

# Employment Measures Act

(Act No. 132 of July 21, 1966)

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## Chapter I General Provisions

(Purpose)

Article 1 (1) The purpose of this Act is for the national government to facilitate proper functioning in the labor market in order to strike a balance in terms of both quality and quantity between labor supply and demand, as well as to enable workers to make effective use of their abilities by comprehensively taking the necessary measures for employment in response to the demographic changes caused by the declining birthrate and the aging of the population as well as other changes in economic and social circumstances, thereby creating employment security for workers and improving workers' economic and social status, as well as contributing to economic and social development and the achievement of full employment.

(2) In enforcing this Act, the authorities shall respect workers' freedom of choice in employment and employers' autonomy in employment management, and shall endeavor to motivate workers to develop and improve their vocational skills and achieve economic independence through work, as well as to facilitate employers' efforts toward ensuring employment security for workers.

(Definitions)

Article 2 The term "Employment Placement Agency" as used in this Act means any Public Employment Security Office (including the principal of a school that

offers some of the services performed by a Public Employment Security Office pursuant to the provisions of the Employment Security Act (Act No. 141 of 1947)) or any other person that offers employment placement services, having obtained a license or filed a notification pursuant to the provisions of that Act.

(Basic Principles)

Article 3 Consideration must be given to ensuring employment security throughout workers' entire vocational lives by helping them make appropriate plans for their vocational lives and by effectively taking measures such as helping them develop and improve the abilities required to realize such plans and facilitating them in smoothly finding new employment in the case of job changes.

(Measures by the National Government)

Article 4 (1) In order to achieve the purpose set forth in paragraph (1) of Article 1, the national government must comprehensively take any necessary measures, in accordance with the basic principles prescribed in the preceding Article with respect to the following particulars:

- (i) enhancing measures for vocational guidance and employment placement, in order to help all persons find employment suited to their abilities and meet industry's labor demand;
- (ii) enhancing measures for vocational training and vocational skills testing, in order to enable all persons to acquire skills and knowledge suited to their abilities, in line with changes such as advances in technology and changes in the structure of industry, and to be properly evaluated for their acquired skills and knowledge;
- (iii) enhancing measures necessary to support workers during a change of jobs, during a move from one place to another, in adapting to the workplace, and in other endeavors, in order to enable workers that have difficulty finding employment to do so, and to rectify imbalances between labor supply and demand;
- (iv) enhancing measures necessary to prevent workers from becoming unemployed and facilitating workers who are compelled to separate from employment due to a downscaling of operations, etc. (meaning any downscaling of operations or activities or any change or discontinuation of business operations; the same applies hereinafter) in smoothly finding new employment;
- (v) facilitating continued employment among women and facilitating women who take leave or quit their jobs for reasons of pregnancy, childbirth, or child rearing, in smoothly finding new employment, facilitating the employment of single mothers and widows, and enhancing other measures necessary to

- facilitate the employment of women, in order to ensure their employment security;
- (vi) increasing young persons' interest in and understanding of occupations, facilitating improvements in employment management with regard to young persons, facilitating the development and improvement of the practical vocational skills of young persons, and enhancing other measures necessary to facilitate the employment of young persons, in order to ensure their employment security;
  - (vii) , facilitating the smooth implementation of measures such as raising the mandatory retirement age and introducing a continuous employment system, facilitating older workers in finding new employment, ensuring various employment opportunities for the same, and enhancing other measures necessary to enable elderly persons to find employment in line with their own wishes and abilities regardless of age, in order to ensure their employment security;
  - (viii) facilitating employment and vocational rehabilitation for persons with disabilities and enhancing other measures necessary to facilitate the self-sufficiency of persons with disabilities in their vocational lives, in order to ensure their employment security;
  - (ix) enhancing measures necessary to facilitate the improvement of employment patterns and styles of working, in order to rectify the unstable employment situation;
  - (x) enhancing measures necessary to facilitate improvements in employment management with regard to foreign nationals (meaning all persons not of Japanese nationality; hereinafter the same shall apply in this Article) and to facilitate foreign nationals who have separated from employment in finding new employment, in order to facilitate the employment in Japan of foreign nationals who have advanced expertise or skills, and to ensure appropriate employment opportunities for foreign nationals residing in Japan for the purpose of employment;
  - (xi) enhancing measures necessary to facilitate the employment of workers in regions with shortages of employment opportunities, in order to improve regional employment structures; and
  - (xii) facilitating improvements in employment management that contribute to ensuring employment security and meeting industry's labor demand, and enhancing other measures, in addition to what is set forth in the preceding items, which are necessary for enabling workers to make effective use of their abilities.
- (2) When the national government takes the measures prescribed in the preceding paragraph and other related measures, in addition to interworking them with measures such as those to ensure the sound growth of the national

economy, corresponding improvements in corporate management bases, and regional development, and in addition to facilitating a steady increase in employment opportunities and rectifying regional imbalances in employment opportunities, the national government must give its attention to rectifying of employment practices that prevent workers from making effective use of their abilities.

(3) In taking the measures prescribed in item (x) of paragraph (1), the national government must endeavor to help the supply-demand adjustment function of the labor market operate appropriately by interworking these measures with measures to control the entry and stay of foreign nationals, and by preventing foreign nationals from engaging in illegal work (meaning the illegal work prescribed in item (iii)-4, (a) of Article 24 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951)) and inappropriately supplying labor.

