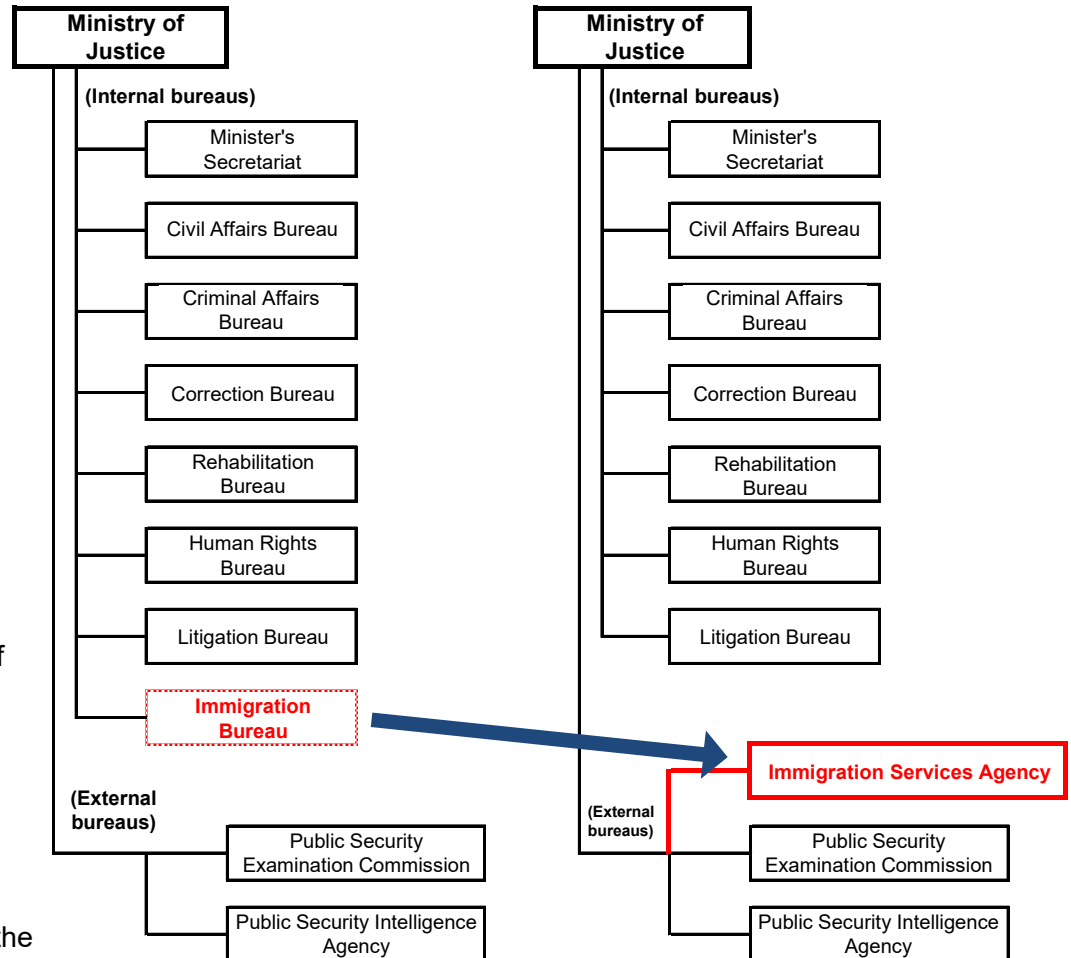
The amendment changes the part of the Ministry's role that involves immigration control from *equitable control over entry into and departure from the country* to *equitable control over entry into, departure from, and residence in the country*.

Establishment of the Immigration Services Agency

- (1) The *Immigration Services Agency* is to be put in place as an independent branch of the Ministry of Justice, with the agency head being the Commissioner of the Immigration Services Agency
- (2) Role of the Immigration Services Agency
 - a) To provide for equitable control over entry into, departure from, and residence in the country
 - b) To assist with the Administrative Affairs of the Cabinet in relation to specific important Cabinet Policies related to the role mentioned above
- (3) Establishing Regional Immigration Services Bureaus and Other Organizations
Regional Immigration Bureaus, which constituted the local branch offices of the Ministry of Justice, are set in place as the local branch offices of the new Immigration Services Agency by the name of Regional Immigration Services Bureaus.