(Measures by Local Governments)

Article 5 Along with the measures taken by the national government, all local governments must endeavor to take any necessary employment measures according to the circumstances of the relevant region.

(Employers' Responsibilities)

Article 6 An employer must endeavor to ensure the employment security of workers who are compelled to separate from employment due to a downscaling of operations, etc. by supporting such workers in their job search and other efforts toward finding new employment.

Article 7 In consideration of the fact that young persons will play a major role in industry and society in the future, an employer shall endeavor to ensure employment opportunities for young persons by improving its recruitment and employment processes to allow for proper evaluation of their abilities, or by taking other measures necessary to improve employment management with regard to young persons and develop and improve their practical vocational skills.

Article 8 In consideration of the fact that foreign nationals (meaning persons who do not have Japanese nationality, excluding persons prescribed by Ordinance of the Ministry of Health, Labour and Welfare; the same applies hereinafter) do not have full knowledge of Japanese employment practices or the full information on employment that is necessary when searching for jobs in Japan, an employer must endeavor to take measures to enable the foreign nationals it employs to adapt to their jobs, and must otherwise improve its

employment management with regard to foreign nationals it employs to enable them to make effective use of their abilities, and if a foreign national separates from employment due to dismissal (excluding dismissal based on grounds attributable to the worker) or due to any other reason prescribed by Ordinance of the Ministry of Health, Labour and Welfare and the foreign national wishes to find new employment, the employer must endeavor to search for job openings and take other necessary measures to support the foreign national in finding new employment.

(Guidelines)

Article 9 The Minister of Health, Labour and Welfare shall establish and make public the necessary guidelines for employers to take appropriate actions with respect to the particulars prescribed in the preceding two Articles.

(Ensuring Equal Opportunities Regardless of Age in Recruitment and Hiring)

Article 10 Whenever it is considered necessary, as prescribed by Ordinance of the Ministry of Health, Labour and Welfare, in order for workers to make effective use of their abilities, an employer must provide workers with equal opportunities in recruitment and hiring, regardless of their age, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

## **Chapter II Guidance to Job Seekers and Recruiting Employers, etc.**

(Employment Information)

Article 11 (1) The Minister of Health, Labour and Welfare shall collect and organize information on the labor supply and demand, information on the requirements for job openings and job applications, and other necessary employment information (hereinafter referred to as "Employment Information") for the purpose of contributing to the prompt and proper matching of job openings with job applications.

(2) The Minister of Health, Labour and Welfare shall provide Employment Information to job seekers, recruiting employers, and other relevant persons, as well as to Employment Placement Agencies, vocational training institutions, educational institutions, and other relevant organizations, in order that they may use such Employment Information for the purposes of job selection, hiring workers, vocational guidance, job placement, vocational training, and other measures.

(3) The Minister of Health, Labour and Welfare shall maintain and develop the necessary organizations for ensuring that Employment Information is promptly and effectively collected, organized, used, and provided for use.

(Occupational Research Studies)

Article 12 (1) The Minister of Health, Labour and Welfare shall conduct research studies on analysis of the present conditions of and trends in occupations, on vocational aptitude testing, on increases in vocational adaptability, on job analysis methods, and on other basic information about occupations.

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the results of research studies set forth in the preceding paragraph (hereinafter referred to as "Results of Occupational Research Studies").

(Guidance for Job Seekers)

Article 13 An Employment Placement Agency must endeavor to enable job seekers to choose an occupation suited to their aptitudes, abilities, experience, skills, etc., by providing them with Employment Information, the Results of Occupational Research Studies, and other similar information, as well as by giving them guidance based on such information regarding their preferred type of work, preferred job location, and other details related to applying for jobs, required skills, and other particulars involved in applying for jobs, thereby helping them enjoy freedom of choice in employment.

(Guidance for Recruiting Employers)

Article 14 (1) An Employment Placement Agency must endeavor to encourage recruiting employers to hire workers suited to the job or position being offered, by providing recruiting employers with Employment Information, Results of Occupational Research Studies and other similar information, as well as by giving them guidance regarding the details of their job openings based on such information.

(2) An Employment Placement Agency may provide recruiting employers with Employment Information and other similar information, as well as giving them guidance based on such information, regarding the timing of recruiting, the number of workers to be recruited, the geographical areas in which to recruit, and other methods of recruiting, if the Employment Placement Agency considers such efforts necessary to maintain a proper balance between labor supply and demand.

(Employment Support)

Article 15 If an employer, labor union, or any other relevant party requests support in hiring or assigning workers, aptitude testing, vocational training, or any other particular related to employment, the relevant employment security agency or public human resources development facility must give the party the necessary advice or take other measures, using the Employment Information,

Results of Occupational Research Studies, or other similar information.

### **Chapter III Enhancement of Vocational Training, etc.**

(Enhancement of Vocational Training)

- Article 16 (1) The national government must actively take the necessary measures to enhance vocational training, such as developing vocational training facilities, enhancing vocational training programs, studying and developing vocational training methods, training and securing vocational training instructors, and improving the quality of instruction.
- (2) The national government must endeavor to ensure that vocational training conducted at public human resources development facilities is closely related to the vocational training conducted by employers or their associations, in order to ensure the effective development and improvement of workers' vocational skills.

(Enhancement of Vocational Skill Testing System)

- Article 17 The national government must endeavor to help workers develop and improve their vocational skills, ensure workers' employment security, and improve workers' economic and social status by establishing proper standards for vocational skills evaluations and establishing and enhancing a system for testing workers' vocational skills based on standards determined in cooperation with employers' associations and other relevant parties and in consideration of advances in technology, the vocational skill levels required for workers to smoothly find new employment, and other circumstances.

### **Chapter IV Job-Change Benefits**

(Payment of Job-Change Benefits)

- Article 18 Aside from benefits payable under the provisions of other laws and regulations, the national government and each prefecture may, in accordance with the classification prescribed by Cabinet Order, pay the following benefits (hereinafter referred to as "Job-Change Benefits") to job seekers and other workers or employers for the purpose of enabling and encouraging workers to find jobs suited to their abilities:
- (i) benefits to facilitate job seekers in the job search and to provide them with security in their livelihoods;
  - (ii) benefits to enable job seekers to acquire knowledge and skills;
  - (iii) benefits to be allocated for expenses related to searching for a job over a wide geographical area;
  - (iv) benefits to be allocated for necessary expenses related to relocation for

- finding employment or acquiring knowledge or skills;
- (v) benefits to facilitate training job seekers to help them adapt to the work environment; and
- (vi) benefits other than what is listed in the preceding items which are prescribed by Cabinet Order.

(Payment Criteria, etc.)

- Article 19 (1) Necessary criteria for the payment of Job-Change Benefits are prescribed by Ordinance of the Ministry of Health, Labour and Welfare.
- (2) In establishing and implementing the criteria set forth in the preceding paragraph, careful consideration must be given to the relationship between Job-Change Benefits and similar benefits payable under the provisions of other laws and regulations, in order to ensure that the criteria facilitate the employment of job seekers.

(Burden of the National Government)

- Article 20 Pursuant to the provisions of Cabinet Order, the national government bears a part of the expenses for Job-Change Benefits paid by the prefectures.

(Prohibition on Transfers, etc.)

- Article 21 The right of a person to receive Job-Change Benefits may not be assigned, offered as collateral, or attached; provided, however, that this does not apply to attachment of the right of an employer through a disposition due to non-payment of national tax (including dispositions under the same rules).

(Prohibition of Public Charges)

- Article 22 Taxes and other public charges may not be assessed on the basis of Job-Change Benefits (excluding those paid to employers).

(Liaison and Cooperation)

- Article 23 Prefectural Labor Offices; Public Employment Security Offices; the prefectures; and the Japan Organization for Employment of the Elderly, Persons with Disabilities and Job Seekers must maintain close liaisons and cooperation among themselves to ensure the smooth and effective payment of Job-Change Benefits.

## **Chapter V Measures that Facilitate Employers' Support for Workers in Finding New Employment, etc.**

(Formulation of New Employment Support Plans, etc.)

- Article 24 (1) If an employer carries out a downscaling of its operations, etc.



prescribed by Ordinance of the Ministry of Health, Labour and Welfare that is expected to compel a considerable number of its workers to separate from employment at any of its places of business, the employer must formulate a plan for measures to support such workers in finding new employment (hereinafter referred to as a "New Employment Support Plan") pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

- (2) In formulating a New Employment Support Plan pursuant to the provisions of the preceding paragraph, the employer must hear the opinion of the labor union, if the place of business under the New Employment Support Plan has a labor union composed of a majority of the workers, or must otherwise hear the opinion of a representative of the majority of the workers, if the place of business does not have such a labor union. The same applies if the employer seeks to modify the New Employment Support Plan.
- (3) An employer that formulates a New Employment Support Plan pursuant to the provisions of the preceding two paragraphs must submit the Plan to the head of the relevant Public Employment Security Office for approval pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare. The same applies if the employer modifies the New Employment Support Plan.
- (4) Upon receipt of an application for approval as set forth in the preceding paragraph, if the head of the relevant Public Employment Security Office considers the measures stated in the New Employment Support Plan to be inappropriate for facilitating workers in finding new employment, the head of the Public Employment Security Office may request the applicant to modify the New Employment Support Plan. If the employer fails to meet such a request, the head of the Public Employment Security Office may refuse to grant approval.
- (5) An employer that has applied for approval as set forth in paragraph (3) is deemed to have filed a notification pursuant to the provisions of paragraph (1) of Article 27 on the date of application.

Article 25 (1) Even if the downscaling of operations, etc. that an employer seeks to carry out at any of its places of business does not fall under the stipulations in paragraph (1) of the preceding Article, the employer may, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, formulate a New Employment Support Plan for the workers who are compelled to separate from employment due to the downscaling of operations, etc. and submit a New Employment Support Plan to the head of the relevant Public Employment Security Office for approval. The same applies if the employer modifies a New Employment Support Plan.

- (2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to cases in which an employer formulates or modifies a New

Employment Support Plan pursuant to the provisions of the preceding paragraph; the provisions of paragraphs (4) and (5) of that Article apply mutatis mutandis to cases in which an employer applies for approval as set forth in the preceding paragraph.

(Aid and Support to Facilitate Workers in Smoothly Finding New Employment)  
Article 26 For the purpose of facilitating workers who are compelled to separate from employment due to a downscaling of operations, etc. (hereinafter referred to as "Supported Workers" in this Article) in smoothly finding new employment, the government must, as part of the services for stabilizing employment set forth in Article 62 of the Employment Insurance Act (Act No. 116 of 1974), provide the aid and support necessary to employers that give their Supported Workers time off to search for jobs (excluding time off given as annual paid leave pursuant to the provisions of Article 39 of the Labor Standards Act (Act No. 49 of 1947)) or that take other measures that are considered to contribute significantly to facilitating workers' in finding new employment, based on a New Employment Support Plan that has been approved pursuant to the provisions of Article 24, paragraph (3) or paragraph (1) of the preceding Article.