Other Revisions

- Establishing provisions concerning the authority of the Minister of Justice and the Commissioner of the Immigration Services Agency
- Establishing provisions regarding cooperation, such as information exchange with the relevant administrative agencies
- Revision of the necessary words and phrases, and other corrections as needed



新たな外国人材受入れのための在留資格の創設

1 在留資格「特定技能1号」「特定技能2号」の創設

- (1) 特定技能1号: 不足する人材の確保を図るべき産業上の分野に属する相当程度の知識又は経験を要する技能を要する業務に従事する外国人向けの在留資格
- (2) 特定技能2号: 同分野に属する熟練した技能を要する業務に従事する外国人向けの在留資格

2 受入れのプロセス等に関する規定の整備

- (1) 分野横断的な方針を明らかにするための「基本方針」(閣議決定)に関する規定
- (2) 受入れ分野ごとの方針を明らかにするための「分野別運用方針」に関する規定
- (3) 具体的な分野名等を法務省令で定めるための規定
- (4) 特定技能外国人が入国する際や受入れ機関等を変更する際に審査を経る旨の規定
- (5) 受入れの一時停止が必要となった場合の規定

3 外国人に対する支援に関する規定の整備

- (1) 受入れ機関に対し、支援計画を作成し、支援計画に基づいて、特定技能1号外国人に対する職業生活上、日常生活上又は社会生活上の支援を実施することを求める。
- (2) 支援計画は、所要の基準に適合することを求める。

4 受入れ機関に関する規定の整備

- (1) 特定技能外国人の報酬額が日本人と同等以上であることなどを確保するため、特定技能外国人と受入れ機関との間の雇用契約は、所要の基準に適合することを求める。
- (2) ①雇用契約の適正な履行や②支援計画の適正な実施が確保されるための所要の基準に適合することを求める。

5 登録支援機関に関する規定の整備

- (1) 受入れ機関は、特定技能1号外国人に対する支援を登録支援機関に委託すれば、4(2)②の基準に適合するものとみなされる。
- (2) 委託を受けて特定技能1号外国人に対する支援を行う者は、出入国在留管理庁長官の登録を受けることができる。
- (3) その他登録に関する諸規定

6 届出、指導・助言、報告等に関する規定の整備

- (1) 外国人、受入れ機関及び登録支援機関による出入国在留管理庁長官に対する届出規定
- (2) 出入国在留管理庁長官による受入れ機関及び登録支援機関に対する指導・助言規定、報告徴収規定等
- (3) 出入国在留管理庁長官による受入れ機関に対する改善命令規定

7 特定技能2号外国人の配偶者及び子に対し在留資格を付与することを可能とする規定の整備

8 その他関連する手続・罰則等の整備

(注) 特定技能1号外国人: 特定技能1号の在留資格を持つ外国人、特定技能2号外国人: 特定技能2号の在留資格を持つ外国人、特定技能外国人: これらの外国人の総称

法務省の任務の改正

法務省の任務のうち、出入国管理に関する部分を「出入国の公正な管理」から「出入国及び在留の公正な管理」に変更する。

出入国在留管理庁の設置

(1) 法務省の外局として「出入国在留管理庁」を設置し、同庁の長を出入国在留管理庁長官とする。

(2) 出入国在留管理庁の任務

- ア 出入国及び在留の公正な管理を図ること
- イ アの任務に関連する特定の内閣の重要政策に関する内閣の事務を助けること

(3) 地方出入国在留管理局等の設置

法務省の地方支分部局である地方入国管理局を地方出入国在留管理局とし、出入国在留管理庁の地方支分部局として設置する。

その他

- ・ 法務大臣と出入国在留管理庁長官の権限に関する規定の整備
- ・ 関係行政機関との情報交換等連絡協力に関する規定の整備
- ・ その他所要の語句の修正等