(Notification, etc. of Large Fluctuations in Employment)  
Article 27 (1) Before there is a fluctuation (meaning the separation from employment of a considerable number of workers within a certain period of time due to a downscaling of operations, etc. or other similar reason) in the volume of employment at an employer's place of business which falls under a case prescribed by Ordinance of the Ministry of Health, Labour and Welfare (hereinafter referred to as a "Large Fluctuation in Employment" in this Article), the employer must notify the Minister of Health, Labour and Welfare of the number of workers to be separated from employment and of any other particulars prescribed by Ordinance of the Ministry of Health, Labour and Welfare pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.  
(2) The provisions of the preceding paragraph do not apply to a Large Fluctuation in Employment involving the national or local government. In such cases, the appointer (including a person who has been delegated appointive power; the same applies in paragraph (3) of the following Article) of the national or local government shall give notice to the Minister of Health, Labour and Welfare prior to the Large Fluctuation in Employment pursuant to the provisions of Cabinet Order.  
(3) Upon receipt of a notification under paragraph (1) or a notice under the preceding paragraph, the national government must endeavor to facilitate the workers affected by such notification or notice in finding new employment by

taking the following measures:

- (i) having an employment security agency provide Employment Information to the workers and other relevant persons, conduct extensive searches for job openings, and place workers in jobs, prior to the workers' separation from employment and at the request of the worker, while maintaining close liaison with the employment security agency; and
- (ii) having a public human resources development facility provide necessary vocational training to the workers.

### **Chapter VI Measures Such as Facilitating Improvements in Employment Management with regard to Foreign Nationals and Facilitating Foreign Nationals in Finding New Employment**

(Notification, etc. of the Employment Status of Foreign Nationals)

Article 28 (1) If an employer newly hires a foreign national or if a foreign national employed by an employer separates from employment, the employer must, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, verify the foreign national's name, status of residence (meaning the status of residence as prescribed in paragraph (1) of Article 2-2 of the Immigration Control and Refugee Recognition Act; the same applies in the following paragraph), period of stay (meaning the period of stay as prescribed in paragraph (3) of the same Article), and other particulars prescribed by Ordinance of the Ministry of Health, Labour and Welfare, and notify the Minister of Health, Labour and Welfare thereof.

- (2) Upon receipt of a notification under the preceding paragraph, the national government must endeavor to facilitate improvements in employment management with regard to the foreign national named in the notification or facilitate the foreign national in finding new employment, by taking the following measures:
  - (i) having an employment security agency provide the employer with the necessary guidance and advice regarding proper employment management with regard to the foreign national for his/her status of residence, knowledge, experience, etc.;
  - (ii) having an employment security agency provide the employer with the necessary guidance and advice on supporting the foreign national in finding new employment, at the request of the employer;
  - (iii) having an employment security agency provide Employment Information to the foreign national, conduct searches for job openings, or place the foreign national in a job, in accordance with the foreign national's abilities, status of residence, etc.; and
  - (iv) having a public human resources development facility provide necessary

vocational training to the foreign national.

- (3) The provisions of paragraph (1) do not apply to the hiring or separation from service of a foreign national by the national or local government. In such cases, if the national or local government newly hires a foreign national or if a foreign national employed by the national or local government separates from service, the appointer of the national or local government shall give notice to the Minister of Health, Labour and Welfare pursuant to the provisions of Cabinet Order.
- (4) The provisions of paragraph (2) (excluding items (i) and (ii)) apply mutatis mutandis to a case in which notice is given pursuant to the provisions of the preceding paragraph.

(Provision of Information Regarding Notification)

Article 29 If requested by the Minister of Justice to check on the particulars of a foreign national's residence in connection with the handling of administrative affairs prescribed in the Immigration Control and Refugee Recognition Act or the Alien Registration Act (Act No. 125 of 1952), the Minister of Health, Labour and Welfare shall provide the Minister of Justice with information regarding any notifications under paragraph (1) of the preceding Article or notices under paragraph (3) of the same Article.

(Liaison or Cooperation with the Minister of Justice)

- Article 30 (1) For the purpose of ensuring the proper and smooth adjustment of labor supply and demand and for other similar purposes, the Minister of Health, Labour and Welfare may request the necessary liaison or cooperation from the Minister of Justice regarding the entry or departure of foreign nationals residing in Japan for work.
- (2) Upon receipt of a request for liaison or cooperation under the preceding paragraph, the Minister of Justice shall meet the request to the extent possible, unless doing so would disturb the performance of the Minister's primary duties.

## **Chapter VII Miscellaneous Provisions**

(Coordination Between the National Government and Local Governments)

Article 31 The national government and all local governments must maintain liaisons and cooperate among themselves so that services such as vocational guidance and employment placement provided by the national government and employment measures taken by local governments are implemented smoothly and effectively in close connection with one another.

(Advice, Guidance, and Recommendations)

Article 32 The Minister of Health, Labour and Welfare may give advice, guidance, or recommendations to employers, if the Minister considers doing so to be necessary in connection with the enforcement of this Act.

(Reports, etc.)

Article 33 (1) To the extent necessary to enforce the provisions of paragraph (1) of Article 27 and paragraph (1) of Article 28, the Minister of Health, Labour and Welfare may, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, order an employer to report on the employment status of workers and on other particulars, and may have ministry officials enter an employer's place of business in order to ask questions of the relevant persons or to inspect the employer's books, documents, or other articles.

(2) An official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph shall carry an identification card and produce it for the relevant persons.

(3) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) must not be construed as granting authority to conduct criminal investigations.

(Requests for the Submission of Materials, etc.)

Article 34 The Minister of Health, Labour and Welfare may request that an employer submit necessary materials and give explanations if the Minister considers this to be necessary for the enforcement of this Act (excluding the provisions in paragraph (1) of Article 27 and paragraph (1) of Article 28).

(Requests for Reports)

Article 35 A prefectural governor or the head of a Public Employment Security Office may request a person who is receiving or who has received Job-Change Benefits to report the necessary particulars connected with the payment of such Job-Change Benefits.

(Delegation of Authority)

Article 36 (1) The authority of the Minister of Health, Labour and Welfare as prescribed in this Act may be delegated in part to the directors of the Prefectural Labor Offices pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(2) The authority delegated to the directors of the Prefectural Labor Offices pursuant to the provisions of the preceding paragraph may be delegated to the heads of the Public Employment Security Offices pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(Exclusion from Application)

- Article 37 (1) This Act does not apply to mariners prescribed in paragraph (1) of Article 6 of the Mariners' Employment Security Act (Act No. 130 of 1948).
- (2) The provisions of Articles 6 through 10 and Chapter V (excluding Article 27) do not apply to national or local public officers.

(Penal Provisions)

- Article 38 (1) A person falling under any of the following items is punished by a fine of not more than 300,000 yen:
- (i) a person who has failed to give notice or who has given false notice, in violation of the provisions of paragraph (1) of Article 27;
  - (ii) a person who has failed to submit a notification pursuant to the provisions of Article 28, paragraph (1) or who has submitted a false notification;
  - (iii) a person who has failed to submit a report pursuant to the provisions of Article 33, paragraph (1) or who has submitted a false report, a person who has failed to answer or falsely answered a question asked by an official under the provisions of the same paragraph, or a person who has refused, obstructed, or evaded an inspection under the provisions of the same paragraph; or
  - (iv) a person who has failed to submit a report pursuant to the provisions of Article 35, or who has submitted a false report.
- (2) If the representative of a juridical person or the agent, employee, or other worker of a juridical person or person commits any of the violations set forth in the preceding paragraph with regard to the business of the juridical person or person, not only the offender, but also the juridical person or person, is subject to the punishment set forth in the same paragraph.

**Supplementary Provisions [Extract]**

(Effective Date)

- Article 1 This Act comes into effect as of the date of its promulgation; provided, however, that the provisions of Article 21 come into effect as of the day six months after the date of its promulgation.

**Supplementary Provisions [Act No. 107 of October 1, 1973]**

- (1) This Act comes into effect as of the date of its promulgation; provided, however, that the provisions of Article 1 revising Article 21 of the Employment Measures Act come into effect as of the day six months after the date of its promulgation.
- (2) The provisions of Article 21 of the Employment Measures Act as revised by

this Act (limited to the part concerning fluctuations in employment volumes involving workers' separation from employment) apply to fluctuations in employment volumes as prescribed in that Article if the whole of the separation from employment involved in the fluctuation occurs on or after the date of enforcement (meaning enforcement under the proviso to the preceding paragraph; the same applies hereinafter) of this Act; if the whole or a part of the separation from employment involved in the fluctuations occurs prior to that date, the provisions then in force remain applicable.

(3) With regard to the application of penal provisions to acts engaged in prior to the enforcement of this Act and acts engaged in after the enforcement of this Act that involve notification of fluctuations in employment volumes to which the provisions then in force remain applicable pursuant to the preceding paragraph, the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 43 of April 30, 1986] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1986.

**Supplementary Provisions [Act No. 41 of June 1, 1987] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1988.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 31 Transitional measures necessary for the enforcement of this Act other than those provided for in these Supplementary Provisions are prescribed by Cabinet Order.

**Supplementary Provisions [Act No. 34 of June 17, 1994] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1995.

**Supplementary Provisions [Act No. 32 of April 9, 1997] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of July 1, 1998.

**Supplementary Provisions [Act No. 110 of September 28, 1998]**

This Act comes into effect as of April 1, 1999.

**Supplementary Provisions [Act No. 20 of March 31, 1999] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date of its promulgation; provided, however, that the provisions of Articles 12 through 49 of the Supplementary Provisions come into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of its promulgation.

**Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions listed in each of the following items come into effect as of the date prescribed in the relevant item:

- (i) The provisions of Article 1 that add five Articles, a Section title, and two Subsections and Subsection titles after Article 250 of the Local Autonomy Act (limited to the part involving Article 259-9, paragraph (1) of that Act (the part involving the acquisition of consent of both houses)); the provisions of Article 40 that revise paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act (limited to the part involving paragraph (10) of the Supplementary Provisions of that Act); the provisions of Article 244 (excluding the part involving provisions revising Article 14-3 of the Agricultural Improvement Facilitation Act); the provisions of Article 472 (excluding the part involving provisions revising Articles 6, 8, and 17 of the Act on Special Provisions of the Merger of Municipalities); and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) through (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of promulgation

(Exception to the Application of Article 156, Paragraph (4) of the New Local Autonomy Act)

Article 122 The provisions of Article 156, paragraph (4) of the New Local Autonomy Act do not apply to a Prefectural Labor Office established under the Act Establishing the Ministry of Labour as revised by the provisions of Article 375 (hereinafter referred to as a "Prefectural Labor Office"), which is located at the same place as a prefectural labor standards office under the Act Establishing the Ministry of Labour prior to its revision pursuant to the provisions of Article 375 at the time of enforcement of this Act.



(Transitional Measures for Local Employment Security Officials)

Article 123 In the absence of a formal notice of a personnel change, a person who is an official as prescribed in Article 8 of the Supplementary Provisions of the Old Local Autonomy Act (limited to an official appointed by the Minister of Labour or a person delegated authority by the Minister; referred to as a "Local Employment Security Official" in Article 158 of the Supplementary Provisions) at the time of enforcement of this Act shall become the corresponding official of a Prefectural Labor Office.

(Transitional Measures for Local Labor Standards Councils, etc.)

Article 124 Local labor standards councils, local employment security councils, district employment security councils, local minimum wage councils, local industrial homework councils, and equal opportunity conciliation committees established under each of the relevant laws prior to their revision by this Act, and any of their chairpersons, members, and other officials shall continue in the same capacity, as the equivalent agencies and officials of the equivalent Prefectural Labor Offices.

(Administrative Affairs of the National Government, etc.)

Article 159 Other than what is provided for in each of the relevant laws prior to their revision by this Act, the administrative affairs of the national government, local governments, and any other public entity (referred to as "Administrative Affairs of the National Government, etc." in Article 161 of the Supplementary Provisions) that are administered or executed, prior to the enforcement of this Act, by a local government agency pursuant to a law or Cabinet Order based on a law, must, after the enforcement of this Act, be handled by the local government pursuant to a law or Cabinet Order based on a law, as administrative affairs of the local government.

(Transitional Measures for Dispositions, Applications, etc.)

Article 160 (1) With regard to the application of each of the laws revised by this Act on or after the date of enforcement of this Act to dispositions granting permission, etc. and other actions (hereinafter referred to as "Dispositions, etc." in this Article) that are taken pursuant to the provisions of the relevant laws prior to their revision and before the enforcement of this Act (or before the enforcement of the relevant provisions, with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) or to applications for permission, etc. and other actions (hereinafter referred to as "Applications, etc." in this Article) that are taken pursuant to the provisions of

the relevant laws prior to their revision and before the enforcement of this Act, for which the persons in charge of the administrative affairs connected with these actions differ on the date of enforcement of this Act, such actions are deemed to be Dispositions, etc. or Applications, etc. made pursuant to the corresponding provisions of the relevant laws after their revision by this Act, excluding the actions prescribed in the provisions of Article 2 through the preceding Article of the Supplementary Provisions, and excluding the actions prescribed in the provisions on transitional measures in each of the relevant laws after its revision by this Act (including orders under such laws).

- (2) With regard to subject matters for which procedures such as reporting, notification or submission to a national or local government organization must be followed pursuant to the provisions of each of the relevant laws prior to their revision and before the enforcement of this Act, if such a procedure has yet to be followed prior to the date of enforcement of this Act, it is deemed that the procedure has yet to be followed pursuant to the corresponding provisions of the relevant law after its revision by this Act, and the provisions of each of the relevant laws revised by this Act apply, except as otherwise prescribed in this Act or any Cabinet Order under this Act.

(Transitional Measures for Appeals)

Article 161 (1) With regard to appeals under the Administrative Appeals Act against dispositions ordered for Affairs of the National Government, etc. prior to the date of enforcement, if there was a higher administrative agency as prescribed in that Act (hereinafter referred to as a "Higher Administrative Agency" in this Article) above the administrative agency ordering the disposition (hereinafter referred to as the "Administrative Agency Ordering the Disposition" in this Article) prior to the date of enforcement, the Administrative Agency Ordering the Disposition is deemed to continue to have a Higher Administrative Agency above it on and after the date of enforcement, and the provisions of that Act apply. In such cases, the administrative agency deemed to be the Higher Administrative Agency of the Administrative Agency Ordering the Disposition is the administrative agency that was the Higher Administrative Agency of the Administrative Agency Ordering the Disposition prior to the date of enforcement.

- (2) In a case referred to in the preceding paragraph, if the administrative agency deemed to be the Higher Administrative Agency is a local government agency, the administrative affairs to be handled by the agency pursuant to the provisions of the Administrative Appeals Act are the type 1 statutory entrusted functions prescribed in item (i) of paragraph (9) of Article 2 of the New Local Autonomy Act.

(Transitional Measures for Fees)

Article 162 With regard to fees payable pursuant to the provisions of each of the relevant laws prior to their revision by this Act (including orders under such laws) before the date of enforcement, the provisions then in force remain applicable unless otherwise prescribed in this Act or by Cabinet Order pursuant to this Act.

(Transitional Measures for Penal Provisions)

Article 163 With regard to the application of penal provisions to actions engaged in prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 (1) Transitional measures necessary for the enforcement of this Act other than what is provided for in these Supplementary Provisions (including transitional measures for penal provisions) are prescribed by Cabinet Order.  
(2) Particulars necessary for the application of the provisions of Articles 18, 51 and 184 of the Supplementary Provisions are prescribed by Cabinet Order.

(Examination)

Article 250 The addition of type 1 statutory entrusted functions as prescribed in item (i) of paragraph (9) of Article 2 of the New Local Autonomy Act must be limited as much as possible, and type 1 statutory entrusted functions listed in Appended Table 1 of the New Local Autonomy Act and those indicated by Cabinet Order pursuant to that Act must be examined from the perspective of facilitating decentralization, and appropriately reviewed whenever necessary.

Article 251 In order to enable local governments to execute their administrative affairs and perform services voluntarily and independently, the government must examine means of increasing and securing local tax revenues based on the division of roles between the national and local governments, taking into consideration changes in economic circumstances, and must take necessary measures based on the results of such examination.

Article 252 In connection with the reform of the medical insurance system, the pension system, and other similar systems, the government must examine the administrative system for social insurance and the roles of personnel engaged in this system, from the perspective of ensuring convenience for the insured and other relevant persons and increasing administrative efficiency, and, if the government considers it necessary, it must take any required measures based on the results of such examination.

**Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]**

(Effective Date)

Article 1 This Act (excluding Articles 2 and 3) comes into effect as of January 6, 2001.

**Supplementary Provisions [Act No. 60 of May 12, 2000] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of October 1, 2000.

**Supplementary Provisions [Act No. 35 of April 25, 2001] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of October 1, 2001; provided, however, that the provisions of Articles 1 and 6, the provisions of the following Article (excluding the second sentence of paragraph (2)) and Article 6 of the Supplementary Provisions, the provisions of Article 11 of the Supplementary Provisions (excluding the provisions revising Appended Table 1, item (xx)-13 of the Act on Public Consultants on Social and Labor Insurance (Act No. 89 of 1968)), and the provisions of Article 12 of the Supplementary Provisions come into effect as of June 30, 2001.

(Delegation to Cabinet Order)

Article 5 Transitional measures necessary for the enforcement of this Act other than those provided for in these Supplementary Provisions are prescribed by Cabinet Order.

(Transitional Measures for Penal Provisions)

Article 6 With regard to the application of penal provisions to actions engaged in prior to the enforcement of this Act (or before the enforcement of the relevant provisions, with regard to the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions; the same applies hereinafter) and actions engaged in after the enforcement of this Act to which the provisions then in force remain applicable pursuant to the provisions of paragraph (3) of Article 2 and paragraph (1) of Article 4 of the Supplementary Provisions, the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 170 of December 13, 2002] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date of its promulgation; provided, however, that the provisions of Articles 6 through 9 and Articles 11 through 34 of the Supplementary Provisions come into effect as of March 1, 2004.

**Supplementary Provisions [Act No. 103 of June 11, 2004] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of its promulgation; provided, however, that the provisions listed in each of the following items come into effect as of the date prescribed in the relevant item:

- (ii) the provisions of Article 2 that revise Article 9; Article 10; Article 15; Article 16, paragraph (1); and Article 17, paragraph (1); of the Act on Stabilization of Employment of Elderly Persons, the provisions of Article 2 that add one Article after Article 53 of the same Act, the provisions of Article 2 that add three Articles to the Supplementary Provisions of the same Act, and the provisions of Articles 4 and 5 of the Supplementary Provisions: April 1, 2006

**Supplementary Provisions [Act No. 79 of June 8, 2007] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three months from the date of its promulgation; provided, however, that the provisions listed in each of the following items come into effect as of the dates prescribed in the relevant items:

- (i) the provisions of Article 1 that delete Article 12 from the Employment Measures Act and change Article 11 of the same Act to Article 12 and Article 10 to Article 11; the provisions of Article 1 that revise Article 7 of the same Act; the provisions of Article 1 that change Article 7 in Chapter I of the same Act to Article 10 and add three Articles after Article 6 of the same Act; the provisions of Article 1 that change the title of Chapter VI of the same Act; the provisions of Article 1 that revise Article 24, paragraph (5) of the same Act; the provisions of Article 1 that revise Article 31, paragraph (1) of the same Act (excluding the part in item (ii) of that paragraph in which "Article 29" is replaced with "Article 35"); the provisions of Article 1 that revise Article 30, paragraph (2) of the same Act; the provisions of Article 1 that delete Article 28 from the same Act and change Article 27 of the same Act to Article 31; the provisions of Article 1 that add three Articles after Article 31 of the same Act (excluding the part involving Article 32); the provisions of

Article 1 that add one Article after Article 26 in Chapter VI of the same Act; the provisions of Article 1 that change Chapter VI of the same Act to Chapter V and add one Chapter after Chapter V of the same Act; and the provisions of the following Article and Articles 6 and 9 of the Supplementary Provisions: October 1, 2007

(Transitional Measures for Notification, etc. of the Employment Status of Foreign Nationals)

- Article 2 (1) An employer that currently employs a foreign national (meaning a foreign national as prescribed in Article 8 of the Employment Measures Act as revised by the provisions of Article 1 (hereinafter referred to as the "New Employment Measures Act"; hereinafter the same applies in this Article)) at the time of enforcement of the provisions listed in item (i) of the preceding Article must, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, verify the particulars of the foreign national that are prescribed in paragraph (1) of Article 28 of the New Employment Measures Act and notify the Minister of Health, Labour and Welfare of such particulars no later than October 1, 2008; provided, however, that this does not apply if the foreign national separates from employment during the period between the date of enforcement of the provisions listed in that item and October 1, 2008.
- (2) The provisions of the preceding paragraph do not apply to the employment of a foreign national by the national or local government. In such cases, the appointer (including persons who have been delegated appointive power) of the national or local government shall, pursuant to the provisions of Cabinet Order, give the Minister of Health, Labour and Welfare notice of the particulars prescribed in paragraph (1) of Article 28 of the New Employment Measures Act for each foreign national currently employed at the time of enforcement of the provisions listed in item (i) of the preceding Article no later than October 1, 2008; provided, however, that this does not apply if the foreign national separates from employment during the period between the date of enforcement of the provisions listed in that item and October 1, 2008.
- (3) The provisions of Article 28, paragraph (2) (excluding item (iii)) of the New Employment Measures Act apply mutatis mutandis to a case in which notification is given pursuant to the provisions of paragraph (1).
- (4) The provisions of Article 29 of the New Employment Measures Act apply mutatis mutandis to notifications under paragraph (1) and notices under paragraph (2).
- (5) The provisions of Article 33 of the New Employment Measures Act apply mutatis mutandis to the enforcement of the provisions of paragraph (1).
- (6) The authority of the Minister of Health, Labour and Welfare under paragraph (1) of Article 33 of the New Employment Measures Act, as applied mutatis

mutandis pursuant to paragraphs (1) and (2) and the preceding paragraph, may be delegated in part to the directors of Prefectural Labor Offices pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(7) The authority delegated to the directors of the Prefectural Labor Offices pursuant to the provisions of the preceding paragraph may be delegated to the heads of Public Employment Security Offices pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(Penal Provisions)

Article 6 A person falling under any of the following items is punished by a fine of not more than 300,000 yen:

- (i) a person who has failed to submit a notification pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions, or who has submitted a false notification; or
- (ii) a person who has failed to submit a report pursuant to the provisions Article 33, paragraph (1) of the New Employment Measures Act as applied mutatis mutandis pursuant to Article 2, paragraph (5) of the Supplementary Provisions, or who has submitted a false report, a person who has failed to answer or falsely answered a question asked by an official under the provisions of Article 33, paragraph (1) of the same Act, or a person who has refused, obstructed, or evaded an inspection under the provisions of the same paragraph.

(Delegation to Cabinet Order)

Article 7 Transitional measures necessary for the enforcement of this Act other than those provided for in these Supplementary Provisions are prescribed by Cabinet Order.

(Examination)

Article 8 Five years after this Act comes into effect, the government must examine the provisions of the Employment Measures Act and the Act on Promotion of Job Opportunities in Certain Regions as revised by this Act, taking into consideration the status of their enforcement, and must take necessary measures based on the results of such examination.

### **Supplementary Provisions [Act No. 79 of July 15, 2009] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three years from the date of its promulgation; provided, however, that the provisions listed in each of the following items

come into effect as of the date prescribed in the relevant item:

- (i) the provisions of Article 1 that revise Article 53, paragraph (3) of the Immigration Control and Refugee Recognition Act (hereinafter referred to as the "Immigration Control Act") (excluding the part involving item (iii) of the same paragraph); the provisions of Article 3 that replace "Article 70, item (xiii)" with "Article 70, paragraph (1), item (viii)" in Article 8 of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace of Japan (hereinafter referred to as the "Special Act"); and the provisions of Article 60 of the Supplementary Provisions: the date of promulgation
- (iii) the provisions of Article 1 (excluding the provisions revising Article 23 (including the Title); Article 53, paragraph (3); Article 76; and Article 77-2 of the Immigration Control Act); the provisions of the following Article through Article 5 of the Supplementary Provisions; Article 44 (excluding item (vi)) of the Supplementary Provisions and Article 51; the provisions of Article 53 of the Supplementary Provisions that revise Article 4, paragraph (3) of the Employment Measures Act (Act No. 132 of 1966); the provisions of Article 55, paragraph (1) of the Supplementary Provisions; and the provisions of Article 57 of the Supplementary Provisions that add "Article 21, paragraph (4) and" immediately after "Article 20, paragraph (4) (" and deletes ", Article 21, paragraph (4)" from the part concerning the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951) in the Appended Table of the Act on the Utilization of Information and Communications Technology in Administrative Procedure, etc. (Act No. 151 of 2002): the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation

(Examination)

- Article 60 (1) With regard to foreign nationals who are currently residing in Japan but who are not permitted to reside in Japan under the Immigration Control Act or the Special Act, for whom a certain period of time has elapsed since provisional release under paragraph (2) of Article 54 of the Immigration Control Act, the Minister of Justice shall, no later than the date of enforcement, examine such options as notifying the relevant municipalities of the foreign nationals' places of residence, family relationships, and other information, from the perspective of ensuring the smooth enforcement of this Act and allowing the foreign nationals to enjoy administrative benefits on and after the date of enforcement, and shall take necessary measures based on the results of such examination.
- (2) With regard to foreign nationals who are currently residing in Japan but who are not permitted to reside in Japan under the Immigration Control Act or the



Special Act, the Minister of Justice shall consider taking measures to encourage them to turn themselves in, such as improving the transparency of decisions to grant the permission set forth in paragraph (1) of Article 50 of the Immigration Control Act, as well as considering other measures to reduce the number of illegal residents for the purpose of ensuring the smooth enforcement of this Act.

- (3) The Minister of Justice shall examine, based on the historical context, what should be done with regard to residency management involving foreign nationals residing in Japan as permanent residents who have particularly strong roots in Japan, from the perspective of contributing to the stability of their lives in Japan.

Article 61 Approximately three years after this Act comes into effect, the government must review the provisions of the New Immigration Control Act and the New Special Act, taking the status of enforcement of these Acts into consideration, and must take necessary measures based on the results of such review if considered necessary.

#### **Supplementary Provisions [Act No. 26 of April 27, 2011] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of October 1, 2011.